

## AB 612 (Ruskin) Author's Amendments

- 1) Page 5, line 5, strike, "The court shall grant a motion for the psychological"
- 2) Page 5 strike lines 6-27 inclusive
- 3) Page 5, line 28, strike "conclusions reached."

— 5

evaluate, investigate, or mediate an issue of child custody in a proceeding pursuant to this division unless that person has completed child sexual abuse training as required by this section.

SEC. 3. Section 3110.6 is added to the Family Code, to read:

~~3110.6. (a) The court shall grant a motion for the psychological testing of a parent or child, including testing intended to produce a diagnosis, as part of a child custody evaluation pursuant to this chapter, only for good cause shown, pursuant to Section 2032.310 of the Code of Civil Procedure, except that the requirement to provide a meet and confer declaration shall not apply.~~

~~(b) Psychological testing of a parent or child, including testing intended to produce a diagnosis, may be conducted only by written court order, by a licensed physician or psychologist who meets the requirements of subdivision (c) of Section 2032.020 of the Code of Civil Procedure. The written order shall include a statement of the reasons supporting the finding of good cause required in subdivision (a).~~

~~(c) The order for a mental or psychological examination shall include a description of the legally admissible evidence that demonstrates the need for the testing intended to produce a diagnosis.~~

~~(d)~~

~~(e) The child custody evaluator that conducts the psychological testing intended to produce a diagnosis shall summarize the data-gathering procedures, information sources, and the amount of time spent conducting the testing, and shall present all relevant information, including information that does not support the conclusions reached.~~

~~(a)~~ Nonscientific labels and diagnoses that are not consistent with diagnostic or medical standards generally accepted by the medical, psychiatric, and psychological communities shall be specifically excluded as allowable diagnoses for court use.

~~(e)~~

~~(d)~~ ~~(b)~~ Nothing in this section precludes a child custody evaluator from freely interviewing parents and children, observing parent-child interaction, speaking to collateral sources, consulting over psychological data, or using his or her professional expertise to integrate data, assess and evaluate psychological issues, or communicate the results of those analyses to the court consistent with ethical and professional standards.

— 5