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## CHILD CUSTODY/PARENT TIME EVALUATION PROCEDURES AND COSTS

*If you have difficulty reading or understanding this document, please let Dr. King know. Plans will be made for this to be read and explained to you or translated for you.*

*We sometimes sign documents without reading them carefully. Please read this thoroughly because it should answer most questions you might have and could prevent charges for communications that might not be necessary.*

### PROCEDURES

When Dr. King receives an order appointing her, she will notify the attorneys whether she is able to accept the case. Information about how parties can access and submit intake paperwork will be provided to the attorneys, who will forward the information to parties.

If the paperwork is not received from both parties within approximately two weeks after Dr. King has informed the attorneys, she will need to notify the Court. When the intake paperwork is received from both parties, Dr. King will quote the basic fee for the evaluation. If you have not been given the amount of the basic fee, you can assume at least one party has not yet submitted their paperwork.

Parties may be able to estimate the basic fee using the information on the following page. If you do not have the means to pay your portion of the fee in full now, please notify your attorney immediately so other options can be considered and Dr. King can be informed before incurring costs for which you may be responsible.

The full amount of the basic fee must be received before the evaluation can begin. If you have not been notified that the fee has been received, you can assume at least one party has not paid their portion. If the fee is not received within approximately two weeks after you have been informed of the amount, Dr. King will need to notify the Court which party or parties have not paid their share, even if a partial payment has been made.

Should Dr. King's procedures or costs change before you have paid your fee, the new procedures and costs will become applicable to the evaluation. When the fee is received, Dr. King will notify the parties and give an approximate date when she will be able to begin the evaluation. Evaluations are conducted in the order in which payment is received. Even after

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you have paid, there may be a wait while Dr. King completes evaluations she is working on before she is able to begin new ones. Once started, efforts are made to complete the evaluation within 90-120 days, barring unforeseen delays.

The evaluation typically includes but is not limited to the following activities:

- administration of questionnaires and interviews to parties;
- administration of child behavior checklists to parties and other care givers and teachers;
- review of school records of school-age children;
- interviews with children when their age and maturity permit;
- observations of parties and children in the home during home visits;
- assessment of the status of other adults and children living in the home and observation of those persons during home visits; and
- interviews of some collateral witnesses and review of some documents and other materials submitted by parties; although, depending on the number of witnesses and the amount of documents/materials, additional time may be spent and will be billed separately as an additional cost.

## **BASIC FEE**

The basic fee is a flat rate based on the number of persons to be examined and is outlined in the table below. After the evaluation begins, if it becomes apparent there are other adults or children who should be examined, those additional persons will be included and the cost will be added. The fee is intended to cover the cost of the activities listed above. The basic fee also includes preparing findings and recommendations to be orally presented at the custody evaluation conference and the minimum fee for time spent presenting at the conference.

each adult party who is the subject of the evaluation	2,000
each step-parent or partner residing with an adult party	500
each child age four years and younger who is the subject of the evaluation	350
each child age five years and older who is the subject of the evaluation	650
each adult and child living in or frequenting the residences who is not the subject of the evaluation (assuming a more in-depth evaluation is not needed)	350
preparation of outline of findings and recommendation for oral presentation at the custody evaluation conference (4-903 conference)	20% of the total of the above fees
minimum fee for time spent participating in the child custody evaluation conference	500

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## **UNINTENDED INEQUITIES IN HOW FEES ARE SPLIT**

Unintended inequities can exist when work necessitated by one party is significantly greater than the other party, as explained in the paragraphs below. Please discuss these situations with your attorney in advance.

When the Court makes a decision about how evaluation costs are to be shared, it may not take into consideration that time spent examining each household may be unequal. For example, one party may live alone with the children, while the other party and the children may reside with other adults and children who are not the subjects of the evaluation but who need to be examined to a degree. Unless otherwise ordered or agreed, the basic fee will be shared by the parties based only on the percentages cited in the order for the evaluation.

Similarly, unless otherwise ordered or agreed, additional costs for reviewing materials and interviewing collateral witnesses will be billed to the parties based only on the percentages cited in the order. This would be the case even if one party submitted a large amount of material to be reviewed and the other submitted a small amount.

## **ADDITIONAL COSTS**

Additional costs are those not covered by the basic fee and billed separately. Unless otherwise stated below, or unless otherwise agreed or ordered, additional costs will be charged to parties based on how the Court has determined costs for the evaluation should be shared.

### ***Testing and Records Requests***

When deemed necessary by Dr. King, the evaluation will also include but may not be limited to:

- psychological testing of adult parties (billed at \$200/hour)

NOTE: Personality testing of adult parties is not always useful in custody evaluations. Subjects tend to portray themselves in a favorable light and results may be invalid or only marginally valid. A focus on overt behavior that is consistent/inconsistent with good parenting capacity is the focus of the evaluation and typically is accomplished without personality testing of the adult parties.

- psycho-educational evaluation of children, including such testing as cognitive and achievement testing (billed at \$200/hour)

NOTE: Assessment of children's social, emotional, and behavioral status is done as part of the evaluation and is included in the basic fee. When children may appear to have special needs due to deficits or delays in their cognitive, adaptive,

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or academic achievement functioning, testing is indicated. Typically, the school has done this testing and records are simply requested. This testing of children is done as an additional activity at additional cost when the need is apparent and the school has not conducted the testing and will not be conducting the testing.

