

## **HOW TO CONDUCT AN INVESTIGATION**

*by Holli-Sager-Sinclair*

1. Initial telephone contact with attorneys for parties
  - a. Identify issues to address in investigation
  - b. Identify parties' addresses, telephone numbers, where children are living, current visitation schedule, parties' work schedules
2. If no attorneys, initial telephone contact with parties with follow-up letter
  - a. Introductions, schedule initial appointments with parties at their homes for a time when the children won't be home
  - b. Explain guardian's role in the process, clarify expectations, explain the process of a guardian's investigation
3. Meet with the parties individually, ideally in their home. This tends to be the most lengthy discussion with either parent over the course of the investigation
  - a. Use interview sheet to identify issues
  - b. Gather historical information about the family
  - c. Offer some general information on the effects of divorce on children and how to help the children deal with the repercussions
4. Meet with the children in both homes (spending part of the time observing the parent interact with the children and part of the time talking to the children privately—speaking to each of the children separately depends on their comfort level, age, sibling dominance, etc.)
  - a. Try to meet with the children at least twice. The first meeting is generally spent trying to establish a trusting relationship. Explore their interests (always a great way to get kids to open up) and share yours while playing, walking, etc. The initial meeting with the children rarely involves a sit-down interview; record notes re initial impressions, statements, and things to follow-up on after the interview.
  - b. Explore the children's understanding of changes in the family dynamic, discuss the concept of "divorce" generally (where age appropriate), ask general questions about how they're feeling and explain the guardian's role in the process.
  - c. Be the second meeting with the children, try to have already followed up with teachers, counselors, etc., for information about things that might be bothering the children. Once engaged in some catch-up discussion about their daily lives, try to engage the children in more directed conversation about the family dynamic. If the children are hesitant to respond, try to help them with directed questions about the visitation schedule, grades, how mom and dad have been action toward each other and them, etc. NEVER ask the children pointblank, "Do you want to live with mom or dad?" Ask such questions as, "How are things going living with Parent A?" "What do you think it would be like living with Parent B?" "How do you think you'd feel about that?" The goal of this second meeting is to

really get a handle on how the children are feeling, which of the changes created by the parents are causing the children distress, and how to make things better for them.

5. Make calls to therapists, family friends requested by the parents, anyone needed to fill in the blanks regarding any assessment.