

JUDICIAL BRANCH
SUPERIOR COURT-FAMILY DIVISION
Comprehensive Evaluation Report

Superior Court
Hartford

Docket Number
HHDFAXX-1234567-S

CMIS Number
RF20101234567

Plaintiff: Howard Gavell Attorney for Plaintiff: Atty. Lawyer

vs.

Defendant: Mona Gavell Attorney for Defendant: Atty. Barrister

Intervener: _____ Attorney for Intervener: _____

Children Attorney/GAL for Children

Justine Gavell (DOB 06/25/19--) age 13

Kevin Gavell (DOB 03/15/20--) age 6

Amy Gavell (DOB 04/01/20--) age 18 mos.

Requested by the Honorable: Honorable, J.

(Judge of the Superior Court)

Referral Date: 08/03/20-- Continuance Date(s): 12/03/20--

Completion Date: 12/03/20-- Submitted By: Family Relations Counselor AEKaas
(Family Relations Counselor(s))

Agreements\Recommendations

Background Information

This matter was referred to Family Services on August 03, 20-- for the purpose of conducting a Comprehensive Evaluation regarding the custody and the parenting plan of the Gavell children: Justine (DOB 06/25/19--), Kevin (DOB 03/15/20--), and Amy (DOB 04/01/20--). This action was filed by the father on May 12, 20--. The Father subsequently requested this matter be referred to Family Services seeking primary custody of the parties' three children.

The parties were married on July 12, 19-- in Hartford, CT. This is the first marriage of both parties. The parties resided together continuously until April of 20-- when the Father vacated the marital residence. The Father reports that he moved into the same home in which he resides with his current girlfriend Olive Weaver. Mr. Gavel and Ms. Weaver reside in a three bedroom rented

townhome in a complex approximately 15 miles from the Mother. This two story residence consists of a kitchen, combination living room/dining room area, three bedrooms and one and a half baths. Of the two bedrooms, one bedroom is shared by Kevin and Amy. Kevin has a bunk bed set up on one side of the room and Amy has a crib on the other side of the room. Justine occupies the smallest bedroom in house. She has a bed, desk, and dresser in the room. The third bedroom is occupied by Ms. Weaver and Mr. Gavell. The mother currently resides in a two family home in Rocky Hill, Connecticut. This home is located on a well traveled road close to the center of town. Mother and the children occupy the second and third floors of the home. The first floor of the home is occupied by a couple and their two children. The second floor of the home consists of a kitchen, dining room, Amy's bedroom, Mother's bedroom, and a full bath. The third floor of the home consists of a large living room area, Kevin's bedroom, and Justine's bedroom.

Father has been employed as a general HVAC contractor in Glastonbury, Connecticut, for the past eleven years. He indicates his work hours to be Monday through Friday from 7:00 am until 3:30 pm., adding that his work hours are flexible.

Mother has been unemployed since she was pregnant with Amy. Formerly, she was a hair stylist at Debbie's Hair Salon in Wethersfield, Connecticut, and a bookkeeper for the Father's business.

Father currently enjoys parenting time every Monday from 5:00 pm until the following morning drop off to either Mother's home, the bus stop, or directly to school, and every Wednesday from 5:00 pm until the following morning drop off to either Mother's home, bus stop, or directly to school. In addition, Father enjoys parenting time on alternate weekends from Friday at 5:00 pm until Sunday at 5:00 pm. This schedule has been in effect for approximately seven months.

