



Childrenbeyonddispute.com

McIntosh's
Child Interview Guidelines for
Child Informed
Family Law Dispute Resolution

Jennifer McIntosh PhD.

2015

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Guidelines for the Child Interview In Child Informed (CI) Mediation¹

Jennifer E. McIntosh

Overview:

The CI child interview allows the child consultant to gather information to understand the child's experience of his/her parents' separation/divorce/conflict. The child consultant attempts to understand what it is like to be this child in his/her current family situation. The information gathered in the interview will be used, in mediation, to provide the parents with feedback about their children's perspective and needs. The main goal of the interview is to understand how the child views the current family situation, how the child perceives and feels about the situation, and what their resulting "developmental load" currently is.

Each interview is unique

The CI child interview does not have a set of standard questions or activities that must be given to all children or given in a certain order. Rather, there are *categories* of information to be assessed and different methods that can be used to assess each of those categories. As a result, one cannot plan exactly what each interview will include: each child is unique, and each interview will respond to the child's state and preferred mode of expressing themselves. Therefore, each interview is unique, although the themes addressed and methods used will be similar across interviews.

The influence of age and stage

The CI interview can be conducted by most trained child specialists with children ages 5 – 17. Some professionals are able and skilled in interviewing pre-schoolers too – that needs to be a personal judgement. Some of the differences across interviews with different children result from the varying ages of children who may be interviewed. Obviously, the developmental abilities of children of varying ages differ greatly. For example, an adolescent might be interviewed verbally, discussing with you a series of interview questions, while a younger child might prefer to draw or use the doll house play to explain his/her situation. Another reason for variability in the interview methods used is the individual interests and

¹ The original guidelines were created by McIntosh, further developed within the Indiana University Clinical Training program for the Child Inclusive Study. 2009., and subsequently revised

² The article by Pynoos and Eth (1986). "Witness to Violence² The Child Interview", *Journal of American Academy of*

strengths of each child. For example, a child who enjoys art may be most comfortable being asked to draw pictures (e.g., of his/her family or his/her wishes), while an active child may prefer to get up and move around the room, using a doll house or puppets to act out the issues being assessed.

The influence of family stressors

In addition, each family is experiencing different stressors, requiring that certain areas of possible concern be assessed more in depth, while other areas may not have to be assessed, for a particular family. For example, some families may be separating but not experiencing high levels of inter-parental conflict, allowing the interviewer to spend less time on questions regarding the impact of inter-parental conflict on the child.

Thus, it is best to think of the CI child interview as involving categories of information to assess. The child consultant can use various methods to gather each category of information from each child. In essence, the child consultant can “mix and match” methods (e.g., verbal questions, drawing, doll house acting, puppets, blocks) to the categories of information to be assessed. Not every category of information must be assessed with every child. The interviewer uses his/her clinical judgment to follow the child’s “lead”, being sure to cover the topics that appear to be most important to the particular child being interviewed.

What follows is an overview of the categories of information that the child consultant should consider covering in the interview, along with some example questions and/or methods that can be used to gather such information.

Outline of Child Interview for Child Informed (CI) Mediation

1. Format of the child interview

- If more than one child is to be seen, the child consultant begins by meeting with all siblings, to discuss the general purpose of the interview and to talk together about shared experiences of the parents’ conflict and separation. The first phase of contracting and consent is readily done together, and the structured interview can also be done within the sibling group.

2. Introduction and Contracting

As with all clinical work, establishing rapport with the child before commencing is vital, as is “contracting” with them around the purpose, limits and confidentiality of the interview. Following is a guideline for this first stage of the interview. You can adapt it to suit your style, the individual nature of the case, and the developmental level of the children.

a. Joining and engaging and explaining the process to the child . Give a genuine welcome: *“I’ve been thinking about you and looking forward to meeting you”*. Establishing warmth, interest and focus on child. What name does the child want you to use? *Did mum and dad tell you anything about why you’re here? Do you have other ideas or questions about today?*

b. Explaining the purpose: *Your mum and dad have come here to talk with a mediator about their situation, and how to make good decisions for the whole family.* Briefly describe mediation -- to help parents make plans about how they will look after the family, even though they will not live together. Be careful not to raise unrealistic hopes -- to reunite parents, to make them like each other, or even to stop the fights. *They told me that they’re (divorced/ separated/ not living together and [if applicable, arguing/ fighting / not talking to one another, etc). I suspect like most kids, that having your parents separate/ divorce/ disagree a lot is probably tough for you. Your Mum and Dad realised that it might help to talk to someone outside the family. I’m here today to try to **understand what it has been like for you.***

c. Explain your role: *I see many children whose parents are separating/ have separated. Parents have agreed to mediation and my meeting you, to help them make better decisions.*

