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CUSTODY AND ACCESS FACT QUESTIONNAIRE

If the parties are not in agreement on the issues of custody or access, the Court decides these issues based upon the best interests of the children. In determining the best interests, S. 24(2) of the Childrens Law Reform Act sets forth some general criteria. (See my article on Custody with respect to those criteria). To help the Court determine the issue and to help me put forth your case, please provide the following information about your situation. Please use extra pages for more complete answers.

1. When the children were born, did either you or your spouse stay home with the children?

For what period of time? _____

2. Did either you or your spouse work less than a normal week outside the home so that you could take care of the children? _____

How much time? _____

When? _____

3. Who is the parent who primarily does the following activities with the children or fill in a percentage as to each parents responsibilities. Give details on a separate page if necessary.

a) Bathing the children when they were young _____

b) Cooking / feeding the children _____

c) Buying their clothing _____

d) Taking the children to activities _____

e) Participating in the children activities _____

f) Dealing with the children s teachers in school _____

g) Taking the children to the doctor _____

h) Taking the children to the dentist _____

i) Taking the children to a religious institution _____

j) Disciplining the children _____

k) Helping the children with their homework _____

l) Reading to the children _____

m) Getting the children ready for bed _____

n) Getting the children up and ready in the morning _____



4. With respect to general household duties in the house, who did the shopping, the cooking and the cleaning? _____

5. Describe the relationship of each child with each parent in terms of love, affection and emotional ties. _____

6. Have any of the children stated a preference as to which parent they would like to live with? (It is important not to directly ask the children). When ? How ? _____

7. If you or your spouse have been separated, what have the custody and access arrangements been since separation? _____

8. Is there any reason why you and your spouse should not share equally:
 - a) The decision making issues of parenting _____

 - b) Having the children on equal time _____

9. If you had the primary residence of the children, would you encourage the relationship between your spouse and the children? _____
How? _____

10. If your spouse had the primary residence of the children, do you think your spouse would encourage the relationship between you and the children? _____

11. Are there issues of moral fitness of either you or your spouse? _____
12. What other family members or close friends of the children have a strong relationship with them? _____
Describe these relationships _____

13. Describe generally, the relationship that your children have with your extended family and your spouses extended family _____



14. Where would you reside with the children if you obtain primary residence of the children?

15. Where do you think your spouse would reside if he/she obtains primary residence of the children? _____
16. Describe the method and ability of both you and your spouse to discipline the children.

17. How do you and your spouse respond to the childrens problems? _____

18. Give names and relationships of people who can support your claim for custody / access and the nature of their evidence:

19. Have the children seen doctors, psychiatrists, psychologists or any therapists? _____
Who? _____
When? _____
Why? _____
20. If needed, what would the daycare arrangements be for the children? _____

21. Do either you or your spouse have a relationship with another person who you plan on spending a lot of time with, living with or marrying in the near future? _____

Describe the relationship of that person with each of your children? _____

22. Is there any possibility of you moving to another jurisdiction in the near future? _____
If so, when and why? _____
23. Is there any possibility of your spouse moving to another jurisdiction in the near future?
_____ If so, when and why? _____
24. Are there any differences in religious beliefs between you and your spouse that could affect the children? _____
25. What religious training would you give the children? _____
26. What religious training would your spouse give the children? _____



27. How have you and your spouse resolved any disagreements about parenting the children? _____
How would you expect to resolve disagreements about parenting the children in the future? _____
28. Do either you or your spouse suffer from alcohol or drug abuse or any other addiction? _____ If yes, please explain _____
29. Generally describe why you think you should have sole custody, primary residence or joint custody _____

30. Do you know all the subjects that your children are taking in school and who their teachers are? _____
31. If you have the primary residence, what would you suggest the access times would be and why? _____
32. What times does your spouse want and why?

33. Are there any health issues that either you or your spouse have that are relevant to deciding the custody arrangements? _____

34. Describe a typical week or weekend with your children _____

35. What are your spouses best parenting qualities? _____
36. What are your spouses worst parenting qualities? _____
37. What do you think your spouse would say your best parenting qualities are?

38. What do you think your spouse would say your worst parenting qualities are?

39. Why do you think your spouse is making the claim he/she is with respect to custody?

