

**AMENDMENTS TO THE RULES OF SUPERINTENDENCE
FOR THE COURTS OF OHIO**

The following amendments to the Rules of Superintendence for the Courts of Ohio (Sup.R. 16.14, 16.60 through 16.66, and 90 through 90.12) were adopted by the Supreme Court of Ohio. The history of these amendments is as follows:

November 22, 2021	Initial publication for public comment
September 6, 2022	Final adoption by conference
January 1, 2023	Effective date of amendments

Key to Adopted Amendments:

1. Unaltered language appears in regular type. Example: text
2. Language that has been deleted appears in strikethrough. Example: ~~text~~
3. New language that has been added appears in underline. Example: text

RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

RULE 16.14. Definitions.

As used in Sup.R. 16.14 through ~~16.43~~ 16.66:

(A) Civil stalking protection order case

“Civil stalking protection order case” means a proceeding under R.C. 2903.214.

(B) Domestic abuse

“Domestic abuse” means aggressive behaviors directed toward a current or former intimate partner that are physical, sexual, economic, spiritual, or coercively controlling. “Domestic abuse” may occur as a single aggressive behavior or a combination of aggressive behaviors and may vary from family to family in terms of frequency, recency, severity, intention, circumstance, and consequence.

(C) Domestic violence

“Domestic violence” has the same meaning as in R.C. 3113.31(A)(1).

(D) Evaluator

“Evaluator” means an individual who conducts a neutral evaluation.

(E) Facilitation

“Facilitation” means a process in which a neutral party moderates discussions by ensuring the fluid and orderly exchange of information and ideas from all participants and that is primarily concerned with assisting individuals in refining their communication and organizational skills so that they may learn to work more efficiently with one another in a group setting.

~~(C)~~(F) Mediation

“Mediation” means a process in which a neutral third party helps the parties communicate and negotiate with each other to help them reach a voluntary agreement regarding their dispute by helping the parties clarify their positions and interests, identifying underlying concerns, and creating practical solutions for resolving their dispute.

~~(D)~~(G) Mediator

“Mediator” means an individual who conducts a mediation.

~~(E)~~(H) Neutral evaluation

“Neutral evaluation” means a process in which the parties to a dispute present their claims or defenses and describe the principal evidence on which their claims or defenses are based to a neutral third party who then shares impressions about the strengths and weaknesses of each matter.

(I) Parenting coordination

“Parenting coordination” means a child-focused dispute resolution process ordered by a court of common pleas or division of the court to assist parties in implementing a parental rights and responsibilities or companionship time order using assessment, education, case management, conflict management, coaching, or decision-making. “Parenting coordination” is not mediation subject to R.C. Chapter 2710 or Sup.R. 16.20 through 16.25.

(J) Parenting coordinator

“Parenting coordinator” means an individual who conducts parenting coordination.

RULES 16.44 through 16.59 are reserved for future use

RULE 16.60. Application.

Sup.R. 16.60 through 16.66 shall apply to a court of common pleas or division of the court that elects to use parenting coordination and to a parenting coordinator conducting parenting coordination.

RULE 16.61. Local Parenting Coordination Rule.

A court or division shall adopt a local rule governing parenting coordination. The local rule shall do all of the following:

- (A) Identify the case types eligible for parenting coordination and those that are precluded from parenting coordination, if any;
- (B) Specify that, except as provided by law, communications made as part of parenting coordination shall not be confidential or privileged;
- (C) Include procedures for the selection and referral of a case to parenting coordination at any point after an interim or final parental rights and responsibilities or companionship time order is filed;

(D) Prohibit the use of parenting coordination in domestic violence cases under R.C. 2919.25, 2919.26, 2919.27, and 3113.31. Nothing in this division shall prohibit the use of parenting coordination in either of the following cases:

- (1) A subsequent divorce or custody case, even though the case may result in the termination of the provisions of a protection order under R.C. 3113.31;
- (2) A juvenile delinquency case.

(E) Establish procedures for and encourage appropriate referrals to legal counsel, counseling, parenting courses, and other support services for all parties, including victims and suspected victims of domestic abuse and domestic violence;

(F) Address other issues as the court or division considers necessary and appropriate.

RULE 16.62. Ordering of Parenting Coordination.

