

## Fairview Family Mediation and Forensic Services

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Steven M. Shaver, Ph.D.  
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### INFORMATION ABOUT COURT ORDERED CHILD AND FAMILY INVESTIGATOR SERVICES AND DISCLOSURE STATEMENT

This information sheet summarizes the services provided by Dr. Steve Shaver at Fairview Family Mediation and Forensic Services. It also identifies procedures for clients and their attorneys and specifies client rights.

#### Introduction

When parents are unable to agree about decision making, parenting plan, or parenting time arrangements for their children, a mental health professional may be appointed by the Court to assist in resolving the dispute. Family disputes are often emotionally charged, and can powerfully impact all family members. It is helpful for the adults involved to have as much information as possible regarding the process in order to prepare for meeting with the Court ordered mental health professional. Thoroughly review this information sheet, and discuss it with your attorney before starting this process. Please ask any questions you may have regarding credentials, services, procedures, goals, and fees. At *Fairview Family Mediation and Forensic Services*, my purpose, often Court ordered, is to serve the best interests of children. Additionally the scope and specific tasks of the evaluation are defined by the order of the court.

#### Summary of Child and Family Investigator services

As a Child and Family Investigator, I am a Court appointed professional working to assist a family in conflict regarding parental responsibility and parenting time issues. The role of Child and Family Investigator involves investigating, reporting, and making recommendations on issues that affect the best interests of minor children. The task may vary from case to case, as the Court will specify the duties in their written order appointing a Child and Family Investigator. The standards for Child and Family Investigators (Chief Justice Directive 04-08) define the role as the "investigative arm of the Court." The Child and Family Investigator standards also indicate that the "Child and Family Investigator may use the information she/he has gathered in ways that facilitate or encourage settlements if appropriate." As a Child and Family Investigator, I am appointed under Colorado Revised Statute 14-10-116 (Appointments in domestic relations cases - representation of child - child and family investigators).

#### Additional information about Court appointments

You can get more information about the statutes authorizing Court appointments by reviewing the statutes themselves (C.R.S. 14-10-116.5 or C.R.S. 14-10-127). You can ask your attorney for a copy, or find copies at the following website: <http://www.lexisnexis.com/hottopics/Colorado/> To get a copy Chief Justice Directive 04-08 (child and family investigator standards), you can go to the Colorado State Judicial Chief Justice Directive web page: [http://www.courts.state.co.us/Courts/Supreme\\_Court/Directives/CJD%2004-08%20amended12-13-12b.doc](http://www.courts.state.co.us/Courts/Supreme_Court/Directives/CJD%2004-08%20amended12-13-12b.doc)

## **Procedures**

Procedures vary depending on a variety of factors, including the ages of your children, the issues to be addressed, and the particular circumstances of your family. Most commonly used procedures include:

1. An initial joint meeting with both parents to answer questions about the process, finalize paperwork and help to define the critical questions of the investigation from the parents perspective. Alternatives to this meeting will be used in cases where domestic violence has occurred or safety issues are a concern.
2. Individual interviews (these are usually parents, but could be non-parents who are given standing by the Court). Interviews will focus on such factors as a parent's perspectives and descriptions of their children, their parenting, their concerns and their hopes for how things may turn out. I will also have parents fill out information about themselves, their child(ren), and their family situation. Parts of the interview will be a more structured in which parents are asked specific questions about life and parenting history. Parent interviews will be scheduled in 60-90 minute increments with as many sessions scheduled as necessary to meet evaluator or parent need. (If there are step-parents or significant others living in the household, similar interviews will be held with these individuals.)
3. There will be meetings with school age children. I will be trying to get a picture of children's relationships, strengths, vulnerabilities,, and reactions to their family circumstances. How many times children are interviewed will vary from case to case.
4. Meeting with children and each parent together. The interviews will either take place in an office or in a playroom, with a variety of toys and games. I observe parents and children playing and interacting and ask parents and children to engage in a series of tasks (games, toys, discussions) The nature of the tasks given will vary depending on the ages of the child(ren) and the number of people involved. When children are older, a discussion with parents and children may be used.
5. Meeting with parents and children in their homes. All members of the household will need to be present for this visit which will include a home tour and a household meeting.
6. Parents will be asked to complete questionnaires related to personal and family history, parenting and child behavior.
7. Interviews with professionals who have been involved with the family or members of the family. This would include individuals such as school counselors, teachers, principals, physicians, members of law enforcement, psychotherapists, and drug counselors.
8. Information gathering through questionnaire or interview with people who have an active, ongoing role in or knowledge of a child's life, such as stepparents, grandparents, and half and step siblings, adult friends of the family, etc. Parents are each provided with 5 questionnaires that they can give to people who know the parent and family well.
9. Toward the final phase of the investigation, both parents may be interviewed together. (When there are stepparents in the family, I will usually involve them for part of this interview.) The meeting will focus on a pre-established agenda of questions or topics and is designed to be constructive in clarifying positions and perceptions and finding areas of agreement in the children's best interests.
10. At the conclusion of the investigation parents will be provided with a draft of the report to be reviewed, annotated and returned to the Dr. Shaver. Further investigation to clarify points of disagreement will be undertaken at the investigator's discretion.

