

1 A bill to be entitled
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 for
7 the court to appoint another psychologist;
8 providing for the court to award attorney's
9 fees and reasonable court costs; providing an
10 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 civil action or an administrative proceeding may
31 not be filed against a court-appointed psychologist as a

1 result of a child custody evaluation unless the court
2 appointing the psychologist first finds, upon petition of any
3 party to the action or proceeding, that the psychologist
4 failed to act in good faith in conducting the child custody
5 evaluation. If the court finds a lack of good faith, the court
6 shall appoint another psychologist to conduct a further child
7 custody evaluation. The court shall make a determination as to
8 who is responsible for the court costs and attorney's fees
9 associated with this section.

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