(A) Reasons to order parenting coordination

A court or division may order parenting coordination when one or more of the following factors are present:

- (1) The parties have disagreements about the implementation of a parental rights and responsibilities or companionship time order and need assistance;
- (2) There is a history of parental conflict that has been unresolved by previous litigation or other interventions and from which a child of the parties is adversely affected;
- (3) The parties have a child whose parenting time schedule requires frequent adjustments, specified in an order of the court or division, to maintain age-appropriate contact with both parties, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the court or division;
- (4) The parties have a child with a medical or psychological condition or disability who requires frequent decisions regarding treatment or frequent adjustments in the parenting time schedule, specified in an order of the court or division, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the court or division;
- (5) One or both parties suffer from a medical or psychological condition or disability that results in an inability to reach agreements or to adjust their parenting time schedule without assistance, even when minor in nature;

(6) Any other factor as determined by the court or division.

(B) Reasons not to order parenting coordination

A court or division of the court shall not order parenting coordination to determine any of the following:

- (1) Changes in the designation of the residential parent or legal custodian;
- (2) Changes in the school placement of a child, in the case of shared parenting;
- (3) Substantive changes in parenting time;
- (4) The modification of child support or the allocation of tax exemptions or benefits or the division of uncovered medical expenses.

RULE 16.63. Responsibilities of Parenting Coordinator.

(A) General responsibilities

In order to provide a fair parenting coordination process for the parties, a parenting coordinator shall comply with the “2019 Revised Guidelines for Parenting Coordination” developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination. Wherever a conflict exists between the guidelines and Sup.R. 16.60 through 16.66, the rules shall control.

(B) Conflicts of interest

(1) A parenting coordinator shall avoid any actual or apparent conflicts of interest arising from any relationship activity, including but not limited to those of employment or business or from professional or personal contacts with parties or others involved in the case. A parenting coordinator shall avoid self-dealing or associations from which the parenting coordinator may directly or indirectly benefit except from compensation for services as a parenting coordinator.

(2) Upon becoming aware of any actual or apparent conflict of interest, a parenting coordinator shall notify the appointing court or division and the parties of the action taken to resolve the conflict and, if unable to do so, seek the direction of the court or division.

(3) A parenting coordinator shall avoid serving in multiple roles with the same family, even with the consent of the parties.

(C) Legal advice

A parenting coordinator shall not offer legal advice.

(D) Satisfaction of training requirements

(1) A parenting coordinator shall meet the qualifications and comply with all training requirements of Sup.R. 16.64 and local court rules governing parenting coordinators and parenting coordination adopted under Sup.R. 16.61.

(2) A parenting coordinator shall meet the qualifications for parenting coordinators for each court or division in which the parenting coordinator serves and promptly notify the court or division of any grounds for disqualification or any issues affecting the ability to serve.

(3) Upon request, a parenting coordinator shall provide a court or division from which the parenting coordinator receives appointments documentation indicating compliance with all training and education requirements so that the court may meet the requirements of Sup.R.16.64(A)(4). The documentation shall include information detailing the date, location, contents, credit hours, and sponsor of any relevant trainings.

(E) Compliance with appointment order

A parenting coordinator shall comply with the requirements of and act in accordance with the appointment order issued by a court or division under Sup.R. 16.65(B).

(F) Competence or ability to perform

A parenting coordinator shall decline or withdraw from an appointment or request appropriate assistance in either of the following situations:

(1) The facts and circumstances of the case are beyond the skill or expertise of the parenting coordinator;

(2) Personal circumstances, including but not limited to medical, mental health, or substance misuse or dependence, exist that compromise the ability of the parenting coordinator to perform his or her role.

(G) Ex parte communications

A parenting coordinator shall have no ex parte communications with the appointing court or division regarding substantive matters or issues on the merits of the case.

(H) Recordkeeping of fees and costs

A parenting coordinator shall maintain records necessary to document charges for services and expenses. A parenting coordinator shall issue invoices for services and expenses to the parties no less than once per month.

RULE 16.64. Parenting Coordinator Education and Training.

(A) General

(1) Prior to accepting appointment of a court or division to serve as a parenting coordinator, an individual shall meet all of the following qualifications:

(a) Be an independently licensed mental health professional, be licensed to practice law in Ohio, or otherwise have education and experience satisfactory to the appointing court or division;

(b) Possess extensive practical and professional experience with situations involving children. This experience may include counseling, casework, or legal representation in complex family law matters; serving as a guardian ad litem or mediator; or other equivalent experience satisfactory to the court or division.

