



Yolo Superior Court

Family Court Services

1000 Main Street, 2nd Floor, Woodland, CA 95695

530-406-6720

Child Custody Recommending Counseling (CCRC) Protocol

Family Code section 3170 requires Child Custody Recommending Counseling (CCRC) whenever separating parents seeking a court order cannot agree about the care of their child/children. Yolo Superior Court Family Court Services is responsible for providing CCRC to help parties develop an agreement on a parenting plan in their child/children's best interests. The office of Family Court Services is located on the second floor of the Yolo Superior Court, 1000 Main Street in Woodland.

CCRC is conducted by private mental health professionals under contract with the Yolo Superior Court. Child Custody Recommending Counselors ("counselors") have graduate degrees, know how the family court system works and have information about community services that may be helpful to the parents. Although the Counselors are experienced in therapy, CCRC sessions are **NOT** therapy sessions. Rather, the role of the counselors is to meet with both parents to assist them in reaching agreements on how to care for children while living separately.

Orientation

Both parents must complete an online orientation within 10 days of the filing of a request for order concerning custody and visitation with the court. It is very important that both parents make every effort to complete the orientation. If an emergency prevents one parent from completing the orientation, or if only one parent completes the orientation, a CCRC assignment will still take place. However, if both parents fail to complete the orientation, they will not receive a CCRC assignment, and they will be required to appear at the court hearing and provide an explanation to the judge why they were unable to complete orientation. At the hearing, the judge may re-schedule the hearing to allow the parents additional time to complete the orientation and attend the CCRC session.

The mandatory online orientation is entitled "Parenting After Separation" and is located at the Judicial Council website www.familieschange.ca.gov. A link is also provided at Yolo Superior Court's website at www.yolo.courts.ca.gov. The orientation is free of charge for all users and is also available in Spanish. The orientation will help separating parents prepare for their CCRC appointment and instructs parents about children's developmental stages and how they impact parenting plans. It also provides various parenting plan options, conflict resolution, and in general how the CCRC sessions are conducted. Computers are available daily from 8:00 am to 1:00 pm at the Family Court Services Center located on the second floor of the courthouse. Parents must

print out the proof of completion certificate provided by the online program and submit it to Family Court Services.

Assignments and Setting Appointments

CRCC assignments are made upon the submission of the proof of completion of the online orientation to Family Court Services. Assignments may be given in person for those who come to the center or by mail or email. If parents have already attended the orientation class and are seeking a modification of their current court order, Family Court Services will mail or email out notice of the CCRC referral after the request for order form is filed with the court. Parents are instructed to contact the assigned counselor immediately to set up their appointment. CCRC appointments will be limited to one session per six month period except by order of the Court.

Because of the short time frame between the CCRC appointment and the court hearing, if a parent misses the appointment another appointment may not be scheduled. If the other parent attends as scheduled, the counselor will go forward with only the one parent's input. If time allows, the counselor will attempt to reach the parent by telephone.

If both parents fail to attend their scheduled appointment the counselor will notify the court of the parents' failure to attend. If this occurs, it is important that both parents still appear at the court hearing on the date scheduled.

Information Provided To Family Court Services Before CCRC Appointment

If the parents have any additional documents they believe will help them reach an agreement in CCRC, they may submit them to the counselor with a proof of service that verifies that the other parent was also provided with copies of the documents. Counselors have discretion about the amount of additional documents they read. They are not required to read more than 15 pages of additional documents submitted by each parent

Communication with CCRC before the CCRC Appointment

Other than for scheduling purposes, the parents and/or their attorneys are not allowed to contact the counselors at any time without the other parent and/or their attorney being present or having knowledge of the nature of the discussion.

Child Custody Recommending Counseling Appointment Sessions Generally

- Counselors will meet with the parents together or individually at his or her office or at Family Court Services. Location of the session is per discretion of the Counselor. Counselors will ask questions to develop an understanding of the family history. Counselors and parents will identify the most important issues that need to be resolved. Counselors will help the parents to focus on developing a parenting plan that is in the best interest of their children.

- Counselors will share information with the parents about the needs of children of different ages and stages of development. Counselors may address legal custody, parenting plans, holiday and vacation schedules, transportation, and other areas that relate to the needs of the children.
- In cases of domestic violence, a parent alleging domestic violence has the right to meet with counselors separately and that parent can bring a support person to the session. The support person cannot participate in the session or advocate for the supported parent. Counselors may exclude the support person from the session if that person attempts to advocate for the parent or participate in or disrupt the appointment session.
- Sometimes even when there are no allegations of domestic violence counselors may decide it is more appropriate and helpful to meet separately with each parent.
- During the session, both parents are expected to treat each other with respect; listen to each other; and try to find real solutions for caring for the children.
- If the parents cannot agree on a parenting plan, counselors will prepare a written recommendation. The recommendation will contain counselors' opinions about what parenting arrangement will be in the best interest of the child/children. Both parents will be provided a copy of the recommendation prior to the hearing.
- Counselors may interview the child/children if it will help the parents to develop a parenting plan that is best for the child/children. Counselors are trained professionals and know how to interview children without making them choose between their parents or putting them in the middle.
- If one or both parents are not comfortable speaking English, then they may ask to bring an interpreter to the session. The interpreter must be 18 years or older and the child/children should not serve as an interpreter. The interpreter must be ready to interpret everything that is said by everyone as closely as possible, without adding new information or his or her own comments in the process.

After the appointment session

- If the parents reach an agreement, the counselor will prepare the written agreement for both parents to sign. If neither parent has a lawyer, the counselor will give the agreement to the Family Court Services Manager who will facilitate getting the judge's approval and signature. When the judge signs it, it becomes a court order and the hearing will be vacated.
- If a parent has a lawyer, the lawyer may review the written agreement with the parent before they sign it. The lawyer will arrange to deliver the written agreement to Family Court Services Manager no less than 10 days prior to the hearing.
- If the parents do not reach an agreement, counselors will submit the recommendation to the court. It is important that the parents go to the court hearing to state if they disagree with the recommendation and why and to go over the recommendation with the judge. The judge may make decisions on a parenting plan at the hearing with or without the parent's presence.

Recommendations Are Confidential

CCRC recommendations are confidential and are not allowed to be copied or distributed to anyone other than the court, an attorney of record, or the named parties to the proceeding, with the following exception: in certain instances the court orders the exchange of information to other agencies in the child protection system, or to other mental health professionals involved in the case. Specific information can be obtained from Family Court Services.

Conflict of Interest

CCRC cases that involve family law attorneys or the spouses of family law attorneys, counselor's relatives, friends, or co-workers may present a conflict of interest. It is the policy of the court to avoid conflicts of interest or the appearance of a conflict of interest. Counselors will ask for reassignment of a case if they believe that a conflict exists. In addition, reassignments may be made if a counselor is assigned a case where there is the possibility or appearance of a conflict.

Reports to Child Protective Services

Many counselors are "mandated reporters." This means they are legally obligated to report to Child Protective Services any situation that may pose an imminent danger or risk to the child(ren). A complaint form is available at the court's website at www.yolo.courts.ca.gov.