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INFORMED CONSENT TO PARTICIPATE IN A CHILD CUSTODY  
EVALUATION

A child custody evaluation is a process that may not be familiar to you. I will outline the evaluation process briefly. You should review the information below with your attorney. We will discuss the evaluation process described below in more detail at our first meeting. Feel free to ask any questions you have about the process.

Please carefully review the stipulation your attorney and you have already signed. It covers fee arrangements and other important issues.

My Curriculum Vitae describes my education, professional experience and membership in professional organizations. I am an independent medical examiner. I am performing your evaluation under the auspices of the Medical Board of California.

#### Scheduling

We will schedule appointments at our first meeting. It is very important that you try to make yourself and your children available for appointments as early as possible and avoid cancellation, because rescheduling may cause a serious delay. There may be other reasons for a delay in producing the report including the need for more extensive investigation, unanticipated personal or occupational interruptions in the parties' to the evaluator's schedules or previously planned absences.

#### The Evaluation Process

It is important to understand that my role is different than a psychotherapist or treating physician. I am the Court's neutral expert. My role is to investigate and assess psychological, family dynamic issues and their impact on the family and the children. I gather information from interviews with the parents, children and from collateral sources such as family, friends, schools, therapists and medical professionals. It is helpful if you can provide to me a list of contacts that you think will be important in this evaluation.

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I write a report of my findings with my opinion and recommendations. This report is given to the judge, to the attorney's and to you if you are representing yourself. My primary goal is to assist the judge in making a custodial decision in the best interest of the child(ren). My secondary goal is to provide insight into the problems of the relationship and family so that you can optimize your children's emotional well being and significantly reduce their stress.

As a neutral evaluator, I am not on any person's side. It is important to keep in mind that my opinions about you should be regarded as constructive criticism.

This may be a stressful experience and there may be ongoing problems involving the children. I will not be able to provide you with therapy or advice or intervene in personal crises or conflicts during the evaluation. If necessary, I will have a conference with your attorneys to discuss whether you may benefit from therapy during the evaluation.

### Confidentiality

When you meet with a doctor, healthcare professional or mental health professional, the information you discuss with that person is confidential. This evaluation does not follow the same rules of confidentiality. Information discussed in the evaluation may be included in my report, which is sent to the Court, to the attorneys and to you if you are representing yourself.

However, the report and file in this case are sealed court documents only to be used in this family law case, according to the stipulation that you signed. This means that I will not provide the report to anyone except the parties outlined above. No one else should have access to the report or to the file except by court order. Children should not see the report. In order to protect your confidentiality, I advise you to leave the report in your attorney's office. It has confidential information about both parties and the children, and you should not show it to others.

I may discuss the case with professional colleagues, without revealing identifying information in order to promote careful and neutral analysis of results and appropriate recommendations. I will not reveal identifying information about this case to others except for the collaterals contacted as named in the report, consultants on the case as named in the report and in some cases where I am required to make suspected child abuse reports or reports regarding danger to self or others.

In most cases, I include children's statements in my report. When I meet with children, I inform them that I will be helping their parents make plans for how they are going to take care of them and how much time they will spend with each parent. I also tell them that I need to find out how the children think and feel to make a good plan. I tell them that I write a report that their parents will read. If children tell me they are worried about parents knowing what they say, if a parent is worried that a child is pressured, or if I believe a child appears unusually distressed, I will talk to the parents about signing a Waiver of Access to Children's Statements. If both parents sign the waiver, the

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children's statements are included as an attachment that only the judge and attorneys read.

### Materials or records

You can prepare for the evaluation by organizing written materials. You have been emailed a Child Custody Questionnaire. Once completed you should send a copy to your attorney, who should provide a copy to the opposing attorney within one week of the first evaluation appointment.

Any written materials you or your attorney provides to me including your questionnaire should also be provided to the other party's attorney (or if they are materials already exchanged, notice of what has been provided to the evaluator should be sent to the other party's attorney). If there are particular documents you wish me to be aware of while I am conducting interviews, please bring this to my attention during one of our meetings.

Please provide me following materials: your children's most recent school report cards, the court orders for custody, restraining orders (if any). If there has been involvement by the Department of Children and Family Services (DCFS) or the police, there are any criminal hearings or any psychiatric hospitalizations. Please arrange with your attorney to obtain those records and provide them to me.

### Appointments

I meet with both parties together for the first meeting unless there are domestic violence issues or restraining orders in place. The first meeting is to review the evaluation procedures and make future appointments. For all subsequent meetings I meet with each party individually. It is best to come without the children to the first meeting.

### Psychological Testing

Each party will be asked to do some psychological testing in my office. Psychological testing is used as a check (or second opinion) on my interview with the parties in regard to psychological issues you may bring up about each other. In addition, psychological testing gives information about a person's likely interpersonal behavior and the way they think, which pertains to parenting. Sometimes I refer individuals to another psychologist for more extensive testing. Fees for psychological testing are not included in my fees.

**Collaterals:** It is important to obtain information from third parties for the evaluation. Please contact your family and friends to get their permission to be involved in this process. Have your friends and family write a brief summary and submit it to your attorney. I will follow up with telephone calls if necessary. Some of your family and friends may not feel comfortable in participating in the evaluation. Please respect their decision.

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**Home Visits:** I usually conduct home visits to each of your residences with all of the children present. If there are other children not involved in this case, e.g. half siblings or step siblings, it is important that they also be present. Permission from the half siblings or step siblings parents is necessary for me to interview any minors.

**Cost:** As detailed above, Child Custody Evaluations are intensive, comprehensive and take a lot of time. An exact cost of the evaluation is not possible since every family's needs, issues and problems are different. Evaluations can cost up to \$20, 000 but might be less or more expensive on a case-by-case basis. Please note that I do not have credit card facilities. The report will not be released until the final invoice is settled.

**After the Report:** I will submit my report to the Court, your attorneys and to you (if you represent yourself). I will not have any further communication with you or your attorney after the report has been issued so that I preserve my role as the Court's neutral expert witness. If you have complaints about the evaluation, you have the right to go to the Family Law Court and present your position to the Judge. Your attorney can subpoena the file and have another expert review the report and the file. You can depose me or have a hearing in the case (please see the stipulation for fee arrangements).

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I have read and understand this description of the custody evaluation procedures.

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Signature

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Print Name

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Date