

**Forever More
Adoptions and Custody Evaluations**

Crystal Baird Ph.D., LPC-S

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CUSTODY EVALUATION AUTHORIZATION AND CONSENT TO CONTRACT

Cause Number _____

Child/Children's Names: _____

I, _____, understand that the court has appointed Crystal Baird Ph.D., LPC-S to conduct child custody evaluation regarding the above-named child or children. Dr. Baird will be referred to in this document as "the evaluator" for simplicity.

I understand the particular individual named to conduct the evaluation has been designated by the court and/or a formal agreement of the parties. I further understand that meetings and interviews with the evaluator are for the purpose of assisting the court and the parties involved in making decisions in the best interest of the child or children involved. I acknowledge that the evaluation is intended to be thorough, objective, independent, and in conformity with recognized best practices at the time this evaluation is conducted as appropriate to the specific situations of this case.

I understand that the evaluator will attempt to obtain all relevant information from all sources needed to address the issues before the court. I understand and acknowledge that the evaluator will use their professional discretion in making any and all decisions regarding who must be contacted, how extensive those contacts will be, and what information should be obtained and reviewed. I recognize this includes review of any previous evaluations or home studies if such reports exist.

I understand that although I may be providing payment to the evaluator, they are working for the court, under court appointment, and the outcome of the evaluation may or may not favor my position or be something that I am in agreement with. I recognize that I may refuse to participate in the evaluation, and acknowledge that the nature and extent of the consequences of any refusal to participate should be discussed with legal counsel.

Retainer: I understand that a retainer for the full fee of the evaluation is due in advance. The court may order each participant to pay an equal share of the fees, assign one participant to pay the total fee for the evaluation, or order a disproportionate split of the fees for the evaluation. At least half of the retainer must be paid in prior to scheduling the first interview and the remainder

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paid at or before the first interview. Payment may be made by check or money order made out to Crystal Baird Ph.D., LPC-S or Forever More Adoptions and Custody Evaluations L.L.C.

I understand that this retainer may be increased based on additional individuals to be interviewed, the necessity of extensive records review, or other case specific factors, and that any additional retainer amount is due upon billing and prior to submission of the report to the court.

Fees: I understand that a completed evaluation is billed at the below rate. This base rate covers interviews of up to five people (adults and/or children) involved in the case. There is an additional charge of per party for each additional person to be interviewed beyond the first five.

The base rate also covers collection of standard collateral information, review of basic documentation, and completion of a report to the court. It does not cover review of depositions, review of Child Protective Services records, or other substantial records review over one hour in length per party. It does not cover any administrative or other hearings related to this case. Unless otherwise specified, such additional work is billed in quarter hour increments based on a standard hourly rate as noted below:

Fees
Retainer Rate Custody Evaluation: \$3,500 per side or \$7,000 total (2 sides)
Hourly Rate: \$350.00
Testify/Deposition/Confirm with Evaluator for Settlement/Mediation rate: \$2,000 for a half day and \$4,000 for a full day, 14 days in advance. Depositions and Final Trials: \$4,000. This fee is non-refundable.

Unless otherwise specifically ordered by the court fees for services will be split between the parties. Should the case settle or our services otherwise terminate prior to completion of a report to the court refunds will be issued based on actual time worked on the case, billed at the standard hourly rate, with all administrative time prior to start of interviews billed at the Evaluators hourly rate. Refunds will be issued only if there is a remaining retainer on account for the case, and then only up to the amount of retainer on account. Should one side fail to provide full payment, issues of reimbursement may have to be addressed to the court.

The costs of preparing the child custody evaluation do not include the costs of the Evaluator testifying at trial, temporary order, mediation or depositions. These fees is \$2,000 for a half day and \$4,000 for a full day. A subpoena for a deposition and/or final trial is \$4,000. This fee does not include travel fees but does include preparation time for cases, subject to Dr. Baird as more time may be needed and billed appropriately. This evaluator fee for testifying at trial, temporary order, mediation or depositions is a non-refundable fee and requires a subpoena. There is an additional \$500 fee for a half day and \$1,000 for a full day if the subpoena is present to Dr. Baird within 14 days of the hearing.