## **Confidentiality of services provided**

Confidentiality is very limited when services are Court ordered. All information may be used to further evaluate and investigate concerns raised by you or others involved in the legal dispute. Attorneys may be entitled to see copies of notes, and information gathered may be discussed in reports and/or in Court testimony or depositions. If you have specific concerns about confidentiality issues, it is important that you

discuss them with me and with your attorney. While information from the investigation is not confidential, it is private and sensitive and will be treated with respect and discretion.

### **Audio/video recording**

For purposes of assessment and documentation phone calls, meetings and observations may be recorded.

### **Reporting obligations**

Mental health professionals who have reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who have observed the child being subjected to circumstances or conditions, which would reasonably result in abuse or neglect, are required to make a report to a Department of Social Services or a Law Enforcement Agency. Additionally, I am mandated to release information if, in my opinion, you are a danger to yourself (suicidal), or others (homicidal), or if there is or has been the revelation of current or previously unreported incidences of the abuse of elders and/or the abuse of dependent persons.

### **Accountability**

Parental responsibility evaluations and child and family investigator appointments occur because there is a dispute about child-related issues. Sometimes, one or both parties to a dispute later disagree with the assessment and recommendations that come out of the evaluation and recommendation process. If that is the case, litigants have a number of ways they can question and challenge the assessment and recommendations found in the reports. Please keep in mind that the report is not binding on you, and does not automatically become an Order of the Court. Your options include:

- Provide the evaluator or child and family investigator with feedback regarding your concerns and/or ask your attorney to provide a detailed summary of your concerns. If, after reviewing new information, I believe that further investigation or some modification of the original report is warranted, I will update the report. If there is not time to do this because of a pending Court date, I will inform the Court as to any limits in data collection or reservations I have regarding the existing report and recommendations.
- You are entitled to have other professionals review and critique my reports. Talk to your attorney about this option.
- You may be entitled to have a supplemental evaluation completed by another evaluator or evaluation team. Discuss this option with your attorney.
- Both 14-10-127 (regarding parental responsibility evaluations) and Chief Justice Directive 04-08 (the child and family investigator standards) specify that investigation files are discoverable. The primary purpose of this is to allow you and your counsel to review the data from which I derived the assessment and recommendations, and to possibly utilize this information to examine or cross-examine the evaluator or child and family investigator in a deposition and/or in Court.
- The Chief Justice Directive 04-08 provides a complaint process for parties who believe that a CFI has acted unprofessionally. This process can be pursued by contacting the District Court clerk.
- The Court, and not the evaluator or child and family investigator, is the final decision maker regarding your parenting dispute. While the Court will likely review and utilize the work of an evaluator or child and family investigator, this is just one source of information. Judges independently review the information or evidence provided to them through the adversary system of testimony, examination, cross-examination, and case review.

**Other rights**

You are also entitled to receive information about the methods and techniques used in the assessment, the expected duration of the services provided (if known), and fees. Sexual intimacy between a mental health professional and a client is never appropriate. Any violation should be reported to the State Grievance Board. Since our work is Court ordered, you should carefully review the Court order to better understand the type of services the Court has asked us to perform. If an attorney represents you, you can also consult with your attorney regarding questions or concerns you may have about our services.

