

What is the difference between a Parenting Time Expeditor and a Parenting Consultant?

**By: Sherri L. Krueger
Olup & Associates**

A parenting time expeditor, sometimes referred to as a P.T.E., is a neutral person used in family law cases to mediate, and if necessary, arbitrate parenting time disputes. The authority given to a parenting time expeditor is statutory based and requires that the parenting time expeditor first attempt to resolve a parenting time dispute by facilitating negotiations between the parties. If the dispute cannot be resolved by agreement, the statute mandates that the parenting time expeditor “make a decision resolving the dispute.” Minn. Stat. §518.1751, subd. 1b, (c). An order appointing a parenting time expeditor must include several specific terms as set forth by statute, including the name of the individual to be appointed. In contrast, the parenting consultant role is not created by statute.

Below is a side by side chart detailing the differences between the two.

Comparison of Parenting Time Expeditors and Parenting Consultants in Family Law Matters

Parenting Time Expeditor (PTE)	Parenting Consultant (PC)
A PTE is Statutory Based. <i>See</i> Minn. Stat. § 518.175.	A PC is NOT Statutory Based. Appointment is pursuant to Rule 114.02(a)(10).
The Court may appoint a PTE over the objection of the parties, with some exceptions including claims of domestic abuse, or inability to pay the PTE fees.	The Court may NOT order that a PC be used unless both parties agree.
A PTE’s scope of authority may not exceed the authority defined by the statute. A PTE may enforce, interpret, and clarify parenting time orders, and may address parenting time issues related to the schedule and access which are not specifically identified in a parenting time order. A PTE may develop a specific schedule when the order grants “reasonable parenting time.”	A PC’s scope of authority is determined by the parties and PC, according to a stipulation and court order and according to the PC contract. A PC may address and make decisions about any parenting time issue as well as any other parenting issue. If it is defined in the court order or contract, a PC may consider financial issues related to the children
Decisions are binding pursuant to the statute unless vacated or modified by the court. <i>See</i> Minn. Stat. § 518.175, Subd. 3(d).	Whether the decisions are binding is determined by the stipulation and order, or by the PC contract. Generally, the decision is binding with the right to a review by the court.
The PTE must be named in the court order pursuant to the statute. <i>See</i> § Minn. Stat.	It is often best, but not necessary to name the PC in the court order.

Parenting Time Expeditor (PTE)		Parenting Consultant (PC)
§ 518.175, Subd. 2(a).		
A PTE may be appointed to resolve limited or even one-time disputes, or may be appointed on an ongoing basis to resolve parenting time issues as they arise.		A PC is generally ordered on an on-going basis to address issues as they arise, until the minor children are emancipated. A PC contract with an individual PC will likely be for a limited period of time, requiring new contracts to be signed.
A PTE may not be subpoenaed or called as a witness in court proceedings.		A PC may be subpoenaed or called as a witness in a court proceeding unless the court order or contract provides otherwise.

If you believe you may need a parenting time professional, a discussion with your attorney to determine which professional is right for your case may be required.