



**PSYCHOLOGICAL CENTER**  
for Expert Evaluations, Inc.

---

**Role Specification & Financial/Retainer Agreement**

Date: \_\_\_\_\_

Name of Retaining Party: \_\_\_\_\_ Relationship to Examinee: \_\_\_\_\_

Examinee's Name: \_\_\_\_\_ Examinee's Date of Birth: \_\_\_\_\_

**Introduction**

This agreement outlines the terms agreed to when electing to retain Dr. Kristin Tolbert, a licensed psychologist, for your case. The terms of engagement are in writing in order to avoid misunderstandings. We ask that you indicate your agreement by executing your copy of this letter and returning it to our office, along with the initial retainer fee.

**Services**

Except for in rare situations, it is generally only appropriate for a forensic psychologist to serve in one capacity on a case. For instance, a psychological evaluator should not be providing consultation to any of the litigants, nor should a therapist perform psychological evaluations on their established clients. Within the realm of consultation services, however, there is a little more flexibility in combining roles. Please review the following information and ask questions when necessary.

Please note that as a licensed psychologist if a psychiatric emergency arises, Dr. Tolbert must prioritize and tend to the emergency before other cases. Therefore, all appointments are subject to cancellation or rescheduling in the event of a psychiatric emergency with another client.

**Records**

Our agency will provide a copy of all records maintained at the party's request. The charge for providing a copy of records will be \$0.05 per page plus shipping if applicable. A signed Request of Information form may be required before providing records.

**Psychological Evaluator/Expert Witness**

Dr. Tolbert can be appointed by the Court to serve as a neutral psychological evaluator for cases involving child custody disputes. The Court typically requires that these evaluations take place when litigants cannot agree on a custodial arrangement with the assistance of their lawyers or a mediator. The aim of the evaluation is to provide the Court with important information relating to the child's best interests, from a neutral expert, in order to assist the Judge in making custody determinations. After serving as an evaluator, Dr. Tolbert is comfortable and experienced in providing expert witness testimony to assist the Judge in making a final determination on the case.

- *Psychological Evaluation of only one Parent*  
If only one parent's mental health is in question, a psychological evaluation may be ordered to assist the Court in learning more about the diagnostic impressions, factors that may place the child(ren) at risk, or recommendations for treatment.

3307 Northlake Blvd. Suite 101 Unit 213 Palm Beach Gardens, FL 33403

P: 561-429-2140 F: 561-318-5896

drktolbert@ForensicPsychologicalCenter.com

w w w . f o r e n s i c p s y c h o l o g i c a l c e n t e r . c o m

- *Social Investigation/Custody Evaluation*  
When it is unclear what type of timesharing arrangement is in the best interest of the child(ren) in a case, the Court may appoint Dr. Tolbert to perform a Social Investigation on the entire family, which will incorporate recommendations for parenting plans and time sharing arrangements. If both parents are not able or willing to participate, it is sometimes possible to perform an “Interaction Study” or “Gatekeeping Assessment”, if the Court orders it, or if the existing legal situation is such that both parents are not required to provide permission for the child’s examination.
- *Second Opinion Psychological Evaluator*  
If an initial evaluation of a litigant or family has been performed, and questions have been raised about the validity of the results, Dr. Tolbert can be appointed to conduct a “Second Opinion Evaluation” or “Tie-breaker Evaluation”. In this function, the doctor may or may not be asked to review the initial evaluator’s findings, but will always re-evaluate all parties and collateral contacts in order to formulate an independent opinion about the situation at hand.

#### Consultation and Litigation Support Services

As stated, there is more flexibility in combining several of the following consultation roles, thus establishing the best possible outcome for your case. Please discuss the options with your evaluator when appropriate.

- *Attorney/Client Support and Education*  
In some situations, attorneys may have clients that could benefit from one-on-one guidance from a psychological expert to prepare them for trial or to assist with settlement agreements. Especially in high conflict divorces, it can be particularly helpful to hire a mental health consultant early on in the case, to walk the litigant through the custody evaluation process. As a mental health consultant in this capacity, Dr. Tolbert often provides the client with psycho-education, teaches effective communication techniques, provides information on divorced parenting skills, and provides them with anxiety reducing techniques to utilize throughout the process. Dr. Tolbert can also assist by utilizing the most up to date, generally accepted literature, to help create parenting plans that are developmentally appropriate and structured with the child’s psychological best interest in mind.

When attorneys are faced with difficult clients who refuse to consider sound advice, Dr. Tolbert is generally able to help present information in a way that the client may be more receptive to hearing. Additionally, unless asked to testify, this assistance does not have to be disclosed and will remain under the client/attorney privilege.

