



Judicial Council of California

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Subject Text

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File #: 22-002, Version: 1

Title

Rules and Forms | Family Law: Changes to Child Custody Evaluation Rule and Forms (Action Required)

Summary

The Family and Juvenile Law Advisory Committee recommends amending one rule and revising four forms relating to child custody evaluations and reports. The revisions are needed to clarify the differences in the statutory requirements for child custody evaluations that are conducted under Family Code section 3111 and Family Code section 3118. The committee recommends other technical changes to make the language in the rule and forms consistent with each other.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective September 1, 2022:

1. Amend rule 5.220 to reflect the revised titles of forms FL-328 and FL-329 and the revised procedures for filing child custody evaluation reports under Family Code sections 3111 and 3118.
2. Revise Order Appointing Child Custody Evaluator (form FL-327) and *Additional Orders Regarding Child Custody Evaluations Under Family Code Section 3118* (form FL-327(A)) to reflect the revised titles of forms FL-328 and FL-329 and the revised procedures for filing child custody evaluation reports under Family Code sections 3111 and 3118.
3. Revise *Notice Regarding Confidentiality of Child Custody Evaluation Report* (form FL-328) to change the title and include a file-stamp box, as well as other changes.
4. Revise *Confidential Child Custody Evaluation Report* (form FL-329) to change the title and include a new first page that advises that the report is confidential and specifies the service requirements and limitations on access to the report under Family Code section 3118.