

CHILD CUSTODY QUESTIONNAIRE

CHILD CUSTODY LITIGATION CLIENT QUESTIONNAIRE

Note: Please regard references to “ex” as your spouse, other parent, or caretaker. Please apply the reference to child or children to your specific family and answer the questions. For instance, if the question refers to children and you only have one child, then substitute child for children for the question.

Some of the categories of shared parental responsibility follow. How do you feel with respect to those specific areas? Do you feel responsibility can be shared in all areas or shared only in some of those areas? Please state your answer from 0 being no responsibility to 5 being total responsibility of you and your ex should have regarding each of the following:

| | You | Ex |
|-------------------------------------------------------|-----|----|
| 1. Education | | |
| 2. Religious training | | |
| 3. Discipline | | |
| 4. Moral values | | |
| 5. Medical and dental | | |
| 6. Psychological and psychiatric care | | |
| 7. Social activities | | |
| 8. Extracurricular activities Recreational activities | | |
| 9. Legal care | | |
| 10. Financial involvement | | |
| 11. Summer camp, travel and activities | | |
| 12. Other (please list) | | |

13. Please indicate what custody arrangement would be beneficial or detrimental to the child or children.

- a) How have the children been affected by the martial separation?
- b) How would you go about correcting this?
- c) Do you feel the bond and ties to the child or children are about equal between you and the other party?
- d) Do you feel the bond is closer to you, and why?
- e) When the child is upset, hurt or sick, does there seem to be a preference for whom the child goes to if both parents are available (Like waking parents up at night when sick or a bad dream)? Has this changed over time?
- f) How does the child show you that he/she loves you? (e.g. saying, "I love you", or physical affection)? Do you see this affection between the child
- g) And the other parent? Is there any preference in such expressions? Has this changed over time?
- i) The capacity and disposition of the parties involved to give the child love, affection and guidance and to continue the education and raising of the child in his/her religion or

creed, if any;

14. Who stays home from work when the child is sick? Why is it that this person stays home (work schedule flexibility, sick days easier to get off, *etc.*)

15. Who arranged for nursery school enrollment/religious education?

16. How are these decisions made with the other party?

17. Who puts the child to bed?

18. How do you teach your child manners? How does the other party?

19. How do you discipline the child? How does the other party?

i) Describe a typical day with your child.

ii) What is each party's present religious practice?

iii) How does each party handle any fears manifested by the child if they become aware of such?

20. What are the positive and negative points of each party's parenting skills as you see them?

21. How do you show your child love and affection?

22. Is there anything about yourself that affects your ability to give love, affection and guidance? How about the other party?

23. What kinds of activities do you share with the child; how much time is spent; how much involvement in the child's school and extracurricular activities do you spend? How much time does the other party spend?

24. What are the rules of the home; how is discipline handled; and do you and the other party agree/disagree and what form of discipline is used?

25. How is each party's ability to discipline themselves; who comes first, the parent or the child?

26. Has there ever been a time when you were too harsh or too angry with your child?

27. What do you see as the needs of children at the ages of your children? How do you think these needs will change?

28. What parenting issues have you and the other parent argued about?

i) The capacity and disposition of the parties involved to provide the child with food, clothing, medical care, or other remedial care recognized and permitted under the laws of this state in place of medical care, and other material needs;

b) Who purchases the child's clothes, toys, and other equipment?

c) Who arranges for and takes the child to doctor/dentist appointments?

d) Who arranges for the babysitter/child care?

e) What is the earning capacity of each party? If employed, what arrangements have been made for when the child is not in school?

f) How would you arrange for after school care, for time when the child is sick, for involvement with the school, for buying clothes, or getting the child to the doctor?

i) What future plans are there for education or training in order to prepare for future earning capacity?

ii) The length of time the child has lived in a stable, satisfactory environment and the desirability of maintaining continuity;

29. Describe the proposed custodial home (*i.e.*, is it in the same geographic location? How will a move affect the child?)

30. Who sleeps where in each home?

31. Where do the child's friends and relatives reside?

a) What support system (relatives or babysitters) is available for each party and what proximity are

these individuals to the existing or proposed custodial home?

32. What future home are you proposing, and what future relationships would that involve?

33. Has there been any drug and/or alcohol involvement by either PARTY? If so, how much; what treatment has been sought; and what has that individual's response been to that treatment?

34. DOES EITHER PARTY IN FRONT OF THE CHILD USE FOUL LANGUAGE? If so, what effect has said language been on the child?

35. What do you see as your strengths and weaknesses or your moral beliefs? What are the other party's strengths and weaknesses or moral beliefs?

36. Have there been any allegations of physical or sexual abuse of this child or any other children by any party to this action? Have these allegations been confirmed?

37. Have there been any allegations of spousal abuse by any party to this action? Have these allegations been confirmed?

38. Does either party have a driving record (excessive violations, DUIs, or reckless and/or careless driving convictions)?

39. What has the child's exposure to moral issues been and what has the child's response been to the

ime?

