A Parent's Mental Illness Should Not Prevent a Successful Parenting Plan

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Challenging Mental Health Diagnoses

Bipolar I Disorder. The evidence of at least one manic episode that may be preceded or followed by hypomanic or major depressive episodes. In some cases, mania may trigger a break from reality (psychosis).

Bipolar II Disorder. At least one major depressive episode and at least one hypomanic episode, with no manic episode.

Mania and Hypomania - Both a manic and a hypomanic episode include <u>three or more</u> of these symptoms:

- Abnormally upbeat, jumpy or wired
- Increased activity, energy or agitation
- ***Exaggerated sense of well-being and self-confidence (euphoria)***
- Decreased need for sleep
- Unusual talkativeness
- Racing thoughts
- Distractibility
- Poor decision-making — for example, going on buying sprees, taking sexual risks or making foolish investments
- ***Mania may also trigger a break from reality (psychosis) and require hospitalization.***

Challenging Mental Health Diagnoses

Bipolar I and II Disorder continued…

Major Depressive Episode: An episode includes five or more of these symptoms:

- Depressed mood, such as feeling sad, empty, hopeless or tearful (in children and teens, depressed mood can appear as irritability)
- ***Marked loss of interest or feeling no pleasure in all — or almost all — activities***
- Significant weight loss when not dieting, weight gain, or decrease or increase in appetite (in children, failure to gain weight as expected can be a sign of depression)
- Either insomnia or sleeping too much
- Either restlessness or slowed behavior
- Feelings of worthlessness or excessive or inappropriate guilt
- Decreased ability to think or concentrate, or indecisiveness
- ***Thinking about, planning, or attempting suicide***

Challenging Mental Health Diagnoses

Bipolar I and II Disorder continued…

Symptomatic Complications

- Problems related to drug and alcohol use
- ***Risky/unsafe Behaviors***
- Suicide or suicide attempts
- Legal or financial problems
- Damaged relationships
- Poor work or school performance
- ***Poor decision making that can impact parenting***

Challenging Mental Health Diagnoses

Major Depressive Disorder:

- A mood disorder
- Persistent feeling of sadness and loss of interest.
- Affects how one feels, thinks and behaves and can lead to a variety of emotional and physical problems

The complications of major depression related to symptomatic complications and/or cognitive difficulties can influence a parent's ability to make day-to-day decisions, to be consistently and effectively engaged in a child's care and life and at its worst, can cause situations in which a child might be in a risky or unsafe situation.

Challenging Mental Health Diagnoses

Major Depressive Disorder continued…

Symptomatic Complications

- Family conflicts, relationship difficulties, and work or school problems
- Alcohol or drug misuse
- Anxiety, panic disorder or social phobia
- Social isolation
- Suicidal feelings, suicide attempts or suicide
- Self-mutilation, such as cutting

Parenting Plan Option:
Neutral Parenting Monitor

The Neutral Parenting Monitor (NPM) gathers information from the attorneys, clients, collateral members of the team, therapeutic and family, reading all reports and assessments, and reviewing the stipulations and parameters of the Court Order ascertaining the parameters and the extent of mental health issues, medical and behavioral issues and the past, present and future family situation.

Parenting Plan Option: **Neutral Parenting Monitor**

Engagement and Information Gathering

Obtaining signed engagement from both parents and confirming scope of role

Review of all reports and Court Orders

Meetings with lawyers

Interviews with supportive mental health and medical team

Comprehensive interviews with pertinent family members

Transparency and Education

Assuring neutrality and sharing communications and updates with both parties

Psychoeducation of parent or others without mental illness

Reporting back to the team

Conveying the plan regarding a potential relapse and a "Plan B"

Monitoring and Intervention

A schedule of check-ins with established timeline with adjustments regarding frequency over time

Identifying risky behaviors and safety issues particular to each client

Assessing safety and risks and protocols of a "Plan B"

Option to pause parent-child contact or require supervised parent-child contact, and determine criteria for how regular access will resume

NEUTRAL PARENTING MONITOR

We _____ and _____ have entered into an agreement with _____ to serve as a Neutral Parenting Monitor (NPM) for us and our child(ren). This agreement shall serve as a binding mediation contract.

Neutral Parenting Monitor's Role

1. We understand that it is in the child's/family's best interests that we will utilize the services of the Neutral Parenting Monitor (NPM), _____.
2. We will authorize all the parent's, child's and family's mental care providers past, current and future to communicate with and share information without restriction with the NPM. We will execute any release necessary to allow these providers to speak with the NPM and we shall instruct these providers to speak freely with _____including all written information, assessments, and records.
3. We agree to sign any necessary authorizations for the release of requested information. We understand that the consultation may mean we incur additional expenses with said third parties and agree to be responsible, therefore.
4. We shall sign all releases allowing the NPM to share all information she collects with the parties, family and or counsel.
5. In the event that _____ becomes unwilling or unavailable to serve as the NPM, we will work together to mutually select another qualified individual to service as the NPM, taking into account any recommendations made by _____.

