

## WHAT IS SUPERVISED ACCESS/ EXCHANGE?

Generally, the court considers that a child has a right to see and have a relationship with the parent who does not have custody. A child has a right to access that parent. When a court orders supervised access, it places some conditions on how the visit may take place, including who will be present.

## WHY IS SUPERVISED ACCESS/ EXCHANGE ORDERED?

Supervised access may be ordered where there are concerns for the child's well being if access is not supervised. This could include situations where:

- the child and parent have had no contact for a long time and may need help re-establishing their relationship;
- the parent seeking access has limited parenting skills;
- that parent has a history of abusing drugs or alcohol;
- that parent has a history of mentally, physically or sexually abusing the child; or
- there is a risk of the child being abducted by a parent.

If there is parental conflict, supervised exchange reduces a child's anxiety at the time of transition from one parent to another. Where one parent has a restraining order against the other, it facilitates a child's transition from one parent to the other.

## WHAT IS THE SUPERVISED ACCESS/ EXCHANGE PROGRAM?

The Supervised Access/Exchange Program is a service provided through Family Law Support Services. Social workers and trained volunteers provide the services necessary to make sure that children have access to their non-custodial parent in a safe setting. This safe setting can also be used for parents to deliver their children to the other parent for visits. The exact service provided depends on the court order and the family's needs.

## WHAT ARE EXAMPLES OF SUPERVISED ACCESS/EXCHANGE SERVICES?

- One example is supervision of the exchange of the child between parents for a visit. This may involve a supervisor being present at the exchange to make sure the child does not have to see conflict or violence between his or her parents. In other cases, the exchange may be supervised in such a way that the parents may not have to see each other.
- Another option is supervision of the whole visit so the child is never alone with the parent.

## WHERE CAN SUPERVISED VISITS TAKE PLACE?

Supervised visits may occur at one of the access centres located in Prince Albert, Saskatoon or Regina. A supervisor is present at these centres.

## DO PARENTS HAVE A CHOICE AS TO WHETHER TO USE THE PROGRAM?

Unless otherwise specified by the court, if there is a supervised access order made, it will be monitored by the program workers according to the terms of the order.

Parents can access Supervised Exchange services by agreement, or by a court order.

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For more information, call Family Law Support Services at 1-888-218-2822 (toll-free).

In Regina, call 787-9416.

In Saskatoon, call 933-5930.

Visit the Saskatchewan Justice Web site at [www.saskjustice.gov.sk.ca](http://www.saskjustice.gov.sk.ca).

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Justice

Family Law  
Support Services

**Saskatchewan**

**Custody and Access  
Assessments and  
Supervised Access/  
Exchange Services**

## **WHAT IS A CUSTODY AND ACCESS ASSESSMENT?**

It is an investigation ordered by a judge of the Family Law Division of the Court of Queen's Bench. The purpose of the assessment is to help the judge decide the best parenting arrangements for a child or children whose parents cannot agree on custody and access. It is conducted by a qualified social worker. The social worker does not work for either parent. The worker is concerned with the best interests of the child.

## **WHY IS AN ASSESSMENT ORDERED?**

If parents are unable to agree on parenting arrangements by themselves or through negotiation and mediation between lawyers, they may go to court to have it decided.

Parents living apart or separating may be unable to agree on who should have custody of their children, or on the degree of contact the children should have with each parent. They may differ in their belief as to what is best for the child. Or, they may be unable to agree because they are angry with each other.

An assessment may be ordered if it is not clear what the custody or access arrangements should be.

## **WHEN IS AN ASSESSMENT ORDERED?**

At some time before a trial takes place, the parents and their lawyers must meet with a judge. The judge will try to help them come to an agreement without going to trial. This meeting is called a settlement pre-trial conference.

At this meeting, the judge may order a custody or access assessment. This order may also be made prior to the pre-trial conference if both parents request it. If just one parent wants the assessment done, an application can be made to expedite the holding of the pre-trial conference to decide on the need for the assessment.

## **WHAT IS THE PURPOSE OF THE ASSESSMENT?**

There are two purposes:

- to help the parents reach an agreement on custody and access; and
- to help the judge decide which parenting arrangements are best for the children.

## **WHAT IS THE PROCEDURE?**

### **1. The judge decides what information is needed and orders the assessment.**

The judge requests an objective assessment of the needs of the children and each parent's ability to meet those needs. Instructions are given to the assessor concerning the matters that are at issue in either custody or access or both.

### **2. The assessment takes place.**

The social worker may:

- consider the family, marital and parenting background;
- speak to the parents about their views on their children's needs and the parenting arrangements;
- observe the children with each parent;
- interview teachers, doctors, new partners, relatives and friends;
- speak to the child, depending on the child's age; and
- look into other matters.

If an agreement is reached, the parents should inform the social worker as soon as possible because the assessment can be stopped and a trial will not be needed. During the assessment, the social worker may determine that mediation regarding custody and access is an option. If the mediator, the parents and their lawyers are in agreement with mediation, it is offered at no cost to the parties.

### **3. A report is made.**

If an agreement is not reached and/or mediation is not an option, the social worker will complete the assessment and prepare a report of the findings and recommendations. The report is provided to the parents and their lawyers and is filed with the court.

### **4. Making use of the report.**

A meeting may be called at which the parents, their lawyers and the social worker are present to discuss the report's recommendations. Whether or not this meeting is held, the parents should review the report with their lawyers. It is hoped they will then be able to negotiate a settlement on custody and access arrangements. If not, they may go back to the judge who made the assessment order and the judge will try to help them reach an agreement.

### **5. A trial may be necessary.**

If the parents cannot reach an agreement, a trial may occur. The assessment may be used and the social worker may be called as a witness.

### **6. A child's right to support.**

As of May 1, 1997, federal and provincial government Child Support Guidelines have been set to ensure support for children. They apply to most situations but there are exceptions. For more information, call Saskatchewan Justice Family Law Support Services toll-free at 1-888-218-2822 or contact your legal counsel.