

# CHILD CUSTODY EVALUATIONS

## Regarding Child Custody, Timesharing, and Court-Ordered Parenting Plans

Gayle Zieman, Ph.D.

*Forensic Child, Family, and School Psychologist*

### I. Data Collection Steps and Processes

Each family situation is unique, and therefore evaluations must often be customized. However, almost all evaluations follow the outline shown below:

#### 1. With Each Parent

- a. Personal and family history forms are given for completion at least 48 business hours before the first appointment so they can be studied for use in the first appointment
- b. An individual interview (usually 3.0 hr.) is held to discuss the history of the family and to understand the current issues
- c. Testing is done with each parent. Each must complete extensive psychological testing (approximately 2.5 to 3 hr.) to screen for mental health issues which may impact parenting
- d. Each parent completes a Parenting Plan Ideas form outlining their ideas for all aspects of the future parenting plan (including topics like: time w/ each parent, holidays, child exchanges, child-to-parent telephone contact, and between parent communications)
- e. If communication patterns between the parents are unclear, then the parents are interviewed together to assess their future ability to communicate and cooperate
- f. An interview (~2 hr.) is held to discuss issue specifics arising during the evaluation and the parent's ideas about what parenting plan is in the child(ren)'s best interests.

#### 2. With Each Child

- a. The parents complete a history form and a behavioral rating scale
- b. Each parent household is visited (approx. 1.5 hours). This home observation allows the psychologist to get to know the child(ren) and to observe the family in structured, psychologist-specified activities. For families living outside central New Mexico, other arrangements for meeting the child(ren) and observing the family in structured, psychologist-specified activities are made
- c. Each child who attends elementary school and higher is seen twice for age-appropriate interviewing, once when brought by each parent
- d. Major adults who see the children daily, such as teachers and daycare providers, are asked to complete behavioral rating scales.

#### 3. With Each Stepparent Figure (or other adult frequently in a parent's home)

- a. A personal history form is given for completion before the first appointment so it can be studied for use in the interview appointment
- b. An individual interview (usually 1.5 hr.) is held to discuss the adult's personal history and their observations regarding the current child custody issues
- c. Testing is done. Each adult must complete extensive psychological testing to screen for mental health issues which may impact parenting.
- d. The stepparent or other adult is included in the home observation w/ the child(ren).

4. Collateral Sources
  - a. A broad set of relevant outside sources (such as therapists, teachers, previous spouses, or daycare providers) may be contacted for telephone interviewing (up to 20 min each). Personal friends and extended family are not interviewed unless they have an exceptional role. The maximum number of sources is 1.5 times the number of family members (parent figures + children) in the evaluation. For example, an evaluation with 5 family members (2 parents, 1 stepparent, and 2 children) could have up to 8 sources.
  - b. Up to 1.5 hours of external documentation can be reviewed (hours beyond are billed at \$230 per hour). Typical documents reviewed are: Court orders, medical records, police reports, school report cards, and selected emails or text message between parents.

## **II. Reports and Recommendations**

1. Psychological Report

At the conclusion of the data collection, an Advisory Child Custody Psychological Evaluation Report is written for the Court and the parents (usually 9-12 pages in length). This report gives a list of the data sources used and provides a detailed discussion of the psychological findings about each family member and household environment. Psychological conclusions and recommendations reached about the family and the child(ren)'s best interests are discussed.
2. Recommended Parenting Plan

A full parenting plan ready for adoption by the Court is provided (usually 5-6 pages). This plan is very detailed with provisions for all major areas typically found in court-ordered parenting plans. For example, included are: a detailed routine timesharing plan, thorough holiday arrangements, plans for traveling with the children, child exchange details, plans for school and religious upbringing, directions for extracurricular involvement and parent-child telephone calls, and detailed directives for parent communications.
3. Release of Evaluation Results

Both attorneys and Dr. Zieman meet (1.0-1.5 hr.) for Dr. Zieman's presentation of findings, conclusions and recommendations. Report copies are given to each attorney and usually they provide copies to the Court. The attorneys or Dr. Zieman may provide reports to the parents.
4. Outcome After The Release of Evaluation Results

One of 3 outcomes typically occur:

  - a. Adoption of the recommended parenting plan (the most common outcome) either by parent agreement or a simple hearing before the Court
  - b. Modifications to the recommended parenting plan are agreed to through negotiations between parents, or the Court is requested to order modification
  - c. A parent strongly objects to the recommended plan (the least common outcome) and requests a hearing for the Court to consider a different parenting plan.

