

Life-Saving Divorce Download for Preparing for a Parenting Plan (Child Custody) Evaluation

These follow-up tips go with the educational video on the 10 basics of child custody evaluations and common questions. This was not reviewed by an attorney or mental health professional. It is not legal or mental health advice. Please consult with an attorney or legal expert who knows your judge and the laws and precedents in your county or state.

What's in this download:

1. What **FACTS** Parenting Plan Evaluators (PPEs) seek to gather from each parent.
2. What are the **professional standards** for PPEs?
3. Checklist to prepare your home for a PPE **home visit**.
4. How to reduce the risk, or defend yourself from allegations of **alienation**.
5. How to reduce the risk, or defend yourself from allegations of **enmeshment**.
6. How to reduce the risk, or defend yourself from allegations of **gatekeeping**.
7. **Co-Parenting apps** to protect yourself from a lying, aggressive or stonewalling ex-spouse.
8. **Child discipline** during a PPE evaluation.
9. How to **educate your judge**, attorney, guardian ad litem (GAL), or PPE.
10. Resources: coaching, books, videos
11. What to do if you find **CSAM - child sexual abuse material**.
12. Links to a **first-person story** of a protective mother and another first-person story by a protective father

GENERAL TIPS AND COMMENTS

Even if you are a perfect parent, the evaluator is required to say something negative about you. Don't be surprised or upset by this (if it is minor, such as reporting that you are a "anxious and neurotic" parent.) They are required to give some pros and cons about both parents.

How to discipline your children during a custody battle. If you are facing accusations of "alienation" or your ex has started alienating the children *against you*, do not discipline them the way you would normally. See article by this expert: <https://lifesavingdivorce.com/12-tips-kids>

Familiarize yourself with the concept of alienation so you can protect yourself from accusations. Here's a very basic short overview:

<https://www.highconflictededucationandresources.com/parental-alienation>

Order an **“Educate Your Judge” packet** to be sent to the judge, your attorney, the guardian ad litem, or custody evaluator in the case. It will be sent anonymously without any connection to your case. The return address simply says High Conflict Education and Resources.

<https://www.highconflictededucationandresources.com/educate-your-judge>

CSAM - Child Sexual Abuse Material: Report this to the Center for Missing and Endangered Children, or walk any discovered evidence into your nearest FBI office, *preferably before filing for divorce*. Don't send images to your attorney or YOU may be accused of electronically transferring illegal images to others. Don't delete potentially criminal evidence, because (a) you can be accused of destroying evidence and obstructing an investigation, and (b) you may be inhibiting your own future safety due to lack of evidence. Here is the Center for Missing and Endangered Children Cyber Tip line: <https://report.cybertip.org/>

Co-Parenting Apps: One of the co-parenting communication apps mentioned in the AFCC training is the new, but somewhat pricey Civil Communicator app (<https://www.civilcommunicator.com/> — about \$400 per parent per year). If you have the resources, it can be worthwhile because it is monitored live by human beings who call balls and strikes and will document the other parent's (and your) poor co-parenting communication and include it in downloadable reports. The old favorite is OurFamilyWizard (about \$150 per year per parent) and other lower-priced options are AppClose (free, but not mentioned in the AFCC training) and Talking Parents (free for web use; mobile app is free for first month and \$9.99 thereafter). Our Family Wizard also has free annual scholarships for parents who are receiving legal aid, income-based free healthcare, or whose children are under state Medicaid coverage.

Representing yourself in Court. Tips near the bottom of this post, including links to the American Bar Association free lawyer consultations (3 consultations per year max, last I checked). <https://lifesavingdivorce.com/divorcelaws>

Know The Court's Standards: “Best Interests of the Child”

Show the evaluator that you are a first-rate parent. Do an online search to know how YOUR state

or county defines “the best interest of the child.” These lists will give ideas on how to position yourself as the best parent possible.

Search: “best interests of the child” in _____ County, State, court

For example, search for: “best interests of the child” in Orange County, CA, court

Good Books on Knowing When to Respond to a Hostile Message, Including Model Responses

The Narc Decoder, [by Tina Swithin](#) and [Divorcing a Narcissist](#)

When your ex-spouse attacks you with insinuations, false accusations, and threats during the divorce process, this book will help you decide how to respond. Using real-life correspondence and a touch of humor, the author helps you see past the words, and look at the underlying message, then decide how to respond in a way that will help you in divorce court.

