Family law attorneys can help their clients by employing the services of a mental health professional (MHP) to assist the client or the family as a whole. Selecting the right role for the MHP is important. The following are the primary roles through which an MHP might be helpful.

**Co-Parenting Specialist**

As a **Parenting Coordinator** (PC), the MHP meets with divorcing or divorced co-parents to help them design or enhance a parenting plan and to help them learn how to resolve disputes and to work better together as co-parents. The PC is appointed by the Court and has specific responsibilities, powers and limitations that are outlined in the court order. PC is generally reserved for high-conflict co-parents who require education and firm guidance to help them reduce conflicts and function adequately in sharing parental responsibilities.

As a **Co-Parenting Consultant** (CPC), the MHP meets with the co-parents (whether married, separated or divorced) to help them design or enhance a parenting plan and to help them learn how to work better together as co-parents. Unlike a PC, the CPC is not appointed by the Court and therefore does not have the leverage that a PC has, as the process is voluntary and there is no mechanism for communicating with the Court.

**Psychotherapist or Counselor**

The MHP may serve as a **Psychotherapist or Counselor** for an adult, a child, a couple, or a family. The MHP working with a couple may assist with marriage therapy or separation/divorce counseling. When working with a child, the therapist may conduct behavioral therapy, supportive therapy, play therapy, or other forms of therapeutic intervention.

As a **Reunification Therapist**, the MHP helps children and their parents reconnect emotionally when there is a rejection of one of the parents by a child. These are particularly challenging cases and require a high level of expertise, a great deal of patience, and a commitment by all parties (and often the Court as well) to achieve a positive outcome.

MHP’s also serve as **Parenting Educators** Parent education is a large part of other roles (such as PC and CPC), but MHP’s can serve in a more purely educational capacity by conducting parent training programs and divorce education groups.
Evaluator

As a Parenting Plan Evaluator, the MHP (who must be a psychologist to fulfill this role) meets with all parties, including the children, conducts psychological testing, reviews documents, conducts extensive collateral interviews, and writes a detailed report describing the information obtained with recommendations regarding timesharing and other issues. This is the most intensive form of evaluation and is therefore a very expensive process.

As a Social Investigator, the MHP does the same tasks as the parenting plan evaluator, but does not include psychological testing and does not need to be a licensed psychologist.

A Mini Child Custody Evaluation is a new approach in which an MHP conducts an evaluation and the findings are shared with the parties and their attorneys, but not shared with the court. This type of evaluation provides information to determine if a full parenting plan evaluation is needed, and the findings may allow the parties to reach a settlement, forestalling further evaluation and further litigation.

A Parental Fitness Evaluation is an evaluation of one parent and focuses on that parent’s capacity to meet a child’s basic needs. The findings may support a parent’s claim that she has the capacity for competent parenting, but they cannot lead to recommendations regarding time-sharing because the evaluation does not address all of the factors relevant to the family.

A Specific Issue Evaluation seeks to answer a targeted question about an individual or a family. Examples include evaluations of Estrangement/Alienation, Domestic Violence, Sexual Abuse, Intellectual Functioning/Mental Capacity, Substance Abuse or other addictive behaviors.

A Psychological Evaluation is designed to screen an individual to determine if there are psychological factors that significantly affect the individual’s ability to cope or to function in a normal manner. It may determine if an individual has an psychological problem or if an individual is free of such problems, but it does not specifically address questions of parenting capacity. When this type evaluation includes psychological testing, it may be called a psychological evaluation; when it does not, it is referred to as a mental health evaluation.

A Basic Diagnostic Evaluation is the shortest and least intrusive of the evaluations. Its goal is to assess for a mental health diagnosis that might benefit from treatment and is generally the first step in psychotherapy. Because this evaluation relies on self-report and does not involve psychological testing, it has limited benefit in the court proceedings. It may, however, provide the individual and his/her attorney some input into the benefits of psychotherapy for the individual and/or the appropriateness of proceeding to a more extensive evaluation.

A Psychiatric Evaluation is a medical evaluation conducted by a psychiatrist to identify a diagnosis and to determine the need for psychotropic medications.
Other Roles

In collaborative family law cases, the MHP serves as a **Collaborative Facilitator** (CF). This role, also known as a **Neutral Mental Health Professional** (NMHP), is one in which the MHP leads a professional team that typically includes two attorneys and a neutral financial professional in helping a divorcing couple achieve a comprehensive settlement of their case.

Also in collaborative cases, the MHP may serve as a **Child Specialist**, providing specific guidance as to the child’s or children’s individual and developmental needs.

As a **Certified Family Mediator** (CFM), the MHP meets with the divorcing co-parents to help them reach agreement on a variety of matters ranging from time-sharing to alimony to division of assets. Most family mediation occurs in one to three sessions and the children are not involved in the process. This role can be equally-well filled by non-MHP’s, including attorneys and financial professionals.

The MHP may also be appointed to serve as a **Guardian ad Litem** (GAL). In this role, the MHP gathers information from the parents and other parties, reviews records, and meets with the child in order to provide recommendations to the Court as to the needs of the child. In essence, this role is one of evaluator, although not as a psychological evaluator, and this role can be equally-well filled by non-MHP’s, especially by attorneys. As GAL, the MHP serves as a child advocate and does not conduct a psychological evaluation nor provide expert testimony. The GAL is a position for which the MHP should be certified.

MHP’s also serve as **Expert Witnesses** in family law matters. This role typically results when the MHP is serving in a different role (as evaluator or therapist, for example) and is then called to testify in court. As an expert witness, the MHP uses his knowledge and experience to provide information to the Court as well as his expert opinion on pertinent matters.

In some cases, attorneys seek input from a MHP to help them understand factors related to their client or other parties in a family law matter. For example, a MHP serving as a **Case Consultant** to an attorney might meet with a client to assure that the client is able to comprehend the attorney’s instructions or to help him/her better follow the attorney’s guidance. A MHP serving as a Consultant might also assist the attorney by reviewing mental health records of one or more of the parties and providing feedback about those records for use in the case. Lastly, an MHP sometimes serves as a trial consultant, helping the attorney prepare for a hearing or trial in a family law matter.

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