- a) The mental and physical health of the parties involved;

40. State the physical health, any chronic illness or medicine taken regularly of all parties to this action.

41. State the mental health history, marriage counseling or hospitalizations of all parties to this action.

42. Are any mental/emotional health problems related to divorce/custody disputes or to long-term instability?

- a) The home, school, and community record of the child;

43. What school does the child attend?

44. What is the attendance record of the child?

45. What is the academic record of the child?

46. What is the child's attitude toward school?

47. In what extracurricular activities does the child participate? What is the parents' involvement in these activities, if any?

48. What are the child's responsibilities at home (cleans room, does dishes, mows grass, etc.)? What is the

parents' involvement in the child's responsibilities?

49. Does the child have close relationship with friends in the area?

50. Has the child developed any behavioral problems at home or at school that might be related to the divorce or separation?

51. Have there been any changes in grades, moods, sleeping, eating, cooperation, or anger with the child and how does each parent deal with this or plan to deal with this?

52. Does the school have support groups for children whose parents are divorcing?

53. The reasonable preference of the child, if the court deems the child to be of sufficient age to express preference;

54. Do you feel the child has a preference? If so, then what is it?

55. The willingness and ability of each of the parties to facilitate and encourage a close and continuing parent-child relationship between the child and the other parent or the child and the parents;

56. What is your proposed visitation schedule?

57. Please give specific instances of where important decisions were made or discussed and explain how the process went with regard to cooperation or inability to cooperate, negotiate or reach a compromise.

58. Have you ever withheld contact or information regarding the children from the other party and why?

59. If you got custody, how often would you want your children to see the other parent and the reasons for your response?

61. Are there any other questions not covered in the previous factors that you deem necessary and have not answered previously?

a) Are there any other factors with reference to your ex, which you believe should be emphasized to the court, WHICH MAY affect the court's decision? A list of factors which judges sometimes consider are as follows:

- (1) Conviction of a serious crime.
- (2) Gambling - occasional, moderate stakes.
- (3) Gambling - frequent, high stakes.
- (4) Regular church attendance.
- (5) Ex's moral values.
- (6) Objectionable business practices.
- (7) Objectionable social practices.
- (8) Marital misbehavior such as verbal abuse, belittling ex in public, etc.
- (9) Nature of party's personality (volatile, stable, etc.)
- (10) Mental disease such as manic-depression or schizophrenia which cannot be controlled by medication and/or counseling.
- (11) Ex is neurotic.
- (12) Serious physical disease (heart problems, cancer, etc.)
- (13) Physical handicap.
- (14) Alcohol abuse, drug abuse.
- (15) Intelligence.

- (16) Educational attainment.
- (17) Status in community.
- (18) Any other FACTORS THAT YOU BELIEVE may be important.

62. As to each of the categories above, what would your ex say about you? State why you believe it will or will not be important for the court to consider those factors.

63. List the five best points your ex might be able to say about you concerning your parenting abilities and your relationship with your child.

64. List the five worst points your ex might be able to say about you concerning your parenting abilities and your relationship with your child.

65. List the five best points you are able to say about your ex concerning his/her parenting abilities and his/her relationship with the child.

a. List the five worst points you have to say about your ex concerning his/her parenting abilities and his/her relationship with the child.

Hypotheticals

66. The child is having a fight with a friend, how well does the other parent handle the situation in a manner that would be fair to everyone.

67. How often does the parent make sure the child does their jobs AROUND THE house? (What consequences are given if not done-for older children)

68. Parent's involvement in homework, how helpful is they? How patient? How do they make sure that homework is done?

69. HOW WELL the parent helps the child calm down when anxious or when angry? Can the parent identify what would make the child anxious or angry and how they respond to each situation?
70. How much of the time the parent is in a good mood around the child?
71. How well the parent takes criticism. One could ask the parent about situations where the child has criticized their behavior and what happened.
72. How well the parent keeps promises. One could ask the parent about promises they've kept for the child.
73. How trustworthy is the parent. How well would the child trust the parent with money or with taking care of a PET?
74. How well the parent would take care of emergencies.
75. How much the parent is in tune with the child's feelings and can detect if the child was upset if the child didn't say anything about it.
76. Questions about the parent's assertiveness (speaking up when something unfair happens) altruism (helping neighbors)

77. How patient and calm the parent is, for example, calm in an argument.

78. How well the child feels the parent listens to him or her.

79. How the parent communicates with the child.

80. How supportive the parent is in new situations.

81. If you believe there will be a custody contest, list the names, addresses and telephone numbers of:

1. All teachers your child has had for the past three years, state when and at what school.

2. All psychologists, psychiatrists, mental health counselors or therapists, doctors and dentists who have seen your child for the past three years, when and for what purpose.

3. All friends, neighbors, relatives, and others who can state that you are the better custodian for your child, setting forth what they may say, whether or not they would be willing to testify and describe their relationship to you, i.e., friend, neighbor, etc.

82. Do you desire to or do you object to your children being removed from the immediate geographical area?

i. Is there any basis upon which you believe that your ex may at this time leave the area with your children?

ii. Is there any basis upon which you believe that your ex may leave the area with your children after the Court enters an order?

83. Please provide any other information that you may find helpful.

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Thank you.