Scroll down to continue

Part One

CHILD CUSTODY RECOMMENDING COUNSELING OVERVIEW(CCRC)

(Formerly Known as Mediation)

Introduction to CCRC

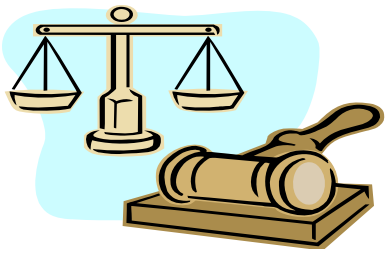
- CCRC is required whenever there is a dispute about child custody or visitation
- CCRC focuses on developing an agreement between parents that is in the best interest of your children

Family Code §3170

California Law Defines Three Purposes of CCRC

- To reduce conflict between the parents
- To develop an agreement ensuring the child's close and continuing contact with both parents consistent with public policy and
- To effect a settlement regarding visitation rights that is in the best interest of the child

Family Code §3161



CCRC is to Assist Both Parents to Reach an Agreement

- Child Custody Recommending Counselors will help you work out the terms of a parenting plan with the other parent

- Your parenting plan may consist of:
  - How time will be shared during the school year and summer
  - Holidays and vacation schedules
  - Transportation and exchanges, and;
  - Other important details

What if Parents Already Have an Agreement?

- If both parents agree to a parenting plan, then there is no need for CCRC
- To make your plan a court order, you must provide a written agreement to the court for approval
- If you have an agreement but need assistance with the paperwork, let the court know so we can help

Scroll down to continue

Part Two

The CCRC Process

CCRC Goals

- Help you reach an agreement that's in the best interest of the children
- Work out the details of your parenting plan
- Reduce conflict between the parents
- Enhance understanding of the other parent's point of view
- Focus on what works best for your children

What is Discussed in CCRC?

- A parenting plan that is in the best interest of your children

Family Code Sections 3011 and 3020

What is NOT Discussed in CCRC?

- Child Support
- Spousal Support
- Property and other monetary disputes

What Can be Included in a Parenting Plan?

- Child sharing plan
- School year schedule
- Summer schedule
- Holidays and birthdays
- Vacations
- Transportation and exchanges
- Phone calls
- Extra-curricular activities

Parenting Plan Considerations

- Age and emotional stage of development of each child
- Planning for change as your children grow
- Letting your children know about schedule changes
- Your child's special needs
- Telling your children when they will see the other parent

Legal Custody May be Discussed

- Legal custody includes the right to make decisions about a child's residence, health, education, and welfare

- Legal custody is either joint or sole
  - Joint legal custody = both parents have the right to make decisions
  - Sole legal custody = one parent has the exclusive right to make decisions

Family Code Sections 3003 and 3006

Physical Custody Might be Discussed

- Physical custody is either joint or sole
  - Joint physical custody =
    - Both parents share significant periods of physical custody that assures frequent and continuing contact with both parents
    - Does not necessarily mean equal time share
    - One parent may still be designated as the primary caregiver for the purpose of receiving public benefits
  - Sole physical custody =
    - One parent provides primary supervision and physical control of the child
    - Other parent still retains rights of visitation

Family Code Sections 3004 and 3007

Custody Considerations When There is Domestic Violence

- If an act of domestic violence is committed by a parent, the court presumes that they should not have custody of the children
- This presumption may be challenged at a court hearing regarding custody of your children
- Domestic violence orders are handled outside of the CCRC process

Family Code 3044

Mediation in Nevada County

- Mediation in Nevada County is referred to as “Child Custody Recommending Counseling”, meaning if an agreement between the parties cannot be reached the following will occur:
  - The matter will be referred back to court with a Status Report discussing what occurred during the CCRC session
  - The Child Custody Recommending Counselor can make recommendations to the judge

- CCRC is not a confidential process:
  - Child Custody Recommending Counselors can recommend to the judge that an attorney be appointed for the child if appropriate
  - Child Custody Recommending Counselors must report the following to the local child protection agency or law enforcement
    - Abuse or neglect
    - A person's intent to kill