(c) Complete “Fundamentals of Mediation Training” approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution under Sup.R. 16.23(A)(1) or qualify for an exception as provided in Sup.R. 16.23(A)(2);

(d) Complete “Specialized Family or Divorce Mediation Training” approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution under Sup.R. 16.23(B)(1)(c);

(e) Complete “Specialized Domestic Abuse Issues in Mediation Training” approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution under Sup.R. 16.23(B)(1)(d);

(f) Complete “Parenting Coordination Training” approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution.

(2) Prior to accepting appointment of a court or division to serve as a parenting coordinator in an abuse, neglect, or dependency case, an individual shall meet both of the following qualifications:

(a) Complete the requirements of division (A)(1) of this rule;

(b) Complete “Specialized Child Protection Mediation” that has been approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution under Sup.R. 16.23(B)(2)(c).

(B) Continuing education

(1) A parenting coordinator shall complete at least six hours per calendar year of continuing education relating to children, mediation, or diversity. The diversity training may include awareness and responsiveness; cultural and racial diversity; and the effects of a parenting coordinator's personal biases, values, and styles on the parenting coordination process. The continuing education may include continuing education for lawyers, social workers, psychologists, or other licensed mental health professionals and professional development events that are acceptable to the court or division appointing the parenting coordinator.

(2) If a parenting coordinator fails to comply with the continuing education requirement of division (B)(1) of this rule, the parenting coordinator shall not be eligible to serve as a parenting coordinator until the requirement is satisfied.

RULE 16.65. Responsibilities of Court.

(A) General

In order to ensure only qualified individuals perform the duties of a parenting coordinator and the requirements of Sup.R. 16.60 through 16.66 are met, a court of common pleas or a division of the court that elects to use parenting coordination shall do all of the following:

(1) Establish screening procedures for the capacity of the parties to participate in parenting coordination;

(2) Establish procedures for monitoring and evaluating parenting coordination to ensure the quality of the parenting coordinators to which cases are referred;

(3) Develop a process and designate a person for accepting and considering written comments and complaints regarding the performance of parenting coordinators appointed by the court or division. A copy of comments and complaints submitted to the court or division shall be provided to the parenting coordinator who is the subject of the complaint or comment. The parenting coordinator may submit a written response to the comment or complaint. The comment or complaint, and any written response submitted by the parenting coordinator, shall be forwarded to the administrative judge of the court or division, as applicable, for consideration and appropriate action. Dispositions by the court or division shall be made promptly. The court or division shall maintain a written record in the parenting coordinator's file regarding the nature and disposition of any comment or complaint and shall notify the person making the comment or complaint and the parenting coordinator of the disposition.

(4) Allow parenting coordination to proceed only if the parenting coordinator meets the qualifications, education, and training requirements of Sup.R.16.64;

(5) Prohibit parenting coordination when domestic abuse or domestic violence is alleged, suspected, or present, unless all of the following conditions are satisfied:

(a) Screening is conducted, both before and during parenting coordination, for domestic abuse and domestic violence and for the capacity of the parties to engage in parenting coordination;

(b) The person who is or may be the victim of domestic abuse or domestic violence is fully informed about the parenting coordination process; the right to decline participation in the parenting coordination process; and, at the discretion of the parenting coordinator, the right to have any other individuals attend and participate in parenting coordination sessions;

(c) The parties have the capacity to participate in the parenting coordination process without fear of coercion or control;

(d) The court has taken reasonable precautions to create a safe parenting coordination environment for the parties and all other persons involved in the parenting coordination process;

(e) Procedures are in place for the parenting coordinator to terminate a parenting coordination session if there is a threat of domestic abuse, domestic violence, or coercion between the parties.

(B) Appointment order

When ordering parenting coordination, the court or division shall issue an appointment order that does all of the following:

(1) Includes the name and contact information of the parenting coordinator and outlines the definition and purpose of the parenting coordinator;

(2) Specifies the scope of authority of the parenting coordinator;

(3) Sets forth the term of the appointment;

(4) Allocates the responsibility for fees and expenses related to parenting coordination;

(5) Addresses procedures for decision-making of the parenting coordinator;

(6) Addresses procedures for objections to parenting coordinator decisions;

(7) Addresses other provisions as the court considers necessary and appropriate;

(8) Orders the parties to contact the parenting coordinator within the time period specified by the court.

RULE 16.66. Public Access.

The files maintained by a parenting coordinator but not filed with a clerk or submitted to a court shall not be available for public access under Sup.R. 44 through 47.

RULE 90. Definitions.

