

Involvement of Children in Family Court Proceedings

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Receptionist: Cohen Highley.

Announcer: The Cohen Highley Legal Moment on Fresh FM. I'm here with Kim Doucett from Cohen Highley's family law department. After a relationship breakdown, at what age can children decide what parent they want to live with?

Kimberly Doucett: No statutory age exists that sets out when children can decide which parent they stay with.

Announcer: So children have no say?

Kimberly Doucett: The adage in family law is that children have a voice, but not a choice. The courts decide based on their best interest. Social workers or the Office of the Children's lawyer can be engaged to provide guidance.

Announcer: Why can't children decide on their own?

Kimberly Doucett: Children may not understand their best interests. Perhaps one parent speaks negatively about the other, or maybe the children just prefer one household's rules over the other.

Announcer: Do children ever speak in court?

Kimberly Doucett: Rarely; if it is required the courts will generally look to the Office of the Children's Lawyer for assistance. Judges can speak with children although this is rare. Children are sheltered from the process as much as possible.

Announcer: Thanks Kim. This has been the Cohen Highley Legal Moment. Cohenhighley.com

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Singers: Cohen Highley, we're listening.

