



Hear the Child Report Information Sheet

Kids talk;
we listen

The *Family Law Act* states that when determining the best interests of a child the parties and the court must consider the child's views unless it would be inappropriate to consider them. One way to obtain a child or youth's views is to obtain a Hear the Child Report ('HTC Report').

An HTC Report is a **non-evaluative, verbatim** report on the views of the child on issues related to family transition or family breakdown for the purpose of having the views of the child or youth considered when decisions are made about their best interest. The child has control over what is included in the report and nothing is put in the report without the child's permission. An HTC Report does not contain any recommendations or evaluations, nor does it state the opinions or assessment of the Interviewer.

The report can be done by 'Agreement' between the guardians and the interviewer, by a consent order or by a judicial court order. When the HTC Report is by 'Agreement' I require all guardians to sign the 'Agreement for a Hear the Child Interview' and return it to me.

Prior to the interview, I may speak with each parent's legal counsel (if involved) to get the background on why a report is being requested and to get some very basic background on the issues in dispute. I may ask for copies of any relevant court orders or documents before the court.

I also ask each parent, through the intake questionnaire, to identify the issues or questions each parent wishes to be discussed with the child. While I may ask both parents to provide me with some general background I do not go into any great detail with either parent on the issues before the court or issues being addressed in mediation.

I have two interviews with the child; the first is about an hour and a half; the second one may be shorter. Neither parent will be in the room with the child during the interview if it is done in person. If the interviews are completed using web-based platforms, parents must guarantee the child's privacy. I work with parents and/or legal counsel to determine the dates and times for the interviews and to establish a date by which the report is due.

Transportation of the child to and from the interviews is to be shared between the parents, wherever possible. Virtual interviews should be scheduled in alternate homes whenever possible. Legal counsel, if involved, or a mutually agreed-to third party, may be asked to participate in making the transportation arrangements.

Here are some key points about the interview:

- Most importantly, I work through the lens of the child and their view on parenting arrangements, not through the lens of the parents' dispute

- Children are not decision-makers; the report is being prepared to help their parents, guardians, legal counsel and judges make decisions about their parenting arrangements. “Kids have a voice not a choice.”
- Your child is in charge of whether and how they respond to my questions
- All responses will be reviewed with them; it is their decision about what gets included in my report
- The information is to help parents make the decisions about their child(ren)’s living arrangements or other key parenting issues
- I make detailed notes of what the child is saying
- The interview is NOT evaluative—I am not making any assessments or recommendations. I am simply reporting on what the child is saying.
- There must be no coaching of the child as to what they say to me; nor should there to be any questioning of the child once the interview is completed, or once the report is received
- The child is to be prepared for the interview by telling them it is their opportunity to share their views on their living arrangements or the other identified issues; as parents, you should voice your support for speaking with me honestly and openly.
- If there are child protection concerns, by law I have to report them.

While each interview is tailored specifically to the needs of each child, the questions typically fall into three basic categories:

- Some general questions on how things are going for them now that their parents live in separate houses
- Specific questions about time spent with each parent
- Questions about future parenting arrangements or the identified questions to be answered

As Interviewer, I will be paid in advance the sum of \$1000 for one child, \$1500 for two children and \$500 for each additional child (plus applicable taxes) for all work performed including meeting with your child(ren), reporting on their views and distributing the Hear the Child Report. This is based on 5 hours work at \$200 per hour. Any additional time or incurred expenses such as travel expenses are extra. On rare occasions, additional time is necessary. Outstanding invoices must be paid prior to the HTC report being released.

If a party or the parties require that I attend court, the party(ies) will make separate, advance fee arrangements with my office at standard rates posted for court work.

More information is available at our website: hearthechild.ca.

YouTube video available: youtu.be/AD_qzix9gp8

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