

**Probate and Family Court  
Standing Order 1 – 2023  
Professional Parenting Time Supervisors**

**Effective June 20, 2023**

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**A. Applicability**

1. This Standing Order applies to:
  - a. the appointment of a professional parenting time supervisor pursuant to an agreement by the parties to engage a professional parenting time supervisor that is approved by the Court and incorporated into an order or, in rare circumstances, incorporated and merged into a judgment; and
  - b. the appointment of a professional parenting time supervisor by a court order or, in rare circumstances, judgment without agreement of the parties.
2. This Standing Order does not apply to an agreement to use a professional parenting time supervisor that is not incorporated into an order or incorporated and merged into a judgment.

**B. Role of Professional Parenting Time Supervisor**

1. protect the safety and welfare of children, adults, and parenting time supervisors when other less restrictive methods of ensuring a child(ren)'s well-being during parenting time cannot be achieved;
2. provide a short-term, temporary means to ensure the safety and welfare of children at a time when further investigation and determinations are needed or until safety issue(s) are eliminated; and/or
3. reduce the risk of physical, emotional and/or psychological harm to both children and parents during parenting time, while also retaining the opportunity for children and non-custodial parents to have time together.

**C. In all considerations related to the appointment of, and parenting time supervision by a professional parenting time supervisor, the best interest of the children is the paramount consideration.**

**D. Incorporation of Guidelines into Standing Order 1 – 2023**

1. This Standing Order hereby incorporates by reference the Guidelines for Professional Parenting Time Supervisors ("the Guidelines"), effective June 20, 2023, or as may be subsequently revised. The definitions included in the Guidelines apply to those terms as they appear in this Standing Order. The Guidelines promote uniformity and consistency for all professional parenting time supervisor appointments and promote respect for the rights and safety of parties and their children.

2. All appointments of professional parenting time supervisors must be made in accordance with the procedures described in the Guidelines.

E. Impoundment of Case File Documents at Probate and Family Court

1. Unless otherwise ordered by the Court, all documents from the professional parenting time supervisor's case file that are filed with the Court shall be docketed and are impounded. As used herein, "impounded" shall mean the act of keeping all the case file documents separate and unavailable for public inspection. Once filed with the Court, all documents filed by the professional parenting time supervisors shall be stored in the Registry of Probate unless otherwise determined by the First Justice.
2. Relief from impoundment may be sought by motion supported by affidavit, and may, after notice, be granted by the Court only upon written findings. See [Trial Court Rule VIII: Uniform Rules on Impoundment Procedure | Mass.gov](#).

F. Termination of a Supervised Parenting Time Event

1. If a professional parenting time supervisor observes that the terms and conditions of the parenting time have not been complied with by either party such that the parenting time event cannot occur safely, the child(ren) has become acutely distressed, and/or the safety or welfare of the child(ren), a parent, or the supervisor is at risk, the professional parenting time supervisor must interrupt, terminate, or reschedule the parenting time event in conformity with the Guidelines.
2. When the professional parenting time supervisor has terminated a parenting time event and believes that the supervised parenting time order and/or Order of Appointment needs to be reviewed by the Court to proceed safely with future parenting time events or a parenting time event cannot occur due to lack of payment, within 2 business days of the terminated event or lack of payment, the supervisor shall file with the Court the Motion to Review Supervised Parenting Time. The supervisor must provide notice of the motion to both parties, their attorneys, and the attorney for the child, if any. Notice can be provided by delivery in hand or mailing and the Certificate of Service on the Motion to Review Supervised Parenting Time must be completed.
3. The Motion to Review Supervised Parenting Time must be docketed and scheduled immediately. The hearing shall be scheduled to be heard virtually as expeditiously as possible. If the Court requires an in-person hearing on the motion, the Court shall enter specific written findings as to why a virtual hearing cannot be held. The professional parenting time supervisor must attend the hearing, whether the hearing is virtual or in-person, to present the motion to the Court.
4. In the rare case where a professional parenting time supervisor is appointed in a judgment and the professional parenting time supervisor believes that the judgment needs to be reviewed by the Court, the supervisor must notify the parties in writing of this position and the responsibility is on the party or parties to file a Complaint for Modification.

G. Payment for Professional Parenting Time Supervisor

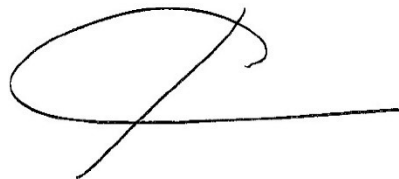
1. Pursuant to G. L. c. 208, § 31A; G. L. c. 209, § 38; G. L. c. 209C, § 10 (e); and G. L. c. 209A, § 3 (d), the Court can order an abusive parent to pay for supervised parenting time without their

consent. The payment for all other supervised parenting time must be agreed to by the parties. There is no authority allowing the Probate and Family Court to pay the professional parenting time supervisor. Nor is there authority to order a parent to pay for a professional parenting time supervisor over their objection, except as noted in the statutes listed above.

2. A professional parenting time supervisor may bill for the actual time of the supervised parenting time event, the intake meeting(s), and for mileage at the rate of 58.5 cents per mile for any travel over 50 miles roundtrip. Otherwise, the supervisor may not bill for travel time or expenses unrelated to the actual parenting time event. If the professional parenting time supervisor is transporting the child(ren), the parenting time event begins when the supervisor picks up the child(ren) and ends when the child(ren) have been returned to the custodial parent/guardian.
3. If a professional parenting time supervisor is required to attend a deposition or hearing at the request of a parent, then the parent who requested the deposition or hearing may be billed for that time by the professional parenting time supervisor.

#### H. Permissible and Not Permissible Actions of a Professional Parenting Time Supervisor

1. A professional parenting time supervisor may not:
  - a. except as permitted below, communicate orally or in writing with the Court or any court personnel regarding the substance of the action;
  - b. offer legal advice, representation, therapy or counseling; and
  - c. delegate any portion of the professional parenting time appointment to anyone else, as the appointment is personal in nature.
2. A professional parenting time supervisor may:
  - a. produce documents and testify in the action as a fact witness in response to a subpoena issued at the request of a party or an attorney for a child of the parties, or by order of the court; and
  - b. have access to all non-impounded case records in the action.



Hon. John D. Casey  
Chief Justice  
Probate and Family Court

Date: June 1, 2023