

COURT ORDER #6
IN THE COURT OF COMMON PLEAS OF _____ COUNTY, OHIO
 Domestic Relations/General Division Juvenile Division

In the matter of:

JUDGE/MAGISTRATE: _____

CASE NUMBER: _____

**ORDER APPOINTING CUSTODY
EVALUATOR**

The Court finds that it is in the best interest of the minor child(ren) for a custody evaluation to be conducted in this matter relating to the allocation of parental rights and responsibilities and/or parenting time/companionship or visitation.

It is hereby **ORDERED** that:

1. _____, hereinafter referred to as Custody Evaluator, is appointed to conduct a custody evaluation pursuant to Ohio Superintendence Rule 91 and the local rules of this Court.

Business Address: _____

Professional Board Name: _____

Licensure #: _____ Business Phone #: _____

2. The child(ren) subject to the custody evaluation is/are as follows: _____

The parents or other parties to this case subject to the custody evaluation are as follows:

3. Custody Evaluator shall be appointed until the evaluation report is submitted to the court or until the custody evaluator testifies at the final hearing, whichever is later.

4. The type of custody evaluation to be conducted will be:

Allocation of Parental Rights and Responsibilities
[Comprehensive analysis of the family's issues (e.g., mental health, substance abuse, relocation, special needs, domestic violence, reunification)]

Brief Focused Assessment

Update of a previous custody evaluation report

Determination of parenting time schedule for the child(ren)

Determination if supervised parenting time or exchange is appropriate

- Identification of school district
- If child is permitted to relocate, determination of parenting time schedule
- Other: _____

- Companionship Dispute
- Other: _____

5. Upon presentation of a copy of this order to any agency, hospital, physician, chiropractor, optometrist, dentist, nurse, or other medical, dental, or optical practitioner, psychologists, psychiatrists, or other mental health practitioner, organization, school, person, or office, including, but not limited to, the Clerk of this Court, job and family services agencies, public children's services agencies, private child placing agencies, health departments, juvenile courts, juvenile probation department, and adult probation departments, Custody Evaluator shall be permitted to inspect and copy any records related to the child(ren), the parent(s), or other parties to this case, to confer with any and all professionals who may provide information relative to said minor child(ren), parent(s), or other parties to this case with respect to issues pending before this Court without the consent of the child(ren), parent(s), or other parties.
6. Custody Evaluator shall make no disclosure about a case or investigation, except to the parties and their legal counsel in reports to the Court, as necessary, to perform the duties of the custody evaluator or as directed by the Court or law permits.
7. All parties shall participate in and cooperate with all aspects of the custody evaluation. All parties shall promptly provide all information requested by Custody Evaluator.
8. All parties shall attend all scheduled interviews to ensure the evaluation and report are completed expeditiously.
9. The appointed custody evaluator is:
 - Court connected. The fee for the custody evaluation is \$_____. Orders for payment are as follows:
 - \$_____ shall be deposited with the Clerk of Courts by each party on or before _____ . Said funds to be distributed pursuant to further Order of this Court.
 - Waived – all fees and expenses of the court connected custody evaluator shall be paid utilizing grant funds from the ADAMhs Board and Center for Child and Family Advocacy.
 - Private. All fees and expenses shall be established by the custody evaluator. The parties shall comply with any and all payment arrangements established by the custody evaluator.
10. Custody Evaluator shall submit a full written report to the Court upon completion of the evaluation. In the event a final hearing date has been set, the report must be submitted at least thirty days before that date. If a final hearing date has not, as yet, been set, this matter shall be

scheduled for further hearing upon receipt of the evaluation report. Under any circumstances, The Custody Evaluator shall receive at least 30 days' notice of final hearing in which oral testimony may be required upon subpoena by counsel. Custody Evaluator shall be notified of the final hearing date, of any changes in the hearing date(s) or any additional dates which are established that may require Custody Evaluator's presence.

11. Custody Evaluator shall include the following NOTICE in BOLD print within the body of their report:

This report is being provided to the Court, unrepresented parties and legal counsel of record. If you are an attorney, you may share its contents with your client. However, any additional disclosure of this report must be approved *in advance* by the Court. Any person who copies this report, posts on social media or other mediums or discloses all or portions of the report to another person, without prior approval, shall be subject to Court action including penalties for contempt which include incarceration and fines.

12. The report shall be entered into evidence on the Court's motion as an exhibit in the form of the evaluator's expert direct testimony. A party challenging the report shall subpoena Custody Evaluator to appear not less than 14 days before a hearing or trial. Custody Evaluator shall be available to testify on cross-examination if subpoenaed.
13. Custody Evaluator shall keep accurate records of the time spent, services rendered, and costs and expenses incurred while performing the responsibilities of a custody evaluator. Unless Custody Evaluator is court-connected, Custody Evaluator shall provide a monthly statement of fees and expenses to all parties. Upon the conclusion of their responsibilities, Custody Evaluator shall provide a motion for payment with an itemized statement and accounting to the Court, with a copy to each party or other entity responsible for payment. The motion for payment shall contain an itemized list of duties performed, time expended, and costs and expenses. The parties or other entities responsible for payment shall pay those fees and expenses as ordered by the Court.
14. In addition to all orders set out herein, Custody Evaluator shall strictly comply with the requirements of Sup.R. 91.01-91.09 and the local rules of this Court.

Date Approved

Judge/Magistrate

A copy of this Order was hand-delivered, mailed, or emailed to counsel of the parties or to the parties without counsel, to (If court connected: Custody Evaluator at contact@theccfa.org) and to _____ (ie: DJFS, GAL) on this _____ day of _____, 20_____.