

Custody Evaluations  
Psychological Testing

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Marital Counseling  
Parent Guidance  
Psychotherapy

### **Procedures for a Child Custody Evaluation**

#### **The evaluation is properly ordered when:**

- 1) the evaluator receives the *conformed* (i.e. entered at Court) Order for Child Custody Evaluation, in which the scope of the evaluation is clearly stated;
- 2) the parents and their respective attorneys have time to review the procedures and state any objections.

#### **The evaluation begins**

- 3) after the minimum deposit (AKA retainer) has been received, and after
- 4) the evaluator receives the completed Detailed History Questionnaire from each parent.

#### **Procedures:**

The requirements and procedures for all custody evaluations are set forth in Rules of Court 5.220(e)(I). The following is an explanation of what to expect during a child custody evaluation in this office, but each family is unique, and adjustments to the procedures may be needed:

- The purpose of the evaluation is spelled out in the first paragraphs of the Stipulation and Order for the evaluation.
- The cost of the evaluation and responsibility for payment are spelled out in the Stipulation and Order. Be aware the cost is likely to exceed the minimum deposit.
- This evaluation shall be distributed to the attorney for each of the parents and to the Court. Additional distribution may be made upon the Court's Order, but any non-Court ordered distribution is prohibited.
- One or more conjoint interviews of the parents unless there is a history of domestic violence and/or restraining orders.
- Interviews of each parent alone.
- Review of school, medical, mental health records or other records of the child(ren).
- Review of medical and mental health records or other records concerning parents.
- Review of any Court documents including police records, depositions, and any other records deemed pertinent by the parties' attorney of record.
- Collateral contacts with professionals known to the family, friends, neighbors or others.
- Interviews of each parent with the children in the children's home or in my office, to be determined.
- Interviews of each child alone in the child's home or in my office, depending on the age of the child.
- Developing recommendations in the best interest of each child.

Some evaluations will also include:

- Psychological testing of both parents and possibly the children.\*
- Home visits.
- Use of interns or assistants to facilitate speedy conclusion or to reduce costs of the report.
- Consulting with other experts to develop information beyond the evaluator's experience.
- Random testing for substance abuse by observed chain of custody urine catch analyzed by chromatography or similar, if this is the concern of the Court or the parents.
- Other unanticipated procedures which cannot be specified before knowing the entire case.

\* The parents' perceptions of their children can be compared to the evaluator's own perceptions or test results to determine if the parents are in tune with the child. The parents' concerns sometimes comprise hypotheses about the personality functioning of each other. Psychological tests can be inspected to determine to what degree these hypotheses can be demonstrated. Conversely, tests may raise questions about the validity of some allegations or preliminary understandings of the custody impasse. Tests can raise alternative hypotheses about the individuals. Tests also can help put into words qualities poorly articulated or point to further areas of exploration. Because the interpretation of test patterns have been written long before the tests are administered, the test results are like a second opinion. As such, they also comprise a check on possible evaluator bias.

#### **Other considerations:**

The cost of the report often exceeds the minimum deposit fee. A precise fee cannot be determined by an evaluator who does not know in advance all the facts and conditions he or she learns later.

All fees for the custody evaluation shall be paid in advance of release of the report.

The evaluator is not permitted to use illegally obtained information, such as surreptitious recordings.

There shall be no ex-parte communication except for non-substantive matters, such as scheduling appointments. All documents, e-mails, and other materials submitted to the evaluator by one party shall be distributed to the attorney of the other party.

The report shall not be copied or distributed for any other purposes other than to the Court for the custody matter for which it has been ordered, except by a Court Order to do so.

This is a Court-Ordered evaluation, not therapy. No patient therapist privilege applies. There are no "off-the-record" communications.

At a time before the final report is concluded, there will be a date beyond which any further information cannot be included in the report.

The intent of the evaluator is to have a fair and balanced evaluation in the sense that each parent party will be given ample opportunity to present matters that he or she considers to be important. This does not mean that the same number of sessions or the same amount of time will be spent with each individual. Attempting to provide exactly equal time is a misguided form of attempting to balance the evaluation. Some individuals speak rapidly in an organized manner while others are slow to organize their thoughts and may be repetitive or circular in presenting ideas. However, the

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parents will be given an opportunity to add things that he or she considers to be important before the evaluation is concluded and each parent will be provided with an open-ended opportunity to speak with me. The evaluator may pose questions that he intends to address. In the event one or both parties provide excessive documentation, The evaluator may determine what information is pertinent.

In the event any of the above procedures conflict with the Court's Order, the Conformed Order shall govern.

Please promptly state any objections to these procedures. In the absence of any written objection, I shall assume the procedures are understood and acceptable

Carl F. Hoppe, Ph.D.  
The Court's evaluator

I have read and understand this explanation: \_\_\_\_\_ / date: \_\_\_\_\_  
(Petitioner)

I have read and understand this explanation: \_\_\_\_\_ / date: \_\_\_\_\_  
(Respondent)