Payment should be made in the form of check or money order made out to Crystal Baird Ph.D., LPC-S or Forever More Adoptions and Custody Evaluations L.L.C. Returned checks will be charged the maximum fee allowable under law. I understand I am responsible for any and all fees incurred by

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the evaluator in relation to this case, and any and all work done by the evaluator in relation to this case.

Other costs: I understand that each of the parties will be responsible for any fees for production of third-party records or other information related to this evaluation. I understand that if this case settles costs for postage, copying of records, and other administrative costs will be deducted from the retainer. I acknowledge that time in administrative tasks is billed at the standard hourly rate and that copies of records produced by Crystal Baird Ph.D., LPC-S or Forever More Adoptions and Custody Evaluations L.L.C. are billed at the same fee as charged by the Tarrant County District Clerk's office.

Additionally, I understand cancellation of any appointment with less than 72 hour notice will incur an additional \$500 fee. After the report is filed any updates which are ordered will be billed at the standard hourly rate with a minimum four-hour retainer due in advance. After a final report is made to the court, the evaluator will have further direct contact with the parties unless the court orders an update to be conducted.

Travel: I understand that interviews with adults will generally be conducted at Forever More Adoptions and Custody Evaluations L.L.C. located at 4880 Boat Club Rd. Ste 110, Fort Worth, Texas 76135 and that interviews with children will generally be in the homes of the parties. Unless the court has specifically ordered otherwise, a review of each party's residence is a mandatory part of the evaluation. There is no additional travel fee for work conducted in Tarrant County or within 50 miles from the Downtown office. If it is necessary to travel outside of this area, an additional travel fee may be charged. Travel time is charged per hour, rounded up to the nearest 15-minute increment, at half the standard hourly rate (above).

I understand that the evaluator is not an attorney and that if I have any questions regarding legal matters I should consult with an attorney. I understand that it is inappropriate for someone not trained as an attorney to respond to questions concerning legal matters and recognize I cannot request the evaluator to do so. I understand I am to provide my attorney copies of any information I provide to the evaluator so that proper discovery procedures may be complied with. I understand that the evaluator will not review any audio or video recordings unless all parties have been provided copies and all parties have agreed in writing for the evaluator to do so, or the court has ordered such a review.

Notice to Clients: The Texas Behavioral Health Executive Council investigates and prosecutes professional misconduct committed by marriage and family therapists, professional counselors, psychologists, psychological associates, social workers, and licensed specialists in school psychology. Although not every complaint against or dispute with a licensee involves professional misconduct, the Executive Council will provide you with information about how to file a complaint. Please call 1-800-821-3205 for more information.

I understand and acknowledge that the outcome of the evaluation may or may not favor my position or be something that I am in agreement with. I understand that complaints regarding conclusions and recommendations in the evaluation must be directed to the court, as the licensing board handles only complaints regarding violation of licensing rules and regulations.

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I understand that the Crystal Baird Ph.D., LPC-S is the custodian of records for Forever More Adoptions and Custody Evaluations L.L.C. which is located at 4880 Boat Club Rd. Ste 110, Fort Worth, Texas 76135.

Insurance coverage: I understand that none of the services provided to me in this case are covered by insurance as the evaluation is for legal (not treatment) purposes, and is not therapy.

I have been informed and I understand that any communications or statements by me or the children will NOT be privileged or confidential and that:

The evaluator may be required to testify in open court in the course of litigation.

Any information provided to the court may become public record.

The evaluator is required to make a report to the court and the attorneys of record. A copy of the written report and the written materials provided to the court are provided to the attorneys of record and clients who represent themselves at the time the report is filed with the court.

All information provided to the evaluator will become part of the evaluator's records and is available for review by the attorneys of record and clients who represent themselves.

After the report is completed, information will be released following written request from attorneys or clients who represent themselves.

The evaluator may confer with mental health professionals, doctors of medicine, education and child care personnel, personal references, other governmental entities, attorneys of record, and such other persons as have or need information directly related to the evaluations necessary.

The evaluator may be required to disclose situations where clients are a danger to themselves or someone else; abuse, neglect, or exploitation of a child, elderly, or disabled person; or as otherwise required by law.

I understand the evaluator may staff the custody case, with other professionals, to ensure the all mandates and requirements are followed per Family Code.

Do not sign this form unless you have read and understood it.

Signed this _____ day of _____, 20

Party _____

Evaluator _____

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