d. Background: *I’ve already talked with your parents a bit, so I know a bit about your family’s situation, but want to understand what you think and feel about it. So today we can do that, together and with each of you getting some time on your own too. Does that sound ok?*

e. What happens today: *There are lots of different ways for us to talk about your situation – what your family is like for you, what changes might help things to feel better for you: We can talk, draw, play about these things in whatever way feels best for you. It all helps me understand what it’s like to be you.*

f. Decisions: *I will not ask you to make decisions today or at any time; those are made by your parents, with help from their mediator and/or judge*

g. The child's privacy: *Your parents know that this is your private time and that I won't be discussing things with them that you don't want me to share. You can tell me if there are things you'd like to keep private. The only time I would talk about something private was if I thought you or somebody else might not be safe if I kept that secret. Then I'd do what I could to help. Ok?"*

h. What happens next: *After today, I'll meet with your mum and dad, and the mediator, to talk about what could help the family, and especially you. I can also ask them questions, or share messages from you if you like.*

i. Dealing with parents after the session: *Mum and Dad will probably ask how you went here today. They might even ask what we talked about. It's up to you how much you say – they know it is your private time. It's important you don't feel pressured to talk if you don't feel comfortable to. If you did feel uncomfortable about Mum or Dad asking too many questions, if you like, you can just tell them that "Jenn will talk about it all with you when you go to see her", and I'll deal with it. OK?*

Any questions?

3. Process Issues to be aware of in the interview with the child:

- Don't ask a long, ongoing string of questions. Talk *with* the child. Share your impressions of the child's experience, and see how they resonate with the child.
- Does the child feel understood by you?
- Pay special attention to the child's **strengths**, as it is important to understand what resources the child has and how s/he is functioning well; do not just focus on problems.
- **The child's comfort and safety:** Pay careful attention to the child's response to your questions. Especially note the level of stress these prompts or questions induce in the child, and avoid overstressing the child.
- **If the child has witnessed violence**, they may need to play about it, rather than talk. Either way, it is important that you show you can listen and understand. Always ask them if they feel safe now or does something need to change. What would that be - who

could help? Let the child know that you can help find the right sort of help. ² If there is any concern that a child may be very distressed and losing “balance” during the interview in approaching any of these subjects, the interviewer should not proceed, but instead, help the child re-establish equilibrium and control in a soothing, containing atmosphere. *In responding to distress, it is obviously important to be careful not to give the impression that you need to avoid what the child is saying.*

- **Enriching your observations during the interview:** As ever with clinical work, the content of the session is only a small part of what concerns us. Attention to the process of the interview, the way in which it unfolds, the way in which the child deals with various moments, feelings, thoughts etc. is important context for the content. **Things to note include:** Appearance, behaviour,, ways of relating to interviewer, child’s understanding of reasons for the interview, expression and control of feelings and affect during interview, your subjective response to child – how did the child leave you feeling? What were the central themes and/or preoccupations of the play and discussion? What was the style of the play or verbal communication? (eg. obsessive, repetitious, scattered, intense/concentrated, joyous, etc).At what developmental level was the child playing and interacting? Were there regressive behaviours? What was the child’s predominate mood in the session? What affect was expressed/observed in the session, and how intense was it? (eg. anger, fear, worry, love). To what or whom was the affect directed? Conscious awareness of loneliness, pain, anxiety in self, siblings, and parent.
- As appropriate or necessary to understanding the child’s perspective of his/her situation, you may want to ask about **other important aspects of the child’s life** (e.g., friends, grandparents, holidays, activities, school).

4. Specific content to cover in the interview:

A. Separation History and Current Situation

- Usually ask child to draw **picture of their family** (showing how it is and where each family member lives or spend their time)

² The article by Pynoos and Eth (1986), “Witness to Violence: The Child Interview”, *Journal of American Academy of Child Psychiatry*, 25(3), pp 306-319.) is a classic, and very useful supplement to these ideas.

- Follow-up questions: How did your family come to live this way? How was that decided? Why did mum and dad decide to separate? What is it like to have them living separately? Where do you live these days and who lives with you? Time with other parent? Who lives where?
- Children feel a lot of different things when their parents separate or divorce. How do you feel about the separation? (Can use bear cards)
- Anything good about separation? Best way parents have handled it?

Techniques you could use include:

- **BEAR CARDS:** self, feeling about each parent, feeling at each household and during transitions, feeling about inter-parental conflict
- McIntosh **STORY STEMS**
- **BURDEN drawing** (e.g., what is in the bag of burdens that you carry around with you)
- **DOLL HOUSE or PUPPETS** (e.g., act out transitions between parents' houses or typical day at each house)

B. Conflict History

- Do your parents disagree about much these days? What do they disagree about mostly? How do they disagree?
- Can use bear cards for parents' and child's reactions (could use drawings or doll house or puppets, to act out conflicts)
- What might be your **worst memory about mum and dad's separation?**
- **Caught in Middle** Questions (can do form and/or ask questions from this measure)
- **CPIC form: Frequency, intensity, resolution** (can do form and/or ask questions from this measure)

C. Attachment to each Parent/Carer (Emotional Availability of Caregivers)

- Verbal children
 - i. Bear card to show how Mum/Dad usually is with them
 - ii. 3 Words to describe their relationship with Mum/Dad
 - iii. CPR scale:
 - Does dad/mum understand you?
 - Is dad/mum interested in things you do?

