

**RULE 30.5.1 APPOINTMENT OF CUSTODIAL EVALUATION PURSUANT TO FAMILY CODE SECTION 3111 OR APPOINTMENT OF AN EXPERT PURSUANT TO EVIDENCE CODE SECTION 730**  
[Effective 1/1/16]

A. Nothing in Rule 30.1 prohibits the court from ordering or the parties from agreeing to commence a 3111 evaluation at any appropriate time. [Effective 7/1/17]

B. In the event the Court orders an evaluation pursuant to Family Code §3111 et seq. and/or Evidence Code §730, the parties shall inform the court at the setting of the evidentiary hearing whether they will stipulate to the admission of the evaluation report(s). [Effective 1/1/16; Renumbered 7/1/17]

1. If a party will not stipulate to the admission of the evaluation report, that party shall also notify the court no later than thirty (30) calendar days prior to the hearing whether the evaluator will be subpoenaed for the hearing date. [Effective 7/1/13; Amended 7/1/17]

C. Court orders for an evaluation pursuant to Family Code §3111 and/or Evidence Code §730 shall specify the obligation each party shall pay for their share of the evaluation. [Effective 1/1/16; Amended and Renumbered 7/1/17]

D. The commencement of the Family Code §3111 and/or Evidence Code §730 child custody evaluation will not begin until the fee has been paid and the Director of Family Court Services has received notice of the payment. The Director of Family Court Services shall then assign a court-connected child custody evaluator. [Effective 1/1/16; Amended and Renumbered 7/1/17]

E. The child custody evaluator shall not be required to read and review more than 30 additional pages of collateral documentation received from each party unless there are unusual circumstances. All collateral documents must be received with a Proof of Service showing they have been delivered to the other party. [Effective 1/1/12; Amended 7/1/17]

F. Each court-connected child custody evaluator will complete form FL-325 to certify that they have met all of the qualifications for court-connected evaluators under this rule for a given year (California Rule of Court, rule 5.225). [Effective 1/1/12; Amended and Renumbered 7/1/17]

**RULE 30.6 COURT ORDERED EVALUATIONS (Family Code Section 3110/3111)**  
[Effective 7/1/05; Amended 7/1/17]

A. The evaluation shall be completed and provided to the parties at least ten days before the court hearing scheduled for return of the evaluation. If the evaluation is not received on or before ten days before the hearing, either party may request a continuance of the hearing. Notwithstanding any request to continue the hearing, the court may make temporary orders pending the continuance of the hearing for lack of receipt of the evaluation. [Effective 7/1/17]

B. The evaluator may interview the child. The evaluator shall inform a minor child over the age of five (5) or counsel for the child that the contents of the evaluation process may not be confidential and may be presented to the court. [Effective 1/1/12; Amended and Renumbered 7/1/17]

C. The evaluator may interview siblings separately as appropriate if reasonably possible. [Effective 1/1/12; Amended 1/1/17]

D. The evaluator shall interview each parent/party if reasonably possible. [Effective 1/1/12; Amended 1/1/17]

E. Evaluation reports are presumed confidential and shall be lodged with the court in a confidential envelope. Access and disclosure of the report, in the absence of a court order stating otherwise, are limited to the parties; their attorneys of record, the child's attorney; other evaluators retained in the case; and other court appointed CCRCs, evaluators, and investigators addressing issues with the same family. The parties, their attorneys of record, and/or other evaluators shall not disclose or discuss the evaluation with the minor child. [Effective 7/1/05; Amended 7/1/17]

F. Challenges or objections may only be considered as permitted by law. [Effective 1/1/12; Amended 1/1/17]

G. Each party may object to an assigned court-connected evaluator once by filing written objections with the Family Court Services Director. Written objections to the assigned court-connected evaluator must be filed and served on the other party within seven (7) calendar days of the date of the notice of the assignment. The Family Court Services Director may remove a court-connected evaluator from the assigned case.  
[Effective 7/1/03; Amended 7/1/17]

H. Any complaints against an assigned court-connected or private evaluator shall be presented to the Family Court Services Director. [Effective 7/1/05; Amended 7/1/17]

I. A party may subpoena or take the deposition of a court-connected evaluator. The hourly rate for testimony will be set by the court-connected evaluator and shall be paid at the time the subpoena is served. The court-connected evaluator may also require a deposit for testimony preparation time for testimony in court hearings. A party seeking to take the deposition of a court-connected evaluator must provide them at least thirty (30) calendar days advance notice. [Effective 1/1/17; Amended 7/1/17]