

Parental Responsibility Evaluations

The following information is provided as an aid to parents who are thinking of undergoing a Parental Responsibility Evaluation (PRE) as a means of resolving disputes regarding the parenting plan that is in their child(ren)'s best interest. It is not intended to be a full explanation of the PRE process nor is it intended to answer all of the questions that participants in the process might have.

A PRE evaluator is appointed by the Court to perform an evaluation of a family that is either going through a divorce or a family that has completed a divorce but has been unable to resolve certain matters pertaining to the child(ren). The evaluator performs an evaluation sufficient to allow him or her to make recommendations in the child(ren)'s best interest.

A parenting plan consists of three parts: parenting time, decision-making, and the method of alternative dispute resolution that parents use to resolve disputes in the future to avoid having to go to court. The evaluator may make recommendations in other areas, particularly those that benefit members of the family or the family system as a whole. For example, a PRE evaluator may make recommendations regarding psychotherapy, medical issues, communication, and measures that are geared toward decreasing the level of conflict between the parents and/or protecting children from the crossfire.

To come up with recommendations that can be trusted, I spend a lot of time getting to know everyone in the family and learning about their relationships with each other. I meet with each parent at least three times individually. I meet with the child(ren) initially in my office and again when I make visits to each parent's home to observe the relationships that they have with their parents, step-parents, prospective step-parents, and/or each other.

Besides meeting with the members of the family, I speak with professionals who can provide objective information such as teachers, psychotherapists, pediatricians, speech therapists, and nannies, and review records that they have compiled. I do not usually speak with friends or extended family members because of their built-in biases, although will make an exception(s) when there is a good reason.

At the end of the process, I review all of the data that I have collected and prepare a written report that is sent to the Court and each of the attorneys (or to a parent directly when he or she does not have an attorney).

I do not know what my recommendations will be until I have completed the first draft of my report. I do not begin an evaluation with a preconceived idea regarding what the outcome should be. Instead, I base my recommendations on the information collected during the evaluation process as it relates to each specific family. All of the recommendations I make are made with the best interest of children in mind.

I do not send a copy of my written report to parents directly (unless they represent themselves), although you would obviously have an opportunity to review it. Should you have questions about the report after doing so or find factual errors that you would like to bring to my attention, I would make myself available to sit down with you to discuss issues specific to the report and its contents.

PRE evaluations are confidential except within the divorce case itself. I do not reveal substantive information that I have obtained except to 1) other immediate family members who are involved in the evaluation process and 2) professionals who are involved with the family. In the latter case, I release information to professionals other than the parents' attorneys only with each parent's written consent or, in the case of minor children, with the parents' written consent.

Exceptions to this confidentiality policy include suspected child abuse and/or neglect (which by Colorado law must be reported to the police and/or the Department of Human Services) and situations that involve a believable threat of physical danger to oneself or others.

Information is released within the case by means of a report that I prepare summarizing the information I have obtained, and my opinions and recommendations. I might provide information to your attorneys before and/or after I have issued my report, if I believe that it will benefit the children and/or the family as a whole. Attorneys are also entitled to a complete copy of my entire file at the end of the evaluation process including but not limited to my hand-written notes, records I have collected, and questionnaires that I will ask you to complete. I do not provide a copy of my report to those outside the divorce case, including in the context of other court actions in which a parent may be involved, unless the family law judge has approved its release.

Even though I am trained as a psychiatrist, I never provide psychotherapy to any family member when I serve as a parental responsibility evaluator. Even though I am an experienced mediator, I do not provide mediation services either, although I am available to help negotiate an agreement between parents regarding child-related issues when asked to do so by both parents and their attorneys. When considering such a request, please keep in mind that mediation is a confidential process whereas negotiation is not.

Since the recommendations I make often carry a lot of weight, I take my job very seriously and try to do my best in every case. If at any point you feel that I am not doing a proper job, please let me know. I look forward to working with you.