

**IN THE CHILDREN'S COURT  
OF NEW SOUTH WALES  
AT**

**CASE NUMBER**

**Application for assessment order**

Section 53, 54 and 55 Children and Young Persons (Care and Protection) Act 1998

[NOTE: Include all children to be assessed on the one application]

Date filed

**Children or young persons**

[NOTE: Duplicate this section for each child included on application]

Name

Date of birth

Gender

Cultural background

Aboriginal

Torres Strait Islander

Other, please specify

Interpreter required – language

General area in which child  
is living

Person with whom the  
child is residing

Name of solicitor

Address of solicitor

Telephone no. of solicitor

Email of solicitor

**Applicant**

Name

Relationship to children or  
young persons

## Persons to be assessed

NOTE: 1. If you are the applicant and are seeking to be assessed please provide your details below.  
2. Duplicate this section for each adult that is to be assessed.

Name

Relationship to children or young persons

Cultural background

Aboriginal or Torres Strait Islander

Other, please specify

Interpreter required – language

Address

Telephone

Email

Party to proceedings

Yes

No

Agrees to assessment

Yes

No

Name of solicitor

Address of solicitor

Telephone no. of solicitor

Email of solicitor

Reason person to be included in assessment:

1.

2.

## Department of Communities and Justice

Caseworker

Address

Telephone

Email

Manager Casework

Address

Telephone

Email

Name of solicitor

Address of solicitor

Telephone no. of solicitor

Email of solicitor

### Care proceeding details

Does this assessment relate to:

- an application for a care order (child in need of care and protection)
- an application under s90
- other proceedings      If other, please specify:

Who is the applicant in the current care application or proceedings?

### Assessment orders sought

I seek an assessment order under the provisions of:

- Section 53 relating to the assessment of the child or young person; and/or
- Section 54 relating to the assessment of a person with parental responsibility or who is seeking parental responsibility for a child or young person to carry out that parental responsibility.

### Specific reasons why assessment is required

- 1.
- 2.

### Circumstance of persons proposed to be assessed

Assessments of potential caregivers in the following circumstances may be contraindicated. Is a person proposed to be assessed:

- |    |  |                              |                             |
|----|--|------------------------------|-----------------------------|
| a. | In custody?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. | Allegedly suffering from significant alcohol or other drug problems which are not being addressed? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c. | In residential treatment   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| d. | About to give birth?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| e. | Facing criminal charges?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| f. | On the Child Protection Register?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If the answer to any of the above questions is 'Yes', please describe the special circumstances that would warrant an assessment being undertaken in this matter:

- 1.
- 2.

Is the person proposed to be assessed restricted by an AVO from contact with any other participant?

Yes

No

If yes please specify:

## Terms of assessment

### Section 53 assessment of child or young person

The nature and the quality of the relationship between the child or young person and the

Mother

Father

Any other significant person, namely: [NOTE: Specify name and relationship to child or young person]

a.

b.

c.

The impact of any disturbance to the relationship between the children and/or young person and the parent or other significant person

Any views or wishes expressed by the child or young person and any factors that may affect the weight to be accorded to those views

The individual characteristics and/or special needs of the children or young persons (for example: mental health, behaviour, development)

a.

b.

c.

Other specific issues to be addressed by the clinician:

a.

b.

c.

### Section 54 assessment of persons who have, or are seeking, parental responsibility

This assessment is in relation to:

Mother

Father

Any other significant person, namely: [NOTE: Specify name and relationship to child or young person]

a.

b.

c.

- Their capacity to parent the children or young persons
- The extent to which any identified issues of concern are impacting upon parenting capacity
- Their understanding of the child's developmental, physical, psychological, emotional and educational needs and current and potential ability to meet those needs
- Their understanding of the child protection concerns which have led to the current court proceedings and their capacity and motivation to address those concerns
- Other specific issues to be addressed by the clinician:
  - a.
  - b.
  - c.

### Recommendations

- Based on the assessment undertaken, any recommendations as to how the best interests of the children or young persons can be met (for example: restoration, long term out-of-home care, contact needs, maintenance of cultural connections, therapy, treatment, interventions, other):
  - 1.
  - 2.

### Clinician

The Clinic Director is responsible for allocating assessments to the person he or she considers most appropriate (rule 35, Children's Court Rules 2000). Nevertheless if the court has any particular requests in relation to the clinician doing the assessment, these can be noted below for the Director's consideration:

- Clinician with specific expertise in [NOTE: State area or field and reason]
  - 1.
  - 2.
- Specific clinician recommended [NOTE: State name and reason]
  - 1.
  - 2.
- Specific clinician **not** recommended [NOTE: State name and reason]
  - 1.
  - 2.

### File of documents

#### Person with responsibility for forwarding the file of documents to the Children's Court Clinic

Name

Address

Telephone and fax

Email

Role in proceedings

**Specific documents relevant to this assessment and agreed by all parties are to be listed below** (please refer to Practice Note 6)

**A. Documents filed by the Department of Communities and Justice**

1. Summary of proposed plan for the child or young person
2. Initiating document
- 3.
- 4.
- 5.

**B. Documents filed by mother**

- 1.
- 2.
- 3.
- 4.
- 5.

**C. Documents filed by father**

- 1.
- 2.
- 3.
- 4.
- 5.

**D. Documents filed by the child's direct legal representative/independent legal representative**

- 1.
- 2.
- 3.
- 4.
- 5.

**E. Documents filed by third party who has been joined to proceedings pursuant to an order made under section 98(3)**

- 1.
- 2.
- 3.
- 4.

5.

**F. Relevant assessments or reports**

1. Previous Children's Court Clinic assessments (if any)

2.

3.

4.

5.

**G. Documents produced in answer to subpoena under section 248**

[NOTE: Documents produced under a section 248 notice may only be provided if the consent of the relevant organisation has been obtained. Identify below the organisation or entity that has produced the document in answer to a subpoena and/or section 248 notice. If only selected parts of documents produced by an organisation are to be forwarded, attach an agreed schedule]

1.

2.

3.

4.

5.

**Notice of listing**

This application is listed at

Children's Court

Date

Time

Signature of Registrar