

DIFFERENTIATION OF ROLES IN A FAMILY COURT SETTING

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FAMILY LAW BENCH BAR CONFERENCE

February 24, 2017

	PURPOSE	GOAL	WHO IS THE FOCUS?	LEGAL BASIS
<i>REUNIFICATION THERAPY</i>	To facilitate parent/child contact, support ordered end goal possession schedule, and repair estranged parent-child relationship	Identify & improve emotions and cognitions contributing to contact refusal and estrangement	<ul style="list-style-type: none"> • The Favored Parent • The Resisted Parent • The Child(ren) 	TFC 153.010, Order for Family Counseling
<i>FAMILY THERAPY</i>	To improve family functioning	Identify & improve emotions and cognitions contributing to poor family functioning	<ul style="list-style-type: none"> • The Family 	TFC 153.010, Order for Family Counseling
<i>INDIVIDUAL THERAPY</i>	To work on individual issues that interfere with functioning	Restore & enhance functioning	<ul style="list-style-type: none"> • The Identified Child with parent consultation • The Identified Adult 	TFC 153.010, Order for Family Counseling
<i>GUARDIAN AD LITEM</i>	To make wise person recommendations (not scientific) towards settlement; best interest of the child.	Generate data & problem solve	<ul style="list-style-type: none"> • The Child • The Caregivers • The Significant Others 	TFC 107.001 Definitions TFC 107.002 Powers & Duties TFC 107.021 Discretionary Appointments

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<i>PARENTING COORDINATION</i>	Resolve co-parenting issues; confidential, only reporting to the Court is related to whether it should continue or not	Reduce family conflict, teach communication & problem solving skills in a confidential process	<ul style="list-style-type: none"> • Co-parent dyad 	TFC 153.605 Appointment of a Parenting Coordinator TFC 153.606 Duties of a Parenting Coordinator
<i>PARENTING FACILITATION</i>	Resolve co-parenting issues; not confidential and can make limited recommendations and testify	Reduce family conflict, teach communication & problem solving skills	Co-parent dyad	TFC 153.6051 Appointment of a Parenting Facilitator TFC 153.6061 Duties of Parenting Facilitator
<i>CHILD CUSTODY EVALUATIONS</i>	To make scientific recommendations in the best interest of the child(ren)	Conservatorship, possession & access recommendations; other specific questions from the Court in the best interest of child(ren)	<ul style="list-style-type: none"> • The Child(ren) • The Petitioner • The Respondent • The Significant Others 	TFC 107 Subchapter D Child Custody Evaluations
<i>PSYCHOLOGICAL EVALUATIONS</i>	To assess current mental health functioning for subtle and serious mental health issues	Generate data to answer specific questions from the Court regarding the party being evaluated	<ul style="list-style-type: none"> • The Party Being Evaluated 	Texas Rules of Civil Procedure 204.4 (a)

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<i>MENTAL HEALTH TESTIFYING EXPERT</i>	To assist the trier of fact in a discoverable process by offering an opinion utilizing scientific, technical, or other specialized knowledge	Interpret data; contribute to hiring attorney's resolution of the case	<ul style="list-style-type: none"> • Trier of Fact 	Texas Rules of Evidence 702
<i>MENTAL HEALTH FACT WITNESS</i>	To assist the trier of fact by providing recitation of facts and/or events; does not offer opinions	Provide personal knowledge of events pertaining to the case	<ul style="list-style-type: none"> • Trier of Fact 	
<i>MENTAL HEALTH CONSULTING EXPERT</i>	To assist the litigation team in a nondiscoverable process	Consult in the capacity of interpreting data to contribute to hiring attorney's legal strategy	<ul style="list-style-type: none"> • The Hiring Attorney 	Texas Rules of Evidence 503(a)(4) Texas Rules of Civil Procedure 192.3(d) Not discoverable unless reviewed by testifying expert
<i>MENTAL HEALTH EXPERT REVIEWER</i>	To assist the litigation team in a nondiscoverable process; may become discoverable by attorney choice	Post-evaluation consultation to identify strengths/deficiencies in work forming opinions that will assist the Court	<ul style="list-style-type: none"> • The Hiring Attorney & The Trier of Fact 	Texas Rules of Evidence 702 Texas Rules of Civil Procedure 192.3(d)