Voice of the Child Report Order

20\*\* No.

[Insert Name of Court]

Between:

[NAME] [Applicant]

-and -

[NAME] [Respondent]

**Voice of the Child Report Order**

Before [insert Her/His Honour Judge/the Honourable Justice]:

This proceeding is before this honourable court for determination of [insert description of circumstances];

The parties have the following [child/children]:

[Insert name and date of birth];

Proof of service of the [notice/application] has been established and the evidence presented by [affidavit/testimony/affidavit and testimony] has been considered;

[On the judge’s own motion] or [On motion of name of moving party, parties, or counsel], a Voice of the Child Report has been requested in order to obtain the views and preferences of [insert child or children];

The court has determined that in these circumstances it is appropriate and in the best interest of [insert name of child/children] to obtain a Voice of the Child Report [and the party/parties also consent to this order];

Accordingly, pursuant to [section 19 of the Parenting and Support Act, or section 32F of the Judicature Act or under the court’s inherent parens patriae jurisdiction] a Voice of the Child Report shall be obtained pursuant to the terms and conditions set out herein:

The appropriate contribution of each party pursuant to the Regulations made under the *Costs and Fees Act*, [or other finding as to payment as the judge directs] shall be dealt with under a separate order of this court.

**Now upon Motion it is ordered:**

1. A Voice of the Child Report is hereby ordered. The report shall be completed and filed with the court on or before [insert date.] The purpose of the report is to obtain the views and preferences of [the child/children] respecting [the insert particulars parenting arrangements/custody/access/];

2. The report shall be prepared in accordance with the **Voice of the Child Report Guidelines.** These guidelines are available at <http://www.nsfamilylaw.ca/other/assessments-VCR/VCR/VCRGuidelines>; or the assessor may request a copy from [insert contact person at court];

3. The assessor shall not have access to or be provided any materials maintained by the court unless the court approves otherwise.

4. [Optional] The assessor is to be provided with a copy of the filed Parenting Statements of each party [and/or] each party must complete and exchange the Parenting Proposal Form attached hereto as Appendix 1. The purpose of this form is to provide the assessor a brief description of the competing proposals in advance of conducting any interviews. The forms are to be filed with the court and exchanged by the parties within [7] days from the date this order is issued.

5. [Optional] The assessor is authorized to contact the following collaterals [insert] for the purpose of completing the assessment.

6. The assessor shall provide the report directly to the court. Upon filing the report, the assessor should address any concerns with the report being made available to the parties or the child. Subject to any distribution directions from the court, the court officer will provide copies of the report to the parties or their counsel and confirm any outstanding costs owed by either party.

7. The report will not be provided to the child unless authorized by the court. The court may direct whether, how, or what information may be supplied to the child about the contents of the report.

8. The parties must cooperate in a timely way with all reasonable requests made by the assessor and court officer in relation to the preparation of this report.

9. The appointment of the assessor and collection of fees falls under the Nova Scotia Court Services’ *Policy and Procedure for the Preparation of Court-ordered Assessments*.

10. [When no contribution is required by the parties] The report shall be prepared at the expense of the Department of Justice [specify either that the determination was made in accordance with s. 20 e of the Regulations due to serious financial hardship, or as a result of the parties’ incomes being below the threshold for payment set out in the Regulations.]

OR

10. [When contribution is required by the parties] The manner in which the parties must contribute to the cost of this report shall be addressed by separate order of this court. [Note: The court may choose to include the deposit and costs contribution provisions in this order. See sample Order A.3]

Issued at [place] on [date].

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Court Officer