

ROLE OF PSYCHOLOGIST

Appointment of Psychologist

1. In a case in the Family Court concerning parenting or guardianship decisions, the judge can order that a report from a psychologist is obtained. The judge can only order this report if:
 - the court is satisfied that the information is essential for the proper resolution of the case
 - the court is satisfied that a psychological report is the best source of information considering the quality, time delay and the cost of that report
 - the proceedings will not be unnecessarily delayed which would have an unacceptable effect on the child
2. There is a list of psychologists approved by the court. The court will allocate the psychologist from that list. You cannot choose your psychologist.
3. The judge will direct a brief or a list of questions for the psychologist to answer. The report is a report about the child who is subject to the application, but a standard brief includes:
 - (a) How the current care arrangements are working for the child.
 - (b) The child's relationship with each parent and any other relationships and the attachment with each parent.
 - (c) The child's relationship with other significant persons (for example, stepparents, caregivers, siblings, or grandparents).
 - (d) The effect or likely effect on the child of the party's ability to co-operate in parenting.
 - (e) The advantages and disadvantages for the child of each option for care.
 - (f) Any other matter that the court specifies.

Process

4. Each psychologist operates a slightly different process in gathering the information they need, and the court-appointed psychologist will make the decisions about the way they gather the information they need for each specific case. This includes things like the number of appointments required and how the observations will be conducted.
5. Typically, a psychologist will arrange:
 - separate meetings with each party: these can last up to two hours at a time and parties may be interviewed more than once.
 - to see the child with each party usually in the home environments
 - to interview the child separately usually in their offices or a neutral venue (such as at school): children are usually interviewed alone.
 - The psychologist will interview other people (such as school teachers)
6. At a meeting with each party, the psychologist will ask each party about a wide range of issues. Typically, parties will be asked about things like their parenting background, the history of relationships with the child and the other party and the parenting of the child. They will be asked for their ideas about what should happen and how any outcomes will impact on the child.

7. Psychologists who prepare these reports are aware that this is a stressful situation for the parties and encourage people to come prepared (perhaps after talking to their lawyer) and to ask questions when they do not understand something. Sometimes people prepare some written background for the psychologist and they are able to do this.

Cost

8. If you are not on legal aid, then the costs of the report can be recovered by the Ministry of Justice. Fees are normally divided a third from each parent and third from the Ministry of Justice although the court will make decisions about how the costs are met at the end of the case.
9. Typically, a psychologist report costs between \$7,000 and \$12,000.

Completed Report

10. Once the psychologist has completed the report, the report will be filed in court and the judge will make directions about the release of that report. Often the report is not made available to the parties, and it will need to be read in your lawyer's office or in the court. The reports are often lengthy so parties need to make arrangements with their lawyer about being able to read and understand the report fully. Parties cannot contact the psychologist to ask them questions once the report is completed.
11. If your case needs to proceed to a hearing the psychologist can be called at that hearing as a witness and be cross-examined and answer questions about the report.

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