CCRC Process

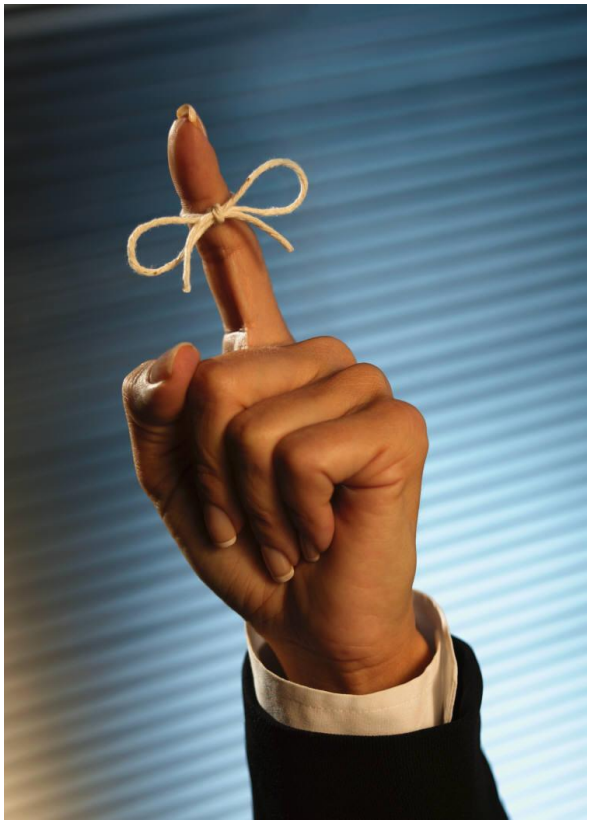
- The parent who filed the current request speaks first
- Parents are expected to meet together unless domestic violence is alleged
- Generally, the participants only include the legal parents and the Child Custody Recommending Counselor
- Some cases may have two Child Custody Recommending Counselors assigned to help

Special Rules if There is Domestic Violence

- Restraining Orders are to be obeyed at all times
- CCRC will begin with separate sessions
- A support person may be present during the CCRC session
- Joint sessions may take place based on the Child Custody Recommending Counselor's discretion if the restraining order allows for “peaceful contact for the purposes of child sharing”
- If you feel unsafe at any time, the Child Custody Recommending Counselor will end the joint session and interview both parents separately

Important Points to Keep in Mind

- Children do best when parents get along
- Put aside your differences for your children's sake
- Come to CCRC with an open mind



CCRC Guidelines

- Do
  - Focus on child's best interest
  - Come with an open mind
  - Prepare to discuss several possible options
- Don't
  - Focus on the other parent
  - Reject a proposal without consideration
  - Let others make decisions for you

During CCRC

- Each parent presents their proposals for child sharing and custody
- Parents negotiate and compromise to reach an agreement
- The Child Custody Recommending Counselor
  - Remains neutral
  - Does not represent either side
  - Helps both parties reach an agreement

CCRC Outcomes

- Agreement Reached
  - Both parents sign
  - Forwarded to judicial officer for approval
- Partial Agreement
  - Agreed upon terms
    - Signed by parents
    - Forwarded to judicial officer for approval
  - Remaining issues
    - Further CCRC or
    - Returned to court for decision
- No Agreement
  - Returned to court for decision

Who Are Your Child Custody Recommending Counselors?

- Masters Degree (or higher) in a behavioral science such as psychology, social work, marriage, family, or child counseling

- A minimum of two years experience, knowledge of the court system and community resources

Children in CCRC

- Child Custody Recommending Counselors may use their discretion in deciding if it is necessary to interview your children
- Child Custody Recommending Counselors are trained to work sensitively in these matters
- Children are not asked to choose sides or to choose between parents

Child Custody Recommending Counselor Limitations

- Child Custody Recommending Counselors may not have private (ex parte) discussions regarding your case with:
  - Judicial Officers (unless in courtroom in your presence)
  - Attorneys, including your own
  - Either parent alone outside of CCRC
- Child Custody Recommending Counselors cannot:
  - Give legal advice
  - Discuss child support, spousal support, or division of property

Frequently Asked Questions

How do I get my CCRC appointment?	Upon filing a Request for Order to Establish or Modify either custody or visitation (or both), you will be served by the filing party
When are appointments?	Scheduled Monday – Thursday for 60 - 90 minutes
What if someone fails to attend CCRC?	A failure to appear will be noted in your court record which is accessible at any hearing. The judge may also impose a monetary sanction.
How much does it cost?	It is included in the filing fee
What if someone is late?	CCRC cannot start until both parties arrive. A late arrival of 15 minutes will result in a no show.

Frequently Asked Questions, cont.