Parenting Concerns and Proposals

During the course of this evaluation, each parent raised concerns regarding the other parent's capacity to effectively parent. The mother's primary concern regarding the father's parenting is what she describes as his inability to control his temper resulting in excessive yelling, and at times, inappropriate displays of anger. Mother cites an example of this behavior describing an incident in which the father punched a hole in the kitchen wall while discussing the marital issues. The mother cites other less specific examples of the father losing his temper regarding the breakdown of the marriage when the children may overhear the incident. Other concerns expressed by the mother is that the father is attempting to replace her with Olive. The children do not adhere to a consistent bedtime and have been left at home with the father's girlfriend, and former babysitter, Olive. The mother has concerns regarding Olive's role with the children, and she reports that Kevin especially has been asking questions about why his babysitter is around when the father is around. The mother reports that she also has a concern that the father is incapable of executing proper discipline of the children due to his lack of patience and experience with the children and due to his anger issues. She is concerned that he is unwilling to

discipline Justine over “sexting” incidents on her cell phone, and is minimizing its importance.

In response to the mother’s concerns, the father admits to yelling at the children and, on occasion, has exhibited poor discipline techniques. He states that he is a “yeller”, and describes being raised in a family where yelling was the primary mode of discipline. The father also does not deny that there have been occasions he may have used poor judgment and, in his frustration, may have done regrettable things such as punching the wall in anger. It should be noted that the parties’ rendition of this incident differ in that the father describes that he was angry at the mother not attending to his needs as a spouse and reports that he hit the wall on the way out of the backdoor. The mother reports that the father “snapped” and was calm during their disagreement. She reports that he all of a sudden got heated and screamed in her face that she was not thinking about him and punched the wall just to the right of her face as she was pinned up against the wall. The father expressed deep regret and remorse for his actions and stated that this incident occurred during a particularly stressful time in his life. The father states that the catalyst to this type of outburst was his marriage to his ex-wife, and now that live separately, he does not have that anger issue anymore.

The father disputes that claim that the children are left with Olive for extended periods of time, though he admits that she is a constant presence for the children, as they had a prior relationship with her as their babysitter. The father states that the children have a specific bedtime and offers the same concern regarding the mother failing to adhere to an appropriate bedtime routine. Both parents accuse the other of allowing Justine and Kevin to watch “R” rated movies while at their homes. Each deny the other’s allegation.

In citing the father’s concerns regarding the mother, the father describes an incident in which the mother left her purse accessible with her mental health medication in the purse. The father describes the incident in which Amy found the bottle of pills in her purse and was playing with the bottle. The mother reports that Amy grabbed the bottle and shook it once or twice before the mother was able to take them away from her. The father reports that Amy found the bottle because mother was not properly supervising the child. He reports that she had the bottle for several minutes and had the bottle in her mouth before the mother realized she was missing. The father believes this incident is significant because he reports that the child could have pried off the top of the bottle and ingested the pills without the mother knowing. The father states that the mother does not follow through with homework responsibilities due to her mental health issues keeping her in bed for extended periods of time and that the children’s lack of sleep due to late bedtimes and the rigors of travelling from the father’s home in Hartford to the mother’s home in Rocky Hill have caused incidents of the children falling asleep on the bus to school. The father believes that the mother will fail to encourage and support his relationship with the children if left in Mother’s primary care citing a pattern of the children not calling him when they are with their mother. The mother’s response to this concern is that the children are not falling asleep because of the distance from school, but from not adhering to a consistent bedtime schedule at

Father's home. Although she admits to struggling with the children's homework schedule at times, the mother indicates that she assists them regularly. The mother reports that the children have cell phones and are available to call their father at any time, however, usually chose not to. Each party cites mutual concerns regarding the others berating and disparaging the other to the children. Both parents deny the others allegation, stating their primary focus was to move forward in a positive direction for the best interest of the children.

Father indicates his proposal is to retain primary physical custody of both children, with parenting time to Mother on alternating weekends from Friday through Sunday, and every Tuesday and Thursday from after school until bedtime.

Mother's custody proposal is to maintain primary custody and continue with the current access plan for Father.

In order to further address and evaluate the parents' concerns, the following collateral references were contacted: Joan Greene from the Hartford Mental Health Center; Dr. Terrence Freeman, M.D.; Dr. Kyle Gorman, M.D.; Corinne Platt, of CCCC; Claire Huffington, LCSW; Rocky Hill High School; Rocky Hill Middle School; Rocky Hill Elementary School; and personal references from each parent.