- If I had a problem, I know dad/mum would help?
- iv. How much do mum and dad understand what it's like to be you?
- v. How does each parent help you cope with stressful times?
- vi. How do you cope when things are tense between Mum and Dad?
- vii. Some older children like to use the Attachment Story Stems
- Nonverbal children
 - i. Dollhouses – parents' reactions to hurt, humiliation/shame, and excitement
 - ii. Kvebaek structures (place dolls representing family onto a grid; spaces between dolls indicating perceived psychological distances between family members)
 - iii. Attachment Story Stems

D. Exploring Options / How can parents and living arrangement best meet child's needs?

- **Time pattern Block**
- **Wishes:**
Three wishes about your family (if you had a magic wand) or draw a dream.
- **Baby Steps:** Can you think of any small things your parents can do to make things easier/better for you in this separation
- **Social Supports;** Who else/ what else might help

E. Wrap Up

How have you felt about today? Anything important we forgot to discuss? Anything else you want me to know about your situation?

- **Summarize Themes**– lots to think about; provide your overview of the major issues and themes the child identified. Make sure you're summarizing the information correctly (let child correct you or add things, etc.).
- Discuss process again (general feedback to mum and dad)
- Anything stay private? Discuss.
- Any **questions for parents**?
- Any **messages or advice for parents**?
- **Anything you want to be sure is discussed with them?**
- THANKS

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October 8, 2021

Via email to:

Via email to:

Dear

My name is Serena Hawkins, I have been appointed by the Court as the Guardian *ad litem* (GAL) to represent the best interests of your children in Wyandotte County case involving them.

The Court has ordered that I meet with you and your children and gather whatever other information I deem necessary. It is important to understand that my role is to advocate for the children, I have no duty to advocate for your interests. Additionally, my investigation must be independent, I will always hear you out regarding your concerns but it is not appropriate for me to validate your concerns or provide feedback. I determine the course of the investigation, who I visit and speak with and when. Please know that it is not a good use of your time and money to try to convince me of the merits of your position. After my investigation, it is my job to report to the court my opinion on what is your child's best interest regarding residential placement and parenting time.

Please understand that Kansas has a list of factors that the court will consider in determining legal custody, residency and parenting time of a child. Those factors are included.

My role in this case is governed by Supreme Court Rule 110A. I have included a copy of the rule for your reference. Again, I do not represent you or your interests. Additionally, you have the right to have your attorney present when I speak to you. Parties often waive the presence of their attorneys but this is something you should discuss with your respective attorneys. Included here is a waiver of your attorney's presence, please execute it and return it to me if you are so inclined. I however, reserve the right to communicate with parents only in writing or only through attorneys in very high conflict situations. Also, included is the GAL information sheet. Please complete it and return it to me by email or bring it to our first meeting.

If your child/ren is/are old enough to meaningfully speak with me, I will likely meet with them out of your presence. I often meet with children at school without notice to the parents. This is

for a variety of reasons but most importantly, I believe that it produces a less biased interview and reduces the likelihood that the child can be coached. Also, I do not have a duty of confidentiality to you or your child. I can and will share information I learn during my investigation with the court.

My fee for this case will be \$200 per hour, billed in tenths of an hour. The Court has ordered that the each parent advance me \$1000 to be deposited into my client trust account as an advance against this fee structure. I will not begin my duties as GAL until the complete \$1000 retainer has been deposited in my client trust account.


Once my retainer is complete, I will contact you to set up a time for us to meet. In the meantime, please provide me with your contact information including your phone number and email if you have one.

Prior to submitting an itemized statement (bill) to the Court, I will send it to you and you will have ten (10) days to review it and let me know if you have any objections or questions about any time entry. I charge for all legal services performed as the GAL. The term "services" means all efforts expended my on behalf of the child, including, but not limited to: office consultations or other conferences with you or others, telephone calls and facsimile, texts and email messages to or from you or others, preparation of pleadings, documents, and correspondence, review of correspondence and other documents received from others, travel time, legal research, preparation for court appearances, and appearances in court, including waiting time.

Please be aware that if you choose to communicate with me by email please know that the State Attorney Disciplinary Counsel requires all lawyers to notify all recipients of e-mail that (1) e-mail communication is not a secure method of communication; (2) any e-mail that is sent to you or by you may be copied and held by various computers it passes through as it goes from me to you or vice versa; (3) persons not participating in our communication may intercept our communications by improperly accessing your computer or my computer or even some computer unconnected to either of us which the e-mail passed through. I am happy to communicate with you in any way you choose and am willing to use a combination of electronic and traditional methods.

