

1 Case name:

2 Case number:

If directed by the court, the child custody evaluator must file a written, confidential report of his or her evaluation. At least 10 days before any hearing regarding custody of the child, the report must be filed with the clerk of the court and served on the parties or their attorneys and counsel appointed for the child.

Important Notice: This form must be attached as the first page of the child custody report. The child custody evaluation report MUST NOT become part of the public court file. It is confidential and private.

THE ENCLOSED CHILD CUSTODY EVALUATION REPORT IS CONFIDENTIAL

Unwarranted Disclosure of the Report

You must not make an unwarranted disclosure of the contents of the child custody evaluation report. A disclosure is unwarranted if it is done either recklessly or maliciously and is not in the best interest of the child.

- **Monetary Sanctions:** If the court determines that an unwarranted disclosure of a written confidential report has been made, the court may order a fine against the disclosing party in an amount that is large enough to prevent that person from disclosing information in the future.
- **Attorney Fees and Costs:** The sanction may also include reasonable attorney fees, costs incurred, or both, unless the court finds that the disclosing party acted with substantial justification or that other circumstances make the imposition of the sanction unjust.

Potential Consequences for the Unwarranted Disclosure of the Report

By law, the court can impose a penalty for the unwarranted disclosure of the child custody evaluation report. The penalty for the unwarranted disclosure of the child custody report can include monetary sanctions (a fine) and attorney fees and costs.

Access to the Report

This report may not be made available to anyone other than the following (Fam. Code, §§ 3025.5, 3111):

- a. The parties and their attorneys (including attorneys from whom the parties seek legal representation) and attorneys appointed to represent the child
- b. Court professionals who would receive it directly from the court to do their job, including:
 - Family court judicial officers
 - Family court employees
 - Family law facilitators
 - Juvenile court judicial officers
 - Juvenile probation officers
 - Child protective services workers
 - Law enforcement officers
 - Probate court judicial officers
 - Guardianship investigators
- c. Others, but only by court order

Information About Child Custody Evaluations

For more information, visit the California Courts Online Self-Help Center: www.courtinfo.ca.gov/selfhelp. See also Family Code sections 3110-3118 and 3025.5 and rules 5.220 and 5.225 of the California Rules of Court.