

The following is how the Custody process works (applies to all parties):

Step #1: **CUSTODY MEDIATION ORIENTATION.** All parties are required to contact the Mediator assigned by the Court within 7 days of filing the Petition or Complaint. The Mediation Orientation session must be conducted within 20 days of the date of filing. Details regarding Mediation Orientation, including the cost of the session, are outlined in the Order of Court. Counsel are not permitted to attend. Mediators must hold a post-graduate degree in law, or a mental health field such as psychiatry, psychology, counseling or family therapy. ***If you fail to attend the Mediation Orientation session, the Court may impose sanctions.***

If your case is SETTLED OR RESOLVED prior to your scheduled Custody Conciliation Conference, an original agreement signed by all parties may be submitted to the Custody Conciliation Office.

A sample Custody Agreement is available on the Court's website at <http://www.courts.montcopa.org>. If the agreement is approved and signed by the Master or Judge prior to your Conciliation date, parties will be excused from attending the Conference, and the agreement will be entered on the docket as an Agreed Order of the Court. Unless you are specifically excused you must attend the Conciliation Conference.

Step #2: **PARENTING PROGRAM.** Parties are required to attend an approved education seminar on the general responsibilities of separated/divorced parents or guardians. Course dates and the cost of this program are outlined in the Notice which is part of your packet. ***If you fail to attend this seminar, the Court may impose sanctions.***

Step #3: **CUSTODY CONCILIATION CONFERENCE.** All parties and counsel will receive notice in the mail from the Court when the Custody Conciliation Conference is scheduled. The Custody Conciliator is an attorney appointed by the Court for the purpose of attempting to resolve the dispute prior to the need for judicial involvement. There is no "record" or transcript of the conference. Counsel and parties must attend. Children are NOT to attend the initial conference. If deemed necessary, a separate interview will be scheduled with the child(ren).

If your case is resolved at the Conciliation level, an Agreed Order will be submitted to the Court for a Judge to sign, and no further court appearance is required. Cases that are not resolved by the Conciliator are "forwarded to Court" for scheduling before a Judge.

Step #4: **SHORT LIST HEARING before a Judge.** All parties and counsel will receive notice in the mail from the Court when the Short List Hearing/Conference is scheduled before the Judge. If the matter is not resolved at the short list hearing/conference – the matter will be scheduled for a "protracted" or full hearing before the Judge.

Child care is available by calling Court Care (610-292-4956) at least 2 days prior to your scheduled date.