The Colorado State Department of Regulatory Agencies also regulates Mental Health professionals. For questions or concerns, contact:

**Mental Health Occupations Grievance Board**

**1560 Broadway, Suite 880**

**Denver, CO 80202**

**Phone: (303) 894-7766**

**Credentials for Steven M. Shaver, Ph.D.**

**Degrees**

Doctor of Philosophy – School Psychology, University of Northern Colorado

Master of Arts - Educational Administration, University of Colorado

Master of Arts - Technology in Education, Lesley College

Bachelor of Arts - Elementary Education and Psychology, Western State College

**License/Permit**

Colorado Division of Registrations : Registered Psychotherapist

Colorado Department of Education Special Services License –School Psychology License No. 0395296

**Continuing Education:**

Colorado AFCC Annual Conference – Child Development and Parenting Plans – November 2010

Association of Family and Conciliation Courts International Conference - 2010

Expertise, Ethics and Helpfulness to the Courts: Promises and Perils in the Role of CFI - Boulder IDC

Protection Order Training – Jefferson County Mediation Services

Domestic Violence Training – Jefferson County Mediation Services

40 hour Child and Family Investigator Training – Colorado School for Family Therapy

Parenting Coordinator and Decision Maker Training - Coates & Duvall

40 hour training in Mediation - Community College of Aurora

Child Abuse Prevention Training – Good Touch/Bad Touch Inc.

Custody Evaluator Training – Professional Academy of Custody Evaluators

1. I have read and understand the document entitled " INFORMATION ABOUT COURT ORDERED CHILD AND FAMILY INVESTIGATOR SERVICES AND DISCLOSURE STATEMENT"
2. I understand my rights as a client.
3. I have been informed of the degree, credentials, and licensure status of Steven M. Shaver
4. I understand that the law requires that the evaluators must report any knowledge or suspicion of child abuse or neglect to the appropriate child protection agencies.

Signature \_\_\_\_\_

Printed name \_\_\_\_\_

Date \_\_\_\_\_

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### INFORMED CONSENT FOR COURT RELATED SERVICES

#### **Court Ordered Services**

***I understand that Steven M. Shaver, Ph.D. has been appointed by the court and does not work for me, for my attorney, for any other party to the dispute, or for any attorney involved in the case. I understand that Dr. Shaver will provide information to the Court. The type of information the Court is requesting relates to the best interests of child(ren), but may also involve other issues. The scope of investigation and information requested is identified in the Court Order.***

#### **Waiver of Confidentiality**

I understand that information I share with the Dr. Shaver is generally not confidential. I understand that, unless otherwise specified, a report summarizing data and impressions will be sent to the Court, to the attorneys, and to all adult parties to this dispute. This report will contain information regarding the members of my family and possibly other significant people involved with my family. I understand that the attorneys involved in the case may have the right to request access to all of the notes of the evaluator, and other sources of information. I understand that despite these probable limitations of confidentiality, that the evaluator wants me to express specific concerns that I may have about any of the information being shared, including possible detrimental effects that information may have on me or my child(ren).

#### **Availability**

I understand that the services provided by Dr. Shaver have been Court ordered and that I will be expected to make myself and my child(ren) available for interview, observation and home visits as necessary. I understand that the evaluator will conduct as comprehensive an evaluation as considered necessary to collect sufficient information within the scope of the court order. I understand that I must make available any materials the evaluator thinks could be useful and pertinent, and that I must turn in all required paperwork requested at the commencement of services. If there are other people who play an important and ongoing role in my child(ren)'s lives, I understand that the evaluators may want to interview them, and, depending on their relationship with me and my child(ren), involve them in other parts of the evaluation.

#### **Outcomes**

I understand that Steven Shaver, Ph.D. has been Court ordered to provide services. I understand that the responsibility of the evaluator is to the best interests of children, and not to a particular outcome that I may prefer. I also understand that there are some risks involved in this investigation. These risks may include that I and/or other family members may experience stress and anxiety during the course of the evaluation, that I may have to reveal information that I would prefer to keep private, and that the outcome of the evaluation may not be to my liking. There may be other risks specific to my situation. I also understand



<b>Elements of Child and Family Investigation</b> <i>-to be determined by scope of court order and investigator discretion</i>		Hourly range	
I.	Initial Meeting with Both Parents: review of process; turn in questionnaires if complete; identification of issues;	1-2	
II.	Individual Parent Interviews: questionnaires must be completed before scheduling; client and investigator control total time	3-5+	
III.	Interview with Step-parents/significant others	0-4	
IV.	Record/Document Review – Background: includes judicial system records; social services records; completed questionnaires	1-6	
V.	Couple Interviews: (not if domestic violence has occurred)	0-4	
VI.	Child(ren) Interviews: -age appropriate –may involve play or art techniques	1-5	
VII.	Home Visits: -tour –family meeting	2-4	
VIII.	Parent Child Interaction: –free or structured play or structured teaching or discussion	1-6	
IX.	Professional References: -phone interviews	1-5	
X.	Personal References: -parents nominate max of 5 each to submit written statement (guideline provided)	0-5	
XI.	Written Report: billed by page@ 40.00/page	10-40 pgs.	
XII.	Communication with attorneys/Hearings/ Court testimony	1-4	
Range of Total Investigation Hours		11-50	

