

IN THE COURT OF COMMON PLEAS  
RICHLAND COUNTY, OHIO  
DIVISION OF DOMESTIC RELATIONS

\_\_\_\_\_  
Plaintiff/Petitioner

vs./and

\_\_\_\_\_  
Defendant/Second Petitioner

CASE NO. \_\_\_\_\_

JUDGE BETH OWENS

**ORDER APPOINTING  
CUSTODY EVALUATOR**

The Court finds it is in the best interest of the minor child(ren), namely: \_\_\_\_\_  
(DOB: \_\_\_\_\_), for a custody evaluation to be conducted in this matter relating to the allocation  
of parental rights and responsibilities and/or parenting time/companionship. It is hereby ORDERED that:

1. \_\_\_\_\_, hereinafter referred to as "Custody Evaluator," is appointed to  
conduct a custody evaluation pursuant to Superintendence Rule 91.

Business Address: \_\_\_\_\_  
Business Phone: \_\_\_\_\_

2. 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.

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

Allocation of Parental Rights and Responsibilities [Comprehensive analysis of the family's issues  
such as mental health, substance abuse, relocation, special needs, domestic violence, reunification]

Focused Assessment

- Update of a previous custody evaluation report
- Determination of parenting time with the child(ren)
- Identification of school district
- If child is permitted to relocate, determination of parenting time schedule
- Other: \_\_\_\_\_

Companionship Dispute

Other: \_\_\_\_\_

4. Upon presentation of a copy of this order to any agency, hospital, physician, chiropractor,  
optometrist, dentist, nurse, or other medical, dental, or optical practitioner, psychologist,

psychiatrist, 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), and/or parents, to confirm with any and all professionals who may provide information relative to said minor child(ren) and/or parents with respect to issues pending before this Court without the consent of the child and/or parents.

5. 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.
6. 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.
7. All parties shall attend all scheduled interviews to ensure the evaluation and report is completed expeditiously.

The fee for this evaluation, the sum of \_\_\_\_\_ shall be advanced by Plaintiff/Petitioner and Defendant/Second Petitioner in the sum of \_\_\_\_\_.

Payment shall be made within **twenty-eight (28) days** of the date of this Order. The Court reserves jurisdiction to reallocate the cost for the evaluation between the parties.

8. Custody Evaluator shall file a written report with the Court at least 30 days prior to the final hearing. Oral testimony may be required. The report shall include the following notice in bold print:

**This report shall be provided to the Court and legal counsel of record. If you are an attorney, you may share its contents with your client but you may not provide a copy (hard copy or email) to your client. Any additional disclosure of the report must be approved in advance by the Court. Any person who copies the report, posts the report 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, incarceration and fines.**

9. 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.
10. Custody Evaluator shall be given notice of any hearing or trial date once set.
11. 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.

12. In addition to all orders set out herein, Custody Evaluator shall strictly comply with the requirements of Sup.R. 91.01 through 91.09 subject to the following: \_\_\_\_\_.
13. **IT IS FURTHER ORDERED that all reports from the Custody Evaluator shall be provided to the Court and legal counsel of record. Unrepresented parties may contact the Court to arrange a time to read the report. If you are an attorney, you may share its contents with your client but you may not provide a copy (hard copy or email) to your client. Any additional disclosure of the report must be approved in advance by the Court. Any person who copies the report, posts the report 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, incarceration and fines.**
14. It is further ORDERED that the Clerk of Courts shall serve a copy of this Order upon the parties (if unrepresented), counsel of record, and Custody Evaluator by ordinary U.S. Mail.

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Judge / Magistrate