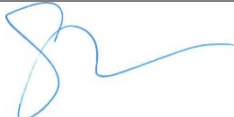


MEMORANDUM

DATE	June 1, 2017
TO	Board Members
FROM	 Sandra Monterrubio, Enforcement Program Manager Board of Psychology
SUBJECT	Child Custody Evaluation-Overview of Process of Receiving and Handling of Cases-Agenda Item 8

Background

At the February Board Meeting, the Board of Psychology (Board) received public comment regarding its handling of Child Custody Evaluation cases. The Board is a consumer protection agency and is committed to protecting consumers of California from potentially harmful licensees and practices. In keeping with its mandate to protect consumers of psychological services, the Board processes Child Custody Evaluations in the following manner:

Process of Child Custody Evaluation Complaints

1. An assigned enforcement analyst reviews the complaint.
2. The analyst checks the Subject's (licensee) complaint history and notes any trends/reoccurring allegations.
3. The analyst requests additional documents/information from the Complainant, if necessary.
 - i. If the Complainant does not respond to the analyst's request for information/documents, the case will be closed until everything is received.
 - ii. If the Complainant provides all requested information/documentation, but says they don't have custody or can't sign the Release form, the Analyst will proceed with the case.
4. The analyst obtains the non-complaining parent's contact information from the Complainant (mailing address), if not provided in the original complaint.
5. The analyst writes to the Subject requesting a response to the allegations and the provision of records; notification is sent to the non-complaining parent pursuant to Business and Professions Code §129(f).

- i. If the Subject does not provide records, the analyst will prepare a subpoena for the records.
 - ii. The analyst can receive a copy of the child custody evaluation report in accordance with Family Code § 3025.5.
 - iii. If there are objections to the subpoena, a complete copy of the case will be referred to the Office of the Attorney General (OAG) for Subpoena Enforcement.
6. The analyst will conduct a thorough review of all case materials to determine if proceeding with a field investigation is warranted, or if the case should be closed.
 - i. If needed, an Expert will be consulted. When the Expert's consultation is received, the analyst will review it to determine if the case should be referred to the field for further investigation or closed.
7. If a field investigation is warranted, the case will be transmitted to the Division of Investigation (DOI).
 - i. When the field investigation is complete, the analyst will review DOI's investigative report and determine if an Expert Review is required.
8. If an Expert Review is conducted, the Expert's report will be reviewed to determine if the case should be referred to the OAG for disciplinary action, or closed.
 - i. If the Expert opines that there are departures from the standard of care, the case is transmitted to the OAG for the filing of an Accusation
9. If at any time it is determined that the case warrants closure due to insufficient evidence or no violation(s) being found, the parties will be notified in writing.

Action

This item is for informational purposes only.