Collateral Information

Joan Greene of the Hartford Mental Health Center in Hartford, Connecticut, indicates that she has seen Mother approximately 25 times over the past four years. She reports their last session was on February 24, 20--, and that Mother is medication compliant,. Ms. Greene indicates that she initially began seeing Mother in a therapeutic setting to assist Mother in coping with frustrations and trust issues in her marriage that began when she discovered that Mr. Gavel was involved in an extra-martial affair during Mother's first pregnancy. Ms. Greene describes Mother as someone who always put her children first. She believes that Mother has provided the children with homework support, healthy routines and care. She states that Mother's frustrations, both in her marriage and with the children, were amplified by Father's level of disconnect to the family, his focus of dealing with his anxiety and depression issues, as well as his pursuit of his new relationship at that time. Ms. Greene acknowledges that Mother's patience was often tried by Fathers distancing himself from the family resulting in Mother's need of support in grieving the loss of the family structure. She believes that under all of Mother's anger was a great deal of sadness, which Ms. Greene believes Mother has approached in a pro-active and reasonable manner.

In addition to marital difficulties, Ms. Greene states that Mother was also contending with the children's behavioral issues, as well as her own long standing self-esteem issues. She further described Mother as initially being depleted in both patience and lack of financial support, exasperating Mother's despair, and her episodic post-partum depression, Ms. Greene acknowledges that the children are exposed to two completely diverse parenting styles making attempts to adapt difficult at times. Ms. Greene describes Mother as being stable and has

consistently had her children's best interests at heart. Although she states that Mother has described Father as being historically disconnected, Mother contends that Father is currently actively involved with the children. Ms. Greene explains that Mother has not attended any further counseling session due to her significant insurance deductible, stating that Mother has been "scraping by financially" and believes that Mother has been placed in "unnecessary financial difficulty" due to Father's failure to support the family adequately following his departure. Although Mrs. Greene has had only limited contact with the children, she expressed her opinion that the children love their mother very much, despite current strain with Justine. Based on her contact with Mother, Ms. Greene concludes that Mother would offer the greater level of stability and should maintain primary custody of the children.

Dr. Terrence Freeman, M.D. reported that he had been treating Kevin sporadically since March 24, 20--. He reports that Kevin had been diagnosed with ADD. He states that the visits had been sporadic and he had been seen a total of 17 times over the past four years. In a report received from Dr. Freeman on February 25, 20--, he indicated that Kevin was being treated with medication for ADD. Dr. Freeman continues by noting that he was aware of the several conflicts between the parents regarding the way the children were being cared for. He continues that he was unable to provide any information regarding the specifics since the children had not revealed anything to him in that regard as they were always seen in the presence of their mother. Dr. Freeman indicated that he was aware that the children had been seen by Claire Huffington, LCSW, for therapy but since she was no longer associated with his office, had referred them to another therapist regarding the custody issue and the impact of the divorce on the children. Dr. Kyle Gorman, M.D., pediatrician, indicated in a telephone interview that all children are up to date in their appointments and vaccinations. He states that both older children had issues of inability to focus and that he believed them to be currently under control. Kevin was last seen in July of 20-- and Justine in May of 20--.

Corinne Platt, of the Coordinating Council for Children in Crisis, indicated that she was the facilitator of the Strength in Families ten week group program geared towards helping families with skill building and communication enhancement attended by Mother and both older children in March of 20--. Ms. Platt indicates that both Mother and the children did very well in the group and described them as being open and active in their participation. The children presented with no major problems. Ms. Platt believes that Mother acquired self-awareness of her discipline techniques and has utilized that knowledge to maintain control and adopt more useful modes of communication. Ms. Platt describes Mother as a very caring parent who was extremely receptive to new information and techniques to improve her communications and discipline skills. Claire Huffington, LCSW, reports having contact with both the older Gavell children as well as both parents. She states that Justine was last seen on January 11, 20--, and Kevin was last seen in February of 20--. Ms. Huffington described Kevin at that time as being very worried and enmeshed in his parent's problems, placing him in a parental role. She indicated he was having