**Cost estimate** (actual cost determined by scope and complexity of the investigation)

<p><u>Low estimate:</u>  11 hours @ \$100/hour = \$1100  10 page report @ \$40/page = \$400  Total cost to be divided between parties: \$1500</p>	<p><u>High estimate:</u>  50 hours + 30 page report  Total cost capped at \$2000 unless the court finds exceptional circumstances.</p>
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### INFORMATION FOR ATTORNEYS AND PRO SE PARENTS REGARDING CFI APPOINTMENTS PERFORMED BY Steven M. Shaver, Ph.D.

#### **Written Policies**

Standard 16 of Chief Justice Directive 04-08 (Directive concerning court appointments of child and family investigators pursuant to C.R.S. 14-10-116) specifies that “THE CHILD AND FAMILY INVESTIGATOR SHALL DEVELOP WRITTEN POLICIES FOR COUNSEL,” and further specifies that “The child and family investigator shall develop written information about how communications and sensitive information from counsel or parties acting as their own counsel will be handled.” In compliance with these requirements, these are the written policies of Fairview Family Mediation and Forensic Services regarding communication and sharing of information with Counsel and *pro se* parties during child and family investigator appointments.

#### **Court Orders**

All Court orders should follow the format in the model Court order (JDF 1318 R8/04 ORDER APPOINTING CHILD AND FAMILY INVESTIGATOR) provided in CJD 04-08. For example, the Order should state that the “The Court appoints as Child and Family Investigator (CFI): Dr. Steven M. Shaver of Fairview Family Mediation and Forensic Services. The order should be filled out as completely as possible, including specifying names, addresses, and phone numbers of the parties and attorneys, names and ages of the children, reasons for the appointment, and information about fee division. If there is a specified date that the child and family investigator’s report is due, this should be specified in the Order. Orders should specify the percentage each party is to pay for services. Please see the separate fee policy form for information about fees.

#### **Communication with Attorneys and pro se parties**

Standard 16 of CJD 04-08 specifies that, “there should be no non-disclosed conversations with one party’s counsel. A child and family investigator should remain careful about bias and the appearance of bias in the eyes of parties engaged in high conflict when those parties learn of one-sided communications. If, however, the child and family investigator, the parties, and counsel all agree to some different procedure concerning communication between the child and family investigator and counsel, they should reduce the agreement to writing before the child and family investigator begins work on the case.” There are often good reasons for attorneys and child and family investigators to communicate during the course of a child and family investigator investigation. Communication with attorneys and pro se parties are divided into two subcategories of communication, and handled in somewhat different ways. The two categories are general case sharing, and specific case sharing:

##### **1. General case information sharing:**

General case sharing can occur prior to the child and family investigator appointment as well as during the course of the investigation. This type of communication is not automatically disclosed to the other attorney or *pro se* party unless the attorney or pro se party specifically asks questions about it. Examples of general case information sharing are as follows:

##### **A. Prior to being appointed**

I will answer any questions an attorney or client has about approach, credentials, experience, availability, fees, and potential biases. I will want to get enough information about the case to consider availability, qualification, and conflict of interest issues. When contacted by parents, I will answer questions they have about the evaluation and my qualifications. Emphasizing the need to maintain objective and neutral, I will request that they do not share information about the details of their specific situation other than basic biographical information about the family.



## **B. After being appointed**

After being appointed, I will need to get some identifying information about the case, such as addresses and phone numbers of clients. If this is not specified in the Order, or I do not receive a letter from one or both of the attorneys with this information, I may contact one or more of the attorneys regarding this information. Later on in the case, I may have other reasons to contact an attorney regarding general case information, such as finding out about dates of scheduled status conferences, or hearings. Likewise, an attorney or staff person from the attorney's office might contact me regarding similar type of information, such as availability for particular Court dates.

