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2 An act relating to child custody evaluations;  
3 providing a presumption of good faith for the  
4 actions of a court-appointed psychologist who  
5 conducts a child custody evaluation;  
6 prohibiting anonymous complaints; providing  
7 prerequisites to a parent's bringing a legal  
8 action against the psychologist; providing for  
9 the award of attorney's fees and reasonable  
10 court costs; providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Child custody evaluations; presumption of  
15 psychologist's good faith; prerequisite to parent's filing  
16 suit; award of fees, costs, reimbursement.--

17 (1) A psychologist who has been appointed by the court  
18 to conduct a child custody evaluation in a judicial proceeding  
19 is presumed to be acting in good faith if the evaluation has  
20 been conducted pursuant to standards that a reasonable  
21 psychologist would have used as recommended by the American  
22 Psychological Association's guidelines for child custody  
23 evaluation in divorce proceedings.

24 (2) An administrative complaint against a  
25 court-appointed psychologist which relates to a child custody  
26 evaluation conducted by the psychologist may not be filed  
27 anonymously. The individual who files such an administrative  
28 complaint must include in the complaint his or her name,  
29 address, and telephone number.

30 (3) A parent who wishes to file a legal action against  
31 a court-appointed psychologist who has acted in good faith in

1 conducting a child custody evaluation must petition the judge  
2 who presided over the child custody proceeding to appoint  
3 another psychologist. Upon the parent's showing of good cause,  
4 the court shall appoint another psychologist. The court shall  
5 make a determination as to who is responsible for all court  
6 costs and attorney's fees associated with making such an  
7 appointment.

8 (4) If a legal action, whether it be a civil action, a  
9 criminal action, or an administrative proceeding, is filed  
10 against a court-appointed psychologist in a child custody  
11 proceeding, the claimant is responsible for all reasonable  
12 costs and reasonable attorney's fees associated with the  
13 action for both parties if the psychologist is held not  
14 liable. If the psychologist is held liable in civil court, the  
15 psychologist must pay all reasonable costs and reasonable  
16 attorney's fees for the claimant.

17 Section 2. This act shall take effect July 1, 2003.  
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