some issues regarding anxiety, interactions with school peers, self control, and comprehension. Both children presented as being very worried about their family. Ms. Huffington believed that Justine's issues, however, ran deeper than just familial and adjustment to the pending divorce. She states that both children were attempting to control the situation as they presented as feeling that they were a part of an uncontrollable situation. Many of these issues, Ms. Huffington believes, were a result of Father being too quick to introduce his new girlfriend, and being unwilling to discipline either child. She states improvement in Father's interaction was noted towards the end of their therapeutic relationship.

Ms. Huffington noted that upon Father's departure in April of 20--, Mother was finding it emotionally difficult to handle the stress of being solely responsible for everything. She indicated that the father's primary mode of discipline was to "yell" and expressed the opinion that the father may certainly have experienced some "rage issues", which she attributed to the overload of issues in his life, including Father's position of being "very shut down from the family" at this time. The father presented as having a very flat affect and believed that mother's depressive state at that time played a big role in his anger. He added his impression that her depression did not appear to be necessarily situational and that therapeutic intervention would assist. Ms. Huffington notes that she was aware of significant improvement on Father's part, and reported that Mother remains capable of caring for the boys.

Ms. Huffington indicates that throughout each parent's tribulations, she did not detect that the children were ever at serious risk. She described the children as having the capacity to be difficult and undoubtedly like to push the mother's buttons at times. Ms. Huffington indicates that Mother's response to the children is generally very appropriate but she is occasionally overwhelmed. Ms. Huffington reports, however, her belief that the issues that the children present would exist regardless of the divorce and that this situation has only served to exasperate their behavior.

Information received from Rocky Hill Middle School, on behalf of Justine, reports that Justine is a very friendly and outgoing child. Absenteeism has not been noted as a problem. Justine is very helpful towards students with challenges. At times, Justine has acted inappropriately with sexual or mature content to get the attention of other students, and has been sexting. Justine is described as being very flexible and has shown no difficulty with changes in routine or schedules. At times, Justine's clothes appear to be in need of washing, however she is usually neat and always "has her hair done". Both parents have participated in school conferences and functions, and Justine appears to get along well with both parents. Justine participates in a remedial reading class and is in the average range for content areas. Reports from previous years at Rocky Hill Middle School reflect similar behavioral and academic challenges.

Information received from Rocky Hill Elementary School on behalf of Kevin, indicates that Kevin is a capable student who struggles with attention and organization. Kevin is described as being very social with his peers and had adjusted well to school. There were no problems noted in the areas of attendance or in his overall appearance. Both parents are reported to attend school conferences and functions. Prior school reports reflect similar progress, noting low test scores,

occasional missed homework, and an inability to focus.

Personal references contacted on Mother's behalf describe her as a loving and caring parent. A reference for Mother states that the parents have historically demonstrated diametrically opposing positions in their discipline methods. She states that the father is a yeller and "can go from zero to 60", whereas the mother fails to discipline at all. She notes, however, that Mother has been pro-active in changing her method of discipline and is making great strides in that area. This reference indicates that Father believes that as long as he's spending money on the children and constantly having fun with them, he is meeting his parental responsibilities. This all encompassing responsibility, states the reference, has caused Mother a great deal of stress in the past. This reference indicates that Father gets the children too involved in adult matters and shares information regarding their mother and the divorce process. She further states that Father no longer involves himself and the children with much of the extended family anymore, whereas Mother has kept in contact with everyone. This reference reports that "the kids can be very trying at times" and indicates that although she is related to Mr. Gavell, it is Mrs. Gavell who continues to maintain contact with the family in order to continue the children's relationship with the family. This reference indicates that she is "disgusted" with Father in that he let his anger explode in the way he did, and he waited almost five months to repair the kitchen wall he punched. She describes both children as being very loving, and describes Justine as adaptable, and as having a tendency to "act out" and "holds things in". Kevin, she states, has a more difficult time of adjusting to new situations. She believes that the children are extremely disappointed that the marriage failed and attributes regressive behavior to be a reaction to stress. This, she believes should be addressed through a counselor for the children and parenting classes for each parent as well as for their significant others. This reference states that she has had limited contact with Olive Weaver, however describes her as manipulative and attributes her as being the catalyst to "tearing the family apart". She indicates that Father's focus on his job has prevented him from successfully handling all of the responsibilities of the children on a full time basis and believes that that responsibility should remain with Mother.