## **2. Specific case information sharing:**

Specific case sharing may occur prior to the beginning of work or during the course of the investigation. Either the attorneys and/or pro se parties will all participate jointly in this type of communication, or, if it occurs with only one attorney or *pro se* party, the other attorney or *pro se* party will be informed of the communication, most often by phone. The general goal is to have transparency in communication with attorneys. Examples of specific case information sharing, and how I prefer to handle it are as follows:

### **A. Attorney-initiated communication at the commencement of a case**

In some cases, attorneys may want to share specific and detailed information about the case. I offer two options for handling this and will leave it up to attorneys to decide which option(s) they would like to use. Option #1 would be a conference call with both attorneys. Option #2 would be for the attorney to send a letter, with a copy to the other attorney, summarizing the pertinent information. Each of these options gives both attorneys an opportunity to present a full picture of the case, and to know what I am being told by the other attorney. I ask that attorneys copy other attorneys on the case on any of their correspondence to me.

### **B. Conference calls or meetings between the child and family investigator and all attorneys and pro-se parties.**

At any time during the course of the investigation, all of the attorneys and *pro se* parties may want to communicate jointly through a phone conference or other agreed upon method. Likewise, the child and family investigator may want to jointly talk to all of the attorneys. There are a variety of reasons that this might be done: to talk about problems or concerns that have arisen during the course of the evaluation, to talk about some change of circumstances that might impact the child and family investigation, to discuss settlement opportunities, etc.

### **C. Child and family investigator-initiated contact with one attorney that occurs during the child and family investigation process or after the submission of a report**

This type of communication will be disclosed to the other attorney either prior to the communication or soon after the communication occurs. Reasons to initiate communication with one of the attorneys may include: a) having difficulties enlisting the cooperation of a party in the child and family investigator process, b) believing that the client is having significant difficulties communicating their perspective to me and wanting to inform the attorney of the problem, c) having concerns about the behavior, demeanor, impulse control, etc. of the client, and informing the attorney of this problem, d) informing attorneys of something that is not part of general procedure, such as having to call Social Services regarding a possible suspicion of child abuse, or asking for some outside professional to evaluate client, or e) getting some additional information regarding issues that might facilitate or impede settlement after the investigation is complete. The decision as to whether to inform the other attorney prior to or after the communication will vary depending on such things as the circumstances of the case, the urgency of the need to communicate, and the availability of the other attorney.

### **D. Attorney-initiated contact with the child and family investigator that occurs during the child and family investigation process or after the submission of a report**

I ask that attorneys contact the other attorney prior to or immediately after initiating a call to the child and family investigator. Attorneys may have good reasons to contact me during the course of the appointment. For example, there may be some change of circumstance in the case that I need to be informed of, or some issue that they believe the child and family investigator may need to investigate. In some cases, an attorney may want to clarify some things their client has told them regarding the child and family investigator's process, behavior, or

opinions. Some attorneys put this information in writing, and some would prefer to call the child and family investigator directly. After completion of the evaluation, an attorney may want to meet with me in preparation for settlement, depositions, and/or Court. Usually, an attorney is interested in clarifying parts of the report, providing additional information, and/or developing an approach to examination or cross-examination. The other attorney will be informed about the meeting, and offered a similar opportunity to meet. There is no attorney work product in these situations, and if the other attorney asks questions about the meeting, I will answer their questions.

### **Other information for attorneys**

#### **Communication with Other Court-Appointed Professionals**

Communication with other Court appointed professionals involved in the case, such as a Child’s Legal Representative, a Parenting Coordinator, or an arbitrator, may be needed during the course of the investigation. I do not generally feel a need to disclose these communications ahead of time, unless specific content suggests that they should be disclosed. General policy is to form my own impressions about a case prior to talking to other Court appointed professionals.

#### **Client forms**

Clients are sent a packet of forms to fill out when I start working on a case. Counsel will be provided with electronic copies of all paperwork.

#### **Obtaining Pleadings and Other Documentation**

I would like to receive copies of pertinent Pleadings and Court Orders, including the Court Order of appointment. The Order should specify which attorney or pro se party is to provide this information. Upon sending this information, please inform the other attorney as to what pleadings and documents have been sent so they can verify a full record of pertinent pleadings and documents, It is not necessary to send pleadings that are not pertinent to the best interests of the children. I do not need to be copied on all of the correspondence between the attorneys unless there is some agreement between the attorneys and the child and family investigator that such correspondence is relevant to the child and family investigation. Often, one or both attorneys have obtained important documentation relevant to the investigation. They may have copies of police reports, medical files, social services investigations, etc. Attorneys are encouraged to forward copies of this type of information, as long as they inform the other attorney as to what documents are being sent. This will not only save some time, but will help insure that the child and family investigator and the attorneys have access to the same documentation.