Who Should attend?	Both parents attend together unless DV is alleged. **Do not bring children.**
Where is CCRC held?	CCRC sessions are held in the Family Court Services Offices, 201 Church St, Nevada City, CA and at the Truckee Branch, 10075 Levon Ave, Truckee, CA

Scroll down to continue

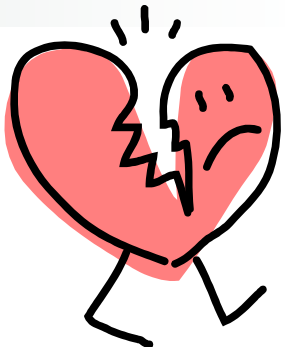
Part Three

Emotional Issues

Children have the capacity to Love Both of Their Parents Equally

- It isn't their job to choose
- It is your job to decide

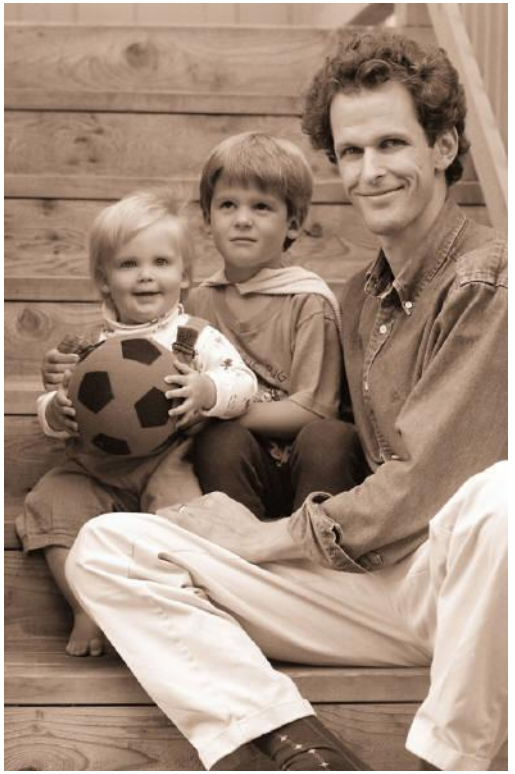
Emotional Justice



- If you are here to right an emotional wrong, Family Court is not the place
- CCRC is not about winning or losing – it's about problem solving for the best interest of your children
- Consider counseling and/or join a support group to help you

You Stop Being Partners but...

- You continue as parents
- Separate your feelings about the other parent from your child's needs
- Your children need you both in a healthy relationship with them



Research Findings

Children

- Who witness family violence of any kind are emotionally traumatized
- Need to be emotionally and physically safe from parental conflict
- Need a healthy relationship with both parents

Research Findings, cont.

Children:

- Need consistency and stability from both parents, not necessarily equal time
- Do better when they know when they will be spending time with each parent
- Experience a great sense of loss in a separation and/or divorce
- Need emotional support and guidance through the process

Psychological Tasks for Children in Separation

Based on Judith Wallerstein's book Second Chances

1. Acknowledgement of the reality of the separation.
2. Disengaging from the parental conflict.
3. Resolution of loss.
4. Resolving anger and blame.
5. Achievement of realistic hope about relationships.
6. Accept the permanence of the separation.

Stages of Grief and Loss Through Separation

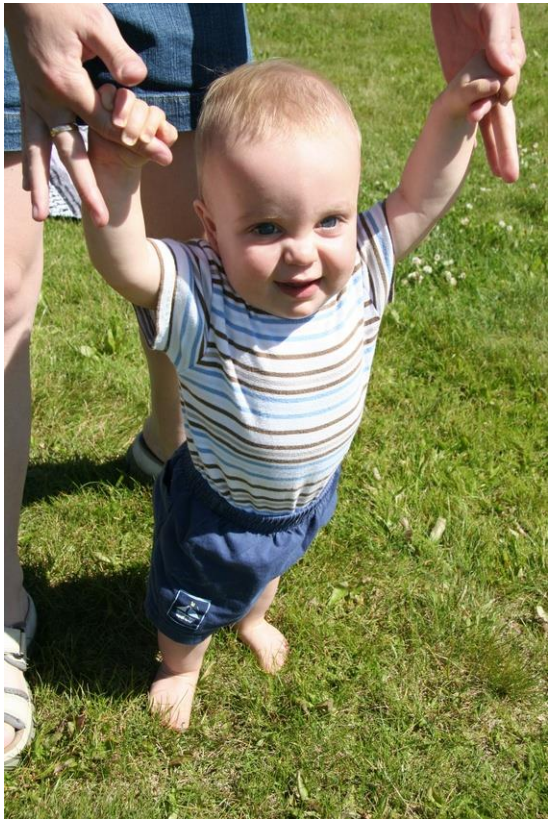
Stages	For Adults	For Children
Denial	This can't be happening. S/he will come back and we will work it out.	Mom and Dad can't be hurting me and each other like this. Its only temporary. They will get back together.
Anger	How could s/he do this to me? I'm the responsible one. S/he is not the person I knew.	How could they do this to me? If they loved me, they would stay together.
Bargaining	If we get counseling or I change, then we'll get back together.	If I am really good, maybe they will get back together.

Stages of Grief and Loss Through Separation, cont.