How to avoid appearing to be “enmeshed” with your children.

Be aware of the bias that says that single mothers are often enmeshed with their children and so the child senses they must be loyal only to the favored parent and reject the other.

A few ideas to help head off “enmeshment” accusations

—Call the children “the children,” or “our children,” NOT “my children.”

—If your children genuinely love the other parent, say so.

—You have your own hobbies, passion, and sense of purpose in life in addition to child raising.

—You have close friends (and possibly a therapist) with whom you can share your worries, anxiety, and anger. You shield the children from your frustration and upset. You don’t express anger in front of them.

—You don’t discuss the reason for the divorce with your children. (You can say there were serious reasons for the divorce, and you will tell them when they are in their

majority, age 18 in most states.)

—You supervise your child through their schoolwork, but don't do it for them. You are not seen by teachers and administrators as a "helicopter parent," always criticizing the teacher if your child performs poorly.

—Show that you get your sense of identity from your own purpose in life. Your self-worth isn't based on your child's positive traits or accomplishments.

—If your children are adolescents, you don't insist that they check in with you constantly.

—You don't impose your agenda on them when they come for advice.

—If you have a teen daughter, you don't insist on knowing everything about her friends. If she's dating, you don't communicate with her boyfriend. Although keeping tabs on your children might seem like good parenting, for the purpose of the custody evaluation, it may go against you.

If You've Already Been Accused Of "Enmeshment" In Court

—During the parenting time exchange, don't shed tears and tell your children, "I will miss you" in front of the other parent or have a prolonged good-bye routine. This opens you up to enmeshment claims. Just give a quick kiss and wave and off they go.

—If you are not being accused of "enmeshment" I would typically not send photos, Mother's/Father's Day cards, or Christmas gifts to the other parent. But if you are being accused of enmeshment, it looks good to the court if you do these things (signed by the kids).

—You may want to look like a saint for coparenting with such an awful person.

How to avoid being considered a "unjustified restrictive gatekeeper," who is keeping the children from the other parent as a power-play.

This list is from Table 3 of “Identifying gate opening and gate closing behaviors” by William Austin and Linda Fieldstone and Marsha Klein Pruitt. doi:10.1080/15379418.2013.778693

<https://www.bothonce.com/10.1080/15379418.2013.778693>

To avoid accusations of gatekeeping, consider

--Having photographs of the other parent in view of or easily accessible to the child (unless the child is a victim of domestic violence).

--Praising gifts and cards given to child by other parent; having child send birthday and Mother’s/Father’s Day card to other parent; having joint birthday parties for child

--Telling child that there are no secrets between parents. In other words, don’t ask child to keep secrets from the other parent.

--Ensuring child knows that parents communicate about important matters jointly; refraining from using child as messenger or detective

--Praising the other parent to the child

--Protecting child from disagreements and parental discord; minimizing parental contact at transfer times; hiding adult information; demonstrating healthy resolution of disagreements

--Protecting child from monetary issues between parents. Don’t use child as a conduit or messenger between parents; asking child for personal information about other parent

--Allowing and actively supporting communication between other parent and child

--Allowing privacy during calls, texts and emails between other parent and child

--Encouraging child to initiate calls to other parent.

SECTION A:

WHAT KINDS OF QUESTIONS MIGHT BE ASKED IN A PARENTING PLAN EVALUATION?

These evaluations are not confidential. The information you give will be shared with the other parent, with the court, and with the attorneys. This list comes from the AFCC. Notes in italics are added.

You can expect information to be gathered from numerous people:

Interviews with Parents – *ask what documents to bring.*

Interviews with Children – *don't coach your children*

Observation of the child(ren) and each parent interacting

Home Visit

Psychological Testing

Collateral Contacts (these are witnesses: physicians, school teachers, law enforcement, are usually highest quality; next tier down is coaches and clergy).

NOTE: The opinions of child therapists who cooperate with the evaluation are often disregarded as being biased due to friendship and financial interest. Expect a friendly therapist to refuse to talk with an evaluator unless there's a subpoena. Responding only to a subpoena lends credibility when they finally testify in your favor.

