



INFORMED CONSENT/NOTIFICATION REGARDING CUSTODY EVALUATION

Your response to the following questions will enable us to provide information helpful to a legal decision-maker when deciding on a custody arrangement that offers each involved child access to the best skills, talents, and resources each parent has to offer.

A comprehensive custody evaluation typically involves: interviewing a substantial number of individuals; observing each child with each parent, and each involved child with his or her siblings all together and with both parents all together; the administration of psychological tests to all key participants; the review of relevant documents. Hence, I will have used multiple sources of independent information, following which I will identify convergent lines of evidence. Therefore, and offered conclusions will be suggested by multiple pieces of independently derived data.

In some situations, a more limited evaluation will be undertaken, in which case only limited information can be offered to a decision-maker. In other such instances, the limited information will be pooled with data gathered by one or several other evaluators, to collectively yield a comprehensive assessment.

My signature below indicates that I agree and/or will comply with ALL of the following conditions, and my initials after each paragraph indicate that I have read and understood each paragraph.

1. The named individuals will participate in this evaluation. They will be available for interviews, observations, and testing as may be reasonably required by the evaluator. My mission is stated in the court’s order as follows:

2. I agree to have the involved attorney(s) seek a court order that _____ is to perform this evaluation, and be designated the “court’s expert”.



3. My signature below signifies my consent that the child(ren) take part in this evaluation, and my understanding that the rules of confidentiality are waived for all participants in this evaluation. Information gathered may be made available to a court or may be discoverable in future or ongoing legal actions. Further, information is not only to be sought by the evaluator from others, but may have to be shared (i.e. exchanged) with others, as when the evaluator needs to obtain someone's reaction to a real or alleged fact.

4. If required, I will furnish appropriate legal documents (e.g. an existing divorce decree or custody order) indicating that I have the right to seek this evaluation on behalf of the involved child(ren) and to waive confidentiality rights for him/her/them.

5. I agree to have the involved attorney(s) clarify in writing all of the legal issues which may be relevant to the current evaluation. These may include whether the current evaluation needs to address the possible existence of a change-of-circumstances subsequent to a prior custody order, the presence of some form of actual or alleged abuse or neglect, whether a presumption favoring joint custody exists in the involved jurisdiction, etc. The attorney(s) must ensure that we understand any and all legal criteria relevant to the resolution of the current dispute(s). This information should include existing statutory guidelines in your jurisdiction, plus any case law believed to be relevant.

6. I agree to give the evaluator consent to obtain all the following documents. These may include court-related documents such as divorce decrees, prior hearing transcripts, pleadings, deposition testimony, reports from other experts, etc. or may cover educational areas, prior psychological evaluations, medical reports, reports relating to substance abuse, child neglect or sexual and/or physical abuse, criminal behavior, employment, financial, etc. Note also that such documents may be provided to us by the court or the involved attorney(s).

7. I give consent to the evaluator to obtain information from any person or institution who or which the evaluator believes may have information relevant to this evaluation (e.g. school personnel, pediatricians, live-in babysitters or housekeepers, etc.). If I believe any such person can provide critical information, I will give the evaluator relevant names and phone numbers.

If you want the evaluator to have input from others (e.g. neighbors, grandparents, etc.), request that each such person type out his or her information on one page, have it notarized, and mail it to us. Make sure each person provides telephone numbers and times he/she can be reached, in the event we believe additional information may be required.



8. I agree to allow the evaluator to have access to any physical locations (e.g. my home) where the involved child(ren) may find themselves spending time. Please note that the initial personal contact evaluation day will require the simultaneous presence of both parents and the child(ren). Since the adults will have to remain at the evaluator’s office significantly longer than the child(ren), the parents should make arrangements to have a trusted third party present, who can both watch the child(ren) when the parents are otherwise occupied, and possibly take him/her/them home when his/her/their presence is no longer required on this initial contact day.

Note especially carefully that the current visitation plan probably needs to be modified in order to facilitate fair and balanced observation opportunities. This helps control child transition behavior. The purpose is to provide whoever is the current noncustodial parent some “relaxed” time with the child(ren) prior to assessment sessions. Typically, this involves giving the current noncustodial parent an opportunity to be alone with the child(ren) up to 2 hours on school nights, or up to 3 hours on non-school nights on the 2 days preceding the initial evaluation day or days.

The child(ren) should spend 2 full days with a parent prior to any home visit with that particular parent, unless there is some legally mandated reason to contradict this requirement.

In this particular case the following modifications are requested:

9. I agree to provide the evaluator with a brief written summary of the issues I consider of major importance in this evaluation when they request it, typically just before any written report is prepared. This will allow you to inform the evaluator of important late-developing information.

10. Note carefully that it is impossible for an evaluator to estimate with any precision how long it will take to complete this evaluation. I will provide my best estimate. But not only are there often complex logistical matters to contend with, but further, unexpected issues and/or allegations may arise in the midst of the evaluation. Such events are not foreseeable. Also note that in the event such issues DO arise that require assessment, further fees may have to be charged, in addition to those initially agreed upon.



11. Please note carefully that conclusions mentioned in any report that follows from this evaluation will be based upon information available to the evaluator at the time of the evaluation. Should new information become available, these conclusions may have to be modified.

12. Please note that any recommendations made on the basis of our eventual report by another party is solely the responsibility of that party.

13. I thoroughly understand and accept the fact that the evaluation could yield information unfavorable to my own position, and that this information could be offered in courtroom testimony.

14. It is understood that the evaluator may wish to consult with other mental health professionals regarding the current evaluation, if this course of action is seen as appropriate and helpful.

15. I agree to the following payment of fees arrangements:

Our fees are as follows: \$200/hour for the first 3 hours, (\$600.00) which is the minimum, and \$200 for each additional hour with a cap of 10 hours (\$2000.00). There may be a fee for extra reports. Fees for the evaluation are separate from testimony and/or court fees. \$600.00 is due upon acceptance of the case for evaluation. Additional charges beyond 3 hours are payable prior to release of the final evaluation document.

16. I have sent a copy of this contract to my attorney whose name is:

And whose address and telephone number are:

I HAVE REVIEWED THIS CONTRACT WITH MY ATTORNEY

Name of Parent-Respondent

Date this form was signed