- *Work Product Reviews & Rebuttal Witness Testimony*  
Dr. Tolbert is also able to assist in cases where the attorney’s client receives an unfavorable outcome on a psychological evaluation or social investigation. Dr. Tolbert will first assess the content of the report and provide an initial opinion as to whether or not the methodology appears sound. In cases where the results of the evaluation appear appropriate, and there does not seem to be any serious deficiencies or problems with the evaluators approach, Dr. Tolbert can help the attorney explain the results of the report to their client and potentially help to explore the benefits of reaching a settlement agreement with the opposing side. In these cases, Dr. Tolbert’s assistance does not have to be disclosed and all consultation can remain under the attorney/client privilege.

If, however, there does appear to be substantial deficiencies, bias language, lack of experience, insufficient credentials, or any other problem with the methodology or outcome of the report, Dr. Tolbert will explain these issues and advise that the attorney further challenge the conclusions of the psychological assessment by subpoenaing the initial evaluator’s entire file for a thorough work product review. If after receiving the case file, it becomes apparent that the initial evaluator did in fact make significant identifiable errors, Dr. Tolbert will likely become an identified

testifying expert with the goal of assisting the Court in understanding or determining the quality and accuracy of the initial report.

- *Psychological Research and Education for Attorneys, Clients, and the Court*  
As a mental health consultant, Dr. Tolbert is available to provide litigants, attorneys, and the Court with information on topics such as standard child custody evaluation processes and procedures, developmental needs of children, typical emotional and behavioral responses to divorce by children, the attachment issues influencing parenting plans and access decisions. The information is explained in easily understood terms that will be relatable to the situation at hand. Dr. Tolbert is also able to provide information regarding appropriate treatment approaches for specific conditions and situations, as well as information regarding where this treatment can be obtained.

### **Location of Services**

Except where special arrangements have been made, all forensic psychology services will be provided at 3307 Northlake Blvd., Suite 101, Palm Beach Gardens, FL 33403.

### **Financial Agreement**

All services are billed at \$300 per hour, with the exception of expert witness testimony or deposition testimony time, which is billed at \$450 per hour. Charges are calculated in 15 minute increments, you will be billed for services such as telephone conferences, email exchanges, in-person conferences, clinical interviews, psychological testing, test interpretation, topic research, report writing, collateral contacts, record reviewing, court preparation, wait time, travel time, etc. We will also be billing for out of pocket expenses such as travel accommodations, conference room rentals, computerized psychological scoring fees, postage, copies, courier services, etc.

Please note that the responsible party will be required to pay for 2 hours of preparation time and 1 hour of travel time in addition to the time spent in court. All fees, including the 3 hours of preparation and travel, must be paid 3 days before the court date. No refunds will be issued if court is cancelled on the day of the scheduled court date.

As set forth in the Forensic Specialty Guidelines of the American Psychological Association, no contingency fees will be accrued and payment for services will always be expected prior to the services being rendered, in the form of a retainer paid by the client or attorney. Our rates will then be deducted from your retainer according to the time devoted to your case. Please note that half of the retainer amount is non-refundable and we do not accept insurance.

*Our current rates of services for psychological services for the year 2014 are as follows:*

Court Involved Individual Therapy:	\$300/Hour
Forensic Psychological Evaluations:	\$300/Hour
Record Review:	\$300/Hour
Test Interpretation/Report Writing:	\$300/Hour
Mental Health Consultation:	\$300/Hour
Court Preparation/Travel:	\$450/Hour
Other Professional Services:	\$300/Hour
Expert Witness Testimony/Depositions	\$450/Hour (3 Hour Minimum Retainer Required)

### *Agreed Retainer Information*

An initial retainer in the amount of \$\_\_\_\_\_ will be required prior to beginning any of the offered services. One half of this amount is non-refundable, but may be applied toward record review, consultation, clinical interview, or late cancellation of an evaluation. Payment for deposition and/or courtroom testimony must be made 72 hours in advance of the offering of such testimony and is entirely non-refundable.

Because of the potential for cross examination on the grounds of bias, I require that all of my invoices be paid in full, prior to my giving testimony at any hearing, trial, or arbitration. In the event of nonpayment of my invoices, you agree that I may withdraw my services regardless of whether or not I have been formally designated as an expert.

**Please indicate the intended method of payment:**

<input type="checkbox"/> Attorney's Trust Account	<input type="checkbox"/> Check
<input type="checkbox"/> Money Order/Cashiers Check	<input type="checkbox"/> Cash
<input type="checkbox"/> * Credit Card	

*\*If Credit Card was selected, please provide the following additional information:*

16 Digit Credit Card Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

3 or 4 digit Security Code: \_\_\_\_\_ Billing Zip Code: \_\_\_\_\_

Signature Authorizing Credit Card Billing: \_\_\_\_\_

**Your signature below indicates that you have had an opportunity to review these policies and agree to the terms. Please let me know if there are any questions prior to signing.**

*Thank you for your confidence and I look forward to working with you!*

\_\_\_\_\_  
Retaining Party's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name