Collateral Records (criminal history, background checks)

NOTE: Be sure to document every interaction with the evaluator or guardian ad litem, including what was disclosed, what was advised, and any questions or concerns you're left with after the fact. Keep every email, every text, and every instruction they provide — for the duration of your case. If you need help figuring out how to start a case binder to document these things (as well as the rest of your case info) check out WILD's evidence organization system here:

www.wildernesstowild.com/binder

Information Gathered from Parent Interviews

- History of relationship
- Account of when and how difficulties began, were disclosed, detected, or referred (include relationship history, history of domestic violence)
- Family history including psychiatric disturbance, substance abuse, antisocial behavior, relevant medical problems
- Educational, employment history

- Legal History
- Medical and Psychiatric History
- Substance Use History
- Relationship with children
- Caretaking routines and history
- Placements of children
- Significant caretakers/grandparents, other relatives, childcare
- History of Traumatic events, e.g. witnessing violence, abuse, neglect, losses
- Own strengths and weaknesses as a parent
- Other parent's strengths and weaknesses
- Discipline/child management practices
- Concerns about other parent
- Conflicts with other parent
- Description of the children including developmental history, educational, medical, mental health history
- Special needs from developmental history (prenatal substance exposure, perinatal trauma, stability of attachments, exposure to family conflict, violence, physical or sexual abuse, neglect)
- Children's strengths and needs
- Relationship with family of origin and partner's family
- Presence of new relationship/partner, with or without children

Information gathered from interviews with children

- Understanding of why they are being evaluated
- Warning of non-confidentiality
- Information about school, friends, siblings, pets, activities (if pet how did you get it, name it)
- Family structure and who lives in each house

- Understanding of why their parents don't live together or of their current placement
- Daily routines (in each house)
- Parental preferences at transition times, play dates
- Understanding of their parent's or the grown-up's concerns
- Exposures to violence, abuse, neglect, losses
- Information about who they talk to when sick, scared, worried, mad, excited, proud
- Perception of each parent
- Likes and dislikes about each parent (often asked as what do they like to do, what don't they like to do with each parent)
- What like best about mom's house/dad's house
- Perceptions of a parent's new partner/relationship and children (if exists)
- Information about a schedule that they believe works for them (depending on age)
- What would make things better?
- Specific evaluation for physical abuse or sexual abuse if ordered
- Did anyone tell you anything that they want to be sure I know? (For older kids- is there anything someone wants to be certain I understand?)

Observation of children and each parent together

- Structured activity to assess mild to moderate degree of stress
- Looking for: emotions expressed in family, examples of behavioral control, management or conflict
- Positive parenting behaviors including attunement to child's emotions,
- parent teaching, positive reinforcement, age-appropriate language and
- expectations, reciprocity in parent-child interactions

Collateral Information (record review and telephone)

- Collateral contacts must be warned about non-confidentiality
- School
- Pediatrician, hospital, other doctors

- Therapists (child therapist only after privilege is waived)
- Other evaluations
- Police
- Court
- Social Service
- Other caregivers
- CORI - Criminal Offender Record Information

Summary

- Follows logically from findings
- Does not include any impressions not supported by data
- Focus is on responding to referral questions
- Summary of parent strengths and weaknesses including psychological functioning,
- Summary of children's functioning in all areas and any identified
- special needs
- Description of quality of relationship between each parent and child,
- Including temperament and goodness of fit.
- Quality of relationship between siblings
- Relationship between the parents and ability to communicate and under what circumstances
- Each parent's initiative vs. resistance and/or interference promoting healthy relationship for children with other parent

Clinical Opinion

- Presentation of data which support or disconfirm allegations and
- concerns in the form of hypotheses
- Each parent's ability to meet the needs of the children (parenting
- capacities matched with child needs and parent-child relationship)

- If question of abuse/neglect summarize facts, harm child suffered,
- parent capacity to provide adequate care and protection, and
- prognosis for safety and remediation

Recommendations

- Parenting Plan/access arrangements: consider strength of relationship between parent and child; child's developmental status, temperament, special needs, sibling relationships, distance between homes, and real availability of parents relative to work, historical involvement and other commitments.
- Specific treatment or other services: who, what, where, for what
- Supported with research on child development, interparental contact and attachment
- Focused, practical, and specific

SECTION B:

HIGH-CONFLICT CUSTODY COACHES

Here are just a few who offer books, videos, and one-on-one help with custody evaluations (aka parenting plan evaluations) and mediation with high-conflict, deceptive ex-spouses.

