

**Family Services (Part 3): Mental health evaluations, home studies, and drug and alcohol screenings**

Hi. If you are unable to reach an agreement over custody of your child, the court may order you to participate in assessments to help it better understand your family. I am here to talk with you about the different assessments they might order. These include mental health evaluations, home studies, and drug and alcohol screenings. They can be part of a broader custody evaluation, discussed in Part 2 of this series, or ordered on their own.

Let's talk about each type of assessment, starting with mental health evaluations.

**CHAPTER HEADING: MENTAL HEALTH EVALUATIONS**

Mental health evaluations are exactly what they sound like: an assessment of a person's mental health. The evaluation must be performed by a psychiatrist or a psychologist in order to be used in your case.

I know a lot of us struggle with depression, anxiety, and other mental health issues. Having one or more of these conditions does not mean you're a bad parent. The court will only order a mental health evaluation if there is concern about an undiagnosed or poorly managed condition that affects a parents' ability to act in their child's best interest. You should know that courts support parents who seek treatment and who can keep their kids safe, happy, and healthy. Please keep in mind, the court can also order a mental health evaluation of your child.

The evaluator will prepare a written report with their findings. You and the other party or parties will get to review it.

Let's move on to home studies.

**CHAPTER HEADING: HOME STUDIES**

Home studies are useful if there are concerns or questions about the safety or suitability of a child's physical surroundings or home environment. For example, the study could look at whether there is an appropriate space for a child to sleep. The person performing the study might look at environmental hazards in the household such as toxic mold or structural dangers. They may want to confirm who lives in the house and perform background checks on those people, even if they're not part of the case.

The evaluator will prepare a report which you and the other party or parties may review.

The last type of assessment we'll talk about is drug and alcohol screenings.

Maryland Judiciary

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### **CHAPTER HEADING: DRUG AND ALCOHOL SCREENINGS**

When there are concerns that a party is abusing drugs or alcohol in a way that affects their children, the court can order testing. This can be at random or at regular intervals and can take place at the courthouse or a private facility.

The purpose of the screening is to determine if drugs or alcohol affects a person's ability to parent. If you are struggling with addiction, please know that the court wants you to get the help and support you need. It looks favorably upon parents who get treatment.

Let's talk a bit about reports from the assessments.

### **CHAPTER HEADING: REPORTS FROM THE ASSESSMENTS**

The reports are confidential and can only be used in your case. If you and the other party or parties are unable to reach an agreement over custody of your child, the court will decide for you. Depending on your court, you'll meet with a judge, magistrate or court employee at a settlement conference. The conference is an opportunity to resolve your disagreement without going to trial. The person you meet with will have a copy of the report. If they are not able to help you reach an agreement, you go to trial. The report can end up as part of the trial in two ways – either all parties agree to release it to the trial judge OR one of you introduces the report as evidence. Talk to a lawyer about this.

The trial judge will review the report but is not bound by it. They will consider all the facts and circumstances then decide what custody arrangement is in the best interest of your child.

Now, Let's talk about Fees

### **CHAPTER HEADING: FEES**

There are costs associated with each type of assessment. The court typically splits the fee between the two parties. If cost is an issue, you may be eligible for a fee waiver. Talk to the court's Family Support Services Coordinator to see if you qualify.

We have covered a lot of material. I hope it has been helpful. Thanks for watching.