CAUSE NO. _____

IN THE INTEREST OF:	§	IN THE DISTRICT COURT
	§	
_____	§	_____ JUDICIAL DISTRICT
	§	
CHILD / CHILDREN	§	_____ COUNTY, TEXAS

ORDER FOR FAMILY COUNSELING AND APPOINTMENT OF COUNSELOR AT TEXAS PREMIER COUNSELING SERVICES

THIS CAUSE having come before this Court and this Court having reviewed the file and being otherwise fully advised in the premises this Court finds that there is good cause shown for appointment of a **Family Counselor** and that such an appointment is in the best interest of the child(ren) in this cause. The Court finds that both parties have knowledge of this Order and each party has the ability to comply with its terms.

IT IS THEREFORE ORDERED for the parties involved that **Monika Logan**, PsyD, LPC, LSOTP (Texas Premier Counseling Services, PLLC), (972) 895-2502, 2770 Main St., Suite 159, Frisco, Texas 75033 is appointed as the **Family Counselor**.

Each party is ORDERED to contact the Counselor's office within **three** (**3**) business days of the signing of this Order, to schedule an initial appointment, to provide a copy of this Order to the Counselor, and to complete intake paperwork as directed by the Counselor. In the event a mutually-agreeable appointment time and date cannot be set, the Counselor shall select a date and a time for the initial appointment and each party is ORDERED to cooperate with the Counselor in scheduling and to attend as directed by the Counselor. Each party is ORDERED to provide copies of all current Orders, including the currently court-ordered parenting time schedule, to the Counselor and to provide changes or updated Orders to the Counselor within **three** (**3**) business days of such Orders being signed.

IT IS FURTHER ORDERED that the Counselor may meet with the parties or the child(ren) individually, jointly with siblings, or with one or both parents, or with other household or family members as they mutually deem appropriate.

Before requesting the child(ren) to meet with the Counselor in person, the Counselor will first: (1) meet with both parents (individually and/or joint as deemed appropriate); (2) review prior counseling, Court Orders, and other documentation to assess the circumstances and situations that have fostered conflict and/or may be continuing to create conflict between the parties and the child(ren); the Counselor will not review audio and/or video files unless both of the parties'

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attorneys have agreed in writing for such review and/or the Court has ordered such a review, and (3) discuss with both parents the reasonableness and appropriateness of Family Counseling prior to requesting in-person appointments with the child(ren).

Each party shall fully comply with the Counselor's request in conducting counseling, including, but not limited to, ensuring that the child(ren) are transported to and from scheduled appointments in a timely manner and exercising parenting authority to require that the child(ren) attend and cooperate with counseling treatments and interventions.

IT IS ORDERED that each parent shall cause the child(ren) to be transported to any appointment that is scheduled by the Counselor during that parent's possession time, even if those sessions do not involve that parent, or if those sessions involve the other parent. If specifically requested by the Counselor, a parent may bring the child(ren) when it is not that parent's possession time, picking the child(ren) up and returning the child(ren) to their school, daycare, or other location that is outlined in the parties' current Court Orders at the time and manner designated by the Counselor.

DURATION OF THERAPY

IT IS ORDERED that therapy shall continue for a minimum of six (**6**) **months**, with reevaluation of the necessity of continued services based on the parties' progress in meeting the Family Counseling Goals as noted in "Attachment A."

IT IS ORDERED that the duration, frequency, location, and persons in attendance for each session with the Counselor shall be left to the discretion of the Counselor, who is specifically authorized to notify the Court if any party is failing to comply with this Order or other Orders of the Court.

COMMUNICATION

IT IS ORDERED that the Counselor may communicate and share information with the parties, the parties' attorneys, any Parenting Facilitator appointed in this case, any of the parties' or the child(ren)'s individual Counselors, or any other professional in connection with this Order as deemed necessary by the Counselor.

IT IS ORDERED the parties shall execute any authorizations as requested by the Counselor to enable the Counselor to receive or provide information about the parties or the child(ren) in question. The parties shall notify the Counselor in writing within twenty-four **(24) hours** of any changes in their contact information, legal representation, residency, or occupants of their home.

Should the parties be ordered to utilize "Our Family Wizard" or any other co-parenting tool, the parties are ORDERED to complete necessary forms for the Counselor to have access.

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TERMINATION

IT IS ORDERED that counseling with each party shall continue at the discretion of Counselor and that services by the Counselor will cease when progress towards counseling goals have been met, or if no progress is being made, or if it is deemed appropriate by the Counselor that another Counselor is necessary.

