

CIRCUIT COURT OF CLAY COUNTY, MISSOURI
Office of Dispute Resolution Services
www.circuit7.net

351 East Kansas Street
Liberty, Missouri 64068

Phone: 816-736-8400
Fax: 816-736-8401

June 11, 2012

~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~

Re: Family Access Dispute Resolution
Case No. ~~0067201200004~~

The family access motion has been scheduled for a dispute resolution session. Please read the Rules for Family Access Dispute Resolution enclosed with this notice. These rules will be reviewed with you at the start of the session and you will be asked to make several choices concerning procedures.

Arbiter: The Office of Dispute Resolution Services has selected the dispute resolution professional named below to serve as arbiter in this matter. If you believe there is a conflict of interest, you must contact me immediately. No request for change of arbiter will be permitted within seven (7) days of the dispute resolution session date.

Neutral: James Fluker, JD

Costs: The cost of dispute resolution is been waived in this matter.

Session date: The date, time and place of the session appears below. You should allow a period of four hours for this session.

Date: ~~XXXXXXXXXXXXXXXXXXXX~~
~~Friday, June 29, 2012~~
Time: **1:00 o'clock p.m.**
Place: Children's Justice Center
351 East Kansas Street, Liberty, MO

Costs: A fee not to exceed \$300.00 may be assessed against one or both of you for the cost of dispute resolution. No advance deposit toward costs is required. A determination will be made by the arbiter whether a dispute resolution fee and court costs will be charged against one or both parents.

You are about to engage in a dispute resolution process that may affect your legal rights and the legal rights of your child/ren. You are encouraged to be fully informed of your legal rights. You may bring counsel to the session. Counsel must enter an appearance in writing. If you choose to represent yourself please note that you will sign dispute resolution documents that may affect your legal rights.

This session will proceed as arbitration regardless of the non-appearance of any party who has been sent written notice of the session at least the (10) days in advance. You are expected to attend this session at the time and place arranged. Postponement will only be granted with the consent of all the parties. All parties must also consent to parental access through the Transitions Center during any postponement (fees may apply).

Who may attend: You have a right to bring your lawyer who has entered a written appearance in this matter. Only the parents and their lawyers may participate in the session unless all parties consent to the participation of other. Witnesses will only be present while giving testimony and do not otherwise participate in the session. We discourage the involvement of children in the dispute resolution session. Children may not be left unattended in our lobby during the session. You must make appropriate arrangements for supervision of children. We reserve the right to request that children be removed from the premises.

Evidence: You are welcome to bring documents and witnesses to the session. If you wish to subpoena witnesses, you must contact the Circuit Clerk to issue subpoenas (fees apply). The arbiter will determine whether or not to receive into evidence any documents you offer during the arbitration process. Original documents will be returned to you at the end of the session. The arbiter may make a copy of documentary evidence, which will be destroyed by the arbiter upon rendering the award. We do not retain evidentiary documents for any purpose.

After the session: At the conclusion of this session the arbiter will submit the award for filing with the Court. A copy of the award will be provided to you (or counsel of record) by the Court Clerk. The award will be confirmed as the order of the Court unless a hearing is requested within the time frame contained in the notice provided by the Court Clerk.

Agreements We encourage you to resolve this matter by mutual agreement. If you reach an agreement, you will have 30 days to submit your signed agreement to this Office. Action by the Court is required to approve your agreement. Payment of a \$39.00 filing fee is required for any agreement to modify the existing Judgment (parenting plan). The arbiter will be asked to enter an award if your agreement has not been submitted to the Court within 30 days.

You are welcome to call me at (816) 736-8402 if you have any questions.

Sincerely yours,



Kathleen Bird, Director

encl

cc: court file
arbiter

Office of Dispute Resolution Services
351 East Kansas Street, Liberty, MO 64068
(816) 736-8402

TO: _____

RE: Case No. _____
FAMILY ACCESS DISPUTE RESOLUTION

You are authorized to invoice us for \$150.00 per hour up to a total of four hours (\$600) – unless fee deposit received from the parties - for providing disputes resolution services and completion of paperwork.

Date of Session: Friday _____, 2012

Time: _____ *1:00* o'clock *P*.M.

Location: 351 E. Kansas Street, Liberty, MO

The session will proceed as arbitration unless the parties indicate they wish to attempt mediation or when a properly notified party does not appear for the session. The award will be a plain award unless all agree to a reasoned award.

Parties who appear without counsel are deemed to have waived counsel.

- Parent costs for dispute resolution have been waived.
- ODRS has received a cost deposit of \$ _____ from Movant.
- A deposit for costs is due in the amount of \$ _____
- Movant is eligible for a \$75.00 credit against the deposit if the parent education program is completed (please confirm with ODRS staff).

Parent Education has been scheduled for Movant on _____, 201__

Please provide for compensatory time awards to be monitored by SAFE Exchange services (no fee for services) so completion can be documented.

There is a \$20 enrollment fee per parent for SAFE Exchanges. Please assess parent(s) responsible for this payment. Visits are free.

Return the original arbitration award and a signed copy of the Rules to ODRS. We will file it with the court for confirmation. The parties will be notified in writing of their right to request a hearing before the Court to contest confirmation of the award.

If the parties mediate this dispute and:

- Agree to dismiss, have them sign the motion to dismiss and return it to ODRS.
- Agree on terms for resolving the FAM, fill in the Stipulation form and encourage them to sign it before they leave the session (unless they wish to consult their lawyers)..
- Agree on terms to modify the parenting plan, prepare a summary of understanding. The parties will have to sign it before a notary public and return it to ODRS within 30 days (No filing fee while FAM pending. Thereafter \$39.00 (money order or cashier's check only)..

This referral packet includes:

- Family Access Motion and relevant court orders
- Copy of notice letter setting date and time of session
- Rules for Family Access Dispute Resolution

IN THE CIRCUIT COURT OF ____ COUNTY, MISSOURI
AT _____

In Re the Marriage of:)	
PETITIONER'S NAME and)	
RESPONDENT'S NAME)	
)	
PETITIONER'S NAME)	
)	Case No.
Petitioner,)	Division
and)	
)	
RESPONDENT'S NAME)	
)	
Respondent.)	

AWARD

An arbitration hearing was held on _____, 20__ in compliance with dispute resolution services ordered by the court. The following parties appeared:

The following parties, although duly notified in advance in writing, did not appear:

Other persons who appeared and gave testimony:

The arbitrator presiding was _____, who has signed the award. A copy of the procedural rules reviewed with the parties is attached hereto. The issues submitted to arbitration are stated therein.

The parties stipulated that this award is _____ plain/reasoned

Findings:

Terms of Advisory Award:

A copy of this award shall be given to each party and placed in the case file for this cause.
Dated this ____ day of _____ 20__.

Signature of arbitrator