# 91.

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Para 96(5)(a) PD 2024

## Letter of Instruction to Expert Witness (Child)

Note:

To be used as Annexure 2 in Form 90.

Dear [To state name of expert]

**Re: [Name of child/children]**

**Divorce Suit No. [to state number]**

**Order for Expert Report**

**Date by which report has been ordered to be filed in court: [to state date]**

***Summary of the proceedings and applications***

1. The particulars of the persons concerned in the above proceedings are listed in Schedule 1. The proceedings consist of:

Custody and/or access issues in the ancillary matters in the divorce proceedings

|  |
| --- |
| State the orders sought by each party here. |

Applications for custody and/or access in the divorce proceedings

|  |
| --- |
| State the numbers of the relevant Summonses and the orders sought by each party here. |

Custody and/or access issues in proceedings under the Guardianship of Infants Act 1934.

***Disputed child(ren) issues before the Court***

2. The disputed child(ren) issues before the court are:

[To state what issues the court has to decide, for example:

Whether the mother/father/third party [please specify] should have care and control of the child/children

Whether the mother/father/third party [please specify] should have access/supervised access to the child/children]

***Your instructions***

3. Please read through Schedule 2 for an explanation of your duties as an expert witness.

4. You have the permission of the court to interview the child/children and any relevant family member[s]. The order of court is enclosed.

5. Please address the following issues in your report:

|  |
| --- |
| Insert Court-approved list of issues here. |

6. If there are any other issues which, in your opinion, need to be addressed, please state them and explain why it is necessary for the court to consider these issues.

***Contact persons***

7. Please contact the parties directly to arrange for interviews. Please keep a careful record of all pertinent discussions with all the parties.

***Completion of report***

1. If at any time you anticipate that you will not be able to file your report by the deadline stipulated, please inform us promptly so that we may inform the other parties and the court if appropriate.

***Factual issues***

9. The relevant court documents and court orders are provided in Schedule 3. In applicable cases, a common set of agreed or assumed facts is also included in Schedule 3. You should express your opinion regarding your findings on the facts of the case, but you must not seek to resolve disputed facts as this is, of course, to be determined by the judge at the final hearing. Where appropriate, it will be of assistance if you are able to express your opinion on the basis of alternative findings regarding the factual dispute[s].

***Your report***

10. The report will be disclosed to the court and to all the other parties. Once your report has been prepared, please send a copy to:

The  Applicant  Applicant’s solicitors at [to state address]

The  Respondent  Respondent’s solicitors at [to state address]

The court at the Family Justice Courts, No. 3 Havelock Square, Singapore 059725

The other party/parties [please specify]

Please state the case number and name of the case, i.e. [to state the case number and name of the case] in the title on the front page of your report.

***Documents***

11. We enclose with this letter:

Schedule 1: Persons concerned;

Schedule 2: Note to expert witness;

Schedule 3: Relevant documents;

A copy of the court order

giving permission to  interview  examine the child/children

appointing you as the expert witness.

Yours etc