As used in Sup.R. 90 through 90.12:

(A) Domestic abuse

~~“Domestic abuse” means a pattern of abusive and controlling behavior that may include physical violence; coercion; threats; intimidation; isolation; or emotional, sexual, or economic abuse.~~

(B) Domestic violence

~~“Domestic violence” has the same meaning as in R.C. 3113.31(A)(1).~~

(C) Parenting coordination

~~“Parenting coordination” means a child-focused dispute resolution process ordered by a court of common pleas or division of the court to assist parties in implementing a parental rights and responsibilities or companionship time order using assessment, education, case management, conflict management, coaching, or decision making. “Parenting coordination” is not mediation subject to R.C. Chapter 2710 or Sup.R. 16.~~

(D) Parenting coordinator

~~“Parenting coordinator” means an individual appointed by a court of common pleas or division of the court to conduct parenting coordination.~~

RULE 90.01. Local Parenting Coordination Rule.

~~A court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall adopt a local rule governing all ordered parenting coordination that does all of the following:~~

- (A) ~~Addresses the selection and referral of a case to parenting coordination at any point after a parental rights and responsibilities or companionship time order is filed;~~
- (B) ~~Addresses domestic abuse and domestic violence screening, both before and during parenting coordination;~~
- (C) ~~Addresses appropriate referrals to legal counsel, counseling, parenting courses, and other support services for all parties, including but not limited to victims and suspected victims of domestic abuse and domestic violence;~~
- (D) ~~Allows parties, their attorneys, and any other individuals designated by the parties to attend and participate in parenting coordination sessions;~~
- (E) ~~Prohibits a parenting coordinator, even with consent of the parties, from serving in multiple roles with the same family that creates a professional conflict, including but not limited to a child's attorney or child advocate; guardian ad litem; custody evaluator; therapist, consultant, coach, or other mental health role to any family member; or attorney for either party;~~
- (F) ~~Allows a mediator to also serve as a parenting coordinator with the same family, provided there is written consent of the parties and it is approved by the court or division;~~
- (G) ~~Addresses the issuance of parenting coordination agreements and reports or decisions by a parenting coordinator;~~
- (H) ~~Addresses terms and conditions for fees, including provisions for waiver of fees for indigent parties;~~
- (I) ~~Provides that the decision of a parenting coordinator is effective immediately and remains effective unless ordered otherwise by the court or division;~~
- (J) ~~Allows for objections to the decision of a parenting coordinator;~~
- (K) ~~Addresses the appointment and termination of appointment of a parenting coordinator;~~
- (L) ~~Establishes procedures for the periodic evaluation of parenting coordinators;~~
- (M) ~~Establishes procedures for the submission, investigation, and hearing of complaints regarding a parenting coordinator;~~
- (N) ~~Addresses other provisions as the court or division considers necessary and appropriate.~~

RULE 90.02. Reasons for Ordering Parenting Coordination.

~~A court of common pleas or division of the court that chooses to use parenting coordination in the court or division may order parenting coordination when the court or division determines one or more of the following factors are present:~~

- ~~(A) The parties have ongoing disagreements about the implementation of a parental rights and responsibilities or companionship time order and need ongoing assistance;~~
- ~~(B) There is a history of extreme or ongoing parental conflict that has been unresolved by previous litigation or other interventions and from which a child of the parties is adversely affected;~~
- ~~(C) The parties have a child whose parenting time schedule requires frequent adjustments, specified in an order of the court or division, to maintain age-appropriate contact with both parties, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the court or division;~~
- ~~(D) The parties have a child with a medical or psychological condition or disability that requires frequent decisions regarding treatment or frequent adjustments in the parenting time schedule, specified in an order of the court or division, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the court or division;~~
- ~~(E) One or both parties suffer from a medical or psychological condition or disability that results in an inability to reach agreements on or make adjustments in their parenting time schedule without assistance, even when minor in nature;~~
- ~~(F) Any other factor as determined by the court or division.~~

RULE 90.03. Inappropriate Uses of Parenting Coordination.

