



Q & A

Family Justice Services Division's Family Justice Report Service

Q. What is the Family Justice Report Service?

A. The Family Justice Report Service is available through the Ministry of Justice, Family Justice Services Division. Through the Service, Family Justice Counsellors are ordered by the court under the authority of section 211 of the *Family Law Act*, to prepare written reports that assist judges to make decisions on guardianship, parental responsibilities, parenting time and contact. These reports provide objective information to the court about your child and their family relationships. Through this assessment and report process, you may be able to resolve your issues, meeting the best interests of your child, and not requiring further assistance from court.

Q. Who prepares the reports?

A. Reports are written by Family Justice Counsellors with specialized training in preparing these s.211 reports. Each report is reviewed by the local manager of the Family Justice Report Service before it is submitted to court to ensure that all policy, standards and legislative considerations has been followed.

Q. What types of reports are available?

A. **S. 211 Views of the Child Report** – these reports focus on gathering the child's views, opinions, wishes and concerns and presenting them to the court in a manner that honours the child's own voice. Most of the Family Justice Counsellor's time will be spent speaking directly to the child, although there will be a brief discussion with the parent/party to explain the process and schedule an interview with the child. And, in the case of a younger child, the Family Justice Counsellor will also ask the child's parents to describe their family situation.

S.211 Full Report – The Family Justice Counsellor usually meets in-person with each parent/party and the child(ren) to discuss the current situation, each person's perspective and their position regarding future parenting arrangements. If the Family Justice Counsellor determines it is necessary, they may also speak to other personal or professional references. The Family Justice Counsellor prepares the report in a manner that offers objective information to the court about the child within the context of their family relationships. In most cases, the report will include a summary and recommendations that are developed within the framework of the best interests of the child and each parent's ability to meet those interests.

In some cases, the matter before the court will be focused on very specific issues, rather than including all issues related to guardianship, parenting arrangements and contact. In these situations, the Family Justice Counsellor will also focus on the specific issues, and will tailor the report accordingly.

Split Report – There are situations where one parent/party resides outside British Columbia. In these cases, responsibility for preparing the report is split between a Family Justice Counsellor in British Columbia and another professional in the jurisdiction where the other parent/party lives. In these cases, the Family Justice Counsellor will interview the parent/party who lives here, as well as the child(ren). If the child(ren) live in the other jurisdiction, the Family Justice Counsellor will try to meet with them with the non-resident parent. The report will be similar to that described above, however because the Family Justice Counsellor does not interview both parents/parties, it may not include recommendations.

Updated Report – Sometimes, there will have been significant changes in circumstances between the

completion of the report and the parties' return to court. In these cases, the information and recommendations within the report may be out-dated and inaccurate. The court may order an updated report. The Family Justice Counsellor will focus on changes in the family's situation since the original report was prepared, and the impact of those changes on the recommendations.

Q. How are families referred to the Family Justice Report Service?

A. The only way to be referred to the service is by court order. Once the Family Justice Report Service receives **both** a copy of the court order and the referral form from the court registry, the report will be waitlisted for assignment to a Family Justice Counsellor.

Q. What is the report-writing process with a s.211 full report?

A. Once a report has been assigned to a Family Justice Counsellor, they will begin gathering the information they require to prepare it. The specific process will depend on the type of report that is being prepared, but may include in-person interviews with the individual parties and the child(ren). These may take place in an office, and may also include home visits to observe the family/child in their home environments. At the Family Justice Counsellor's discretion, they may also speak to other personal or professional references (i.e. teacher, social worker, health worker). These conversations are usually conducted by telephone.

The Family Justice Counsellor uses the information obtained during conversations with the parents/parties, the child(ren) and any references that were contacted to set out in a neutral and objective manner the information that is required by the specific report type. If it is a feature of the report type, the Family Justice Counsellor will also articulate recommendations that take into account the best interests of the child and each parent's ability to meet those interests.

Once the interview process is complete, the Family Justice Counsellor prepares the written report. Before submitting the report to the court, the Family Justice Counsellor will discuss the contents of the report and any recommendations with you. Copies of the report are sent to each party as well as the court. In some cases, the report assists the parties to settle their issues without having to return to court. However, if this is not possible, the judge will consider the report and its recommendations before making a final decision. It is important to remember that it is the judge who makes the final decision if the matter returns to court.

Q. What if there are questions or disagreements about the report after it is completed?

A. Before submitting the report to the court, the Family Justice Counsellor will discuss the contents of the report and any recommendations with you. If you feel there is inaccurate information contained within the report, you should explain this to the Family Justice Counsellor at that time. However, if you disagree with the recommendations or have other issues with the report, this is best addressed before the court. If either party would like the Family Justice Counsellor to speak to the report at a court hearing, they may subpoena the Family Justice Counsellor as set out in Provincial Court (Family) Rule 11(2), or Supreme Court Family Rule 13-1.

Q. What does this service cost?

A. This service is publicly-funded and there is no charge to clients.