



Lepage Associates®

Solution-Based Psychological & Psychiatric Services

HOW DO I CHOOSE WHICH EVALUATION IS BEST FOR ME FOR FAMILY COURT?

Every family and situation differs, but here are some things to consider.

The Custody Evaluation is by far the most comprehensive of all options, with the most sources of information and data points of any evaluation. Why is that important? How comprehensive an evaluation is matters greatly, as it increases the confidence level an evaluator can have in their conclusions and recommendations. When a judge makes a decision, he or she wants to have as much confidence as possible that their decision is the best one for the family. Likewise, the evaluator wants to have as high a confidence level as possible in their recommendations. **The more sources of information and data points an evaluator has, the higher the confidence level in their recommendations.** If finances allow, a **Custody Evaluation is the gold star.**

If you cannot get both sides to agree to a Custody Evaluation and the judge will not order it, a Parental Capacity Evaluation is the next best thing. While it only looks at one parent, it does take a *very comprehensive* look at that parent, to include mental health functioning and parenting abilities. Psychological testing is included, ensuring mental health diagnoses that could impact parenting are assessed for. Importantly, a Parental Capacity Evaluation includes an interview with the child if they are old enough, and parent-child observations of all parent-child dyads, thus the voice of the child regarding that one parent is heard and that parent-child relationship is directly observed. While custody schedule recommendations as to a specific schedule cannot be made, since the evaluator has not assessed the whole family, in-depth information can be provided about the mental health and parenting abilities of the party being assessed, which is valuable information the parties or judge can use in determining a schedule.

If both sides can stipulate there are not mental health issues that need to be taken into account or if mental health issues exist they are well-diagnosed and agreed upon, and rather the parties simply cannot agree on a schedule, then a GAL Report could be useful. Since the GAL meets with all family members, he or she can recommend a specific custody schedule.

If a party cannot afford a Parental Capacity Evaluation, but mental health and/or substance abuse issues have been raised as a concern, then a **Psychological Evaluation** can provide valuable information as to the psychological functioning of the party and any mental health diagnoses that might impact parenting.

Lastly, if the only concern is if the child has possible psychological issues, a **Child Psychological or Psychoeducational Evaluation** can be done for diagnosis and treatment recommendations.

(See pages 2 and 3 for a full description of each evaluation discussed above.)

CUSTODY & VISITATION EVALUATIONS: Some couples decide voluntarily (i.e. consent) they want an evaluation to help determine what is in the best interests of the child regarding the custody schedule, and for others the court orders a custody evaluation. Psychologists who are knowledgeable in the areas of child development, family relationships, and custody can be very helpful to parents in deciding what might be the best parenting plan for their child. The evaluator looks at the child's psychosocial needs, which are related to developmental age and the unique personality and temperament of the child, then looks at each parent's strengths in meeting that child's needs and at the unique needs of the family as a whole, and also considers how well the social environments of each parent (school, neighborhood, social supports, community, etc.) meet the current needs of the child. The evaluator factors in empirical data on psychosocial needs and on various custody and visitation arrangements at different ages. Psychological testing is conducted of all family members: (1) to provide information on the parents' mental health functioning, any mental health diagnoses, and how mental health impacts their parenting, as well any stress in parenting; and (2) to provide information on the child's mental health functioning and how that might relate to their custody needs. Additional testing is added based on issues specific to each case, such as substance abuse, anger management, trauma, abuse, etc.

This comprehensive evaluation includes: diagnostic and history interviews with all family members (parents and children); parenting interviews with both parents; psychological testing of all family members (parents and children); parent-child observations of all parent-child dyads; collateral contacts with professionals such as therapists, teachers, etc. as well as non-professionals such as friends or family; and review of all relevant records for at least the past five years. Results provide in-depth information on the psychological functioning of all family members and parenting abilities and functioning. With that the evaluator generates an opinion as to what would likely be the best custody and visitation arrangement possibilities at this time. The evaluator provides a wealth of information and a professional opinion but does not make the final decision. The parents may utilize the expert opinion provided by the evaluator and make the final decision, and the parenting plan agreement is then written into the divorce or separation agreement. Or, if the parents cannot come to an agreement, the written report can be used in court, where the judge will make the decision. We will also be deposed by both lawyers should the case proceed to court and will appear in court if necessary. (We encourage people to utilize the information to come to their own agreement whenever possible.)