I look forward to working with you and truly hope that you can reach a resolution of this case that is in the best interest of your children and something that you are both happy with. Please call me right away if this letter does not reflect your understanding of the terms of my representation.

Sincerely,



Serena Hawkins
Attorney at Law

Rule 110A

STANDARDS FOR GUARDIANS AD LITEM

- (a) **Generally.** Unless the appointing judge authorizes departure from these standards for good cause, these standards apply when the judge appoints a guardian *ad litem* for a child in a case under the Revised Kansas Code for Care of Children, K.S.A. 38-2201 *et seq.*; the Revised Kansas Juvenile Justice Code, K.S.A. 38-2301 *et seq.*; and the Kansas Family Law Code, K.S.A. Chapter 23. The judge must:
- (1) issue an order appointing the guardian *ad litem* on a form substantially in compliance with the judicial council form; and
 - (2) ensure compliance with this rule.
- (b) **Prerequisite and Continuing Education.**
- (1) **Requirements.**
 - (A) **Number of Hours; Timeframe.** As a prerequisite to appointment, a guardian *ad litem* must complete at least 6 hours of education, including 1 hour of professional responsibility. An appointed guardian *ad litem* also must participate in continuing education consisting of at least 6 hours per year.
 - (B) **Areas of Education.** Areas of education should include, but are not limited to:
 - dynamics of abuse and neglect;
 - roles and responsibilities;
 - cultural awareness;
 - communication skills, including communication with children;
 - information gathering and investigatory techniques;
 - advocacy skills;
 - child development;
 - mental health issues;
 - permanency and the law;
 - community resources;
 - professional responsibility;
 - special education law;
 - substance abuse issues;
 - school law; and
 - the revised code for care of children.
 - (2) **Waiver of Prerequisite.** The appointing judge may waive the prerequisite education when necessary to make an emergency temporary appointment. The educational requirements must be completed within 6 months after appointment.
 - (3) **Continuing Education Requirements; Judicial Approval.** If approved by the Continuing Legal Education Commission, the education hours required by paragraph (1) also can be counted

to satisfy Supreme Court Rule 803's continuing legal education requirements. These standards do not modify the minimum total hours annually required under that rule. The appointing judge may approve prerequisite education and continuing education hours not otherwise approved by the Continuing Legal Education Commission.

- (4) **Recordkeeping.** Each guardian *ad litem* must maintain a record of the guardian's participation in prerequisite and continuing education programs. Upon request of the appointing judge, the guardian must provide evidence of compliance with this subsection.
- (c) **Guardian *Ad Litem* Duties and Responsibilities.** A guardian *ad litem* must comply with the following standards:
- (1) **Conducting an Independent Investigation.** A guardian *ad litem* must conduct an independent investigation and review all relevant documents and records, including those of social service agencies, police, courts, physicians, mental health practitioners, and schools. Interviews — either in person or by telephone — of the child, parents, social workers, relatives, school personnel, court-appointed special advocates (CASAs), caregivers, and others having knowledge of the facts are recommended. Continuing investigation and ongoing contact with the child are mandatory.
 - (2) **Determining the Best Interests of the Child.** A guardian *ad litem* must determine the best interests of the child by considering such factors as:
 - the child's age and sense of time;
 - the child's level of maturity;
 - the child's culture and ethnicity;
 - degree of the child's attachment to family members, including siblings;
 - continuity;
 - consistency;
 - permanency;
 - the child's sense of belonging and identity; and
 - results of the investigation.
 - (3) **Representing in Court.** A guardian *ad litem* must:
 - (A) file appropriate pleadings and other papers on the child's behalf;
 - (B) represent the best interests of the child at all hearings;
 - (C) present all relevant facts, including the child's position;
 - (D) submit the results of the guardian's independent investigation and the guardian's recommendations regarding the child's best interests; and

- (E) vigorously advocate for the child's best interests by:
 - (i) calling, examining, and cross-examining witnesses;
 - (ii) submitting and responding to other evidence; and
 - (iii) making oral and written arguments based on the evidence that has been or is expected to be presented.
- (4) **Explaining to the Child.** A guardian *ad litem* must explain the court proceedings and the guardian's role in terms the child can understand.
- (5) **Making Recommendations for Services.** A guardian *ad litem* must recommend appropriate services for the child and the child's family.
- (6) **Monitoring.** A guardian *ad litem* must monitor implementation of service plans and court orders.
- (d) **When Recommendation Conflicts With Child's Wishes.** If the child disagrees with the guardian *ad litem's* recommendation, the guardian must inform the court of the disagreement. The court may, for good cause, appoint an attorney to represent the child's expressed wishes. If the court appoints an attorney for the child, that individual serves in addition to the guardian *ad litem*. The attorney must allow the child and the guardian to communicate with one another but may require the communications to occur in the attorney's presence.
- (e) **Participation Limited by Rules of Professional Conduct.** An attorney in a proceeding in which the attorney serves as guardian *ad litem* may submit reports and recommendations to the court and testify only as permitted by Kansas Rule of Professional Conduct 3.7(a).

