

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

IN THE INTEREST OF:

IN THE DISTRICT COURT

\_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

A CHILD/CHILDREN

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

**ORDER FOR CHILD THERAPY AND APPOINTMENT OF THERAPIST**

On this day, the Court considered the request for therapy, and the Court finds that there is good cause shown for appointment of a Therapist to provide therapy as noted herein, and that such an appointment is in the best interest of the child(ren) in this cause. The Court finds that all parties have knowledge of this order; and each party has the ability to comply with its terms.

IT IS THEREFORE ORDERED that Susan Fletcher, Ph.D., Licensed Psychologist, 2500 Legacy Drive, Suite 120, Frisco, Texas 75034, (972) 612-1188 is appointed as the Therapist for the children in question. Each party is ORDERED to contact the Therapist's office within 3 business days of the signing of this order, to provide a copy of this order to the Therapist and provide their completed intake paperwork to the Therapist as directed by the Therapist. In addition, they are each ORDERED to schedule an initial appointment. In the event a mutually-agreeable appointment time cannot be set, the Therapist shall select a date for the initial appointment and each party is ORDERED to cooperate with the Therapist in scheduling and appear as directed by the Therapist. Each party and attorney is ORDERED to provide copies of all current orders, including the current court-ordered parenting time schedule, to the Therapist and to provide any updated orders within 3 business days of such orders being signed.

IT IS FURTHER ORDERED that the Therapist may meet with the parties or the child(ren) individually, jointly with siblings, with one or both parents, or with other household or family members as she deems appropriate. Each party shall fully comply with the Therapist's

requests in conducting therapy, including, but not limited to, ensuring that the child(ren) are transported to and from scheduled appointments in a timely manner and exercising parental authority to require that the child(ren) attend and cooperate with counseling treatments and interventions. The duration, frequency, location, and persons in attendance for each session with the Therapist shall be left to the discretion of the Therapist, who 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 each parent shall cause the child(ren) to be transported to any appointment that is scheduled by the Therapist during that parent's possession time, even if those sessions do not involve that parent, or even if those sessions involve the other parent. If specifically requested by the Therapist, a parent may bring the child when it is not that parent's possession time, picking the child up and returning the child to their school, daycare, or other location at the time and manner designated by the Therapist.

### **COMMUNICATION**

IT IS ORDERED that the Therapist may communicate and share information with the parties, the parties' attorneys, or any other professional in connection with this litigation as deemed necessary by the Therapist.

IT IS ORDERED the parties shall execute any HIPAA authorizations as requested by the Therapist to enable the Therapist to receive or provide information about the parties or the children in question. The parties shall notify the Therapist in writing within 24 hours of any changes in their contact information, legal representation, residency, or occupants of their home.

IT IS ORDERED that the Therapist shall have access to the parties' Our Family Wizard accounts. The parties are ORDERED to complete whatever forms are necessary for the Therapist to have such access.

### **PAYMENT**

IT IS ORDERED that the expense of the counseling services shall be divided between the parties as follows: \_\_\_\_\_% Petitioner \_\_\_\_\_% Respondent.

Each party is ORDERED to pay his or her portions of the initial retainer and fees directly to the Therapist within seven days of the Therapist's request for payment.

The foregoing payment provisions apply except for the following situations:

*[choose one or more as appropriate; check which apply]*

- Joint sessions with both parents. If both parties participate in a joint session, with or without the child(ren) in question, the cost shall be equally divided between the parties.
- Individual sessions with a parent. If a parent has an individual session with the Therapist, with or without the child(ren) in question, the parent shall pay 100% of the cost of such sessions.
- Review of documents. If a party, the party's legal counsel, or anyone acting on the party's behalf, requests that the Therapist review any documents, that party shall pay 100% of the cost for the time involved in such review. If the request is made jointly, the costs shall be equally divided between the parties.
- Communication with the Therapist. If a party, the party's legal counsel, or anyone acting on the party's behalf, requests to communicate with the Therapist, that party shall pay 100% of any cost. If the request is made jointly, the costs shall be equally divided between the parties.

Communication with third parties. If the Therapist communicates with a Parenting Facilitator, any of the parties' or the child(ren)'s individual Therapists, or any other professional in connection with this litigation, the cost shall be equally divided between the parties.

Appearances. If either party requests that the Therapist make an appearance in connection with the litigation, including depositions, hearings, trials, settlement conferences, or any other formal meeting,

the cost shall be equally divided between the parties. *[OR]*

the cost shall be paid by the party who requests the Therapist's appearance.

Written Reports. The cost of any written report that is requested shall be equally divided between the parties.

### **THERAPIST TESTIMONY**

IT IS ORDERED that the Therapist shall testify at any hearing or deposition in this case at the written request of any attorney of record sent via subpoena, which may be delivered to the Therapist via fax or e-mail. Unless payment for testimony is already addressed above, the requesting party shall be responsible for the Therapist's customary and usual fees for testifying and said fees shall be paid at least seven days prior to testimony in the manner specified by the Therapist.

Therapy is not a substitute for a Child Custody Evaluation within the terms of Family Code Chapter 107; therefore, the Therapist shall not make recommendations as to the conservatorship of, possession (parenting schedule) of, or access to the child(ren). The Therapist may make recommendations to the parties regarding changes in conduct that may be helpful to the parties in implementing the Court's orders.

The Court further finds that it is in the best interest of the child, the parties, and the public, that the Therapist 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 Therapist 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:

Printed Name:

\_\_\_\_\_  
Bar Number:

\_\_\_\_\_  
Bar Number:

\_\_\_\_\_  
Attorney for Petitioner

\_\_\_\_\_  
Attorney for Respondent