
OPTIMA FORENSIC PSYCHOLOGICAL SERVICES

What to expect during a Child Custody Evaluation

In the State of Texas, a Child Custody Evaluation is a process in which a certified psychologist evaluates the biological parents, child(ren) as well as other adults and children living in the child(ren)'s home to make a recommendation to the court regarding custody and visitation. The purpose of all custody evaluations is to ensure that the needs of child(ren) are being met as best as possible and requires the psychologist to pay particular attention to the strengths and weaknesses of parenting skills in tandem with the psychological needs of the child(ren). Basic requirements of a Child Custody Evaluation are outlined in the Texas Family Code and will be followed by the evaluation team.

Important Information for Child Custody Evaluations

The psychologist/ evaluator represents the Court

Although the parties to the suit pay for the evaluation, the evaluator(s) conducting a court ordered evaluation represents the Court and is required to determine what is in the best interest of the child(ren) involved in the custody dispute. The evaluator does not represent either parent, their attorneys or any person paying for the evaluation. Texas courts require that all parties in a custody evaluation participate in a timely manner.

Release of information from collateral sources

During the intake process, parties in the suit will be asked to provide a list of collateral contact information and authorizations for release of records and/or communication. The following types of collateral information requested but is not limited to:

- Medical and mental health records
- Educational records
- Employment
- Criminal history
- Substance abuse treatment
- Any reports/allegations of abuse, assault or neglect
- Military records
- Child protective services records

Please note audio/visual recordings as well as text messages or emails cannot be submitted as part of the evaluation unless items have been certified valid by a 3rd party professional.

Evaluation costs

Prior to starting the evaluation, an estimated fee will be given to both parties and will be based on the number of individuals involved in the custody dispute (including additional adults and children living in the homes of the child(ren) of the suit). The estimated cost is also based on the detailed completion of the evaluation questionnaires, which can save time during interviews.

Additional costs will be incurred as a result of the following situations:

- Inaccuracies on the list of individuals who are involved with the child(ren), resulting in additional interviews.
- Incomplete/partially completed/ or inaccurate information provided in the questionnaires, resulting in re-doing questionnaires and/or additional interview time.

- Collateral information obtained does not corroborate information provided in interviews or questionnaires, requiring additional time to clarify discrepancies.
- Additional interviews at the request of the parties involved in the suit.
- Duplicate telephone calls/ emails made by forensic coordinator due to individuals disregarding calls or requests to schedule appointments or provide information.
- Incidents such as allegations of domestic violence/ abuse/ substance abuse etc. that occur during the evaluation process that require investigation by the psychologist.
- The Child Custody Evaluation costs do not include the psychologist/evaluator being asked to provide testimony at mediation or court hearings. These requests will require additional fees.

The retainer

A retainer of 50% of the estimated cost will be due before any work on the evaluation begins. Fees will be deducted from the clients' retainer as each service is rendered. The parties will receive a detailed schedule of their retainer account on a monthly basis. Parties will be notified when their retainer balance reaches \$900 and they will be asked for an additional retainer to cover the remaining costs of the evaluation. If there is a credit on the account at the end of the process, the amount will be refunded when the evaluation report has been submitted to the court.

Reduction of bias in the evaluation process

In order to help reduce any bias that may arise as a result of one psychologist completing the entire evaluation, different sections of the evaluation will be completed by a team of psychologists specializing in specific areas. The division of labor for the evaluation will be reflected in the evaluation plan. The forensic psychologist team lead will facilitate a final meeting at which time team findings are reviewed and conclusions and recommendations to be submitted in the final evaluation report will be discussed and agreed upon.

The evaluation plan and progress reports

An evaluation plan will be distributed to each party in the suit as well as attorneys and the court and weekly progress reports on the implementation of the plan will also be sent. Any attempt by the parties to the suit to undermine or delay the completion of the evaluation through resistance to scheduling, cancelling and not rescheduling appointments and disregarding calls/emails from the forensic coordinator will be reported in the weekly progress report as well as the final evaluation report.

Impartial Evaluations

The Texas Family Code requires strict impartiality by the evaluator(s). To maintain impartiality throughout the evaluation process, the evaluator(s) will only communicate with both parties' attorneys at the same time. Attorneys wishing to speak to an evaluator must set up a conference call that includes the other party's attorney.