Stages	For Adults	For Children
Depression	I'm overwhelmed. I can't cope. It's all too much. No one understands.	It's my fault. I hate school. I hate my life. Nothing is okay.
Acceptance	It's over. I need to get on with my life and career and help our kids get their lives back to normal.	Mom and Dad are not getting back together and it's okay.
Growth	I've moved on. I know myself better. I'm ready for something new.	I don't have to pretend anymore.

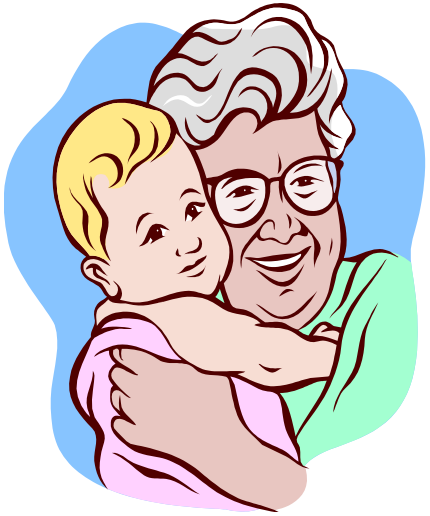
Supporting Your Children

- Support the time the child is with their other parent
- Promptly share child related information
- Tell your children they are not the cause of the separation
- Remind your children both parents will always love them and take care of them



Supporting Your Children, cont.

- Give your child permission to love both parents and their loved ones
- Enjoy and admire your children
- Give your child permission to have a positive relationship if there is a new significant other
- Don't use time with the other parent as a reward or punishment for good or poor behavior



How to Respond to Your Child's Questions

- Acknowledge the child's feelings
- Be reassuring
- Don't give too much detail
- Provide age appropriate information
- Consider professional help if needed

Scroll down to continue

Part Four

Parenting

Understanding Parenting

- Traditional Parenting
  - Intact family in home
- Parallel Parenting
  - Separate homes with separate rules
  - Recognition and respect of other parent's parenting style
  - Child's challenges adjusting and adapting to two sets of rules & expectations

Understanding Co-parenting

- Important points about co-parenting
  - Working together, communicating, and supporting each other—for the sake of your children
  - The 3 "C's" of Co-Parenting:
    - Communication
    - Collaboration
    - Coordination

Communication is the Key to Successful Co-parenting

- Sharing information regarding child's activities
- Listening
- Maintain focus on children
- Avoid conflict while children are in earshot
- Timeouts when conversation is tense

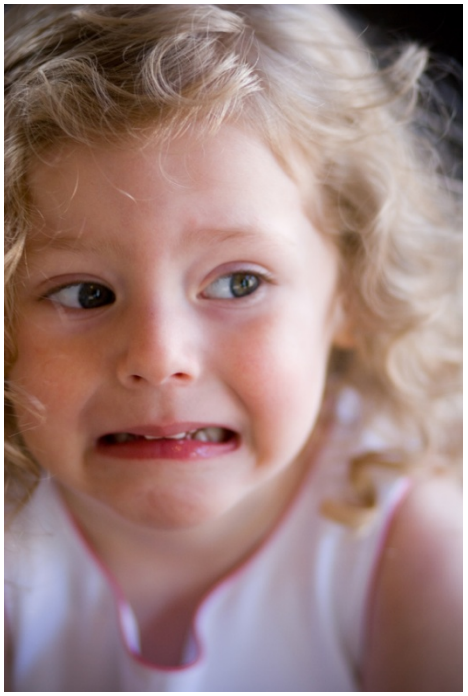
Co-parenting Tips

- Be respectful of each parents' role in child's emotional development
- Respect each other's point of view
- Maintain flexibility for child's needs
  - Vacations, Special Events, Illness
- Consistency in routine between both homes as much as possible
  - Bedtimes, Nutrition, Hygiene, Homework, TV & Computer, Discipline

Problems You Can Avoid

- Using your child as a spy, messenger, pawn, or bargaining chip
- Criticizing the other parent in front of them
- Making your child take sides
- Withholding your love when you are angry with the other parent

More Problems to Avoid



- Withholding visits
- Arguing in front of your child
- Speaking negatively about the other parent or their loved ones
- Focusing on the small stuff, remember the bigger picture
- Excluding the children from their extended family members, including half and step siblings and grandparents

Available Services

- Parent Education
- Supervised Visitation
- Anger Management
- Counseling
  - Individual Counseling
  - 'Couples' Counseling
  - Parent-child Counseling
  - Reunification Counseling

For more information, contact Family Court Services at (530) 265-1733

Important Reminders

- It is a difficult time for both children and parents
- Your behavior will impact your child's ability to experience healthy future relationships
- Children will need your support

Remember

- Parents who make their own mutual decisions regarding their Parenting Plan are less likely to need future court involvement and are generally happier with the outcome

- Parenting continues beyond your child's 18th birthday