

Dear Family Law Attorney,

This letter outlines the procedures for comprehensive psychological custody evaluations in our office.

Fees

We require a deposit of \$5,000 for comprehensive evaluations. Please call our office for our hourly rates. If the deposit is used up and substantial work remains on the evaluation, we ask for a 2nd deposit before going forward. The balance due is payable in the form of a cashier's check before the report is released.

Stipulation and Order

We require the parties and attorneys to sign a stipulation, which then becomes an order of the court, covering issues concerning our fee arrangements, release of confidentiality, immunity, and calling us as a witness. We can provide a sample stipulation or will also agree to use other stipulations that cover the above issues. There is a due date for receipt of an order naming the evaluator or the conformed stipulation three weeks (21 days) prior to the date of the first appointments so the evaluator can file form 326 with the court; if receipt is past the due date, the first day of evaluation sessions may be rescheduled.

Scheduling Appointments

Once the deposit and stipulation/order are received, our office will call the parties to set up their appointments. It is more efficient for the parties to schedule directly than for us to schedule through attorneys' offices. Please instruct them to phone our secretary at 310/392-6163.

Informed Consent

During the first evaluation appointment, we ask parties to sign an informed consent regarding evaluation procedures, which we also discuss in person. The parties and their attorneys are provided with the informed consent in advance, for their review.

Materials Submitted

The parties will bring three copies of the Detailed History Questionnaire, the Collateral Contact Information Form, and the Custody Release of Information Form to their first appointment and give one copy to the evaluator and two to the other party. The parties are responsible for providing to their attorneys copies of these forms from both parties. The parties and attorneys may submit any ancillary materials you wish as long as the other party's counsel is provided copies. Our office is not responsible for insuring ancillary materials are provided to the other party's counsel during the evaluation. Any materials submitted will be reviewed. We request you send copies of materials that do not need to be returned. Please be aware that review of lengthy documents may substantially increase the cost of the evaluation.

Telephone Calls with Attorneys

Any discussion of case content with attorneys will be done in the form of a conference call. However, we will discuss procedures (e.g., when is report to be released, arrangement of fees) with attorneys' offices separately.

Length of Evaluation Process and Scheduling

Our goal is to finish the evaluation within eight to twelve weeks of the first appointment. In order to do this, the parties must make themselves available to come to appointments according to a particular schedule.

Although we understand that there are situations in which delays are unavoidable, we ask that you please help your clients understand the importance of adhering to the schedule. Reasons for parties not making themselves available for the schedule of appointment times will be reported to the court.

Referrals for Evaluation Procedures

We use some self-report psychological testing for all evaluations. When there are concerns about parents' psychological functioning, we may refer for more extensive testing to another psychologist, with that psychologist making his or her own arrangements for fees and payment. Home visits may be done because of either party's request or because of our decision that information is needed. A colleague may do the home visits and write a separate report, with payment for that report collected through our office.

Reporting of Results

In many cases, we will give an oral presentation to the parties and their attorneys of the results from interviews, testing, and other procedures. In addition, a short written report will be released to the court on the same day. This report will discuss conclusions from the evaluation and give detailed recommendations.

Unless otherwise agreed upon, any discussion among the parties and attorneys during the oral presentation session is not confidential. After the presentation of results, the parties and their attorneys may ask questions and the file may be inspected, in the manner of an informal deposition.

Upon a request from either party, and payment of any fees owed for preparation, we will produce a written report which includes the details of results that were presented in the oral session.

Testimony

If we are asked to testify, we expect a subpoena which makes it clear whether the file or our testimony alone is required. We ask that you make arrangements at least one week in advance with our office and schedule us to appear for a given day or half-day. We do not make arrangements to be "on call." Our witness fee is payable in the form of a cashier's check one week prior to the appearance. No fees will be refunded for cancellations made less than 48 hours before the scheduled appearance.

We testify as the court's expert, and remain neutral. All communication with attorneys prior to a court hearing about the case will be done in the form of a conference call, except for communication strictly concerning arrangements for testimony.

Security Issues

If there is a restraining order/s in place at the time of the evaluation, please notify our office promptly so we can make appropriate modifications regarding procedures that may bring the parties into contact with one another. Also please notify us if either parent has a concern about possession of guns, fears of child abduction, or any other concerns that may require extra attention to security.

Please phone our office if you have further questions.

Sincerely,

Mary Elizabeth Lund, Ph.D.

Angus Strachan, Ph.D.

CCE Procedures for Attorneys