## **III. Fees**

1. Evaluations are billed on a flat rate using the following schedule:

Each Parent (adjusted for ave. cumulative life history/factors to consider) are:

  - Age 18 to 29 - \$2,200
  - Age 30 to 39 - \$2,450
  - Age 40 to 49 - \$2,700
  - Age 50 & up - \$2,950

Each Stepparent/Stepparent Figure or Adult (such as grandparent) who is frequently in the home – Fee for residence parent minus \$1,000  
Infants/Preschoolers (infants through pre-kindergarten) - \$1,800  
Elementary School Children (Kindergarten or age 6 to 5th grade/age ≤11)-\$2,100  
Pre-Teens/Adolescents (in middle school or age 12-17) - \$2,400  
Collateral Children often in the home (such as step/half siblings)—as long as they are not presented as a major evaluation factor—\$250 per infant through preschool child, \$350 per elementary school age child, \$500 per middle/high school age child, \$650 per young adult

2. There are extra fees (billed at \$230 per hour) when/for:

- A parent lives outside Albq. but in central New Mex. (Los Lunas, Rio Rancho, Edgewood, or Santa Fe) due to added drive time/costs for home observation
- Services are needed on Saturday or after 6:00 p.m. on weekdays
- Interim recommendations must be developed during the evaluation
- External documentation exceeds 1.5 hr. of review time
- The number of external sources for short telephone interviewing(≤ 20 min.) is greater than one half the number of family members
- An external source requires interviewing for more than 20 minutes
- There is a Guardian ad Litem (GAL) appointed for the children
- Missed or late cancelled appointments (other than the first parent appointment) will have a penalty fee assessed—see the form Court-Related Services: New Client Information and Agreement for specifics. A late cancelation is defined as cancelling with less than two business days notice. For cancellations or postponements of an initial 3 hr. parent appointment, see below under Payment.

3. Payment:

Initial Retainer - 50% of each parent's estimated financial portion is due as a retainer two weeks (14 days) before any booked first parent appointment (the 3 hr. individual interview with background forms due the day before). If the 50% payment is not received two weeks before, the appointment for the responsible parent is cancelled.

Any cancellation or postponement within two weeks of first appointment:

If with 13 days or less before a first parent appointment one or both parents cancel or postpone, a penalty for each parent appointment canceled/postponed is applied to the made refund (or added on in the case of a postponement): \$200 for 9 to 13 days, \$400 for 7 or 8 days, \$600 for 5-6 days, \$800 for 3 to 4 days, \$1,000 for 1-2 days.

Final Payment - The final payment beyond what was paid as a retainer is due on the last day set for submission of data in the evaluation. After that report writing starts. Reports and conclusions for the Court are delayed if full payment is not made.

New Mexico Gross Receipts Tax applies to all fees.

If a bank check is returned for insufficient funds in the account, \$200 is assessed.

*VISA, MasterCard, Discover, and American Express* credit and debit cards are accepted. However, if at any time a refund is made because all or part of an evaluation is cancelled or postponed, the Merchant Fee of 4% on the total charged (which was paid on the day the charge was processed by Dr. Zieman) will be subtracted from the refund.

#### 4. General Office Policies

See the form **Court-Related Services: New Client Information and Agreement** for general office policies regarding:

- record keeping
- confidentiality
- financial policies (such as penalties for missed or cancelled appointments other than a first parent appointment)

#### **IV. After Completion of the Evaluation**

If parents or attorneys have clarification questions about conclusions or recommendations, all responses must be shared with both sides of the litigation.

If meetings, depositions, or court appearances are needed, they are billed as follows with payment due in advance:

1. Telephone or in-person consultations - \$230/hr., \$130/half hr., \$70/qtr hr.
2. Court Appearances/Depositions:
  - \$800 for  $\leq 2$  hr., \$1,400 for half day ( $\leq 4$  hr.), \$2,400 for 4-7 hr. in a day (additional hourly fees if before 8:30 a.m. or after 5:00 p.m.) The fees include preparation for testimony, but not pre-testimony meetings with attorneys.
  - Travel time, parking fees, & mileage (when  $\geq 10$  miles round trip) are added.
  - Court appearances/depositions are billed to the parent/attorney requesting the testimony.