GUARDIAN AD LITEM (GAL) REPORTS: A GAL is a court-appointed advisor who may be appointed to represent the child's best interests in custody proceedings. The GAL makes recommendations regarding any issues affecting the child(ren)'s welfare. Notably, unlike the other types of evaluations explained herein which all are done by psychologists, a GAL can have any of these degrees: masters or doctorate degree in psychology, social work, counseling, medicine, or related degree(s). A GAL Report is less thorough than a custody evaluation, yet can still provide valuable information. A GAL Report includes: history interviews with all family members (parents and children); collateral contacts with professionals such as therapists, teachers, etc. as well as non-professionals such as friends or family; and review of all relevant records for at least the past five years. With that the GAL generates an opinion as to what would likely be the best custody and visitation arrangement possibilities at this time.

OTHER EVALUATIONS FOR USE IN DETERMINING CUSTODY: There are times when instead of evaluating the whole family, we may be asked to evaluate just one of the parents. Occasionally but less often we may be asked to evaluate just a child. For example, if the other party will not agree to a custody evaluation and the court will not order one, and/or you want to showcase that you have good mental health and parenting abilities, you can proactively choose to have yourself evaluated. Conversely, if there are only possible mental health concerns regarding one parent, that parent may agree to be evaluated or the court may order an evaluation of one parent. In these evaluations we can provide information on one parent's mental health functioning and/or parenting abilities, but we cannot provide recommendations for a specific custody schedule as we have not evaluated the whole family.

A **Psychological Evaluation** of one parent provides information on that person's mental health functioning, such as if they meet criteria for diagnosis of any psychological disorder, and if so how that impacts their daily functioning. Inferences can be made by the reader then, such as the judge, as to how this might affect the person's parenting, but this is not an evaluation of parenting abilities. A Psychological Evaluation includes a diagnostic and history interview with the parent, psychological testing of the parent, and collateral contacts and records review. If abuse of alcohol, illicit drugs, or misuse of prescription medication is a concern, the psych eval can include a **Substance Abuse Evaluation**. Given substance abuse is a DSM mental health disorder, all psych evals should screen for this, but you should be sure to mention substances specifically to your evaluator if they are a concern.

If you want mental health functioning and parenting abilities assessed, you would use a Parental Capacity Evaluation. You can think of this as 'half' of a custody evaluation as we are only assessing one parent. A **Parental Capacity Evaluation** includes diagnostic, history, and parenting interviews with the parent, an interview with the child if the child is old enough, psychological testing of the parent, parent-child observation, and collateral contacts and records review. Results provide in-depth information on the parent's psychological functioning and parenting abilities and functioning. Note a Parental Capacity Evaluation is not in any way an evaluation of the child, and the child is not the client. The child is involved to add context to assessing parenting abilities by an interview with the child as a first-hand reporter of the parent-child relationship, and by observing the parent with the child.

Occasionally a **Child Psychological or Child Psycho-Educational Evaluation** may be requested or ordered. This occurs most often when parents disagree on if a child has a specific condition, such as AD/HD or autism, and that information is needed to assist in coming to an agreement. When there are concerns one or both parents are negatively impacting the child's functioning, the Child Psychological eval specifically looks at the **Effect of Parenting on Child Functioning**. This may involve concerns about the child's behavior such as aggression, misbehaving, etc., or concerns about parental alienation. There may also be concerns that the parent's behavior is impacting the development or maintenance of a mental health (depression, anxiety), eating, or substance abuse disorder. The evaluation includes a clinical interview and psychological testing with the child, clinical interview with the parents, observations with the child and each parent, and necessary collateral contacts and review of records.