IT IS ORDERED that all Family Therapy shall immediately cease if: 1) the parties enter into a written agreement to cease Family Therapy; or 2) either party files a motion with the Court to stop Family counseling. The parties agree that if a motion is filed pursuant to this paragraph either party can set a hearing on that motion to determine if Family Therapy should continue, if any modifications to this Order should be made, and if either party should be ordered to pay attorney fees if the motion was not filed in good faith.

RECOMMENDATIONS AND REFERRALS

IT IS ORDERED that the Counselor may make recommendations and referrals for Individual Therapists for the child(ren) should an additional therapist be necessary, and the parents are unable to agree on an additional therapist. IT IS ORDERED that neither parent(s) seek, place, and/or initiate the child(ren) with a counselor who is not first made known to the Family Counselor, and/or without the prior approval of the Family Counselor. IT is ORDERED that the Family Counselor may refer either and/or both parents to an Individual Counselor if deemed necessary.

PAYMENT

IT IS ORDERED that the expense of counseling services shall be divided between the parties as follows: _____% Petitioner _____% Respondent _____ % Intervenor. The parties are ORDERED to pay their respective portions of any initial retainer within **seven** (**7**) days of the signing of this Order and pay within **seven** (**7**) days of any invoice or bill from the Counselor.

IT IS ORDERED that if a parent cancels a counseling session less than seventy-two (**72**) **hours** prior to the scheduled session time or fails to attend and/or bring the child(ren) to a scheduled session, during that parent's period of possession, that parent shall be responsible for **100%** of the cancellation fees.

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The foregoing payment provisions apply except for the following situations:

Individual Parent Session(s). If a parent has an Individual Session with the Counselor, with or without the child(ren) in question, the costs shall be:

☐ Divided between the parties as ORDERED above (or)

☐ Paid **100%** by the party who has the Individual Session.

Joint Adult Session(s). If parents have a Joint Session with the Counselor, with or without the child(ren) in question, the costs shall be:

☐ Divided between the parties as ORDERED above (or)

☐ Divided **equally** between the parties.

Document Review. If the party, the party's legal counsel, or anyone acting on the party's behalf request that the Counselor reviews any documents, the costs shall be:

☐ Divided between the parties as ORDERED above (or)

☐ Paid **100%** by the party requesting the review.

If the request is made **jointly**, the costs shall be:

☐ Divided between the parties as ORDERED above (or)

☐ Divided **equally** between the parties.

If the request is made by **the Counselor**, the costs shall be:

☐ Divided between the parties as ORDERED above (or)

☐ Divided **equally** between the parties.

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Communication with the Counselor. If a party, the party's legal counsel, or anyone acting on the party's behalf, requests to communicate with the Counselor, the costs shall be:

☐ Divided between the parties as ORDERED above (or)

☐ Paid **100%** by the party requesting the review.

If the request is made **jointly**, the costs shall be:

☐ Divided between the parties as ORDERED above (or)

☐ Divided **equally** between the parties.

Communication with Third Parties. If the Counselor communicates with a Parenting Facilitator, any of the parties' or the child(ren)'s Individual Therapist(s), or any other professional(s) in connection with this litigation, the costs shall be:

☐ Divided between the parties as ORDERED above (or)

☐ Divided **equally** between the parties.

Appearances. Requests for the Counselor's appearance in connection with the litigation, including depositions, hearings, trials, settlement conferences, or any other formal meeting, the costs shall be:

☐ Divided between the parties as ORDERED above (or)

☐ Paid **100%** by the party who requests the Counselor's appearance.

Written Reports. The cost of any written report that is requested shall be:

☐ Divided between the parties as ORDERED above (or)

☐ Divided **equally** between the parties (or)

☐ Paid **100%** by the party(s) who requests the Written Report.

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TESTIMONY

The Counselor shall testify at any hearing in this case at the written request of any attorney of record sent via subpoena, which may be delivered to Counselor via fax or to this Counselor's email. Unless payment for testimony is already addressed above, the requesting party shall be responsible for the Counselors customary and usual fees for testifying and said fees shall be paid at least **seven** (**7**) days prior to the hearing in the manner outlined by the Counselor. ABSENT PAYMENT, THE COUNSELOR IS UNDER NO OBLIGATION TO APPEAR OR PROVIDE TESTIMONY EVEN IF FORMALLY SUBPOENAED.