Components of the Child Custody Evaluation per Texas Family Code

1. Personal Interviews /assessments of biological parents and other adults living in homes with child(ren) named in the evaluation
 - General Information / History
 - Educational
 - Employment
 - Medical
 - Psychological
 - Psychiatric
 - Criminal/legal
 - Military
 - Substance abuse
 - Trauma

- Allegations of domestic violence, sexual abuse or neglect
 - Relationships of adults seeking conservatorship, possession of or access to the child will be asked about:
 - Current living situation
 - Relationships with ex-partner
 - Past relationships
 - Relationship with current partner
 - Past and current relationships with children
 - Allegations /Incidents of neglect
2. Psychological/Clinical Interview and Assessment of adults seeking conservatorship, possession of or access to the child, to determine current and predict future psychological functioning:
- Mental status exam
 - Review of past and present mental health records to identify chronic/acute mental health diagnoses
 - Determine whether adults with a history of substance abuse or major psychiatric diagnosis, who are currently in remission, have and follow a relapse prevention plan.
 - Standardized testing for objective clinical data in the following areas:
 - Psychological
 - Substance abuse
 - Chronic mental health diagnoses
 - Personality

Based on the above findings, the psychologist may recommend that a parent receive treatment if the child(ren) is at risk as a result of a parent's mental health/medical/substance abuse issues.

3. Personal interviews / assessment of child(ren)
- Parent(s) may be included in historical interviews to obtain accurate information including:
 - Overall history
 - Medical
 - Psychiatric/psychological
 - Education / 504 accommodations
 - Chronic medical diagnoses
 - Chronic Mental Health diagnoses
 - Social functioning
 - Trauma
 - Aggressive behavior
 - Neglect
 - Relationship(s) of child(ren) with adults seeking conservatorship, possession or access to child will be evaluated by an Interview with child(ren) individually (without adult). Items discussed:
 - Current living situation in both homes
 - Relationships with parent's partner (if applicable)
 - Past and current relationships with each parent
 - Relationship with other children and adults living in both parent's homes
 - Relationship with siblings
 - Relationship with peers
 - Allegations of abuse/neglect

Based on the above findings the psychologists may make recommendations for family reunification therapy if the child 's relationship with a parent or parents is at risk as a result of ongoing conflict between parents.

4. Psychological/clinical Interview and assessment of child(ren) individually to determine current and predict future psychological functioning
- Mental status exam
 - Review of past and present mental health records to identify chronic/acute mental health diagnoses including Autism Spectrum Disorder, ADHD and Learning Disabilities
 - Standardized testing to obtain objective clinical data in the following areas:

- Psychological
- Personality
- Cognitive functioning
- Emotional/social functioning
- Trauma
- Substance abuse

Based on the above findings, the psychologist will make recommendations about the need for treatment if they feel the child is at risk for mental health problems.

5. Parenting Assessment

- Self-reports from both parents, which include their concerns
- Review of any reports from Social Services if there have been allegations of abuse/neglect
- Standardized testing to obtain objective clinical data
- Observations of a parent's interaction with child
 - One hour observation and evaluation by a child psychologist of the interactions between each parent and child in a playroom setting.
 - According to the Texas Family Code, these observations are video recorded.
- Co-parenting– the psychologist will determine parent's ability and willingness to co-parent child(ren)

Based on the above findings, the psychologist may make recommendations that the parents engage in counseling to learn parenting or co-parenting skills.

6. Observation /interview of other adults and children who live in the home with child(ren) who are subject of a custody evaluation, to screen for:

- Medical and mental health issues
- Educational issues
- Employment issues
- Criminal history
- Substance abuse
- Allegations of abuse, assault or neglect

7. Observation /interview at each home that the child(ren) in the suit are living.

8. Interviews / record review from collateral sources

- Interviewing and reviewing records from collateral sources to corroborate information provided by the parties includes but is not limited to:
 - School records and/or conversations with teachers/school counselors
 - Medical and mental health records
 - Criminal history information
 - Child protective services records
 - Relevant information from other collateral sources

Once completed, the information obtained is summarized in the report and includes recommendations and will be sent to the attorneys for each party, to any self-represented party, and to each attorney ad litem, guardian ad litem, and amicus attorney appointed in the suit, unless otherwise directed by the Court. A notice will also be filed with the Court that the evaluation has been completed.

The psychologist/evaluator can provide testimony at mediation or court hearings about findings and recommendations; however, these requests require a separate process and additional fees.