



FREQUENTLY ASKED QUESTIONS – CUSTODY AND ACCESS ASSESSMENTS

Q What is a custody and access assessment?

A It is an assessment that is used to help decide the best parenting arrangements for children whose parents cannot agree on custody and access.

Q When is a custody and access assessment appropriate?

A A custody and access assessment is most commonly considered in cases where one parent has concerns about the other parent's ability to care for a child. These concerns often relate to mental health or addiction issues, although there may be other areas of concern.

Q How is a custody and access assessment completed?

A Although the process will be different depending on the circumstances, the assessor will generally meet and interview both parents as well as the child. In addition, the assessor may speak to third parties who are involved with the family, including but not limited to the child's teachers and doctors. Once the assessor has completed their investigation, they will prepare a report with their recommendations. Their report may include recommendations with respect to how often each parent sees the child, how decisions should be made and where the child should live.

Q How do you get a custody and access assessment?

A A custody and access assessment can be agreed to by the parties or can be court ordered.

Q Who should be the custody and access assessor?

A The assessor should always be a neutral party with no connections to anyone in the family. They are usually social workers, psychologists, psychiatrists or mental health professionals.

Q What is the difference between a private and a public assessment?

A A private assessment is completed by a third party jointly chosen by the parties. The cost of the assessment is usually shared between the parties. A public assessment is completed by the Office of the Children's Lawyer at no cost to either party. In order for the Office of the Children's Lawyer to become involved, the Court must request their assistance and the parties are required complete an intake form and submit it to the Office of the Children's Lawyer. It is up to the Office of the Children's Lawyer to decide whether or not they will assist the parties.

Q Is the custody and access assessment report binding?

A No, a custody and access assessment report is not binding, but if the case is in court the report may be filed as evidence. The court will seriously consider the report when making any decision regarding custody and access.