#### **Information from Collateral Sources**

I will be discussing with your clients what collateral sources, if any, should be contacted. Professional collateral sources are sent releases of information and are often contacted directly. Personal collateral sources, such as family and friends, may fill out questionnaires that have been provided to your clients. Attorneys may already have written materials from these sources, and can furnish these if so desired. I will however engage in an independent review of these sources.

#### **Clarity about the Scope of the Order and the Legal Standard(s) To Be Applied in the Case**

The Order will generally specify both the scope of the child and family investigator appointment, and the pertinent legal standard to be applied. When there are uncertainties or disagreements about the scope of the appointment or about which standard is to be applied, I will try to get some clarification about this, generally either through a conference with the attorneys, or by asking for a status conference with the Court. In some cases, if there is a disagreement about the legal standard, and this is a matter to be determined at a later Court hearing, I will try to apply all of the possible relevant standards to the case.

#### **Attorney Involvement in Interviews and Feedback Sessions**

I prefer to schedule meetings with parents alone. Meetings with parents are opportunities for assessment that are potentially altered by the presence of counsel. Feedback sessions provide a parent with information about my assessment, and an opportunity for their response. There may be situations where it could be helpful to have a client’s attorney involved, or that it has been requested by an attorney to be present. If an attorney is allowed to be present in

a feedback session then the attorneys for both clients are extended the same opportunity. Audio and/or video recording of meetings are part of the content of the investigation.

### **When One or Both Parties Are *Pro Se***

There are some special considerations in these cases, for the *pro se* parent is serving two roles, as an attorney and a parent. If you are *pro se*, you will have the same opportunity to share information about the case as would any attorney, and the guidelines spelled out above regarding communication with attorneys will be followed. Once you come in for your initial appointment however, I want to work with you as a parent. When attorney-type and litigation-related communications must occur, I will again follow the guidelines spelled out above regarding communication with attorneys.

### **Release of files**

Standard 12 of the Chief Justice Directive concerning child and family investigators, specifies that “The child and family investigator shall provide copies of his or her file” and goes on to specify that “The child and family investigator shall, if requested, make available to counsel or a party not represented by counsel in the case, his or her file of underlying data or reports.” The policy regarding release of underlying data is that a) incomplete files will not be released, and files are not released until a report has been submitted, b) the other attorney or *pro se* party will be informed of the request for a release, either to see if they also want a copy, or to see if they have specific objections to the release based on a concern regarding the welfare of the children or anyone else, and c) in cases where the release of the data would endanger any person’s welfare, I will temporarily withhold the data and inform the Court as to the concern. Standard 12 allows for the non-disclosure of data “if a child and family investigator believes that the release of any particular information or test data would endanger any person’s welfare.” and specifies that the Child and Family investigator “should inform counsel and the court of his or her concerns and await further direction from the court before releasing the information in question.”

***Thank you and please let me know of questions or concerns,  
Steve Shaver***

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### FEE POLICIES FOR CHILD AND FAMILY INVESTIGATIONS AND SERVICES

This document spells out fees and procedures regarding provision of services. These policies take effect upon the issuance of a Court Order appointing, or signing of a contract for service with Steven M. Shaver, Ph.D. It is recommended that you discuss these policies with your attorney prior to signing the Service Contract and Fee Agreement.

#### Child and Family Investigation Maximum Fee

Chief Justice Directive (04-08) amended in April, 2011 places a 2000 dollar cap on the cost of a Child and Family Investigation. This amount can only be exceeded in extraordinary circumstances and by specific order of the court. This cap applies to investigation services but does not apply to travel expenses, courtroom testimony or other post evaluation services.

#### Retainers

An initial retainer fee must be paid in full prior to the commencement of Child and Family Investigation services. Partial payment of retainers will not be accepted. Retainers are based on a sliding scale for taxable household income as follows:

Yearly income per household		
<\$25,000	\$25,000 - \$50,000	>\$50,000
\$80/hr	\$90/hr	\$100/hr
\$1000	\$1500	\$2000

You will be expected to replenish your retainer during each billing cycle in order to maintain either one-half of your initial retainer amount or the amount left to reach the cap. For example, if you pay \$500 as your portion of the initial retainer, you must maintain at least \$250 in your retainer account or make payment sufficient to reach the cap.

*If the retainer is not replenished by the billing due date, work on the case will stop until the retainer is replenished.* Retainers may be higher in cases where one or both parents live more than 100 miles from Golden or Gunnison and there are travel expenses involved. In some cases the retainer is specified in the Court Order. In all cases, funds not used will be refunded.