2017 Kansas Statutes

23-3203. Factors considered in determination of legal custody, residency and parenting time of a child. (a) In determining the issue of legal custody, residency and parenting time of a child, the court shall consider all relevant factors, including, but not limited to:

- (1) Each parent's role and involvement with the minor child before and after separation;
 - (2) the desires of the child's parents as to custody or residency;
 - (3) the desires of a child of sufficient age and maturity as to the child's custody or residency;
 - (4) the age of the child;
 - (5) the emotional and physical needs of the child;
 - (6) the interaction and interrelationship of the child with parents, siblings and any other person who may significantly affect the child's best interests;
 - (7) the child's adjustment to the child's home, school and community;
 - (8) the willingness and ability of each parent to respect and appreciate the bond between the child and the other parent and to allow for a continuing relationship between the child and the other parent;
 - (9) evidence of domestic abuse, including, but not limited to:
 - (A) A pattern or history of physically or emotionally abusive behavior or threat thereof used by one person to gain or maintain domination and control over an intimate partner or household member; or
 - (B) an act of domestic violence, stalking or sexual assault;
 - (10) the ability of the parties to communicate, cooperate and manage parental duties;
 - (11) the school activity schedule of the child;
 - (12) the work schedule of the parties;
 - (13) the location of the parties' residences and places of employment;
 - (14) the location of the child's school;
 - (15) whether a parent is subject to the registration requirements of the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, or any similar act in any other state, or under military or federal law;
 - (16) whether a parent has been convicted of abuse of a child, K.S.A. 21-3609, prior to its repeal, or K.S.A. 2017 Supp. 21-5602, and amendments thereto;
 - (17) whether a parent is residing with an individual who is subject to registration requirements of the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, or any similar act in any other state, or under military or federal law; and
 - (18) whether a parent is residing with an individual who has been convicted of abuse of a child, K.S.A. 21-3609, prior to its repeal, or K.S.A. 2017 Supp. 21-5602, and amendments thereto.
- (b) To aid in determining the issue of legal custody, residency and parenting time of a child, the court may order a parent to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and may order such parent to follow all recommendations made by such program.

History: L. 2011, ch. 26, § 20; L. 2014, ch. 116, § 9; L. 2016, ch. 102, § 7; L. 2017, ch. 58, § 2; July 1.

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GUARDIAN AD LITEM- INFORMATION SHEET

Case Name:		Date of Appt:
Case No:		
Court: Division		Judge:

Please detail your relationship with the child and the type of case: _____

MOTHER'S CONTACT INFORMATION

Full Name:	Attorney:
Address:	Address:
Phone:	Phone:
Cell:	Fax
Mother's E-mail	Email
Social Security Number:	Attorney for
Date of Birth:	
Driver's License Number	
Emergency Contact:	
Name: Relation:	Phone:


FATHER'S CONTACT INFORMATION	
Full Name:	Attorney:
Address:	Address:
Phone:	Phone:
Cell:	Fax:
Father's E-mail:	E-Mail
Social Security Number:	Attorney for
Date of Birth:	
Driver's License Number	
Emergency Contact:	
Name:	Relation: Phone:

THIRD PARTY CONTACT INFORMATION	
Full Name:	Attorney:
Address:	Address:
Phone:	Phone:
Cell:	Fax:
3 rd Party's E-mail:	E-Mail
Social Security Number:	Attorney for
Date of Birth:	
Driver's License Number	
Emergency Contact:	
Name:	Relation: Phone:

-- Please provide receptionist a copy of your state issued ID ◆

EMPLOYMENT INFORMATION	
Mother's Employer:	Father's Employer:
Address:	Address:
Phone:	Phone:
Name of Supervisor:	Name of Supervisor:
Length of Employment:	Length of Employment:
Third Party's Employer:	
Address;	Phone:
Name of Supervisor:	Length of Employment:

CHILD / CHILDREN'S INFORMATION					
First Middle Last	DOB	SS#**	M/F	AGE:	Resides with? (Mom/Dad/Both)

-+ Please provide receptionist a copy of your state issued ID 

SCHOOL AND/OR CHILD CARE PROVIDER/S

Children's School/ Childcare Provider:

Name : _____ Grade: _____

Telephone No. _____ Address: _____

Teacher: _____

Children's School/ Childcare Provider:

Name : _____ Grade: _____

Telephone No. _____ Address: _____

Teacher: _____

Children's School/ Childcare Provider:

Name : _____ Grade: _____

Telephone No. _____ Address: _____

Teacher: _____

COUNSELORS AND/OR DOCTORS

Child / Children's Counselor / *Psychologist*:

Child's Name : _____ Counselor's name _____

Telephone No. _____ Address: _____


Length of Treating time: _____

Child / Children's Counselor / *Pediatrician*:

Child's Name : _____ Doctor's name _____

Telephone No. _____ Address: _____

Length of Treating time: _____

-+ Please provide receptionist a copy of your state issued ID 

CHILD SUPPORT / BENEFITS RECEIVED

Currently receiving support for child? _____ If yes, state amount received. _____

State and- or Federal Benefits Received? _____ Food Stamps ? _____ Amt. _____

If yes, please state name of program and amount received:

HEALTH CARE / INSURANCE

Do/es your child /children have medical problems or special needs? _____

If yes, please state nature and diagnosis of those medical problems: _____

Are your child/ren currently covered under health insurance policy? _____

If yes, please state: Policy Holder _____

Name of Provider _____

Are you eligible for HealthWave coverage through the State of Kansas

DIVISION OF SOCIAL SERVICES / DIV. OF FAMILY SERVICES

Have you or your children been previously involved with a DFS/DSS hotline call or investigation? _____

Have you been contacted by a case worker for DFS/ DSS?


If you answered in the affirmative, please describe the nature and date of your contact with the above state agencies _____

CRIMINAL BACKGROUND INFORMATION

Have you at any time been convicted of a misdemeanor or felony? **Y or N** (circle one)

If answered in the affirmative please provide:

Original charge(s): _____

-+ Please provide receptionist a copy of your state issued ID 

Jurisdiction (County and State): _

Year(s) of Conviction: _

Case Number(s): _

Charge pled to or convicted of: _

Terms of sentence: _

Did you successfully complete your sentence? **Y or N (circle one)**

Are you currently on probation? **Y or N (circle one)**

If yes, Jurisdiction and contact information for supervising officer


MENTAL HEALTH INFORMATION

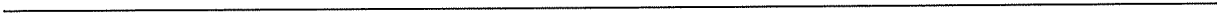
Do you currently receive or within the last twelve months have you received mental health services? **Y or N (circle one)** If answered in the affirmative please provide:

Name(s) of provider: _

Address and phone number of provider(s) or treatment facility: _

Reason(s) for seeking services:

-+ Please provide receptionist a copy of your state issued ID 



-+ Please provide receptionist a copy of your state issued ID ◆

**IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT**

IN THE MATTER OF:

and

Petitioner,

Respondent.

)
)
) **Case No.**
) **Division**
)
)
)
)

PROTECTIVE ORDER

NOW ON THIS 29th day of January, 2019, the Court after consideration of K.S.A. 38-2212(e), makes the following orders:

1. DCF shall deliver to the chambers of the Court a complete copy of all records in its possession, except those records regarded as protected by HIPAA (Health Insurance Portability and Accountability Act of 1996), regarding the above-named parties and their minor child(ren) for the purpose of *IN-CAMERA* inspection by the Court.
2. The names and date of births of the family members are as follows:
 - a. Mother:
 - b. Father:
 - c. Child:
 - i.
3. Upon determination by the Court that release of such records is in the best interest of the child(ren) or that such records are necessary for the proceedings before this Court

and that such records are otherwise admissible, the attorneys or pro se litigants may review the records in the Court's chambers or other appropriate location as determined by the Court.

4. That the attorneys or pro se litigants may make notes from the records, but neither the parties, their attorneys, investigators, experts or any other representative or agent shall copy or duplicate said records.
5. That said records shall not be used for any purpose other than to prepare for, prosecute or defend the matter currently before the Court in the above-referenced action.
6. That said records shall not be publically reviewed, shown, displayed, used for education, research or demonstrative purposes, or used in any fashion, except in the judicial proceedings in the above references action.
7. That no person shall be granted access to said copy, or the substance of any portion thereof unless that person has first signed an agreement in writing that he or she has received a copy of this order, that he or she submits to the Courts jurisdiction with respect to it and that he or she will be subject to the Court's contempt powers for any violation of it.
8. By entering into this Protective Order, the parties agree that the DCF records may offered as evidence pursuant to the business records exception as stated in K.S.A. 60-460(m), provided DCF delivers to the Court a business record affidavit from the custodian of said records along with a copy of the records as stated in paragraph 1 above.

9. The parties further agree that so long as DCF delivers the records and the business record affidavit to the Court, no representative from DCF shall be subpoenaed to appear to give oral testimony in this matter regarding such records or the contents thereof.
10. At the conclusion of this matter, including any appeals, the records shall be returned to DCF, postage pre-paid by the requesting party.
11. The records may not be produced until the reasonable costs of copying said records has been received by DCF. The costs shall be paid equally by the parties.

