**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**

**FAMILY COURT**

**DOMESTIC RELATIONS BRANCH**

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

)

[PLAINTIFF], )

)

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

v. )

) Judge [NAME]

[DEFENDANT] ) ) Next hearing: [DATE]

Defendant )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

**MOTION FOR HOME STUDIES AND PSYCHOLOGICAL EVALUATION**

[GAL] of [FIRM], Guardian *ad litem* for the minor child, [CHILD], born [CHILD DOB], files this motion for home studies of the homes of plaintiff and defendant, and for a psychological evaluation of the minor child. According to the assessment center, the requested home studies are a necessary prerequisite to complete any kind of psychological evaluation. A psychological evaluation of the minor child is necessary to provide recommendations regarding the appropriateness of the current arrangements regarding therapy for the child and visitation with the defendant. Pursuant to Super. Ct. Dom. Rel. R. 404 and D.C. Code § 16-914 (a)(3), undersigned counsel respectfully requests that this court grant this motion. In support thereof, undersigned counsel respectfully refers this court to the accompanying memorandum of points and authorities. The plaintiff has consented to this motion. The defendant objects to the motion.

Respectfully submitted,

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

[GAL]

D.C. Bar No. [######]

[ADDRESS]

[PHONE]

[EMAIL]

Guardian *ad Litem*

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**

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**Memorandum of Points and Authorities**

[GAL] of [FIRM], Guardian *ad litem* (GAL) for the minor child, [CHILD] (“[CHILD]”), born [CHILD DOB], respectfully requests that this court grant this motion for home studies and psychological evaluation.

1. **Factual background**

In [YEAR], [PLAINTIFF] (“[PLAINTIFF]”) filed a complaint against [DEFENDANT] (“Mr. [DEFENDANT]”) for custody of [CHILD]; on [DATE], the parties reached a consent settlement agreement, granting joint legal and physical custody to the parties. This arrangement was temporarily suspended by this court on [DATE], *[ADDITIONAL FACTS REDACTED].* Upon information and belief, [CHILD] continued to refuse to visit with [HIS/HER] father and the court has held the motion for contempt in abeyance since that time.

Undersigned counsel was appointed as GAL on [DATE]. At a hearing on [DATE] before this honorable court, undersigned counsel expressed concerns about the inconsistency of therapy for [CHILD], as [HE/SHE] had not been regularly seeing [HIS/HER] therapist, [THERAPIST]. Upon information and belief, [PLAINTIFF] had at that time begun to schedule appointments for therapy for [CHILD] with [THERAPIST] again and since that time, [CHILD] has been visiting [THERAPIST] for one hour every other week.

Following the [DATE] status hearing, this court ordered that a new therapist, who could provide individual therapy and family therapy, if and when appropriate, be mutually agreed upon by the parties and selected from a list of names provided by the GAL. [CHILD], however, has continued to insist to undersigned counsel that [HE/SHE] would like to continue therapy with [THERAPIST] and strongly opposes beginning therapy with any other therapist. Additionally, undersigned counsel has contacted several psychologists regarding providing therapy under the circumstances of making a recommendation to the court regarding the appropriateness of family therapy and visitation. Following these conversations, undersigned counsel has concluded that at this time, it would be preferable for [CHILD] to be evaluated as to [HIS/HER] readiness for family therapy, visitation with [HIS/HER] father and [HIS/HER] individual therapy needs. The evaluator could then present recommendations to the parties and to this court on these issues, without disrupting [CHILD]’s current therapeutic relationship with [THERAPIST].

Furthermore, it is preferable that this evaluation be conducted by the assessment center because of the experience of its personnel in conducting this type of evaluation and its forensic role and neutrality towards both parties. Home studies of both parties are a prerequisite for this type of evaluation and are conducted by the family court social services division.

1. **Legal argument**

In this case, the court cannot fully evaluate whether it is in [CHILD]’s best interest to change therapists, begin family therapy or resume visitation with [HIS/HER] father without the recommendations of a psychologist. D.C. Code § 16-914 (a)(3)(C) and (E) authorize the court to consider the interaction and interrelationship of the child with his or her parent or parents; and the mental and physical health of all individuals involved in making a best interests analysis for the purposes for determining custody. A psychological assessment of [CHILD]’s readiness for family therapy and adequacy of [HIS/HER] current therapy and home studies of the parties are therefore necessary to move this case towards resolution.

Pursuant to Super. Ct. Dom. Rel. R. 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 and immediately upon completion of the home studies that they be forwarded to the assessment center and that a psychological evaluation of [CHILD] be completed.

Respectfully submitted,

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

[GAL]

D.C. Bar No. [######]

[ADDRESS]

[PHONE]

[EMAIL]

Guardian *ad Litem*

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**

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[PLAINTIFF], )

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

v. )

) Judge [NAME]

[DEFENDANT] ) ) Next hearing: [DATE]

Defendant )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

**Order**

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, [PLAINTIFF] whose address is: [ADDRESS]; and it is further

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

**ORDERED** that the completed home study be submitted to the chambers of Judge [JUDGE] no later than [TIME] on [DATE]. The family court social services division shall mail a copy of the completed home studies to counsel at the email addresses indicated in this order; and it is further

**ORDERED** that the assessment center complete an evaluation of [CHILD], the minor child, immediately following the completion of the home studies which shall be submitted to to the chambers of Judge [JUDGE].

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

[JUDGE]

Copies to:

[ATTORNEY]

[ADDRESS]

[PHONE/FAX]

[EMAIL]

*Counsel for Plaintiff [PLAINTIFF]*

[ATTORNEY]

[ADDRESS]

[PHONE/FAX]

[EMAIL]

*Counsel for Defendant [DEFENDANT]*

[GAL NAME]

[ADDRESS]

[PHONE/FAX]

[EMAIL]

Guardian *ad Litem*

**CERTIFICATE OF SERVICE**

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

[ATTY NAME], Esq.

[ADDRESS]

*Counsel for Plaintiff [PLAINTIFF]*

[ATTY NAME], Esq.

[ADDRESS]

*Counsel for Defendant [DEFENDANT]*

Respectfully submitted,

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

[GAL]

D.C. Bar No. [######]

[ADDRESS]

[PHONE]

[EMAIL]

Guardian *ad Litem*