The Court ORDERS the following provisions regarding the parent's cooperation with counseling:

The parties have been advised that successful treatment may require one or both parties change their own behavior in order to support their child(ren)'s needs. The Counselor may request specific changes by the parents in such areas as setting appropriate limits for child(ren), encouraging child(ren) to express feelings and solve problems appropriately, listening to the child(ren)'s concerns, actively supporting child(ren)'s independent relationships, and shielding the child(ren) from parental conflict. The parties are ORDERED to make reasonable efforts to cooperate with the Counselor's requests in these areas.

Family Therapy is not a substitute for a Child Custody Evaluation within the terms of the Texas Family Code; therefore, the Counselor shall not make recommendations as to the conservatorship of, the possession (*i.e., Parenting Schedule*) of, or access to the child(ren) in question. The Counselor will not make any related parenting time decisions, and will only be assisting to implement a previously agreed upon Parenting Plan as outlined by the Court. The Counselor may also provide updates to the parties, the parties' attorneys, and/or the Court regarding the child(ren)'s and/or the parents' progress, cooperation, and/or behavioral observations. The Counselor may make recommendations to the parties regarding changes in the parent-child relationships (*i.e., conduct*) that may be helpful to the parties in implementing the Court's Orders.

The Counselor shall report to the Court as deemed necessary regarding the progress of counseling. This may include but is not limited to the parties' cooperation, participation, compliance, payments, and/or any other issue(s)/concern(s) that the Counselor deems necessary that may impede the Family Counseling process, and/or for which the counselor believes necessary to benefit the child(ren) in fostering and/or sustaining a healthy relationship with both parents.

The Counselor may elect to provide Status Updates to the attorneys and/or the Court at a duration(s) deemed at the sole discretion of the Counselor and/or at a minimum interval designated by the Court. Unless otherwise addressed above, the fee for a written Status Report, will be divided **equally** between the parties.

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IT IS SO ORDERED

Signed on this _____ day of_____20_____

_____
Judge Presiding

AGREED

_____	_____
Printed Name	Printed Name
_____	_____
Bar Number	Bar Number
_____	_____
Attorney for **Petitioner**	Attorney for **Respondent**

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EXHIBIT A

FAMILY COUNSELING GOALS
(*CHECK ALL APPLICABLE BOXES AND DESCRIBE SPECIFIC ISSUES*)

The Court has found it in the child(ren)'s best interests to have ongoing contact and meaningful relationships with both parents. The following goals are intended to assist the child(ren) in having a genuine relationship with both parents while minimizing exposure to adult issues. The primary goals of Family Counseling shall be:

PARENT-CHILD INTERACTION

☐ Foster reconciliation and improve the parent-child relationship between the child(ren) and

☐ Father ☐ Mother ☐ Other: _____

☐ Restore an adequate parent-child relationship from one in which a child has irrationally rejected or refused parenting time, which was instigated primarily by the actions of the other parent.

☐ Increase the parent(s) understanding regarding emotional harm caused by over-involving child(ren) in adult matters and issues related to litigation.

☐ Parents and any involved adult must demonstrate appropriate parent-parent and parent-child roles, responsibilities, and boundaries.

☐ Improve each parent's communication skills in order to distinguish valid concerns from overly negative critical, and generalized views relating to the other parent.

☐ Address the following specific issue(s): _____

_____

PARENTING FOCUSED ISSUES

☐ Address emotional and behavioral problems of the adult(s) that impair compliance with, or implementation of, the court-ordered parenting time schedule.

☐ Improve the adults' understanding regarding the negative developmental repercussions for the child(ren) of disrupted or compromised relationships with their parents or other caregivers.

☐ Develop, restore, or facilitate parental communication and functioning skills.

☐ Assist the parents to increase an understanding of their own needs from that of their child(ren)'s needs.

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☐ Educate the parents to establish parental boundaries by learning to differentiate parental roles from child roles.

☐ Address the following specific issue(s): _____

_____.

CHILD BEHAVIOR FOCUSED ISSUES

☐ Address emotional and behavioral problems of the child(ren).

☐ Replace inaccuracies and distortions with more realistic perceptions that reflect the child(ren)'s actual experience with a parent(s).

☐ Augment the child(ren)'s coping skills and improve appropriate expressions of the child(ren)'s emotional experiences.

☐ Address the following specific issue(s): _____

_____.

The parties have been advised that successful therapy often requires that they make changes in their own behavior and parenting to support their child(ren)'s needs, growth, and development. The Counselor may request and make specific recommendations to involved parties regarding changes in such areas as setting appropriate limits for child(ren), improving communication skills, and/or decreasing parental conflict. Recommendations may be provided by the Counselor that require additional services. The parties shall make reasonable efforts to cooperate with the Counselor's requests in these areas.

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