References contacted on Father's behalf describe Father as being a good and loving parent. They indicate that he spends a lot of time with the children, sharing activities such as fishing and camping. One reference states that although Mother is a good person, he believes that she needs help in addressing her anxiety issues. Although this reference acknowledges a time when Father experienced a bout of anger, he reports that he has addressed that issue and is now functioning much better. This reference describes Olive as being very nice and is a "good fit" with Father; they describe her relationship with the children as being very close. Another reference describes Father as being a very loving and involved parent. They describe Father's approach to discipline as being "appropriate". Justine is described as requiring more attention than Kevin, while Kevin appears to be bitter regarding the divorce and has, on occasion, said that he "can't stand his mother". Both of Father's references are of the opinion that Father should have primary custody of the children.

Family Assessment

Mona Gavell was born in Waterbury, Connecticut, on January 11, 1968 to Louie and Rhonda Morris. Ms. Gavell is the oldest of five children. Of her siblings, Ms. Gavell has one sister, Tabitha, age 36, and two brothers: Christian, age 33, Jack, age 30. She reports sharing a closer relationship with her brothers than with her sister, Tabitha, with whom she reports not being on speaking terms with at this time due to Tabitha's historical alliance with Mr. Gavell. Ms. Gavell describes her relationship with her parents as being good and reports being exceptionally close to her mother. She indicates that she and her father historically used to "butt heads" and recalled that he worked a lot. Although Mrs. Gavell reports a happy childhood she states that it was stressful at times due to the fact that there were so many children in the house and reports going out a lot during her teenage years. She describes her household during that time as being "very loud" both in good times and in bad. Ms. Gavell's mother does not work. Ms. Gavell's father is 65 years of age and they currently reside in New Britain, Connecticut. He is employed on a part-time basis at a delicatessen in New Britain, Connecticut.

Mrs. Gavell indicates that she and Mr. Gavell met while in high school and began dating. They began living together when Mother was approximately 18 years old and Father was approximately 19 years old in an apartment in Waterbury. Mother graduated from Waterbury High School in 19--, and at the age of 19 began her career as a hair stylist. Mother continued her profession as a hair stylist with the exception brief period of employment as a bookkeeper. Ms. Gavell describes her health as being good and reports no substance or alcohol abuse issues. Ms. Gavell reports a five day hospitalization at Silver Hills Hospital in 2002 to address anxiety issues from post partum depression and a threat to end her life after Kevin's birth. She has not worked since getting pregnant with Amy.

Mr. Gavell was born in Dallas, Texas, on June 24, 19--, to Tammy and Lawrence Gave. He reports having two brothers; Darren, age 39 and Lawrence, age 37. Mr. Gavel indicates that his mother and father divorced when he was 15 years old. He states that his mother married Robert Lowenstein and that they currently reside in Texas. Father reports that his mother is currently employed and also lives in Texas. She has had problems with alcohol. His father, Lawrence, a retired carpenter, is currently unemployed due to several shoulder operations. Lawrence Gavell has also remarried and he and his wife, Eliza, have resided in Texas for the past seven years. Mr. Gavell describes his relationship with his mother as being good, however, indicates sharing a closer relationship with his father. He states that he sees his parents once a year, and wants to make sure he can take the children to Texas once a year at least.

