

ERASING FAMILY IMPACT RESOURCES PANEL QUESTIONS FOR ATTORNEYS

Family Court is unwittingly litigating family trauma. Family court is an extremely scary and expensive experience. Placing families who are transitioning out of marriage in an adversarial position is harmful to the whole family.

- WHAT PERCENTAGE OF PARENTS CAN AFFORD LEGAL REPRESENTATION IN FAMILY COURT?
- WHAT RESOURCES ARE AVAILABLE FOR PRO SE LITIGANTS?
- WHAT IS THE DIFFERENCE BETWEEN MEDIATION, COLLABORATIVE LAW AND LITIGATION?
- HOW DOES THE COURT ADDRESS CONTEMPT OF COURT ISSUES WHEN BLOCKING VISITATION?
- CAN AN ATTORNEY BUILD IN A CONSEQUENCE IN THE PARENTING PLAN THAT DOES NOT REQUIRE THE PARENT TO WAIT FOR SEVERAL CONTEMPT ISSUES TO FILE A CHANGE OF CIRCUMSTANCE?
- DOES THE COURT UNDERSTAND THE TRAUMA TO THE CHILD WHEN KEPT FROM A PARENT FOR MONTHS AND SOMETIMES YEARS IN PROLONGED CUSTODY ISSUES?
- DOES THE COURT HAVE ANY PROGRAMS OF STEPS TO REINTRODUCE THE TIME THE PARENT HAS WITH THE CHILD AFTER TEMPORARY "NO VISITATION" OR "LIMITED SUPERVISED VISITATION" ORDERS ARE NO LONGER NEEDED? OR DOES THIS REQUIRE A NEW CHANGE OF CIRCUMSTANCE ORDER WITH THE COURT? CAN THESE ORDERS BE WRITTEN IN WHEN INITIALLY MAKING THEM SO THE PARENT HAS MOTIVATION TO COMPLY WITH THEIR TEMPORARY PROTECTIVE ORDER?
- WHAT IS THE ROLE OF A FORENSIC PSYCHOLOGIST?
- DOES THE FORENSIC PSYCHOLOGIST DIAGNOSE THE FAMILY OR CREATE A TREATMENT PLAN RECOMMENDATION FOR THE FAMILY?
- A CLINICAL PSYCHOLOGIST IS TRAINED TO DIAGNOSE AND TREAT. HOW DOES THE COURT VIEW THE REPORT OF THE CLINICAL PSYCHOLOGIST?
- WHAT ARE THE MANDATORY REPORTING REQUIREMENTS REGARDING CHILD PSYCHOLOGICAL ABUSE?
- HOW DOES THE COURT RULE ON CHILD PSYCHOLOGICAL ABUSE IF TEMPORARY SEPARATION ORDERS ARE NEEDED TO STABILIZE THE PARENT?
- WILL THE COURT ACT IN A MORE EXPEDIENT MANNER IF ABUSE IS AN ISSUE?

New Legal Argument: Child Protection, Not Child Custody. The studies already point to as close to equal time with each parent is "best interest of the child."

If child is being harmed, temporary protective separation can be enacted so the child can heal and the parent who is harming the child can receive treatment. The goal is for the parent that is harming the child to learn how to be healthy.

The court needs direction from the mental health specialist in how long this "temporary separation" is necessary, and how quickly the child can maintain the relationship in a safe environment. Family court litigation increases the conflict, and further traumatizes the family with a lengthy process of separation between child and parent.