

Court-Ordered Evaluations

SUPPORT PROGRAM



A PROGRAM TO HELP EASE
THE COST OF COURT-ORDERED
EVALUATIONS



Public Legal Education
and Information Service
of New Brunswick

What is a court-ordered evaluation?

When separated parents don't agree on parenting arrangements, they may rely on the court to decide on decision-making responsibilities or parenting time based on the best interests of the child. To assist in making the decision, the court may order an evaluation of one parent, both parents and/or the children.

Evaluations are done by experts such as social workers, psychologists or psychiatrists and can be expensive.

The types of evaluations that the court may order can include any one or a combination of the following:

- Full evaluations to determine the “best interest of the child”.
- Child interviews (often called “voice of the child” interviews) to determine the wishes, needs and interests of the child.
- Focused evaluations to obtain specific information.
- Home studies to determine if the home and family environment can adequately meet the basic needs of the child.
- Parenting capacity assessments to verify the capacity of either parent to properly and effectively raise the child.
- Psychiatric evaluations in cases where there are concerns about disorders affecting the mind of the child or parent.
- Psychological assessments to determine intellectual levels and functioning, behaviours, and disorders of behaviour, emotions and thoughts of the child or parent.

Who does the evaluations?

Court-ordered evaluations are done by qualified experts such as social workers, psychologists, or psychiatrists. The expert must be qualified to assess any or all members of the family to obtain the information needed by the court. You and the other parent must agree on who is going to conduct the evaluation. You may want to discuss this with your lawyer.



Is assistance available to help with the cost of an evaluation?

Yes. To relieve some of the financial burden that a court-ordered evaluation places on families, the Department of Justice offers a federally funded program called the **Court-Ordered Evaluations Support Program**. The level of financial contribution is a flat rate and is based on the type of evaluation ordered which will be determined upon review of your court order.

Who can apply?

Parents residing in New Brunswick with a court-ordered evaluation filed with a court in New Brunswick may apply to C-OESP to receive a financial contribution towards their share of the cost of the evaluation. Parents must **each** apply separately and can only apply for assistance once per each court-ordered evaluation.

Am I eligible for this financial assistance?

You may apply to the Court-Ordered Evaluations Support Program to receive a financial contribution towards your share of the cost of the evaluation as soon as your New Brunswick court order is **signed by the Judge**. You have up to one-year from the date the evaluation was **completed** to apply, and you can only apply **once** per each court-ordered evaluation.



How much will I receive if I am eligible, and how does it work?

The program provides a **flat rate contribution** that may cover **all or part of your share** of the cost of the evaluation, depending on the type of evaluation that is ordered.

- After reviewing your application and determining your eligibility, we'll email you a financial contribution certificate with details about the amount that the program will contribute towards your share. If you are not eligible, the email will explain those details.

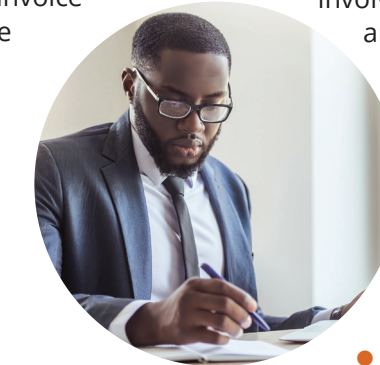
You are NOT ELIGIBLE if any of the following applies:

- You are **not** a resident of New Brunswick.
- A court outside New Brunswick ordered the evaluation.
- The Department of Social Development is involved in your family law case.
- You have already received financial assistance from the Court-Ordered Evaluations Support Program for the **same** court-ordered evaluation.
- The other parent is ordered to pay 100% of the evaluation costs.

Do I have to pay this money back?

No, you do not have to pay it back. Any financial contributions that you receive through the Court-Ordered Evaluations Support Program is provided by the Department of Justice and Public Safety with financial contributions by the Department of Justice Canada. It is meant to assist families experiencing separation and divorce.

- After you've arranged for an evaluator, forward them a copy of the financial contribution certificate and invoice template.
- Once the evaluation has been completed, the evaluator will send the invoice to the Department of Justice for the amount listed in the financial contribution certificate.
- The Department of Justice will pay the contribution amount to the evaluator **directly**.



What if there is still an amount owing to the evaluator?

After the evaluation is completed, the evaluator sends an invoice to the Department of Justice and Public Safety for the financial contribution amount shown on your certificate. If there is still an amount owing for your share of the cost, you are responsible to pay any remaining balance to the evaluator.

If the other parent named in the order does not apply to C-OESP, can I receive their share towards the evaluation or can I apply on their behalf?

No. Unless the court order specifies that you are required to pay **100%** of the evaluation, each party is considered responsible for an equal share of the cost of the evaluation and each party must apply for financial assistance through C-OESP for a contribution towards their share of the cost.

C-OESP does not get involved in how funds are distributed for the cost of the evaluation. A flat rate financial contribution will be paid directly to the evaluator.

Where can I find a qualified evaluator, will C-OESP refer one to me?

The Court-Ordered Evaluations Support Program does not arrange for evaluations, nor do we get involved in referring an evaluator to you. You are responsible for finding an evaluator and arranging for their services. You and the other parent must agree on who is going to conduct the evaluation. You may want to discuss this with your lawyer.

Here are some suggestions on finding a qualified evaluator:

- Ask your lawyer if they can recommend one.
- If you do not have a lawyer, check in the Yellow Pages under Marriage, Family and Individual Counsellors / Therapists.
- Contact the New Brunswick Association of Social Workers for a list of possible evaluators. Phone (toll-free): 1-877-495-5595 Web: www.nbasw-atsnb.ca
- Contact the College of Psychologists of New Brunswick for a list of possible evaluators. Phone: (506) 382-1994 Web: cpnb.ca

Be sure to ask the prospective evaluator if they are qualified to do the specific type of evaluation your court order requires.

How to contact us:

- 📞 Toll-free: **1-844-673-4499**
- ✉ Email: **COESP@gnb.ca**



How to apply:



Complete the online **C-OESP Application Form** and answer all of the questions in full

OR

Go to one of the **Court Services locations** and fill out the C-OESP Application Form and mail a copy to:


C-OESP
PO Box 6000, 2nd Floor Chancery Place
Fredericton NB E3B 5H1

If we are unable to locate a copy of your court-ordered evaluation in your court file, we will get in touch with you and request that you email a copy of the signed court order to us at COESP@gnb.ca. This will result in delays in processing your application.



Remember, unless the court order specifies that you are required to pay **100%** of the evaluation, **each party** is considered responsible for an equal share of the cost of the evaluation and **each party** must apply to C-OESP for a financial contribution towards their share of the cost.

Published by:

 **Public Legal Education
and Information Service
of New Brunswick**

P.O. Box 6000
Fredericton, NB E3B 5H1

Published in collaboration with:

 **Department of Justice**

P.O. Box 6000
Fredericton, NB E3B 5H1
Email: COESP@gnb.ca