1. **Sarah McDugal | Wilderness to WILD™** has a full suite of tools to survive post-separation abuse and prep for family court with a high-conflict case, including: books, strategy guides, workbooks, checklists, how to find a great attorney, ready-to-go system to organize and document your evidence for court, and 1:1 strategy coaching services.

www.wildernesstoWILD.com/court

FB: www.facebook.com/sarahmcdugalauthor

YT: www.youtube.com/sarahmcdugal

IG: www.instagram.com/sarahmcdugal

2. **Tina Swithin, One Mom's Battle**, has books, a Facebook group, and coaching services. Her books and courses offer tactics.

Tina's online courses: <https://www.onemomsbattle.com/onlinecourses/>

Tina's [blog](https://www.onemomsbattle.com/blog), www.onemomsbattle.com.

Tina's private groups <https://www.onemomsbattle.com/omb-private-chapters>

Tina's YouTube:

https://www.youtube.com/channel/UCI4AhUPJiUSU_wqtSqRoaOw

Facebook: <https://www.facebook.com/onemomsbattle/>

3. **Coach Tom | Banner Institute** high conflict and post-separation abuse 1:1 strategic coaching to get the most out of your attorney and stay one step ahead of your deceptive, manipulative ex-spouse.

www.bannersolutions.net

4. **Kaitlyn Jorgensen | The Family Court Strategist™**

Instagram: <https://www.instagram.com/kaitlyn.jorgensen/>

Web: <https://kaitlynjorgensen.gumroad.com/>

5. **List of High-Conflict Divorce Coaches**

<https://www.hcdivorcecoach.com/coach>

SECTION C

How to Get Ready for a PPE Home Visit:

Checklist for your Home

Parenting Plan Evaluators are likely to visit or do a virtual tour of your home. Ask a friend to walk through a few weeks in advance and start working on problem areas.

HOME INSPECTION BASICS (check your state for a full list)

- ☐ Are you and the children wearing clothes that are clean and appropriate (the type of clothing that would meet public school guidelines)? Chose clothes to wear in advance of all contacts with the PPE.
- ☐ Cleanliness? Are the dishes and counters clean? Are toilets clean and functional? Has the trash been taken out? It doesn't have to be picture-perfect, but it should show some effort.
- ☐ Remove clutter and tripping hazards, such as rugs, toys, and bulky or slippery items.
- ☐ No pet feces or evidence of rodent infestation.

- ☐ Functioning smoke alarms and O2 detectors (if required).
- ☐ Are knives and box cutters, and other sharp objects such as needles, syringes, and razor blades put out of reach or locked up?
- ☐ Safeguard flammables: matches, candles, kerosene, blow torches.
- ☐ Are any windows or mirrors broken?
- ☐ Is wiring frayed or exposed? Are any power tools within reach?
- ☐ Childproofed according to your children's age. For young children, covers on electrical outlets, locks on cupboards. Move detergent, paints, batteries, solvents, household chemicals, and cleaning supplies out of reach.
- ☐ Bunk beds: top bunk suitable only for children over 6 years old.
- ☐ Are medications and alcohol safeguarded and out of reach?
- ☐ Are there any illicit drugs, or unsecured weapons or firearms?
- ☐ Enough healthy food. No moldy or rotten food in the house.
- ☐ Healthy food is readily available to the child.
- ☐ Child's medications in pill organizer, not administered from the bottle.
- ☐ Home and play area should be free from dangerous objects.
- ☐ Children of opposite sex must sleep in separate bedrooms at age 5 or older.
- ☐ Safeguard or remove anything that is a choking hazard for small children: plastic bags, long cords on window coverings, small toys.
- ☐ Is swimming pool enclosed or fenced in some manner?
- ☐ If close to a road, is there a fence in the yard to protect young children?
- ☐ Safety gates at the top and bottom of stairs.

SECTION D

STANDARDS FOR PARENTING PLAN EVALUATIONS (Child Custody Evaluations) AND FORENSIC EVALUATIONS

There are several organizations that train evaluators.

