

**Lane County Youth Services
Custody and Parenting Time Evaluation**



**INFORMED CONSENT TO PARTICIPATE IN A
CUSTODY AND PARENTING TIME EVALUATION**

Introduction: Before beginning your custody and parenting time evaluation, it is important that you understand the process. Please review the information below with your attorney, if applicable. During our initial appointment, we will discuss the evaluation process described here. You can ask any questions you have before signing that you have read and understood this document and agree to the outlined process.

Scheduling: We expect that all of the appointments will take place as scheduled. The evaluator will let you know approximately when the custody and parenting time report will be released and/or testimony given.

Fees: Fees must be paid in full and payable prior to the start of the evaluations. There are no refunds and no accounting will be provided.

Overview of Evaluation Process: The role of an evaluator is different from a mediator. An evaluator is the court's neutral expert. The evaluator's role is to gather information and provide a report and recommendation to the attorneys, or to the parents if they are not represented. People involved in custody evaluations often experience stress and while there may be issues that arise involving children, the evaluator will not be able to provide you with mediation, advice, or to intervene in personal or parental crises or conflicts during the evaluation. If there is a life-threatening emergency during the evaluation, you should call the local police or 911.

Confidentiality: The confidentiality rules that generally apply to mediation do not apply to this process. As a participant in this process, you agree to voluntarily waive your rights to confidentiality with respect to the documents and information you provide (including but not limited to health, occupational, and education information) and/or agree YS may obtain or release through a signed Consent to Obtain and/or Release Information. The evaluator will provide the custody and parenting time report to the Court and attorneys of record (or to you directly if you represent yourself). It is our policy to not provide the report to anyone else except if required by court order or other applicable law. Children should not see the report. In order to protect confidentiality, it is advised that you to maintain the report in a confidential manner – i.e., in the possession of your attorney. It may contain confidential and/or highly sensitive information about parties and the children, and you should not show it to others.

The evaluator may discuss your case with other program staff. The evaluator may also discuss the case with professional colleagues, without revealing identifying information, in order to promote careful and neutral analysis of results and appropriate recommendations. It is our policy to not reveal identifying information about this case to others except for the collaterals contacted as named in the report, the program staff who assist with procedures and preparation of the report, consultants on the case as named in the report and, in some cases

Lane County Youth Services Custody and Parenting Time Evaluation

where staff is required to make suspected child abuse reports or reports regarding danger to self or others, to child protective service or law enforcement officials. We may sometimes give case examples without identifying information when training others.

Written Materials: Please complete the Questionnaire and the Potential Collateral Contact List, and gather the materials requested in the questionnaire. Bring these documents to your first appointment.

With respect to any written materials provided to Lane County Youth Services, it is your responsibility to provide copies to the other party and the other party's attorney within 24 hours of giving the materials to the evaluator. Everyone must be in possession of the same materials and information. Most ancillary material is read at the end of the evaluation while preparing the report. If there are particular documents you wish the evaluator to be aware of while conducting interviews, please bring this to our attention when submitting the materials.

The questionnaire requires each party to provide Lane County Youth Services with the following materials: the children's most recent school report cards, the court orders for custody, and restraining orders (if any). If there has been involvement by Department of Human Services (DHS) or police departments, or if there have been any criminal hearings or any psychiatric hospitalizations, please obtain those records from the agency and provide them to Lane County Youth Services.

Third Parties: The evaluator will conduct telephone interviews with third-party "collaterals," people who have information about the family. You have been provided a form to organize contact information for collaterals, but we may add collaterals during the evaluation. If we chose to interview collaterals, we typically interview between two and four of them. Our first choices are usually to get information from children's teachers, and, if applicable, day-care providers, therapists, and DHS workers. Other collaterals depend on the issues in the case. We will discuss collaterals with you, but the final determination is in the discretion of the evaluator and will depend on our assessment of needed information from neutral collaterals or the most balanced list of collaterals possible. We cannot guarantee that you will be informed in advance about collaterals that will be interviewed. If there are people you feel strongly should have input in the evaluation, you may want to provide a letter from them as we do not guarantee everyone you request will actually be interviewed. Please be aware that some people may not make themselves available for interview or there may be logistical problems that prevent the interview.

If you are remarried, or have a significant other who spends significant time with the children, we prefer to have an individual appointment with that person. We may request to observe them interacting with the child. We may do phone appointments with significant others who spend little time around the children. If there are issues raised in the evaluation concerning another person's interaction with the children, we may ask that person to consent to be evaluated along with the parties in the case. Otherwise that person is treated as collateral.

**Lane County Youth Services
Custody and Parenting Time Evaluation**

Home Visits and Other Issues: Home visits may be conducted, depending on the issues in the case as determined by the evaluator. If a home visit is scheduled, we will discuss with you what will be expected.

Reporting Results: We generally complete a brief written report that includes the recommended custody and parenting time schedule; we do not meet with the parents and attorneys to present or discuss the report. The report is released simultaneously to attorneys (or directly to the parents if unrepresented). In some cases, we are subpoenaed to testify in court.

After the Report: We will not communicate separately with either party or your attorney after the report has been issued, to preserve our role as a neutral expert witness. If you have questions or complaints about the evaluation, you may ask your attorney to present your position to the judge.

Case Files: Case Files: After a final judgment has been issued in the case, the electronic and/or hardcopy files related to the case may be destroyed consistent with any applicable record retention schedule. Participants and their attorneys should not expect that records be retained by the Lane County Youth Services after entry of final judgment with the court. Lane County Youth Service's general policy is not to provide reports, documents or other materials to the parties or their attorneys after final judgment is issued.

Testimony: If we are asked to testify at a deposition or court appearance, please make arrangements with our office at least two weeks in advance and schedule us to appear for a given day or half-day. We do not make arrangements to be "on call." If subpoenaed, the requesting party will be responsible to pay all Expert Testimony fees: \$250 for a half-day (up to four hours) or \$500 for a full day (four to eight hours). Expert Testimony fees must be paid two-weeks in advance or with the subpoena, whichever comes first.

=====

By my signature below, I acknowledge that I have read and understand this description of the custody evaluation process through Lane County Youth Services and agree to the described process and procedures.

Signed

Print Name

Date