IT IS SO ORDERED

**IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
CIVIL DEPARTMENT**

IN THE MATTER OF:

Petitioner,

and

Respondent.

)
)
) **Case No.**
) **Division**
)
)
)
)

ORDER APPOINTING GUARDIAN AD LITEM/ATTORNEY

NOW ON THIS day of , 20 , it is ordered that SERENA A. HAWKINS, 753 State Avenue, Suite 101, Kansas City, KS 66101, 913-390-3895, a duly qualified practicing attorney in Wyandotte County, Kansas is hereby appointed at the Guardian Ad Litem/attorney for to appear for, represent, and defend (YOB) a minor child.

1. The Guardian *ad litem*/Attorney shall be served with copies of all pleadings and other papers filed herein. The Guardian Ad Litem/Attorney shall comply with all of the guidelines of the Kansas Supreme Court Administrative Order Number 110A.
2. Upon presentation of a certified copy of this Order to any agency, organization, person or office including the Clerk of this Court; any school personnel, any drug or alcohol treatment provider, any police department or other law enforcement agency, any pediatrician, psychologist, psychiatrist, hospital, mental health treatment facility or other medical or mental health care provider or any social worker or social welfare agency – the agency, organization, person or office to which the Order is presented may communicate orally or in writing with the Guardian ad Litem about any records or treatment relating to the minor children and/or the minor child’s parents, and the agency, organization, person or office aforementioned must permit the Guardian ad Litem to inspect and copy the records.
3. Pursuant to Kansas Supreme Court Rule 110A, the Guardian ad litem shall have ongoing contact with the child if the child is of an age that he/she may be

interviewed. The Guardian ad litem's contact with the child shall be at a time and place determined by the Guardian ad litem and may be out of the presence of the parents (school or daycare etc.).

4. The guardian ad Litem must keep confidential any information received from the agency, organization, person or office and may not disclose the information except in reports to the court or as otherwise permitted by the Revised Kansas Code for Care of Children, K.S.A. 38-2201 *et seq*
5. The Guardian *ad litem*/Attorney is hereby vested by the Court with all powers, privileges, and responsibilities necessary for the full and effective performance of the duties and obligations to the minor child as set forth in this Order.
6. The parties are directed to each provide an initial retainer of \$2000 by the _____^t day of _____, 20____ directly to Serena A. Hawkins. Serena A. Hawkins shall work at the hourly rate of \$200. Serena A. Hawkins will not commence working on the case until the funds have been received by both parties.
7. The Court reserves jurisdiction to assess additional reasonable fees and/or reallocate the payment of Guardian *ad litem*/Attorney fees in an equitable manner between the parties. The parties are jointly and severally responsible for any balance due to the Guardian *ad litem*.
8. The parties do not object to the Guardian *ad litem* communicating directly with the court and waive the presence of their attorney for such communication.
9. Any report prepared by the Guardian ad litem shall be filed under seal and delivered to the Court. Attorneys for the parties may review the report but shall not provide a copy of the same to the parties.
10. The Guardian *ad litem*'s appointment shall cease upon the presentation of her report to the Court. The Guardian *ad litem*'s appointment may continue to subsequent hearings after the filing of the report by express order of the Court. The parties may also come to an agreement regarding the Guardian ad litem's continued service and file said agreement with the Court. If after the Guardian

ad litem has been released from her appointment, the Court or the parties desire the Guardian *ad litem*'s continued service, an Order of Reappointment of Guardian ad litem shall be entered by the Court.

IT IS SO ORDERED.

SUBMITTED BY:



Serena A. Hawkins, #23655
The New Brotherhood Building
753 State Avenue, Suite 101
Kansas City, Kansas 66101
(913) 390-3895
Fax (913) 232-2855
serena@shawkinslaw.com
Guardian *ad litem*

APPROVED BY:

/s/ _____
#

Attorney for the Petitioner

/s/ _____
#

Attorney for the Respondent

**IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
CIVIL COURT DEPARTMENT**

In the Matter of:

and

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**Case No.
KSA Chapter 23
Division 10**

MOTION FOR INTERVIEW OF A CHILD IN CHAMBERS

Pursuant to KSA Chapter 23

COMES NOW, the Guardian *ad litem*, Serena Hawkins, and for her Motion for Interview of a Child in Chambers, she alleges and states as follows:

1. The minor child, _____ (YOB 2007), should be interviewed in chambers by the court pursuant to KSA 23-3209.
2. Much of the inquiry and the court's findings in this matter depend on the child's feelings and beliefs. Here, the minor child has strong and distinct opinions on the matter at issue.
3. The child is has several mental health diagnosis and has been exposed to considerable trauma. Testimony in open court would further traumatize him.

