

Assessments

Overview

In exceptional circumstances, judges of the Family Court, Supreme Court and Supreme Court (Family Division) may order that parenting assessments be conducted by a professional, when the judge seeks objective information about the child or family situations in a child custody or access matter.

Objective

The main objective of an assessment is to provide the court with information and/or recommendations on how the needs of the child may best be met.

To meet this objective, an assessor will meet with both parents.

An assessor may also meet with the child, grandparents, childcare providers, teachers, etc., if appropriate.

The assessor's focus is on what is in the best interests of the child.

Common Questions

How can I get an assessment of my child's situation?

An assessment must be ordered by a judge in an ongoing court matter.

If you are involved in a custody or access dispute and believe an assessment of your child would help the court understand your family circumstances, you may speak to a court officer or your lawyer about seeking an assessment. The judge will decide if the court needs an assessment to make a determination in your case.



What is assessed?

The judge can specify what is to be assessed, including

- the parental capacity of one or both parents
- the psychological/psychiatric assessment of one or both parents
- the psychological/psychiatric assessment of a child
- the child's wishes and reasons for those wishes
- the parenting arrangements that best meet the child's needs

Is there a fee for an assessment?

An assessment may cost as much as \$2,000 to \$5,000 to prepare. There is a fee schedule for the payment of the cost of preparation of an assessment.

The amount you pay is based on your income.

What if my ex-partner won't agree to an assessment or refuses to be interviewed?

The judge can order that an assessment take place. If one party is not cooperating, the assessor will report this to the judge hearing the matter.

What if I disagree with what the assessor says or recommends?

You (or your lawyer if you have one) will have the opportunity to address this during court proceedings.

Does my child have to be interviewed by the assessor?

Not always. It depends on the age of the child and the issues the judge has asked the assessor to address.

Can I be with my child when he or she is interviewed?

If it is necessary for the assessor to interview the child, the assessor will want to meet with your child in a confidential setting. The assessor will discuss this with you beforehand.

Who performs the assessment?

Assessors are professionals approved by the Department of Justice, usually either social workers or psychologists, with expertise in the area of children and custody and access matters.

Can I choose the assessor who will conduct the assessment?

You can make suggestions about which assessor you would like to assess your situation, however, both parties must agree. If you and your ex-partner do not agree on an assessor, the court or court officer will assign one. Even if you and your ex-partner do agree, the person you request may not be available or the judge may direct that an assessor with a particular expertise conduct the assessment.

What if the situation is resolved before the assessment is complete?

You should advise the assessor and the court as soon as possible. The assessor will not stop the assessment until requested by the court.

Where can I get more information?

For more information about representing yourself in court visit the Department of Justice website at <www.gov.ns.ca/just/repselfmain.htm>. For information about the Courts of Nova Scotia go to <www.courts.ns.ca>.