

READ ME FIRST

WHAT TO ANTICIPATE IN YOUR FORENSIC CUSTODY EVALUATION AND PSYCHOLOGICAL EVALUATION

This information sheet is intended to let you know what to expect in your custody evaluation and psychological evaluation. It describes the basic procedures of a "typical" custody evaluation and psychological evaluation, and my role and legal status as an independent forensic psychologist.

Dealing with the legal system can be bewildering, frustrating, and disillusioning. I have yet to meet a person who really wants to put into the hands of someone else a decision about the future upbringing of his or her child. Throughout the conduct of the custody evaluation, please understand that I am not "your expert" or "your witness", but rather the "Court's expert".

So that you know something about me professionally, please read my resume (Curriculum Vitae) when you have time. My resume can be found at: <http://www.jamesdavidson.net/cv.html>. My resume notes that I have experience as a therapist, as well as a forensic psychologist. I am highly experienced in psychological work with the age range from young children through adults. While I do provide therapy, it is not ethical for me to be your therapist now or in the future since I will be conducting your social study. People are sometimes reluctant to seek therapy elsewhere because they fear it will reflect badly on them. That is not what I believe. If you are feeling the weight of the current situation, please seek therapy for yourself. If you take good care of yourself, you will be better able to cope with the pressures of the situation and be emotionally available for your children.

Your psychological evaluation will begin by reviewing and completing paperwork **before** you have your first appointment. These documents and instructions can be found online at <http://jamesdavidson.net/cce-read-me-first.html>. The longest document is the "Statement of Assent." This document describes in detail the policies and procedures I use when conducting a forensic psychological evaluation. Please read the document carefully, and ask your attorney any questions. The Statement of Assent has also been given to your attorney for review. I want you and your attorney to understand my policies and procedures. Once your questions have been answered, please bring the signed Statement of Assent with you to the initial orientation meetings. The psychological evaluation will not begin until the Statement of Assent has been signed by each party.

The first time we meet will be at an initial orientation meeting, I prefer that the first meeting in my office be with the other parent of your child(ren) unless there is a legal reason to not meet together, such as a Temporary Protective Order. The reason for meeting together with the other parent is to present the same information about the process of the custody evaluation to both of you at the same time – and thus avoid the chance that I would be biased by meeting one or the other of your first. At times there may be scheduling issues that make meeting together difficult. When scheduling issues will delay the custody evaluation and psychological evaluation, then I will meet individually with each of the parties. Time is of the essence in undertaking your evaluation.

During the initial orientation meeting, you will be oriented to the process of the custody evaluation. A typical custody evaluation and psychological evaluation includes psychological testing and multiple interviews of each parent plus collateral interviews with others about you. In the following sessions with you alone, we will discuss the background information you have provided and the issues that you feel impact the welfare of your child(ren). Additional assessment may be required depending on the issues. For example, allegations of physical or sexual abuse, alcohol or drug abuse, and personality pathology take longer to evaluate. The more conflict and hostility are involved in a matter and the more serious the allegations, the more time the interviews require.

Usually after the second session, I will observe you and the child(ren) interacting (if they are younger) or interview the child(ren) alone (if they are older). If you are bringing young child(ren) that will be in the waiting room while you are being interviewed, please bring another adult to supervise them. The above pattern of interview and observation sessions is very flexible. For

example, you or I may request that your sessions or the child(ren)'s sessions extend longer or include a home visit.

Please understand in advance that my first concern will be to determine what I believe to be in the child(ren)'s best interests, even if you disagree with me. As the parent, you take the risk that my findings, impressions, and recommendations might not be what you desire and might be very unfavorable to your legal position. It is often my job to recommend that one person--and not another--will have more or less time with his or her child than desired. Someone may be disappointed, angry, and hurt--perhaps very much so--by my recommendations. I may be asked to testify that you were informed of these policies and risks in advance and that you agreed to them unless you tell me otherwise. You will be given an opportunity to discuss this with me in the beginning of your first interview and anytime you wish thereafter.

It is critical that you understand in advance that the Court is the authority to whom I am responsible and the child(ren) are my primary concern. After the custody evaluation and psychological evaluation is completed, I will report my impressions and recommendations to the Court. My written report will focus on the primary areas of the evaluation that, in my opinion and experience, are most relevant to the parenting issues. A written report in a "typical" custody evaluation and psychological evaluation takes many hours to prepare for each parent or adult involved. I recognize that my impressions may be very important to you. Please do not ask me to try to give you an opinion on your situation since I am ordered by the Court to prepare a report directly for the Court.

If you wish, schedule an additional appointment when the legal matter is completed and I will be happy to share more complete feedback on the test results of you or your children's evaluations. There will be no charge for the additional session. If you wish to question me about the reasons for my opinions and recommendations, please have your attorney schedule a deposition so that the other attorney may also be present. A fee would be charged for the deposition.

Please consider the risks of this process in the light that I am likely to form at least some impressions about you, and to interpret some psychological test results about you, in a way that you may find painful to hear and that you may think is inaccurate--as they may well be. This is not an exact process or exact science. I may well recommend something that is very different from what you want and very different from what you feel is right and fair.

In review and for emphasis, there are at least four parts of this process that you may find upsetting: 1) re-living some painful memories and feelings as part of the evaluation process, 2) hearing the results of the evaluation--some of which are very likely to be negative, 3) having other people be informed about very private and personal aspects of your life, and 4) the potential that my recommendations may differ substantially from what you desire and what you feel is correct and fair. It is hard to imagine anything much more painful than the possibility of losing time with a child, especially in the midst of a divorce or after ending a marriage.

As may be very apparent, the policies and procedures described in this information sheet and formally described in my Statement of Assent are intentionally designed to allow me to be as legally, professionally, and financially independent of you as possible. In this way, I strive to be unbiased in my observations, and maintain my integrity and credibility with the Court.

Sincerely,

James Davidson Ph.D.
Forensic and Clinical Psychologist