~~A court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall not order parenting coordination to determine any of the following:~~

- ~~(A) Whether to grant, modify, or terminate a protection order;~~
- ~~(B) The terms and conditions of a protection order;~~
- ~~(C) The penalty for violation of a protection order;~~
- ~~(D) Changes in the designation of the primary residential parent or legal custodian;~~
- ~~(E) Changes in the primary placement of a child.~~

~~RULE 90.04. Use of Parenting Coordination when Domestic Abuse or Domestic Violence is Alleged, Suspected, or Present.~~

~~When domestic abuse or domestic violence is alleged, suspected, or present, parenting coordination may proceed only if all of the following conditions are satisfied:~~

- ~~(A) The person who is or may be the victim of domestic abuse or domestic violence is fully informed about the parenting coordination process and of the option to have a support person present at parenting coordination sessions;~~
- ~~(B) Appropriate procedures are in place to provide for the safety of the person who is or may be the victim of domestic abuse or domestic violence and all other persons involved in the parenting coordination process;~~
- ~~(C) Procedures are in place for the parenting coordinator to terminate a parenting coordination session if there is a continued threat of domestic abuse, domestic violence, or coercion between the parties.~~

~~RULE 90.05. General Parenting Coordinator Appointment Qualifications.~~

~~A court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall not appoint an individual as a parenting coordinator unless the individual meets all of the following qualifications:~~

- ~~(A) Possesses a master's degree or higher, law degree, or education and experience satisfactory to the court or division;~~
- ~~(B) Possesses at least two years of professional experience with situations involving children, which includes parenting coordination, counseling, casework, legal representation in family law matters, serving as a guardian ad litem or mediator, or such other equivalent experience satisfactory to the court or division;~~
- ~~(C) Has completed in the following order the following training that has been approved by the Dispute Resolution Section of the Supreme Court and that meets standards established by the Supreme Court Commission on Dispute Resolution:
 - ~~(1) At least twelve hours of basic mediation training;~~
 - ~~(2) At least forty hours of specialized family or divorce mediation training;~~
 - ~~(3) At least fourteen hours of specialized training in domestic abuse and dispute resolution;~~
 - ~~(4) At least twelve hours of specialized training in parenting coordination.~~~~

~~RULE 90.06. Parenting Coordinator Qualifications in Abuse, Neglect, or Dependency Cases.~~

~~In addition to the qualifications under Sup.R. 90.05, a court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall not appoint an individual as a parenting coordinator in an abuse, neglect, or dependency case unless the individual meets both of the following qualifications:~~

- ~~(A) Possesses significant experience working with family disputes;~~
- ~~(B) Has completed at least thirty-two hours of specialized child protection mediation training that has been approved by the Dispute Resolution Section of the Supreme Court and that meets standards established by the Supreme Court Commission on Dispute Resolution.~~

~~RULE 90.07. Parenting Coordinator Continuing Education.~~

~~(A) Requirement~~

~~A parenting coordinator shall complete at least three hours per calendar year of continuing education relating to children. The continuing education may include continuing education for lawyers, social workers, psychologists, or other licensed mental health professionals and professional development events that are approved by the Dispute Resolution Section of the Supreme Court and that meet standards established by the Supreme Court Commission on Dispute Resolution.~~

~~(B) Annual report~~

~~On or before January 1st of each year, a parenting coordinator shall report to each court or division from which the parenting coordinator receives appointments a list of all continuing education training completed during the previous year under division (A) of this rule, including the sponsor, title, date, and location of each training.~~

~~(C) Failure to comply~~

~~If a parenting coordinator fails to comply with the continuing education requirement of division (A) of this rule, the parenting coordinator shall not be eligible to serve as a parenting coordinator until the requirement is satisfied. The parenting coordinator shall complete three hours of continuing education for each calendar year of deficiency.~~

~~RULE 90.08. Appointment Order.~~

~~A court of common pleas or division of the court that chooses to use parenting coordination in the court or division, when ordering parenting coordination, shall issue a written appointment order~~

providing information regarding the appointment of the parenting coordinator, including but not limited to the following:

- (A) ~~The name of the parenting coordinator and any contact information for the parenting coordinator the court may choose to include;~~
- (B) ~~The specific powers and duties of the parenting coordinator;~~
- (C) ~~The term of the appointment;~~
- (D) ~~The scope of confidentiality;~~
- (E) ~~The parties' responsibility for fees and expenses for services rendered by the parenting coordinator.~~

RULE 90.09. Responsibilities of Court or Division Using Parenting Coordination.

