

UpToParents.org and the Co-Parenting Assets and Improvement Review (C.A.I.R.)¹

This short paper describes a strategy for focusing family reviews on parental strengths and problem-solving rather than parental deficits and fault-finding.²

Several formidable researchers and commentators have expressed grave concerns both about the overuse of custody reviews (commonly called custody evaluations) and their polarizing tendencies. We have collected some of those wise cautions in the paper [Custody Evaluations: The Overlooked Harm to Clients, Children, and Families](#).

We take it as self-evident that family reviews designed to determine the best interests of children must be reexamined if their tendency is to compromise those very interests. Family reviews that damage children’s best interests by polarizing parents, saddling children with a painful sense of responsibility for the family’s problems, and entrenching conflict should be a highly disfavored mode of problem-solving.³ Likewise, we submit that professionals charged with pursuing the best interests of children should look for child-protective alternatives to such reviews—and certainly for educational, counseling, and mediation alternatives that can be used before a potentially polarizing review is undertaken.⁴

We believe, therefore, that family reviews should, whenever possible, take the form of educating parents on the many advantages of building a good co-parenting relationship and specific ways of building that relationship as well as providing a fair opportunity for parents to succeed in those lessons. One of two options is available.

¹ An electronic copy of this article is available on Part II of the “Professionals Corner” of [UpToParents.org](#). From that article, all links can be opened.

² We use the term “family reviews” to refer to the investigative and reporting work of guardians ad litem (GALs), custody evaluators, parenting coordinators, and any other professionals whose work involves some measure of reporting to attorneys, courts, or other outside decision-makers.

³ A fair question to ask on reading a typical custody evaluation report in an American case today is, “How are these parents going to be able to co-parent after reading what they have said about each other and what the evaluator has said about each of them?” Whether authored by a custody evaluator, guardian ad litem, parenting coordinator, or other professional, some reports leave little hope that a decent co-parenting relationship can emerge.

⁴ In the law, this orientation is certainly suggested by the overall view of the legal profession as an agency for the protection of the best interests of clients, the public, and society. But, it also draws specific support from the following portion of the Preamble to the Model Rules of Professional Conduct for Attorneys: “The legal profession is largely self-governing [and its] relative autonomy carries with it special responsibilities of self-government. The profession has a responsibility to assure that its regulations are conceived in the public interest and not in furtherance of parochial or self-interested concerns of the bar.”

- Preferably, a report can be generated for the court, parents, and counsel that the parents succeeded in their elevated child-focused cooperation and decision-making.
- Alternatively, advisory reports can be submitted if parents fail to make that progress.

When co-parenting problems progress to the unusual point that a family review is being considered, we propose a “Co-Parenting Assets and Improvement Review” (C.A.I.R.) that examines parents’ strengths as much as their deficits. To understand this approach, professionals are encouraged to (1) acquaint themselves with UpToParents.org, both by doing the work on the site as hypothetical parents in a divorce and by spending some time on the “Parents Corner” and “Professionals Corner” links of the site, and (2) look over the two electronic Intake Booklets that parents can be asked to complete as part of the C.A.I.R. process. We have suggested two intake booklets ([C.A.I.R. Booklet I](#) and [C.A.I.R. Booklet II](#)) in order to break up the work for parents and to give professionals the opportunity to meet with parents more than once as they rethink their family challenges.

We suggest that professionals using the C.A.I.R. approach do at least the following in a typical case.

1. Ensure that the court, attorneys, and parents all understand that the C.A.I.R. approach is substantially different from other family reviews, specifically in its (a) focus on parents’ strengths and (b) demand that parents do the assigned educational preparation. See [Memo to Courts, Counsel, and Parents Considering a Referral to a Co-Parenting Assets and Improvement Review \(C.A.I.R.\)](#).
2. Meet with the parents at the start of the process to fully explain their opportunity and responsibility within this approach to work toward improved co-parenting. See [Agreement to Participate in a Co-Parenting Assets and Improvement Review](#).
3. Refer parents to their website work (UpToParents.org in divorce cases and ProudToParent.org in paternity cases) and to the two electronic intake forms they are to complete, [C.A.I.R. Booklet I](#) and [C.A.I.R. Booklet II](#).
4. Reserve reports and recommendations to attorneys and court for cases where one or both parents are less than minimally competent and safe parents, usually involving cases of drug or alcohol abuse, psychopathology, or domestic violence or where one or both parents refuse to carry through with the C.A.I.R. approach.

The C.A.I.R. approach affords a number of advantages over traditional evaluative processes.

- A. It avoids many of the destructive tendencies that attend traditional reviews.
- B. It educates parents about better strategies for raising children between two separate homes.
- C. It can open consideration by parents and professionals alike to further helpful steps such as an extended co-parenting class, counseling, or mediation.
- D. In the event that parents fail to make sufficient progress to avoid an evaluative report, it allows that report to include some uncommonly telling website and

intake work by the parents. For example, parents' work on the four written exercises on the websites (see below) says a word about which parent is more committed to protecting children and their good relationship with both parents.

- Exercise A: Writing about children's personalities, losses, and needs.
- Exercise B: Offering ideas for making pickups and drop-offs (and other times children see their parents together) as good as possible.
- Exercise C: Making a list of 10 good memories and compliments about the co-parent to be shared with their children.
- Exercise D: Writing about what the parent would like the future co-parenting relationship to look like for the benefit children and parents alike.

The following can be consulted for further understanding of the C.A.I.R. approach.

1. [1-Minute Video Introduction on the C.A.I.R. Approach](#)
2. [35-Minute Video Training on the C.A.I.R. Approach](#)
3. [C.A.I.R. Booklet I](#) and [C.A.I.R. Booklet II](#)
4. [Memo to Courts, Counsel, and Parents Considering a Referral to a Co-Parenting Assets and Improvement Review \(C.A.I.R.\)](#)
5. [Agreement to Participate in a Co-Parenting Assets and Improvement Review](#)
6. [Two-Minute Video Introduction to UpToParents by Judge Michael Scopelitis](#)
7. [Professionals' Introduction to UpToParents](#)
8. [Negotiating the Paradigm Shifts to the Healing Divorce](#)
9. [Sample UpToParents Agreed Commitments \(in English and Spanish\)](#)
10. [Sample UpToParents Exercise Responses](#)
11. [Sample Feedback from Professionals and Parents about UpToParents](#)
12. [Sample Reports Based on a "Parent Strengths" C.A.I.R. Model](#)

Professionals are encouraged to contact us with their reactions to and experiences with this way of conceiving family reviews.

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