III AFCC ASSOCIATION OF FAMILY AFCC AND CONCILIATION COURTS



10 Tips for Conducting Beneficial Brief Focused AssessmentsChristy Bradshaw Schmidt, MA, LPCFebruary 2024Kenneth Perlmutter, PhDVOL. 19 No. 2

AFCC established the Guidelines for Brief Focused Assessment in 2009, and Brief Focused Assessments (BFAs) remain a unique tool available to judges, attorneys, and parties that provides a more timely and cost-effective option to families beyond a comprehensive parenting plan evaluation (PPE). Each jurisdiction likely implements BFAs differently, so practitioners must remain abreast of their jurisdictional legal requirements and know the differences between a BFA and a PPE. Below is a Top 10 List for practitioners conducting BFAs to ensure that their final work product is beneficial to the trier of fact, as well as the family:

- 1. Know When a BFA is Not Appropriate. Avoid BFA's in cases requiring a parenting time recommendation, an assessment of the parent/child relationship, or cases involving IPV, child abuse/neglect, relocation, Parent Child Contact Problems, or high conflict dynamics.
- 2. Establish Reasonable Expectations. Work with the attorneys before initiating the BFA to ensure that the goals are clear and that everyone agrees on the limited issues to be addressed and the specific questions to be answered. It is also vital that the parties and the attorneys maintain realistic expectations as to the limited nature of the evaluation, how to effectively use a BFA within the custodial disagreement, and the importance of attorneys ensuring that their clients are prepared.
- 3. Obtain a Focused Court Order. Require a detailed court order on every case and ensure that court order contains no more than 1-3 specific questions to be answered that are narrowly focused and discreet.
- 4. Develop a Streamlined Process. Develop a process to conduct a BFA from start to finish that includes a clear Statement of Understanding and a detailed checklist; while ensuring flexibility to pivot within the process with new data. Once a signed court order and the initial retainer are received for a BFA, initiate the

process immediately to ensure efficiency and cost-effectiveness. The goal is to complete a BFA in 60 to 90 days with no more than 10 to 30 hours' work.

- 5. Request Necessary Documents. Determine the scope of documents to request and review because data gathering must be limited to what is needed to answer the court's questions.
- 6. Keep the Process on Track. Take responsibility for keeping the BFA on track and not allowing the parties or the attorneys to shift their focus onto other issues outside the scope of the court order. Should the process go awry, consult with the attorneys or request a case management conference with the court to clarify the focus.
- 7. Stay Within the Scope. Ensure the report is descriptive rather than analytic or interpretive. It is vital to be aware of the limitations of one's role within a BFA to not step out of the scope of one's role or the questions posed by the court.
- 8. Create a Template for a Clear, Concise Report. Develop a report style that is clear, concise, and answers the questions posed by the court, while identifying the limitations of the BFA and any assessments or conclusions reached. A BFA report should be substantially shorter and less expansive than a PPE.
- 9. Don't Change Lanes. Fully understand what is and what is not a BFA so that you avoid opining on the ultimate issue or allowing a BFA to become a comprehensive PPE. BFAs entail a circumscribed focus on such issues as school selection, potential decision-making authority, the voice of the child, coparenting versus parallel parenting, or an update to a completed PPE.
- 10. Consider Skills and Competencies. Remain aware of the skills necessary for PPEs that are relevant to BFAs. (See the AFCC Guidelines for Parenting Plan Evaluations in Family Law Cases 2022 Guidelines for Parenting Plan Evaluations in Family Law Cases. Always work to mitigate bias, seek peer consultation, understand the complexities of working in the legal system, avoid clinically intervening during an evaluation, explain the process clearly to the parties, refrain from making interim recommendations, and utilize multiple, diverse, reliable, and valid methodologies.

While there are a number of additional processes for evaluators to consider in conducting BFAs, this list provides a starting point for those interested in adding this unique service to an existing practice or introducing it as a new approach for jurisdictions where it is not already utilized. BFAs allow for access to justice and self-represented litigants to underserved communities while saving the Courts, the attorneys, and the parties precious time and costs.



Christy Bradshaw Schmidt, MA, LPC is a Licensed Professional Counselor from Texas who works as a child custody evaluator. She also serves as an expert witness, and she conducts work product reviews related to the work of other child custody evaluators and mental health professionals. Ms Bradshaw Schmidt is also available to provide strategic legal support to attorneys and their clients in a consulting role.

Ken Perlmutter, PhD is a licensed psychologist in private practice in Palo Alto, CA for over 40 years. His work focuses on various aspects of forensic child custody matters and specializes in working with families in unique, complex, high conflicts cases. His primary work involves Parenting Plan Evaluations and Brief Focused Assessments. He has been a long-term proponent of BFAs and recently presented at AFCC Los Angeles on their current use. He has extensive experiencing serving in the roles of

custody mediator, parenting coordinator and co-parent counselor. He enjoys consulting with attorneys as a reviewing expert, both disclosed and non-disclosed, and as a confidential consultant to attorneys and their clients. Recently he has written several articles on the use of Remote Methods in Parenting Plan Evaluations. He has been a member of AFCC for over 30 years. He is a Board Member of AFCC-CA.