WHEREFORE, the Guardian *ad litem*, respectively requests the Court enter an order that the minor child, _____ should be interviewed in chambers by the court pursuant to KSA 23-3209.

Respectfully Submitted,



Serena A. Hawkins, #23655
753 State Avenue, Suite 101
Kansas City, Kansas 66101
(913) 390-3895
Guardian ad litem

**GAL CHILD WELL-BEING CHECKLIST:
QUESTIONS EVERY GAL SHOULD ASK ABOUT EACH CHILD
IN THE CHILD PROTECTION COURT SYSTEM**

PHYSICAL HEALTH

No Yes (Date: _____)

Has the child received a comprehensive health assessment since entering foster care? Last assessment date? Any follow up necessary?

No Yes (Date: _____)

Are the child's immunizations complete and up-to-date for his or her age? Last immunization date? Any follow up necessary?

No Yes (Date: _____)

Has the child received a hearing exam? Last exam date? Any follow up necessary?

No Yes (Date: _____)

Has the child received a vision exam? Last exam date? Any follow up necessary?

No Yes (Date: _____)

Has the child been screened for lead exposure? Last screening date? Any follow up necessary?

No Yes (Date: _____)

Has the child received regular dental services? Last check-up date? Any follow up necessary?

No Yes (Date: _____)

Has the child been screened for communicable diseases? Last screening date? Any follow up necessary?

No Yes (Where: _____)

Does the child have a "medical home" where he or she can receive coordinated, comprehensive, continuous health care?

No Yes (List: _____)

Does the child have any conditions or disabilities that require ongoing care? What conditions or disabilities? Any follow up necessary?

CHEMICAL HEALTH

No Yes (Date: _____)

Has the child received a chemical health assessment, if necessary? Assessment date? Any treatment or other follow up necessary?

No Yes (Date: _____)

Has the child been provided with substance abuse prevention information? Any follow up necessary?

DEVELOPMENTAL HEALTH

No Yes (Date: _____)

Has the child received a developmental evaluation by a provider with experience in child development? Last evaluation date? Any follow up necessary?

No Yes (Date: _____)

Is the child receiving early intervention services, such as speech therapy, family support, occupational therapy, education interventions? Any follow up necessary?

No Yes (Date: _____)

Is the child receiving comprehensive reproductive and/or sexual health information, if age appropriate? Any follow up necessary?

MENTAL HEALTH

No Yes (Date: _____)

Has the child received a mental health screening, assessment, or evaluation? Last screening date? Any follow up necessary?

No Yes (Where: _____)

Is the child receiving necessary infant, toddler, or youth mental health services? Any follow up necessary?

VISITATION NEEDS

No Yes (Describe: _____)

Has visitation with the mother and the father been established that is appropriate as to frequency, duration, location, and type (e.g., supervised or unsupervised)?

No Yes (Describe: _____)

Has visitation with the sibling(s) been established that is appropriate as to frequency, duration, location, and type?

EDUCATIONAL NEEDS

No Yes (Where: _____)

If the child is pre-school age, is the child enrolled in a high-quality early childhood education program?

No Yes

Is the early childhood pre-school program knowledgeable about the needs of children in the child welfare system? If not, what information is required?

No Yes (Date: _____)

Have the child's academic records been reviewed?

No Yes (Describe: _____)

Is the child doing well in school, including age appropriate comprehension of educational materials? Does the child need a tutor or other follow up?

No Yes (Describe: _____)

Does the child have any learning disabilities? Has an Individualized Education Plan (IEP) been established for the child, if necessary? Any follow up necessary?

No Yes (Describe: _____)

Are expenses for extracurricular activities, school trips, year book, and other education costs being paid for the child?

No Yes

Is the child considering dropping out of school? What can be done to avoid that?

No Yes

Is college preparatory information being provided to the child, if age appropriate? Any college tours, college applications, or other follow up necessary?

PLACEMENT

No Yes

If the child has been removed from home, is the child placed in the least restrictive, most family-like setting?

No Yes

If the child has been removed from home, is the child placed with relatives? If not, has a relative/kin search been completed?

No Yes

If the child has been removed from home, is the child placed in the most culturally-appropriate setting?

No Yes

Are all efforts being made to keep the child in one consistent placement? If not, what additional efforts can be made?

No Yes

Is the child placed with a caregiver who is knowledgeable about the social and emotional needs of infants, toddlers, and youth in out-of-home placements, especially children who have been exposed to abuse, neglect, or domestic violence?

No Yes

Does the caregiver have access to information and support related to the child's unique needs? If not, what follow up is necessary?

No Yes

Is the caregiver able to identify problem behaviors in the child and seek appropriate services? If not, what assistance/training is needed?

No Yes

Does this caregiver face any challenges or barriers that could impact his/her capacity to parent an infant, toddler, or youth? If yes, such challenges being appropriately and timely addressed?