

MINUTES
Custody Mediation Advisory Committee
September 25, 2020

The Custody Mediation Advisory Committee (CMAC) met online via ZOOM Friday, September 25, 2020. The Honorable J. Corpening called the meeting to order at 3 p.m.

CMAC Members:

Judge J. Corpening, Committee Chair
Sheila Eley
Kristen Hirsch
Sherry Honeycutt Everett
Cheryl Howell
Rick Igou
Judge Walczyk
Marci Ward

NCAOC Staff:

Danielle Carmen
Stephanie C. Smith
Kari Marvin
DeShield Greene
Tara Minter
Stephanie Satkowiak

Welcome & Approval of Draft Minutes from July

Judge Corpening welcomed everyone to the meeting and introduced new member Kristen Hirsch. Kristen serves as a custody mediator in District 14, and she replaces Michael Haswell on the CMAC, who recently retired. The minutes from the July 17, 2020 CMAC meeting were approved without changes on a motion from Rick Igou and seconded by Sheila Eley.

Statewide Template Review

The CMAC members were given time to review the draft statewide template presented during the July 17 meeting. Comments/feedback were due by September 1st and were sent to Kari Marvin. This meeting allowed CMAC members the opportunity to review and discuss the comments/feedback received. The CMAC members unanimously approved the statewide template on a motion from Rick and seconded by Sheila, with the following changes:

1. Lines 1-6: During mediation with PARTY1 (“mother”) and PARTY2 (“father”), the following shared parenting agreement was agreed upon regarding MINOR (birthdate). This Parenting Agreement is a legally enforceable custody order and goes into effect as soon as it is signed by the presiding judge **and filed with the clerk** and will remain in effect until replaced by **another agreement or a court order** pertaining to custody.
2. Lines 18-22: **When signed by the presiding judge and filed with the clerk**, this Parenting Agreement modifies the Custody Order/Consent Order/Parenting Agreement signed by Hon. Judge * and entered in * County on *. Any guidelines not specifically addressed in this Parenting Agreement, yet specified in earlier court orders, remain in effect and unchanged. **When signed by the presiding judge and filed with the clerk**, this Parenting Agreement fully resolves the Motion to Modify Custody Cause filed in * County on *.

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3. Lines 24-28: **When signed by the presiding judge and filed with the clerk**, this Parenting Agreement modifies and replaces in full the Custody Order/Consent Order/Parenting Agreement signed by * and entered in * County on *. **When signed by the presiding judge and filed with the clerk**, this Parenting Agreement fully resolves the Motion to Modify Custody Cause filed in * County on *.
4. Lines 159-160: Parents will not ~~attempt to~~ discuss areas of disagreement or conflict in the child/children's presence **or when the child/ren can hear the discussion.**
5. Lines 165-170: The parent **who is** dropping off will remain in the car while the child/ren goes/go independently into the other parent's home. The parent in the home will wave so that the parent **who is** dropping off knows the child/ren is/are safely in his/her care. —OR—The parent **who is** picking up will text the other parent when he/she has arrived, and that parent will send the child/ren out independently to the arriving parent's vehicle.
6. Lines 181-183: ~~The parents may make informal changes to any of the schedules or guidelines in this agreement whenever they both agree to do so. If they do not agree to a proposed change or a previously agreed upon change, the schedules and guidelines in this parenting agreement will remain in effect.~~ **The parents can be flexible and cooperative in making minor, temporary changes to this agreement whenever they both agree to do so.**
7. Lines 195-199: The parents will notify each other of any anticipated move that would require a change to the schedule and guidelines outlined in this Parenting Agreement. They will give a minimum of sixty days' written notice prior to the move to allow them to make changes to the Parenting Agreement ~~by mutual agreement or through a court process.~~ The terms of this Parenting Agreement will remain in effect, binding and enforceable, until replaced by another court order.
8. Line 265: The parents will keep all firearms ~~locked up and unloaded.~~ **unloaded and locked up.**

Once the "general use" statewide template has been approved, the working group consisting of Kristen Hirsch, Dachia Davis, Bryan Hurley, Adam Robinson, Ingrid Bolick, and Kari Marvin will start focusing on developing three specialized templates for cases:

- 1) involving military parents
- 2) involving a third-party (non-parent)
- 3) where the parties are considered high-conflict or involving domestic violence

The committee agreed upon using the following clause in a template for cases with a DVPO:

This Parenting Agreement is made at a time when the parties are subject to a Domestic Violence Protection Order (DVPO). This Parenting Agreement is NOT intended to supersede the DVPO. Any communications or meetings referred to in the Parenting Agreement prohibited by the DVPO may only occur after the DVPO expires, or if the communications or contacts are permitted under the DVPO.

Conclusion

Judge Corpening concluded the meeting at 4 p.m. The next meeting is scheduled for Friday, November 6 at 10 a.m.