Mr. Gavell describes his mother as involving both he and his brothers in the marital discord by discussing adult issues and encouraging them to disparage their father, i.e. "tell your father you hate him". Eventually, Mr. Gavell moved with his mother into the home of his maternal grandparents, while his brothers moved with his father to his paternal grandparents' home. He recalls both he and his brothers as being "nasty" to their father's girlfriends.

Mr. Gavell describes a history of being in trouble with multiple suspensions throughout his primary school years, eventually quitting school in the 11th grade. Having learned carpentry

skills from his grandfather and uncle, Mr. Gavell began working as a carpenter in 19—eventually learned HVAC trade, and started his own business. Mr. Gavell describes his health as being good and reports no substance or alcohol abuse issues.

Both parents relate a history of limited communication. Father describes experiencing happy times throughout their marriage, however states that it soon became apparent that the bad times were overshadowing the good times. He describes being tired of all the yelling and fighting they engaged in during that time and acknowledges having a brief affair in -- during Mother's pregnancy with Kevin. The parties participated in marriage counseling during that time, however, ultimately separated for approximately six months until shortly after Kevin was born. Mother describes this time as being exceptionally difficult in that she was trying to save her marriage while still struggling with depression. Mother describes Father as being emotionally unavailable to her throughout their marriage and characterized him as being an "absent parent that was present". She describes Father as not supporting her when the children needed to be disciplined and as not actively participating with the children in activities. The mother states that Father has engaged more with the children since the initiation of this action than he has done throughout their marriage. In describing their parental roles, Mother states that she was the primary caretaker throughout their relationship and subsequent separation. Both parents characterize their marital roles as Father being the breadwinner and Mother as working part-time. Each parent describes sharing a close relationship with the children. The mother states that she has been the consistent, primary caretaker of the children, and in touch with the children's needs as well as her own shortcomings. During this counselor's interaction with each parent and the children, it was noted that each party reacted appropriately when addressing mild behavioral issues that arose during the visit.

Mother describes Father as being unsettled in their relationship and had his first affair during her pregnancy with Kevin. She states that she stayed with her mother for approximately six months and returned to the marital home shortly after Kevin's birth. Despite their reunion, Mother indicates that their relationship continued in turmoil as they had not resolved their marital issues. Mother states that she was placed on Zoloft following Justine's birth in 19--, due to financial issues, poor self-esteem, and depression which had intensified from what she describes as continued emotional separation she felt from her husband and the demise of their marriage. In 20--, Mother states that she received a telephone call from a man who informed her that his wife and her husband were involved in an affair. She indicates that this revelation resulted in Father leaving the home for approximately four months. Mother states that Father failed to have regular contact with the children during this time. In 20--, after Kevin's birth, Mother described herself as being particularly "depressed" and "angry" over her husband's continued infidelity and loneliness. She states that while at an aunt's house discussing her situation, she made an overt display by taking a butter knife and simulated cutting herself, describing this as the lowest point in her life. Mother voluntarily entered Silver Hills Hospital at that time for approximately five days for treatment of depression.

Visits were conducted to each parent's home. The children were present for each visit. Ms.

Weaver was also present during Father's home visit. Kevin was seen on two occasions by this evaluator; once in Mother's home and once in Father's home. Justine was seen by this evaluator on three occasions; once during an individual interview at the Family Relations Office, once at Father's home and once at Mother's home. While at Mother's home, Justine presented as very uncomfortable and nontalkative. She occupies a single bedroom with twin beds, a TV and fish tank. Justine's room is located on the third floor of the home, which represents the second floor of their residence. Justine appeared to share a close and comfortable relationship with Father. Justine describes having chores to do in each parent's home. Justine describes her mother as being loving and funny at one time, but is now boring, sloppy and embarrassing.. Justine states that bedtime in both parents' homes is 9:00 pm. She reports sharing a close relationship with Ms. Weaver. Justine expressed her desire to remain at her current school because she would miss her new friends.

