

**COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY COURT DEPARTMENT
HAMPSHIRE DIVISION**

**FAMILY RESOLUTIONS SPECIALTY COURT
GLOSSARY FOR PARENTS**

Automatic Restraining Order: A Court rule that says parents cannot change their finances once a case starts. They can spend money on regular and usual living expenses. But they cannot make big purchases or new debts or sell assets or change anything on life or health insurance policies. Anyone wishing to do any of these things must ask the court for approval. This is Probate and Family Court Supplemental Rule 411 – Automatic Restraining Order.

CARI: “Court Activity Record Information.” Files of a person’s criminal and some civil cases that have taken place in any Massachusetts court.

Child’s Attorney: A family law attorney appointed by the Court at the beginning of a FRSC case to make sure the child’s ideas are considered, when needed.

Child Support: Money paid by one parent to the other so that both households can take care of the children when the parents live apart. *See* “Child Support Guidelines” and “Deviation.”

- **Child Support Guidelines:** Court guidelines used to help decide on a reasonable amount of child support. Both parents’ incomes are counted. *See* www.mass.gov/courts for Child Support Guidelines and forms.
- **Deviation:** An up or down change from the amount of child support calculated in the Child Support Guidelines.

Consent to Participate in FRSC: A form signed by FRSC parents before they begin working in FRSC. Before signing, the parents check to see if they agree to all the terms of FRSC.

Court Conference: FRSC courtroom meetings run by the Judge. The parents and the rest of the team attend. After each court conference, the Judge writes a temporary order. When the case is finished, the Judge writes a final judgment. *See* “Team.”

- **Temporary Order:** A decision by a Judge that the parents must follow. The terms of a temporary order may change before a final judgment, or may become part of a final judgment, or may be removed, as a case moves along.
- **Judgment:** The Court’s decision ending a case.

Custody: An older legal term for parenting that is not usually used in FRSC. In FRSC, parents talk about the two responsibilities of parenting:

- **Decision-Making** - how do the parents make big decisions for their children. In FRSC, parents often decide to share decision-making about their children's schooling, medical care, and moral and religious upbringing.
- **Parenting Schedule** - how do the parents take care of their children day to day. FRSC parents create a parenting schedule that usually allows the children to live part of the time with one parent and part of the time with the other. The schedule is often not equal, but it can be. The important thing is that the schedule should work well for the children. Parents consider such things as the children's needs, parents' work schedules, safety issues, distance between homes or schools, and other factors affecting their children. See "Parenting Plan."

Department of Revenue or "DOR": The Massachusetts agency that can help any parent collect child support. If a parent gets public assistance, DOR is automatically involved in child support matters for that family.

Evidence: Information used by the Court that helps to prove or disprove important facts. Evidence may be spoken or written statements, documents and records, or physical items.

Family Consultant or "FC": A mental health professional working with a FRSC family. The FC knows a lot about children's needs. The FC guides the parents through the FRSC process. The FC offers support and information about co-parenting, parenting skills, and parent communication. The FC helps the parents to create or change a parenting plan and makes referrals for community services if needed for any family member. See "Parenting Plan."

Family Resolutions Specialty Court or "FRSC": A problem-solving family court with a community-based advisory committee. FRSC's goals are to: lessen conflict in cases involving children; involve families in decision-making so that workable resolutions are reached; and connect families to community services. Being in FRSC is voluntary.

Financial Statement: A required Court form where each parent must list detailed financial information, such as income, expenses, assets, and debts. All information in financial statements must be complete and honest. Parents must bring updated financial statements each time they come to Court. They may re-date and re-sign their last financial statements only one time and only if it is not more than 60 days old. Fillable financial statements are available on the Court's web site. This is Supplemental Probate and Family Court Rule 401. See www.mass.gov/courts

Guided Interview: A meeting of the parents and the Family Consultant to look at the family's strengths and challenges at the start of FRSC. During the guided interview, the Family Consultant usually meets with the parents together and separately.

Judicial Case Manager or "JCM": An attorney who works for the Court and gives advice to attorneys and parents about the court process.

Mandatory Self-Disclosure: A Court rule that requires each parent to give copies of pay stubs, tax returns, bank accounts, etc. to the other parent. The FRSC Team can help the parents decide

which items to exchange and when to exchange them. The exchange of information helps parents make good decisions in FRSC. This is Probate and Family Court Supplemental Rule 410.

Mediation: A series of meetings with a neutral mediator who helps the parents work together to reach agreements about their children and their finances.

Opt-In/Opt-Out: Coming into and leaving FRSC.

- **Opt-In** – To opt-in, parents go through an intake process.
- **Opt-Out** – To opt-out, a parent or other team member must request a court conference to confirm the opt-out. When there is an opt-out, the case goes to a new Judge and into the regular track. Any final agreements reached in FRSC carry over to the regular track. The parents no longer get the services of the FRSC Team. See “Team” and see “Regular Track.”

Order: A decision made by the Judge that the parents must follow.

Parent Education: Parenting programs for separated or divorced parents run by the Hampshire County Bar Association. See www.hampshirebar.org

- **Parents and Children in Transition or “PACT”**: A two-evening parent-education program for divorcing parents.
- **For the Children or “FTC”**: A required two-evening parent-education program for never-married parents.
- **Only One Childhood or “OIC”**: A voluntary program for separated or divorced parents that works on communication skills.

Parenting Plan: A two-part plan for the children. Part one talks about the parents’ decision-making plan for their children. Part two states the time each parent will spend parenting the children, how each parent will communicate with the children when they are not with them, and how the parents will communicate with each other about the children. See “Custody.”

Parenting Questionnaire: A detailed form used in FRSC which parents must complete before their Guided Interview. The Team uses the Parenting Questionnaire to learn about a family so they can address the family’s needs. See “Guided Interview” and “Team.”

Pleadings: Formal papers filed with the Court to start a FRSC case.

Probation Officer or “PO”: A Court employee who helps FRSC families go through the Court system and may help to find useful services for each family member. The FRSC Judge may order the probation officer to do investigations and to monitor Court orders. The Judge may also order the probation officer to do drug and alcohol testing and to help settle disputes. The probation officer is part of the FRSC Team in many cases.

Pro Se: A Latin word. In the Court, it means people who represent themselves. The English word is “self-represented.”

Registry or Registry of Probate: The Registry takes care of the Court files. Registry staff answer questions about filings and Court dates.

“Regular” Track: A non-FRSC case in the Hampshire Probate and Family Court.

Support Team: The members of the FRSC Team assisting the parents in FRSC: Family Consultant, Child’s Attorney, any parent’s attorney, mediator, TC, and sometimes probation officer.

Team: The parents, Family Consultant, the Child’s Attorney, any parent’s attorney, mediator, TC, and sometimes probation officer.

209A: Massachusetts’ abuse prevention statute. This law is meant to protect people from domestic violence. It applies to people who are or were married to each other. It also applies to people who are or were living in the same household, or who are or were related by blood or marriage. It also applies to people who have children together or have been in a substantial dating relationship. The Court can order the abuser to stop the abuse and to leave the home. The Court can also order the abuser to have no contact with the victim and to turn in all guns and firearm IDs. This law is Massachusetts General Law Chapter 209A.