

## پایاننامهی کارشناسی ارشد: احسان جلالی فر، ۱۴۰۳

بررسی حقوقی نقش مراکز مشاوره ی خانوادگی در حقوق ایران بارویکرد قانون جدید حمایت از خانواده

??ب?ووز سق؟ ٌ? ٌ ?و ْض? ا?اله? ا?طاى، سأ??? ِ سق? َز هكبِض ٌ بّ ب سرهه? ا?ز. ثط ا?ى ا?ووب?،قبًى حوب?ز ذبًاز ٌ ق َ قًبئِ ? ضا هكلف ًو َز، هطاكع هكبٍ ض ُ ضا زض ه??ز زازگب ٌ ب؟ ذبًاز ٌ ا??بز ًوب?س. قبِّي ۨوچ? ٌي اض?ب? ز?ب? ِ َبلق سَافق? ث ِ هطاكع هكوودٍ ِض ُ ضا ثطا? زازگب ُ العاه? أَو ز ُ ا?ووز.فل?ووف ِ ا?ى العام قب،? ً سحك؟ن ذبًاز، ُ د?كگ?ط? اظ اَل ِ ا??بز نلح ِ ?ووبظ ا?ووز. افعيى ثطكبضكطز انالح،? قبِّ عُصاض هأه َض?شْب? ه ْن ز?كط? هبِّ س ا ْبض? أَط كبضقِّ ب ْ وُو? د ?طاه َ ي ?لش ْب هب? ٓزز?ب? ذبًاز، مسزكبض? ا?شوب?? ذسهبر زضهب؟ ً ضا ثط ْ?س ٌ هطاكع هكووبض ذبًاز ٌ قطاض زاز ُ ا?ز.ا?ی وَقشبض ث ضـ سَن?ف-? سحل?ل? ث ثطض?? قف هطاکع هکبض ُ ? ذبازگ? زض حق َ ا?طاى ثبض? كطز قباًى ?س?س حوب?ز اظ ذباً أن ضا ه َضز ثطض?وو? قطاض زاز ُ ث ا؟ى أَش?? إِ زَ?زِ ?بفش ِ ا?ز ك ِ زض?ب 1391 قباًى ?س?س حوب?ز ذباًاز الله هبز "ب? هش?سز? ث ِ ا؟ى اهط ه ْن دطزذش ِ ا?ز ک ِ نلح نفب ِ ?بظ ذباً ازگ? ِ ؟ج َض اَل آب? سافق? اظ ف?لشط هکه ِض ُ ذبًازگ? ذسهبر ضا ً كُبّذش? ه? ساً س ثا أش ثا إشحكبم ذبًاز تب كوك قب ?ب؟ ً وب إس زض ??ى حب ? ًبظ ث ِ حوب?ز، ث?كشط ?ول? ِ ا?طا?? زض ا?ى اهطذ? ُط ِ ? َز زاضز ِ ث ِ َ َض كل? هطاكع هكب ِض ُ ذبًاز ٌ ثط ? دب ? د?کگ?ط،? زضهبی ثبظسًا؟ ً ?ول ه? کٌس العام هشقبی?بی اَل سَافق? ث هکبـْض ٌ ث نَضر هُلق ثطذالف ههلحز ذبًاز ُ عَب بظكبض ثب هَاظ ? يقط ?? ا ?ز. وچ ؟ م ه الَم قس ك قووطا ؟ ?لو،? س?طث? نبلح?ز ّب? اذالق? كبضة ّب?ووبي هطاكعهكبض ۖ وچ? ّي هب? ٓزغ?ط اذش?بض? هكووبِ ض ُ غ?طا شربث? كبضق ّب?بي، ثب كبضكطز ّب? قب? ۚ أي س ّب?ت ً ساضز ِ ث ِ و ْ ي زل?ل، هطاكع هكبض ُ فبقس كبضاً?? رظم زض سحقق ا ساف قباً كصاض ه?جبق س.

كليدواژهها: اصگبي كليذي: هطاكع هكبضُ ذبًاز، ٌ حق َ اطاي، قبًي سس حوبز اظ ذبًاز. ٌ

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## M.A. Thesis:

Investigating the role of family counseling centers in



## Iranian law with the approach of the new family protection law

The legislative policy of the Islamic Republic of Iran is to establish and strengthen specialized counseling. Accordingly, the Family Protection Law mandates the judiciary to establish counseling centers in conjunction with family courts. The law also requires the court to refer divorce cases to counseling centers. The philosophy of this legal requirement is to strengthen the family, prevent divorce, and create peace and reconciliation. In addition to the reformative function, the legislator has assigned other important missions to family counseling centers, such as providing expert opinions on the causes and nature of family lawsuits, social work, and medical services. This article uses a descriptive-analytical method to examine the role of family counseling centers in Iranian law with the approach of the new family protection law and has reached the conclusion that in 2012, the new family protection law addresses this important issue in several articles: family peace and reconciliation and the passage of consensual divorces through the filter of family counseling and psychological services can contribute significantly to the strengthening of families. At the same time, there is a need for more practical and executive support in this serious matter, and in general, family counseling centers operate on the three pillars of prevention, treatment, and rehabilitation. Requiring applicants for consensual divorce to undergo counseling is absolutely against the interests of the family and incompatible with Islamic principles. It was also found that the scientific, experimental, and ethical qualifications of the experts of the counseling centers, as well as the non-voluntary and non-selective nature of the experts, are not commensurate with their legal functions, and for this reason, counseling centers lack the necessary efficiency in achieving the goals of the legislator.