Kevin's bedroom was located on the third floor of Mother's home, which represents the second floor of their residence. This floor also includes a large living room area and Justine's bedroom. Kevin's room has a single bed and reptile tank. Interaction between Mother and Kevin appeared to be appropriate until Kevin asked his mother if he could use his video game. When Mother refused, Kevin became clearly disappointed and upset and retreated to his room for the remainder of this counselor's visit. Mother informed this counselor that Kevin was angry with her because she had recently taken his video game away as punishment for him calling her an inappropriate name over the past weekend. It would appear that Mother's punishment was appropriate given Kevin's behavior. Kevin describes Mother as being "nice sometimes", but yells when he is bad and sends him to his room. He describes Mother as caring and loving. In discussing his father's significant others, Kevin reports sharing a close relationship with Ms. Weaver. Kevin indicates that he definitely did not want to change his address or school and wishes that his father would, in fact, move closer to them.

A home visit was also conducted at the home of Olive Weaver, with whom Mr. Gavell resides. Both children appeared to share a close relationship with both Father and Ms. Weaver. Justine was particularly animated and acted as the tour guide of the residence. Kevin remained somewhat quieter than Justine, however, interjected appropriately. During the course of the visit, it appeared that Justine was pushing Father's limits by acting silly. While Father was clearly becoming somewhat annoyed by her actions, this counselor asserts that Father dealt with Justine's behavior appropriately. Justine states that she enjoys go-carting and shopping with her father. She indicates that "dad loves me and takes good care of me". Both children stated that Father's method of discipline is to yell or take things away.

During the course of this evaluation, this counselor had the opportunity of interviewing Olive Weaver. Ms. Weaver is 22 years of age. She was seen on two occasions; once during the course of an individual office interview and the second occasion was during the interactive home visit at her home. Ms. Weaver indicates that she and Mr. Gavell have known each other for the past 4 years. For the past 2 years, she has been employed by State Farm Insurance and is an Assistant

Manager. Ms. Weaver states that Mr. Gavell moved into her residence immediately following the filing of the divorce action in March of 20--. Ms. Weaver denies having any role in the demise of the Gavell's relationship. In describing her relationship with Mr. Gavell, she states that they get along great, share good communication, and hope to get married when "things settle down". She states that because she babysat for the children in the past, she was introduced to the children immediately as Mr. Gavell's girlfriend, because he believed that their introduction would "be better sooner than later". Ms. Weaver stated that she understood Ms. Gavel's initial reaction to the children spending time with her, however believes that she soon was accepting of the relationship between she and the children. She indicates that she shares a close "friendship" with the children and views herself as their "mentor", "responsible adult" in their lives and as "caregiver" when the need arises. Ms. Weaver describes a great relationship between the children and their father. She states that they look to him for guidance, respect him, and enjoy many outdoor activities together. She adds that they are affectionate to their father and appear to share a genuine love for him which is built on their respect for him for being "trustworthy and honest".

In describing Mother's relationship with the children, Ms. Weaver states that Mother appears to have a hard time dealing with stress which often leads to her relationship with the children as being "strained". She states that Mother often gets frustrated by the children resulting in her calling Mr. Gavell to act as intermediary. Ms. Weaver indicates that she has never witnessed Father denigrating Mother to, or in the presence of, the children. She states that she believes that the children are aware that Mother is a challenging person and reports Kevin as expressing his belief that Mother needs "help". Regarding their after school routine, Ms. Weaver describes a regiment of homework, dinnertime, and a regular bedtime of 9:00 pm as being a priority in their home.