- drug testing (billed at actual cost for testing plus 20%)
- requests for criminal history reports (paid by parties)
- requests for DCFS records (any fee paid by parties)

### ***Appearances***

Fees for appearing for a deposition, trial, or other subpoenaed appearance will be the responsibility of the party issuing the subpoena. Fees are a minimum of \$500, which covers the cost for up to three hours, and \$165 per hour for each subsequent hour, regardless of whether time is spent testifying or waiting. Preparation time for subpoenaed appearances will be billed at \$165 per hour. The minimum fee must be paid prior to the appearance and the balance is due immediately following the appearance.

The minimum fee of \$500 for presenting at the custody evaluation conference is included in the basic fee. If more than three hours is required, \$165 per hour for each subsequent hour will be charged. The basic fee also includes a fee for preparation for the conference, so additional amounts for preparation time for the conference does not apply.

### ***Travel Costs***

Travel costs for such activities as making home visits, attending the custody evaluation conference, and appearing for subpoenaed appearances include 60.0 cents per mile to and from the destination or airport, the actual cost of round trip airfare and rental car, and the actual cost of lodging. The fee for travel time is \$100 per hour, to a maximum of \$500 per 24 hour period. Travel time includes business hours spent by Dr. King away from her office in order to arrive at and return from the location of the activity. Travel costs for subpoenaed appearances will be the responsibility of the party issuing the subpoena.

### ***Costs for Review of Materials and Interviewing Collateral Witnesses***

Review of some documents, such as those filed with the court, are typically included in the basic fee. There will be additional charges at the rate of \$165 per hour for reviewing a large number of documents resulting from protracted litigation and for journals, logs, recordings, text messages, emails, etc. presented by parties. Interviews with some collateral witnesses is covered in the basic fee, but there will be charges at the rate of \$165 per hour for time spent interviewing additional witnesses.

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### ***Cancellations***

If you fail to cancel an appointment with Dr. King at least 48 hours in advance, you, personally and individually, will be billed for the time reserved for you at the rate of \$165 per hour. If Dr. King is subpoenaed to testify at a deposition or trial that is cancelled without advance notice to her of at least three business days, fees for preparation and for the planned appearance will be billed to the person who issued the subpoena.

### ***Written Report***

The cost for a written report will be billed at \$165 per hour and is the responsibility of the party requesting the report. Time spent preparing the report may be 20+ hours.

### ***Requests for Records***

When copies of Dr. King's records are subpoenaed, the cost will be the actual cost of copies plus a minimum of four hours at the rate of \$165 per hour for time spent by Dr. King overseeing the copying personally, i.e., a minimum of \$660 plus the actual cost of copies. If more than four hours is required this will be billed at \$165 per hour. Dr. King must oversee the copying personally to ensure that protected materials are not released. In addition, Dr. King may object to the release of certain records, such as notes from interviews with children, so these records must be reviewed personally by Dr. King to determine if an objection is necessary. The party issuing the subpoena will be responsible for the cost.

### ***Costs for Responding to Actions You Initiate***

If you or your attorney initiates adversarial action against Dr. King including a licensing board complaint or litigation of any form, you agree to pay for the time spent by Dr. King responding and appearing as required. Examples include but are not limited to time spent by Dr. King keeping appointments to accommodate process servers, reading documents and reviewing associated records, preparing responses, appearing, time spent in travel and travel costs in order to respond or appear. All activity will be billed at \$165 per hour. If Dr. King chooses to retain an attorney to represent her in her response to actions initiated by you or your attorney, you agree to pay for this cost.

### ***Pre-Evaluation Communications***

Pre-evaluation communications refers to time spent sending and responding to emails to follow up on requests for paperwork or payment when these are not submitted promptly, emails or phone calls to answer questions that are already answered in the paperwork, letters to the Court to report delays due to parties failing to follow through, and phone conferences with attorneys and the Court to discuss the same. The time spent by Dr. King engaged in these

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activities will be billed at \$165 per hour, with a minimum charge of \$45 for any activity on a given day. These will be personally and individually charged to the person who necessitates the activity, regardless of how the custody evaluation fees are otherwise to be shared.

## **BILLING/PAYMENT**

Itemized billing statements will be submitted to parties for additional costs as activity is planned or occurs. Payment is expected upon receipt of the statement. Work on the evaluation will cease any time there is a balance due on the account that is not paid within two weeks. You may use a credit card to pay, though there will be a 3% charge added. There will be a \$35 charge or the amount allowed by law for returned checks or credit card charge-backs plus any institutional fees assessed. Balances not paid within 30 days of the date billed will be charged interest at a rate of 1.5% per month (18% per annum). Accounts overdue for 60 days may be submitted to a collection service, at which time the balance will be increased 35% to offset collection commissions. You agree to pay any additional fees assessed by the collection agency including attorneys' fees and court costs associated with collection activity.

If you prefer to receive billing statements through the mail you are asked to notify Dr. King of this preference in writing. Otherwise, billing statements will be sent to you using the email address you provided. You are responsible for notifying Dr. King promptly if there are any changes in your contact information, including your mailing address, phone number, and email address.

### *SIGNATURE*

*Please place your initials at the bottom of each of the preceding five (5) pages of this document and submit all six (6) pages of this document to Dr. King. Your signature below certifies you agree to permit a copy of this authorization to be used in place of the original.*

*Your signature below certifies you have read and understood to your satisfaction the procedures and costs outlined in this document. You have had an opportunity to review this document with an attorney and receive legal guidance if you chose. Your signature certifies you agree to all of the procedures and costs, terms and conditions, presented in this document. Your signature certifies you agree to cooperate with the procedures and assume financial responsibility for your share of the costs.*

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*Your printed name*

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*Your signature*

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*Date signed*

07.30.18