Sample Terms for Neutral Parenting Monitor Engagement

6. We understand that communication with all mental healthcare providers of the family will be no less than once per month. _____, at her discretion, may choose to communicate more than once per month with any of parent's or _____(child's) mental health provider as she deems necessary. We shall take into account _____ recommendations and we shall not unreasonably withhold agreement to what she recommends.
7. For the first ____ months, _____ shall provide monthly written updates, email to be acceptable, so long as child is still residing _____, regarding _____'s mental health, and whether he/she in compliance with the terms set forth herein, and following all the recommendations of his/her mental health providers.
8. _____ shall be permitted to have free access and open communication with the NPM relating to any and all issues relating to _____'s mental health, provided _____ is solely responsible for any such communication he/she initiates with the NPM. The NPM shall include both parents on all communication she has with the other party. If there is a verbal communication without the other party, the NPM shall then share a detailed written summary of the conversation with the other parent.
9. If NPM in her sole discretion determines that _____ is not in compliance with the standard of care for treatment of her mental health conditions; ____ has revoked her limited access to her mental health treatment or _____'s mental health presents a risk of harm to child, she may make a binding recommendation to restrict _____'s custodial access to her child until such time is the NPM determine the issue was resolved, and until the paries mutually agree otherwise; or, until such time is a Court of Competent Jurisdiction orders otherwise. Any such restrictions shall be communicated in writing, email acceptable. In the event that either party disagrees with _____'s binding recommendations, he/she should have the right to immediately petition of Court of Competent Jurisdiction to resolve the issue based on (child's) best interests. We agree, until the Court of Competent Jurisdiction rules on the issue, we will follow the binding recommendations of the NPM.

Sample Terms for Neutral Parenting Monitor Engagement

Parenting Plan for _____ and _____

Neutral Parenting Monitor:

1. Unless the parties mutually agree otherwise, they shall utilize the services of _____, as a Neutral Parenting Monitor (hereinafter referred to as "NPM"). In the event NPM becomes unwilling or unavailable to serve as the NPM, the parties shall work together to mutually select another qualified individual to serve as the NPM, taking into account any recommendations made by _____.

2. The parties shall authorize all of child's mental healthcare providers (past, current and future), to communicate with and to share information without restriction with the NPM. The parties shall execute any releases necessary to allow these providers to speak with the NPM and they shall instruct these providers to speak freely with the NPM.

3. PARENT shall authorize all of her mental healthcare providers (current and future) to communicate with and to share information without restriction with the NPM. PARENT shall execute any releases necessary to allow these provides to speak with the NPM and she shall instruct these providers to speak freely with the NPM.

4. The NPM shall communicate no less than once per month in the manner of her choosing with PARENT's mental healthcare providers and, if the NPM deems necessary, CHILD's mental healthcare providers. The NPM, at her discretion, may choose to communicate more than once per month with any of mental health providers, as she deems necessary. After X MONTHS, the NPM shall maintain regular contact with PARENT's mental healthcare providers, however the NPM may recommend a different frequency of communications (rather than monthly) for the parties to consider. The parties shall take into account the NPM's recommendations, and they shall not unreasonably withhold their agreement to what she recommends.

Sample Terms for Parenting Plan

5. For the first X MONTHS, the NPM shall provide monthly written updates (email to be acceptable) to _____, as to whether PARENT is in compliance with the terms set forth herein and following all the recommendations of her mental health providers. PARENT shall be permitted to have free access and open communications with the NPM relating to any and all issues relating to PARENT's mental health, provided PARENT is solely responsible for any such communications he/she initiates with the NPM. The NPM shall include both parents on all communications with the other. If there is a verbal communication with NPM without the other party, the NPM shall then share a detailed written summary of the conversation with the other parent. Costs incurred for the NPM to circulate summaries or otherwise share information with the other parent shall be paid by the original initiating party.

6. If the NPM in her sole discretion determines that PARENT is not in compliance with the standard of care for treatment of her mental health conditions; that PARENT has revoked or limited access to mental health treatment contrary to the terms of this Addendum; or, that PARENT's mental health presents a risk of harm to CHILD, she may make a binding recommendation to restrict PARENT's custodial access to CHILD until such time as the NPM determines that the issue is resolved; until such time as the parties mutually agree otherwise; or, until such time as a court of competent jurisdiction orders otherwise.

   Any such restriction shall be communicated in writing (e-mail shall be acceptable). In the event that either party disagrees with the NPM's binding recommendation, s/he shall have the right to immediately petition a court of competent jurisdiction to resolve the issue based upon CHILD's best interests. By agreement of the parties, until a court of competent jurisdiction rules on the issue, they shall follow the binding recommendation of the NPM

7. The NPM shall invoice the parties for work on a monthly basis. The parties shall share the fee in proportion to their respective gross incomes and each party shall pay his/her respective share to the NPM at the time payment is due. Income shares are currently stipulated to be XX% by PARENT and XX% by PARENT.

Sample Terms for Parenting Plan

Mental Healthcare Plan:

PARENT agrees that s/he shall at all times remain under the care of a psychiatrist and that s/he shall follow the medication and other treatment recommendations of his/her psychiatrist. PARENT shall also remain under the care of a psychotherapist who is qualified in the areas of _____, _____, _____, _____.
PARENT shall follow all treatment recommendations of his/her psychotherapist. PARENT shall also authorize and instruct his/her psychotherapist to maintain continuity of care with his/her psychiatrist and vice versa. PARENT is currently receiving treatment from _____ and _____who are both deemed proper and qualified to provide treatment to PARENT under the terms of this Order. PARENT further agrees to an open sharing of information between his/her mental health care providers and the Neutral Parenting Monitor.

Sample Terms for Parenting Plan

Breakout Discussion

Hypothetical: Parents of two children (ages 3 and 5) are divorcing in the Collaborative Process. Early on, one parent is diagnosed with Bipolar Disorder. The other parent has observed concerning behaviors for a long period of time, which is partly the cause for the separation and divorce. This complex diagnosis raises new concerns about long term parenting capacity.

1. What concerns/challenges might the team face in developing the Parenting Plan?
2. Could a Neutral Parenting Monitor be presented as an Option? If so, how and at one point in the Process?
3. What other safeguards are there to address the capacity concerns with Bipolar?