~~A court of common pleas or division of the court that chooses to use parenting coordination in the court or division shall do all of the following:~~

- (A) ~~Maintain a roster of all parenting coordinators appointed by the court or division, including the name; address; telephone number; and, if available, electronic mail address of each parenting coordinator. The court or division shall require each parenting coordinator to notify the court or division of any changes to this information.~~
- (B) ~~Require each parenting coordinator appointed by the court or division to submit to the court or division a resume documenting compliance with the parenting coordinator qualifications under Sup.R. 90.05 and, if applicable, Sup.R. 90.06. The court or division shall require each parenting coordinator to provide an updated resume to the court or division in the event of any substantive changes to the information contained in the resume.~~
- (C) ~~Require each parenting coordinator appointed by the court or division to submit to the court or division on or before January 1st of each year a list of continuing education training completed by the parenting coordinator during the previous calendar year under Sup.R. 90.07(A), including the sponsor, title, date, and location of each training;~~
- (D) ~~On or before February 1st of each year, file with the Dispute Resolution Section of the Supreme Court all of the following:~~
 - (1) ~~A copy of the local rule adopted by the court or division under Sup.R. 90.01;~~
 - (2) ~~A copy of the current roster of parenting coordinators appointed by the court or division maintained by the court or division under division (A) of this rule;~~

~~(3) A copy of each new or updated resume received by the court or division from a parenting coordinator during the previous year under division (B) of this rule;~~

~~(4) A copy of each list of continuing education training received by the court or division from a parenting coordinator under division (C) of this rule.~~

~~RULE 90.10. Responsibilities of Parenting Coordinator During Parenting Coordination.~~

~~(A) Compliance with appointment order~~

~~A parenting coordinator shall comply with the requirements of and act in accordance with the appointment order issued by the court of common pleas or division of the court under Sup.R. 90.08.~~

~~(B) Independence, objectivity, and impartiality~~

~~A parenting coordinator shall maintain independence; objectivity; and impartiality, including avoiding the appearance of partiality, in dealings with parties and professionals, both in and out of the courtroom.~~

~~(C) Conflicts of interest~~

~~(1) A parenting coordinator shall avoid any clear conflicts of interest arising from any relationship activity, including but not limited to those of employment or business or from professional or personal contacts with parties or others involved in the case. A parenting coordinator shall avoid self-dealing or associations from which the parenting coordinator may benefit, directly or indirectly, except from services as a parenting coordinator.~~

~~(2) Upon becoming aware of a clear conflict of interest, a parenting coordinator shall advise the appointing court or division and the parties of the action taken to resolve the conflict and, if unable to do so, seek the direction of the court or division.~~

~~(D) Ex parte communications~~

~~A parenting coordinator shall have no ex parte communications with the appointing court or division regarding substantive matters or issues on the merits of the case.~~

~~(E) Legal advice~~

~~A parenting coordinator shall not offer legal advice.~~

(F) Report of activity affecting ability to perform

~~A parenting coordinator shall have an ongoing duty to report any activity, criminal or otherwise, that would adversely affect the parenting coordinator's ability to perform the functions of a parenting coordinator.~~

(G) Disclosure of abuse, neglect, and harm

~~(1) A parenting coordinator shall inform the parties the parenting coordinator will report any suspected child abuse or neglect and any apparent serious risk of harm to a family member's self, another family member, or a third party to child protective services, law enforcement, or other appropriate authority.~~

~~(2) A parenting coordinator shall report child abuse or neglect under the procedures in R.C. 2151.421.~~

RULE 90.11. Compliance with Guidelines for Parenting Coordination.

~~A court of common pleas or division of the court that chooses to use parenting coordination in the court or division and a parenting coordinator shall comply with the "Guidelines for Parenting Coordination" developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination. Wherever a conflict exists between the guidelines and Sup.R. 90 through 90.12, the rules shall control.~~

RULE 90.12. Confidentiality, Privilege, and Public Access.

(A) Confidentiality

~~Except as provided by law, communications made as part of parenting coordination, including communications between the parties and their children and the parenting coordinator, communications between the parenting coordinator and other relevant parties, and communications with the court, shall not be confidential.~~

(B) Privilege

~~Except as provided by law, parenting coordination shall not be privileged.~~

(C) Public access to parenting coordinator files.

~~The files maintained by a parenting coordinator but not filed with a clerk or submitted to a court shall not be available for public access under Sup.R. 44 through 47.~~

RULE 99. Effective Date.

[Existing language unaffected by the amendments is omitted to conserve space]

(Insert division letter) The amendments to Sup.R. 16.14, new Sup.R. 16.60 through 16.66, and the repeal of Sup.R. 90 through 90.12, adopted by the Supreme Court of Ohio on September 6, 2022, shall take effect on January 1, 2023.