

I Think My Spouse is Crazy; Can I Keep Them Away From Our Kids After the Divorce?

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Any divorce that involves a custody dispute increases the emotion for all involved. When mental health is at issue, including questions of diagnosing a mental health condition, personality disorder, or addiction, there are some options available to assess the impact of that on the children,

Psychological evaluation: A psychological evaluation is conducted by a psychologist or therapist who has special training in diagnosing and assessing mental health conditions for forensic evaluations. The evaluator often reviews medical records, employment records, therapeutic records, and any other evidence like emails or videos that may provide insight into the person's mental health. Psychological tests and interviews of the person are also conducted. A psychological evaluation does not include an opinion about physical or legal custody recommendations, but it can assist a court in deciding of those issues.

Custody evaluation: A custody evaluation is also conducted by an individual, usually a psychologist or a therapist with specialized training, to take a broader look at legal and physical custody, and to provide an opinion or recommendation of legal custody, and physical custody schedules. A custody evaluation includes interviews and psychological testing of both parties, as well as reviews of records which may include medical records, employment records, and personnel files. A custody evaluator also has meetings with the children, observes the children with each parent, and talks to third parties (like teachers, doctors, and therapists). The report provided at the conclusion of a custody evaluation usually includes a specific custody schedule and legal custody award, recommended by the evaluator.

Both a psychological evaluation and a custody evaluation can add significant expense and time to any custody dispute, but when serious issues of mental health, personality disorders, or addiction are present, these reports are often an important tool in being able to help protect children.

For these or other family law questions, please contact one of the family law attorneys at Sandberg Phoenix.