**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**

###  FAMILY COURT

 **DOMESTIC RELATIONS BRANCH**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **)**

**[PLAINTIFF NAME], )**

 **)**

 **Plaintiff ) Case No. [YEAR] DRB [####]**

 **v. )**

 **) Judge [NAME]**

**[DEFENDANT NAME] ) ) Next hearing: [DATE]**

 **Defendant )**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)**

**MOTION FOR HOME STUDIES**

          [GAL NAME] of [FIRM NAME], Guardian *ad litem* for the minor child, [CHILD NAME], born [MONTH DAY, YEAR], files this motion for home studies of residences of the plaintiff and the defendant to be completed by the family court social services division. According to the assessment center, the requested home studies are a necessary prerequisite to complete the mental health evaluations ordered by the court on [MONTH DAY, YEAR]. Pursuant to Superior Court Domestic Relations Rule 404 regarding social services referrals, undersigned counsel respectfully requests that this court grant this motion. SCR-Dom. Rel. R. 404. In support thereof, undersigned counsel respectfully refers this court to the accompanying memorandum of points and authorities. [PLAINTIFF NAME] has consented to this motion. [DEFENDANT NAME] objects to the motion.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[GAL NAME], Esq.

D.C. Bar # [NUMBER]

[ORGANIZATION]

[ADDRESS]

[EMAIL ADDRESS]

[FAX NUMBER]

Guardian *ad litem*

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**

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**[DEFENDANT NAME] ) ) Next hearing: [DATE]**

 **Defendant )**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)**

**MEMORANDUM OF POINTS AND AUTHORITIES**

 [GAL NAME] of [FIRM NAME], Guardian *ad litem* for the minor child, [CHILD NAME] (“[INITIALS]”), born [MONTH DAY, YEAR], respectfully requests that the court order home studies to be conducted by the family court social services division of the residences of both the plaintiff, [PLAINTIFF NAME] (“[PLAINTIFF NAME]”) and defendant [DEFENDANT NAME] (“[DEFEDANT NAME]”) in this case.

1. **Factual background**

Prior to the filing of the above captioned matter in [MONTH YEAR], [CHILD INITIALS] was the subject of a custody case between his parents, filed in [YEAR] in [COUNTY NAME], [STATE]. Upon information and belief, on [MONTH DAY, YEAR] the [COUNTY] Circuit Court awarded [PLAINTIFF] and [DEFENDANT] joint legal custody, while awarding primary physical custody to [PLAINTIFF] during the summer break, with primary physical custody awarded to [DEFENDANT] at all other times and providing the parties with a visitation schedule. On [MONTH DAY, YEAR], [PLAINTIFF] filed a request to register foreign custody order in [STATE].

Subsequently, on [MONTH DAY, YEAR], [PLAINTIFF] filed an emergency motion for immediate dental care and home study. The emergency request came before the court on [MONTH DAY, YEAR] and was denied. [PLAINTIFF] filed another motion to modify custody, requesting that she be awarded full physical and legal custody on [MONTH DAY, YEAR]. This motion alleged that [DEFENDANT] was not capable of providing a stable home environment for [CHILD INITIALS]. This motion is still pending. Upon information and belief, there has never been a home study conducted of the parties in this case in either [STATE] or [STATE].

In a status hearing on [MONTH DAY, YEAR], Judge [JUDGE’S NAME] ordered mental health evaluations to be conducted by the assessment center and to be submitted to the court by [MONTH DAY, YEAR]. Undersigned counsel was appointed as Guardian *ad litem* on [MONTH DAY, YEAR].

On [MONTH DAY, YEAR], undersigned counsel contacted the assessment center regarding the status of these evaluations. Ms. [NAME] of the assessment center, stated that it is the center’s policy not to complete mental health evaluations until there has been a home study. Upon information and belief, the mental health evaluations of the parties have not been scheduled as the assessment center is waiting for the completion of a home study.

1. **A home study is necessary and is in [CHILD’S INITIALS]’s best interests.**

In this case, the court cannot fully evaluate whether it is in [CHILD NAME]’s best interests to make changes to the current custody arrangement without evaluating the child’s adjustment to his home, interaction with his parents and other persons living in his home, as well as the mental health of the parties. D.C. Code § 16-914 (a)(3)(C)-(E) authorizes the court to consider the interaction and interrelationship of the child with his or her parent or parents, his or her siblings, and any other person who may emotionally or psychologically affect the child's best interest; the child's adjustment to his or her home, school, and community; and the mental and physical health of all individuals involved in making a best interests analysis for the purposes for determining custody. A home study is necessary to further inform undersigned GAL’s position, to complete the psychological evaluations, and to provide the court with all relevant information that will facilitate the final resolution of the custody case.

 Pursuant to Superior Court Domestic Relations Rule 404 regarding social services referrals, D.C. Code § 16-914 (a)(3) and in light of the pending motion to modify custody and status of the mental health evaluations ordered by the court, the GAL hereby moves to have this court order that both parties participate in a home study conducted by the family court social services division.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[GAL NAME], Esq.

D.C. Bar # [NUMBER]

[ORGANIZATION]

[ADDRESS]

[EMAIL ADDRESS]

[FAX NUMBER]

Guardian *ad litem*

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**

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**[PLAINTIFF NAME], )**

 **)**

 **Plaintiff ) Case No. [YEAR] DRB [####]**

 **v. )**

 **) Judge [NAME]**

**[DEFENDANT NAME] ) ) Next hearing: [DATE]**

 **Defendant )**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)**

**ORDER FOR HOME STUDIES**

Upon consideration of the Guardian *ad litem’s* motion for home studies and in view of the custody issues raised regarding the minor child,

 It therefore is by the courtthis \_\_\_ day of [MONTH, YEAR] hereby

**ORDERED** that the family court social services division investigate and complete a home study of the residence of the plaintiff, whose address is: [ADDRESS]; cell phone [PHONE NUMBER]; and it is further

**ORDERED** that the division of social services investigate and complete a home study of the residence of the defendant, whose address is: [ADDRESS]; cell phone [PHONE NUMBER]; and it is further

**ORDERED** that the completed home study be submitted to the Chambers of Judge [JUDGE’S NAME] no later than [TIME] on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

The family court social services division shall mail a copy of the completed home studies to each party/counsel at the address indicated in this order, including the GAL, [GAL NAME], whose address is [ADDRESS].

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge [JUDGE’S NAME]

 [TITLE]

Copies to:

[PLAINTIFF NAME]

[ADDRESS]

*Plaintiff*

[DEFENDANT NAME]

[ADDRESS]

*Defendant*

[GAL NAME]

[FIRM NAME]

[ADDRESS]

Guardian *ad litem*

**CERTIFICATE OF SERVICE**

 I hereby certify that on [MONTH DAY, YEAR] copies of the foregoing motion were delivered to the following parties via postage pre-paid, U.S. mail first-class:

[PLAINTIFF NAME]

[ADDRESS]

*Plaintiff*

[DEFENDANT NAME]

[ADDRESS]

*Defendant*

 [GAL NAME], Esq.

D.C. Bar # [NUMBER]

[ORGANIZATION]

[ADDRESS]

[EMAIL ADDRESS]

[FAX NUMBER]

Guardian *ad litem*