**Post-evaluation Services:** A retainer of \$500 is required when post-evaluation services such as depositions and/or Court testimony are requested. The party requesting such services will be responsible for 100% of the retainer. The retainer must be satisfied ten days prior to a court date to avoid notification of the court.

#### Payment

You will be given ongoing monthly statements reflecting charges and retainer balance. Payment of the full amount owed on this invoice is due within two weeks of the invoice date. If your full payment is not received within 30 days from the date of the invoice, a monthly late fee of \$25.00 will be assessed for each month you are late until your balance is paid in full.

*Payment in full is required before report will be released to you or the Court. The Court's assistance may be requested at any time pertaining to payment issues.*

#### Fees:

Hourly fees range on a sliding scale between \$80 and \$100 per hour (Services are billed for in increments of tenths of an hour). This fee applies to all services, including but not limited to interviews, contacts with references, phone contacts, home visits including travel time, consultations, review of records. These fees also apply to all post-report services, including but not limited to, settlement discussions, attorney

consultations, preparation for depositions or court, and deposition and court testimony time, including travel and waiting time.

**Fees for Professional References and Background Checks:**

Costs incurred in the process of acquiring information will be passed on to you. Occasionally professional references who provide information will send a bill for their services and/or for sending copies of their files. You will be billed those amounts.

**Fees for Late, Missed and Canceled Appointments:**

***Appointments not canceled or rescheduled at least 12 hours in advance will be charged at the hourly rate for the allotted appointment time.***

**Fees for Investigation Requiring Extended Travel:**

If travel is required, costs include airfare or other transportation, economy car rental, 150.00 per overnight, and usual hourly fees.

**Fees for Consultants:**

Under some circumstances, services or consultation from other professionals with specialized areas of expertise may be required. Such areas of expertise can include cultural or religious issues, medical issues or medications, complex legal issues, and drug and alcohol abuse issues. Professional's charges will be passed on to you. If these services are required, you and your attorney will be informed ahead of time about the need for these services and about the anticipated charges and authorization will be requested from the court.

**Fees for Report Writing:**

Report writing is billed at a rate of \$40 per page.

**Fees for Post Report Services in the Role of an Evaluator**

When phone contacts and/or meetings with your attorney occur after the completion of a parental responsibility and/or parenting time evaluation report, you will be responsible for 100% of the charges for these fees, no matter what percentage you paid for the evaluation itself. You will be charged at the hourly fee for direct services. You will be billed at 100% because attorneys use these post-report meetings for preparation for settlement or Court, so the time spent is not part of the evaluation itself.. If you or your attorney requires testimony in a deposition and/or in Court, you will be responsible for all evaluator time and expense charges, including preparation for testimony up to the cap set by the CJD.

**Fee Collections**

If you become delinquent in or default on the payment of your bill, Fairview Family Mediation and Forensic Services, reserves the right to inform the Court, to refer the account to an attorney or a collection service for collection, to ask the Court for a judgment, and/or to file Contempt of Court papers with the Court. You will be held responsible for all fees and expenses associated with any collection efforts. Consent is given to Fairview Mediation and Family Services, for release of your name, demographic information, nature of service, and any other necessary data to an attorney or collection service in the event of delinquency in or default on the payment of monies owed to Fairview Mediation and Family Services.

**Fairview Family Mediation and Forensic Services**

Steven M. Shaver, Ph.D.  
14143 Denver West Parkway Suite 100  
Golden, CO 80401

phone: 303.882.4329 fax: 303.376.6236  
internet: www.members.toast.net/shaver

**FEE AGREEMENT**

I am responsible for \_\_\_\_\_ % of all of the fees and costs of the services provided. The total initial retainer required in this case is \$\_\_\_\_\_. I will make an initial retainer payment of \$\_\_\_\_\_ prior to receiving any services.

I understand that I will be expected to maintain a positive balance in my retainer account throughout the entire course of services provided by Fairview Family Mediation and Forensic Services. I understand that I must maintain a retainer amount equal to 50% of my initial retainer payment of \$\_\_\_\_\_. This means that I will need to keep a retainer of at least \$\_\_\_\_\_ until the cap of 2000 dollars is reached.

