

CAUSE NO. \_\_\_\_\_

IN THE INTEREST OF:

IN THE \_\_\_\_\_ JUDICIAL DISTRICT COURT

\_\_\_\_\_

A CHILD/CHILDREN

\_\_\_\_\_ COUNTY, TEXAS

**ORDER FOR PSYCHOLOGICAL EVALUATION(S)**

IT IS ORDERED that Susan Fletcher, Ph.D., Licensed Psychologist, Frisco, Texas, (972) 612-1188 (www.fletcherphd.com), is appointed as the Court Appointed Psychologist to conduct a psychological evaluation of [NAME OF THE PARTIES TO BE EVALUATED] for the purpose of making any and all appropriate mental evaluations under Texas Rule of Civil Procedure 204.4. The psychological evaluation shall include, but is not limited to, interviews of the parties, psychological testing, review of records, and review of collateral information as deemed necessary by the Court Appointed Psychologist.

IT IS ORDERED each party is to contact the Court Appointed Psychologist's office within three business days of the signing of this order to provide their contact information to receive the initial paperwork from the Court Appointed Psychologist as directed.

IT IS ORDERED each party cooperate with the Court Appointed Psychologist and attend all interviews and meetings necessary for the evaluation to be completed. In the event a mutually-agreeable appointment time cannot be set, the Court Appointed Psychologist shall select a date for the initial interview and each party is ORDERED to cooperate with the Court Appointed Psychologist in scheduling and appear as directed.

IT IS ORDERED each party and attorney provide copies of all current orders to the Court Appointed Psychologist and to provide any updated orders within three business days of such orders being signed.

IT IS ORDERED that each party shall fully comply with the Court Appointed Psychologist's requests in conducting the evaluation, sign all HIPAA authorizations, attend all in-person or virtual interviews and meetings as requested by the Court Appointed Psychologist, and submit to such psychological testing, examination and evaluation procedures as are requested by the Court Appointed Psychologist in order to perform the evaluations.

IT IS ORDERED that the Court Appointed Psychologist shall consider the following questions in the evaluation:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

IT IS FURTHER ORDERED that the nature and extent of the interviews, testing, examinations, and other procedures shall be at the sole discretion of the Court Appointed Psychologist. The Court Appointed Psychologist is specifically authorized to notify the Court if any party is failing to comply with the spirit or letter of this order or other orders of the Court.

IT IS ORDERED that with the exception of mediation records or records protected by the attorney-client privilege, the parties shall make available to the Court Appointed Psychologist, in a prompt and timely manner, all records, public or private, that bear upon the physical health, mental health, criminal history, or personal/interpersonal functioning of the parties being evaluated. The parties are ORDERED to provide the Court Appointed Psychologist whatever authorizations necessary to obtain such information.

IT IS FURTHER ORDERED that all materials provided to the Court Appointed Psychologist by either party's counsel or by a party who represents themselves shall concurrently be provided to all other counsel of record, and any party who represents themselves, if such documents have not been previously produced.

IT IS ORDERED that the cost associated with conducting the evaluation and preparing the report shall be divided between the parties as follows: \_\_\_\_\_% Petitioner, (Petitioner's name) and \_\_\_\_\_% Respondent, (Respondent's name). The parties are ORDERED to pay their respective portions of these costs at such times and in such amounts as the Court Appointed Psychologist may direct.

IT IS ORDERED that the Court Appointed Psychologist shall testify at any deposition or hearing in this case at the written request of any attorney of record or party who represents themselves with a subpoena. Unless otherwise ordered by the Court, the requesting party shall be responsible for the Court Appointed Psychologist's customary and usual fees for testifying and said fees shall be paid in advance prior to testimony and payment of said fees shall be a condition precedent to the requested testimony, unless otherwise ordered by the Court or agreed upon by the Court Appointed Psychologist and the requesting party.

IT IS ORDERED that the Court Appointed Psychologist shall prepare, at least thirty days prior to trial, a detailed written report of the evaluation ordered herein, setting out the Court Appointed Psychologist's findings and recommendations, including results of all testing, opinions and conclusions ("the Report").

IT IS ORDERED that the Report shall not be filed with the Court in this case, but that such Report is admissible in evidence for all purposes.

IT IS ORDERED the Report shall be contemporaneously delivered to each attorney for a party, each Amicus Attorney or Guardian Ad Litem involved in the case, and to any party who represents themselves.

IT IS ORDERED that each party (1) shall use the Report of the Court Appointed Psychologist only for the purpose of the proceedings in this suit affecting the parent-child relationship; (2) shall not disclose or disseminate the Report of the Court Appointed Psychologist or any

information derived there from to any person for any purpose (including but not limited to relatives, employees and employees of either party) except to such party's attorneys, employees of the party's attorney and any expert retained with respect to the issues involving the parent-child relationship; and (3) shall not use the Report of the Court Appointed Psychologist or information derived there from in any other cause of action or litigation unless in a suit affecting the parent-child relationship and unless the Court determines the Report to be relevant in such suit.

IT IS ORDERED that any attorney of record in this case or a party who represents themselves must file a Motion for Disclosure and obtain an Order from this Court to access any part of the evaluation file of the Court Appointed Psychologist except for the Psychologist's Evaluation Report. Any disclosure of the Psychologist's evaluation file to any designated expert witness(es) shall also require an Order from this Court. The Court-Appointed Psychologist must be copied on any Motion for Disclosure and must receive notice of any hearing on a party's Motion for Disclosure. Except for the Evaluation Report, the Court-Appointed Psychologist shall not disclose her Evaluation File without an Order from this Court.

The parties are advised, and IT IS ORDERED that pursuant to Rules 509 and 510, Texas Rules of Evidence, NO RIGHT OF CONFIDENTIALITY OR PRIVILEGE attaches to any communication made to or with the Court Appointed Psychologist or her office staff that is relevant to this case proceeding.

The Court further finds that it is in the best interest of the child, the parties, and the public, that the Court Appointed Psychologist should be allowed to follow the Court's Order without fear of reprisal for conducting services and making recommendations consistent with this order. IT IS SO ORDERED, any alleged impropriety or unethical conduct by the Court Appointed Psychologist be brought to the attention of the Court in writing prior to a complaint being made to the Behavioral Health Executive Council (BHEC).

Signed on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Judge Presiding

AGREED:

Printed Name:

\_\_\_\_\_

Bar Number:

\_\_\_\_\_

Attorney for Petitioner

Printed Name:

\_\_\_\_\_

Bar Number:

\_\_\_\_\_

Attorney for Respondent

ATTORNEY PREVIEW COPY