

**THIS IS A LEGAL DOCUMENT.
YOU MAY CONSULT YOUR ATTORNEY OR MENTAL HEALTH PROFESSIONAL BEFORE
SIGNING.**

**INFORMED CONSENT
FOR PARENTAL FITNESS OR CAPACITY EVALUATIONS**

Welcome to Learning Insights, provider of psychological evaluations and assessments for people of all ages.

This form is intended for people who have been ordered to receive one of the above-listed evaluations as ordered by a Family Court in New York State. The following describes your rights as a participant of this service and provides you with information on what to expect during the evaluation process. If you have any questions or concerns regarding the information contained in this letter, please address them with the evaluation or your attorney.

NATURE AND PURPOSE OF THE EVALUATION

The goal of this evaluation is to evaluate some or all members of a family depending on what the Court orders and based on the Evaluator's clinical training, judgment, and experience to make recommendations to the Court regarding parenting fitness or capacity issues. The child(ren)'s best psychological interests and well-being are always the primary concerns of these evaluations. It is important to understand that the Evaluators are not responsible for making the final decision in your Court proceedings, and that all evaluations are ultimately tools for the use of the Court as it deems appropriate. The reports are submitted to the Court only to provide the Judges with clinical recommendations regarding the best interests of the child(ren) or such recommendations as requested on a case-by-case basis.

In understanding the Court-requested evaluation, Learning Insights will use its best efforts based on the Evaluator's training and experience to address the Court's request. Because of the number of variables affecting an evaluation, any evaluation provided by Learning Insights is subject to analysis and interpretation that, while reflecting training and experience, cannot be undertaken with the same degree of precision that a mathematical or scientific review would entail.

It is important to know that we may ask questions that make you feel uncomfortable. For example, we may ask about your school, your family, and how you've been feeling in order for us to gain a full picture of your situation and help us write a useful report for the Court.

Evaluators make a great effort to be impartial and objective in these evaluations. Consequently, it is important for the Evaluators to not have or have had any personal or professional contact or relationship with the child or parental figures other than the evaluation. By signing this Consent, you acknowledge that you waive any objection to the Evaluator appointed on the basis of a prior contact or relationship.

Lastly, because the evaluation is one prepared at the direction of the Court, no client relationship arises with Learning Insights from participation in the Court evaluation process. While the confidentiality standards existing between Learning Insights' professionals and those participating are observed, unless modified by Consent (see following), Learning Insights' only client in this process is the Family Court that ordered the evaluation.

WHO WILL BE EVALUATED

All members of the immediate family – that is, mother, father, stepparents, and children – or any other individuals as ordered by the Court, may need to be interviewed for as many interviews as the Evaluator decides are warranted. These interviews may be conducted on an individual basis, or in any combination of family members. The Evaluator will need to have the freedom to interview or obtain information from any and all other parties whom the Evaluator considers possible sources of useful information (e.g. neighbors, grandparents, teachers, former girlfriends/boyfriends/spouses).

CONFIDENTIALITY

Parents must agree to a modification in the traditional rules governing confidentiality between a clinician and a client. The Evaluator must have the freedom to reveal to one party what has been told by the other (at the Evaluator's discretion) so that issues may be explored fully. This does *not* mean that the Evaluator will not respect certain privacies or that s/he will automatically reveal all information provided.

The Evaluator's report is to be delivered only to the Court for the sole use of the presiding Judge. Despite their involvement, the participants do not receive copies of the completed report. That is, the Evaluator does not give copies of any records to any parent. The law does not permit disclosure to a Third Party, only to the Court for a court-ordered evaluation. This serves to protect the participants and Evaluators from any misuse, misrepresentation, or misinterpretation of the written report. The Judge, at his or her discretion, may share any of the information in the written report with each of the parties' attorneys, who may then, in turn, convey the information to the clients.

When any form of child abuse is reasonably suspected in the course of the Evaluation, the Evaluator is required by law to take steps to protect the child, including following the mandated reporting procedures.

RELEASES OF INFORMATION

The parties acknowledge by signing this consent, they agree to release information necessary for the Evaluator to obtain reports from other sources, such as schools, therapists, pediatricians, probation officers, hospitals, etc. At the time of the first interview, each party will sign Authorizations for Release of Information. The Evaluator will not release to either parent copies of any of these records of the other parent obtained from other sources without explicit written consent.

GATHERING INFORMATION

Information will be gathered primarily from clinical interviews. A Learning Insights questionnaire is included with this Informed Consent Form. All adolescents and parents also are required to take objective personality measures or any other tests that are deemed appropriate.

AGREEMENT FOR LEARNING INSIGHTS TO PERFORM COURT-ORDERED PARENTAL FITNESS OR CAPACITY EVALUATION

I have read the above, have had the opportunity to discuss the provisions with my attorney, and agree to participate in the Evaluation procedures outlined above. I agree to assume responsibility for the fee for this Evaluation.

Date

Signature of Examinee/Legal Guardian

I have received a copy of this Informed Consent contract for my own records.

Date

Signature of Examinee/Legal Guardian