ASSOCIATION OF FAMILY AND CONCILIATION COURTS (AFCC)

- AFCC Guidelines for Parenting Plan Evaluations in Family Law Cases (2022)
https://www.afccnet.org/Portals/0/PDF/2022%20Guidelines%20for%20Parenting%20Plan%20Evaluations%20in%20Family%20Law%20Cases1.pdf?ver=u1r1w6hGs2QTJz2Hf_iLoQ%3d%3d
- AFCC Model Standards of Practice for Child Custody Evaluation
https://www.afccnet.org/Portals/0/PDF/ModelStdsChildCustodyEvalSept2006.pdf?ver=ZizJYvIj4mGvR_4ANWIF5A%3d%3d
- AFCC Guidelines for Examining Intimate Partner Violence
[https://www.afccnet.org/Portals/0/PDF/Guidelines%20for%20Examining%20Intimate%20Partner%20Violence%20\(1\).pdf?ver=UEMamlbgkRzYKAS4tPBjFQ%3d%3d](https://www.afccnet.org/Portals/0/PDF/Guidelines%20for%20Examining%20Intimate%20Partner%20Violence%20(1).pdf?ver=UEMamlbgkRzYKAS4tPBjFQ%3d%3d)
- AFCC Guidelines for the Use of Social Science Research in Family Law (2018)
[https://www.afccnet.org/Portals/0/PDF/AFCC%20Guidelines%20for%20the%20Use%20of%20Social%20Science%20Research%20in%20Family%20Law%20\(1\).pdf?ver=GO_nGCdSk6NYfKFiCGGkpg%3d%3d](https://www.afccnet.org/Portals/0/PDF/AFCC%20Guidelines%20for%20the%20Use%20of%20Social%20Science%20Research%20in%20Family%20Law%20(1).pdf?ver=GO_nGCdSk6NYfKFiCGGkpg%3d%3d)
- AFCC (Association of Family and Conciliation Courts) Guidelines (various topics):
<https://www.afccnet.org/Resource-Center/Practice-Guidelines>
- AFCC Guidelines for Parenting Coordinators
<https://www.afccnet.org/Portals/0/PDF/Guidelines%20for%20PC%20with%20Appendex.pdf?ver=9S5CMHIJ2yCLtqvt2lXX3g%3d%3d>

AMERICAN PSYCHOLOGICAL ASSOCIATION (APA)

- APA Guidelines for Child Custody Evaluations in Family Law Proceedings
<https://www.apa.org/about/policy/child-custody-evaluations.pdf>
- APA Ethical Principles of Psychologists and Code of Conduct (2010, 2016) -
<https://www.apa.org/ethics/code>
- APA (American Psychological Association) Guidelines for Child Custody
<https://www.apa.org/practice/guidelines/child-custody>

- APA Specialty Guidelines for Forensic Psychology (SGFP) (2010) - <https://www.apa.org/practice/guidelines/forensic-psychology>

AMERICAN ACADEMY OF MATRIMONIAL LAWYERS

- AAML CHILD CUSTODY EVALUATION STANDARDS https://aaml.org/wp-content/uploads/MAT201_3.pdf
- AAML Comparison of AFCC and APA Standards: The AAML Child Custody Evaluation Standards: Bridging Two Worlds. https://aaml.org/wp-content/uploads/MAT202_1_1.pdf

SECTION E

Some case studies or examples of a fit, protective father or mother who has done this well, in the face of a destructive or dangerous ex-spouse

- A MOTHER’S STORY: Tina Swithin tells her story publicly. She was genuinely afraid for her children’s lives and safety when they were with their father. It was a 10-year battle to document how her ex’s actions were negatively affecting the children and hampered cooperative coparenting. Eventually the court terminated the father’s parental rights. <https://youtu.be/LtdxGk7lfSo?si=7JiC3uCaPN7zHATt>
- A FATHER’S STORY: 2 hr 40 min audio interview telling the full story of a fit protective father, David, with a highly destructive ex-wife who after filing for divorce abducted the children, fled to another state, alienated them against their dad, and ticked off the judge. Notice how David refuses to badmouth his ex-wife. Whenever speaking about his ex-wife in her parenting role, he always portrays her as being “a very good mother to small children.” The ex-wife eventually cooperated with the court after many incidents of bad behavior, and I don’t believe his ex-wife’s parental rights were terminated.
 - Part 1: https://youtu.be/23NBi6GKqUA?si=kVS_8q7N2_vFnY-5
 - Part 2: <https://youtu.be/OVCex0FkO7g?si=DudAHkN0xENIL8V0>