 <p style="text-align: center;">State of Connecticut JUDICIAL BRANCH COURT SUPPORT SERVICES DIVISION POLICY AND PROCEDURES</p>	POLICY NO. 3.4	EFFECTIVE DATE: March 1, 2010	PAGE 1 of 4
	SUPERSEDES: October 15, 2000		
APPROVED BY: William H. Carbone, Executive Director	TITLE: FAMILY SERVICES CONCILIATION / RECONCILIATION		

1. **Policy** The Family Relations Counselor (FRC) will be available to accept conciliation and reconciliation referrals from the Court.

2. **Definitions**


A. **Conciliation** At any time prior to the expiration of the ninety day period in a legal separation or divorce action, either party or counsel may submit a request for conciliation to the Clerk of the Court. The Clerk will then enter an order that the parties meet with a conciliator mutually acceptable to them, or if the parties can not agree, the conciliator will be appointed by the Court. Family Relations Counselors may be appointed as conciliators. There will be two (2) mandatory sessions held with the parties to explore the possibility of reconciliation or of resolving emotional problems which might lead to continuing conflicts following the divorce. All communication within these sessions will be confidential except that the conciliator will report to the Court whether or not the parties attended the sessions.

B. **Family Relations Counselor (FRC)** A CSSD employee with the qualifications and training who performs the functions outlined in the job description for Family Relations Counselor, which can be accessed by clicking the following link: <http://zeus/AdminSvc/HRM/Job%20Descs/Job%20Descriptions%20Header.htm>

C. **Family Services Supervisor (FSS)** A CSSD employee with the qualifications and training who performs the functions outlined in the job description for Family Services Supervisor, which can be accessed by clicking the following link: <http://zeus/AdminSvc/HRM/Job%20Descs/Job%20Descriptions%20Header.htm>

D. **Reconciliation** At any time prior to final judgment in any action for dissolution of marriage, legal separation or annulment, a judge may require that either or both parties appear before a judge, referee or other disinterested person for the purpose of attempting a reconciliation or adjustment of differences between the parties. A Family Relations Counselor may be designated. Designated persons will report to the Court only the fact of whether or not reconciliation can be effected and will not divulge information given to them by the parties except with the consent of all parties.

E. **Self-Represented Litigant** A person who files an appearance to represent him or herself.

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3. General Procedures

A. Referrals for Conciliation/Reconciliation

- (1) At the time a case is referred to Family Services for conciliation/reconciliation the FRC will canvas each party separately regarding their concerns of any history or current domestic violence, fear, intimidation, the existence of Court Orders prohibiting contact, and level of comfort each has towards the other.
- (2) The option of whether the intake referral will be held with the parties jointly or individually will be determined by the following factors:
 - a. If there are No Contact Protective Orders or No Contact Civil Restraining Orders in effect the parties will be seen separately for intake;
 - b. If one or both parties indicate they have current or prior domestic violence concerns or are fearful, or intimidated by the other party, they will be seen separately for intake;
 - c. If one or both parties indicates they are not comfortable being in the same room as the other party, the FRC will assess the depth of that discomfort and the impact it would have on their ability to provide reliable answers to the intake questions. If it is deemed by the FRC that the level of discomfort would have a debilitating effect on the efficacy of the referral process, the parties will be seen separately;
 - d. The FRC should consider any other circumstances that contraindicate bringing the parties together for the intake referral.
- (3) The FRC will complete the intake referral process by gathering the parties' demographic information and by giving a description of the conciliation / reconciliation service including the fact that the conciliation / reconciliation sessions are confidential.


B. Conciliation / Reconciliation Sessions

- (1) At the discretion of the FRC, the conciliation/reconciliation sessions will be held individually or jointly. However, if any of the factors in 3.A.(2)a-d indicate that the parties should not meet jointly, the FRC will meet with the

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parties separately and schedule their appointments at such times to ensure that the parties will have no contact with each other.

- (2) The FRC will conduct two mandatory sessions with the parties.
- (3) At the beginning of the first session, the FRC will inform the parties and obtain the participants agreement that conciliation / reconciliation sessions are confidential except for the reasons outlined below:
 - a. If the FRC has reasonable grounds to believe that a child of the parties is being abused or neglected within the meaning of Connecticut’s child abuse and neglect laws the FRC will notify his or her direct supervisor about the allegations discovered in the session and will discuss the appropriate course of action, which may include but is not limited to informing the Regional Manager.
 - b. If warranted, the FSS will direct the FRC to obtain a court order or follow protocol once mandated reporter status is received to contact the Department of Children and Families to investigate these claims.
 - c. If the FRC learns of a party’s direct threat of suicide or violence against any person (including children), he or she has a duty to warn others. The FRC will immediately notify the Family Services Supervisor and shall follow CSSD Policy and Procedure 2.14, Human Resources – Incident Reporting), including the responsibility of completing a written CSSD Incident Report. To promote safety, the FSS shall contact the Judicial Marshal Services to apprise them of a situation and potential for violence.
- (4) The FRC will conduct sessions, focusing on past marital history and current status of the relationship. The goal of conciliation sessions is to assist the couple in identifying areas of conflict, analyze views concerning the viability of the relationship, and to refer the couple to marriage counseling of their choice if they so desire. If the clients choose not to pursue marriage counseling but rather divorce, the FRC will focus the discussion on how to make that transition and achieve closure in the least conflictive manner as is possible.
- (5) If a client refuses to participate in a reconciliation / conciliation meeting, the

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FRC will refer the matter back to the Court.

C. Case Closure

- (1) At the conclusion of the sessions, the FRC will provide a written report to the Court indicating that the parties attended the two mandatory conciliation / reconciliation sessions. No additional information will be provided unless otherwise directed by the Court.
- (2) If a client is representing him/herself, the FRC will provide or refer the client to the appropriate Pro Se guide and handbook. In addition, when available, brochures detailing CSSD civil family services will be provided as appropriate.

D. Professional Conduct

- (1) The FRC will conduct him/herself in a professional manner, treating clients with courtesy and respect throughout the conciliation / reconciliation process. The FRC will strive to be accurate, objective, fair and independent in their work. They will treat all participants and weigh all data, opinions, and hypotheses thoroughly and impartially assessing all information provided to them in a balanced manner. The process will be an open one in which all participants will be offered the opportunity to respond.
- (2) During the course of the conciliation / reconciliation process, the FRC shall not have substantive ex-parte communications about the case with the Court, the attorney's representing the parties or children, or the Guardian Ad Litem except of an administrative nature or with mutual consent of all parties.
- (3) The FRC will neither offer legal advice nor conduct any therapeutic intervention with anyone involved in the conciliation / reconciliation process.

4. **Exceptions** Any exception to this policy will require prior written approval from the Division's Executive Director.