Ms. Weaver denies that the children are allowed to watch inappropriate movies, have unsupervised computer usage and stay up past their bedtime. She states her belief that the children manipulate Mother into allowing the television on all night and unsupervised computer use. She believes that the children's best interests would be met by residing with her and Mr. Gavell, as she sees Father as being a more stable influence and being the "voice of reason". She believes that the children would benefit from a better school system, and a more relaxed family unit and environment.

Conclusions

It would appear to this evaluator that both parents clearly love their children. It is equally apparent that each party has made decisions that have resulted in their children's awareness of the process and adult information regarding this divorce proceeding. Father's historic detachment from the family and particularly the children, has significantly improved. It is apparent that the children currently share a close relationship with Father and that it has been something that they have craved for a time extending beyond their parents separation. Father and the children each share common interests in outdoor activities in which they actively participate. Ms. Weaver also

appears to share a close and comfortable relationship with the children. They stated, however, that their father often focuses on her excessively and in addition, that she “cares too much about him”. Although Father acknowledges having less of a parenting role throughout their marriage, he believes that he is in the position to offer the children a family environment and a greater degree of stability. Father appears to have historically been a stable “provider” figure in this family unit.

Mother has demonstrated strength in her ability to recognize areas of concern and pursue appropriate intervention. Facilitators of those interventions each applaud Mother for taking appropriate steps as demonstrated in her participation in therapy in order to better herself and her relationship with the children. It would appear to this counselor that she has been both proactive in those interventions and insightful in her need to address the areas of frustration present in her life. Longstanding self esteem issues, lack of both financial and emotional security of her marriage, and challenges of strong willed children, appear to have contributed to many of mother’s inappropriate moments of lack of discipline.

Both Justine and Kevin present as very sweet and kind children who are well aware of each parent’s strengths and weaknesses. They are also keenly aware of their parents positions in this divorce proceeding and appear eager to have it resolved. The children appear to be well adjusted in school and have close peers. Kevin expressed a desire to remain in his current school as he has established close relationship with friends. He is very excited to enter middle school along with the friends he has established relationship with and stated that he would like to keep the same parenting schedule that is currently in place. Justine offers a strong preference to live with her father and Olive.

Although Fathers introduction of a significant other bodes as premature to this evaluator, the children appear to have a positive relationship with Ms. Weaver.

In assessing the parties exchange of concerns regarding inconsistent bedtimes, inappropriate viewing of television and computer information, it would appear that each parent has set appropriate boundaries and will encounter challenges, particularly given the children’s ages and demeanor. This evaluator is confident, if assisted by therapeutic interventions, that each parent will exercise appropriate judgment in these areas. Father must be consistent in his limits on Justine’s use of her cell phone appropriately.

The parent’s failure to effectively communicate makes promotions of a unified parental relationship difficult for the children and only allows manipulation of the parents by the children. In light of the somewhat polarized positions of the parents, it is critical that the parents participate in co-parenting counseling to assist them in future decision making and parenting plan issues. This counseling is also critical in establishing a more balanced parenting pattern between the children and each parent. This evaluator is confident that the incidents of depression and anxiety that the children intermittently experience will diminish significantly with

demonstrations of cohesive and positive co-parenting of the parties, this coupled with individual supportive counseling for the children and parents will help to ensure their well-being.

While both parties have experienced both individual and joint challenges and missteps in their lives, it appears to this evaluator that they are each capable of successfully co-parenting their children once the adversarial nature of the divorce proceedings are behind them. This evaluator concludes that each parent has a valuable contribution to make in their children's lives. Father acknowledges the impact the failure of the marriage has had on the children and has made great strides in reestablishing a positive relationship with them. This evaluator remains concerned, however, as to his promotion of Mother as a valuable influence in the children's lives.

Based on all the information received during the course of information from collateral and personal references, the parties and their children, as well as this evaluator's impressions and observations, there appears to be no reason to jeopardize the child current level of stability by significantly altering the present arrangement. Accordingly, this evaluator makes the following recommendations:

Recommendations

[deliberately omitted at this time]

SAMPLE