

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT,
LAKE COUNTY, ILLINOIS

IN RE: ALL FAMILY DIVISION CASES

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Evaluation and Investigation Referrals Standing Order

Upon entry of an evaluation order pursuant to Illinois Marriage and Dissolution of Marriage Act, §604.10, the parties, their attorneys and the appointed evaluator shall be bound by the terms of this Standing Order of the Family Division.

It Is Hereby Ordered:

- A. There shall be no ex-parte communication between an evaluator and an attorney unless all attorneys are present, or all attorneys confirm in writing that the ex-parte communication is permitted. Information regarding scheduling of appointments, time-lines for completing the interviews, evaluation, and report, and issues related to the payment for the evaluation shall not be considered ex-parte communications.

- B. The appointee may communicate freely with the child representative, attorney and/or the guardian ad litem for the child(ren).

- C. Unless a proper written consent or Court Order has first been obtained, an appointee may not obtain medical, psychiatric or other expert information about any person investigated, except for information about a minor as provided in 740 ILCS 110 et seq.

- D. Any evaluator appointed pursuant to §604.10(b), §604.10(c), or §604.10(d) shall, at a minimum, set forth the following in their report:
 - 1. A description of the procedures employed during the evaluation;
 - 2. A report of the data collected;
 - 3. All test results;
 - 4. Any conclusions relating to the allocation of parental responsibilities including decision making and parenting time;

5. Any recommendations concerning the allocation of parental responsibilities or the child's relocation; and
 6. An explanation of any limitations in the evaluation or any reservations of the professional regarding the resulting recommendations.
 7. Pursuant to 604.10 (b) or (d), the final written report of the appointee shall be sent to the court with copies sent to the attorneys for the parties and to any self-represented party three (3) days prior to the date set for presentation of the report.
- E. Pursuant to 604.10(c), the final written report of the appointee shall be sent to the party who retained the professional and that party shall cause the report to be sent to all attorneys of record.
- F. Pursuant to 750 ILCS 5/606.5(e), the final report of the appointee furnished to the court shall be kept sealed by the Clerk of the Court unless otherwise ordered.
- G. When served with a subpoena, an appointee shall be obligated to produce his or her file of underlying data obtained in regard to this case as well as the names and addresses of all persons whom the appointee consulted. **However, unless a proper written consent or Court Order specifically so authorizes, the appointee may not re-release medical/psychiatric/psychotherapy record obtained pursuant to an initial written consent.**
- H. Pursuant to the Mental Health and Developmental Disabilities Confidentiality Act 740 ILCS 110/3 (c), psychological test materials whose disclosure would compromise the objectivity or fairness of the testing process may not be disclosed to anyone, including the subject of the test, and is not subject to disclosure in any administrative, judicial or legislative proceeding. However, the recipient may have all records relating to the test disclosed to any psychologist designated by the recipient. Requests for such disclosure shall be in writing and comply with the requirements of 740 ILCS 110/5(b).

ENTERED: Presiding Judge

Dated this 24th day of October, 2016.