I have read, understand, and agree to information provided in Fee Policies for Court Related Evaluations and Services.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINTED NAME

\_\_\_\_\_  
DATE

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**Consent To Release and Exchange Confidential and Privileged Information**

**Name of Client** \_\_\_\_\_

**Children's names & ages** \_\_\_\_\_

\_\_\_\_\_

Check (√) your relationship to the children listed above: \_\_\_\_\_ mother \_\_\_\_\_ father

**CONSENT TO RELEASE INFORMATION:**

As part of the Court ordered services currently being conducted, concerning my children, I understand that Dr. Shaver will consult with other professionals with whom I and/or members of my family have had some type of professional contact. I hereby authorize the persons or institution listed below to release information to and exchange information with Dr. Shaver. I understand that this consent applies to information derived from any psychological, counseling, psychiatric, medical, educational/school, day care, and/or other professional contacts. I understand that the information released would include the results of diagnostic tests and the records of any medical, psychological, psychotherapy, counseling, and/or psychiatric treatment rendered to me and/or the above listed children. I understand that the information released may include the notes and results of psychological evaluations, notes from psychotherapy sessions, and any opinions derived from these procedures. I understand that the information may be released to Dr. Shaver verbally, in writing, or both. I understand that this consent applies to information derived from any schools or daycare and may include any educational, social, and behavioral information and observations. I understand that this consent applies to the sharing of information, opinions, and observations the listed professional below has had regarding their contacts with me, and/or with any minor children listed above, and/or with my relationship with these children.

I understand that Dr. Shaver is fulfilling a Court ordered services, and that the information released by other professionals may be utilized in reports, depositions, and/or Court testimony. I understand that the Colorado Revised Statutes may permit attorneys representing me or other parties to this dispute to obtain copies of Dr. Shaver's file of underlying data and reports, which would include the information released by the professional and/or institution named below. In consideration of the need of Dr. Shaver to obtain this information in order to better assist the Court in determining the best interests of the minor children, I hereby release Dr. Shaver from all liability, civil, criminal, professional, financial, or otherwise, that might directly or indirectly result from the release or exchange of any information that might be relevant to the services being provided. I fully understand that I have the right and opportunity to consult with an attorney on this matter if I desire. I give this consent of my own free will. I agree that a photocopy of this form and my signature below is as valid as the original.

**PLEASE SIGN AND DATE BELOW.**

\_\_\_\_\_ **Printed Name** \_\_\_\_\_ **SIGNATURE**

\_\_\_\_\_ **Date**

**This consent applies to the institution and/or individual listed below:**

Name \_\_\_\_\_

Phone # \_\_\_\_\_

Institution \_\_\_\_\_

Address \_\_\_\_\_

**Fairview Family Mediation and Forensic Services**

Steven M. Shaver, Ph.D.  
14143 Denver West Parkway Suite 100  
Golden, CO 80401

phone: 303.882.4329 fax: 303.376.6236  
email: stevenshaver@gmail.com

**AUTHORIZATION REQUESTING THE RELEASE OF HEALTH CARE INFORMATION**

Client Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ SSN: \_\_\_\_\_

*Is requesting the release of health care information from:*

Name and/or Organization: \_\_\_\_\_

Address: \_\_\_\_\_

*I request the release of the following information to: **Fairview Family Mediation and Forensic Services**  
**14143 Denver West Parkway Suite 100 Golden, CO 80401***

- |  |  |
|--|--|
| _____ Medical and/or Mental Health History | _____ Drug Abuse/Alcohol Abuse Records                 |
| _____ Family History and/or Social History | _____ HIV Diagnosis and/or AIDS related condition      |
| _____ Psychological/Psychiatric Records    | _____ Test results: antibodies or communicable disease |

\_\_\_\_\_ Admission workup: reason for admission, dates of service, psychosocial history, medical history, drug/alcohol use, mental status exam, family history, social history, and provisional diagnosis.

\_\_\_\_\_ Discharge Summary: admission workup information, dates of service, summary of physical exam, routine laboratory data, hospital course, discharge diagnoses and medications, discharge plan.

This release applies to myself and to all minor children.

*The purposes of the release of this information is as follows:*

Fairview Family Mediation and Forensic Services is fulfilling court-ordered services, and information released will become part of the case file and may be disclosed and/or utilized in correspondence, reports, depositions, and/or court testimony.

*This authorization ends upon termination of the court-appointed role or 180 days, whichever is earlier.*

I may cancel this authorization in writing as allowed by law. This would not affect any actions already taken based upon my original request. I understand that I can rescind/withdraw this authorization by submitting one of the three documents to the individual or organization authorized to release the information:

- 1) Sign and date a revocation form (available from the individual/organization); or
- 2) Write, sign, and date a letter to the individual/organization to cancel the authorization; or
- 3) Sign, date and write, "CANCEL" on this original form

I understand that once the information is released the individual or organization has no control over it, and privacy laws may no longer protect it.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
date