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3 IN THE CIRCUIT COURT OF THE STATE OF OREGON
4 FOR THE THIRD JUDICIAL DISTRICT

5 In the Matter of the Marriage of:)
6 KEYBOARD(Petitioner))
7 **Petitioner,**) **Case No. KEYBOARD(Case No.)**
8 vs.) **ORDER FOR CUSTODY STUDY**
9 KEYBOARD(Respondent))
10 Respondent.)

11 This matter has come before the Court and it appears that this case involving the custody of
12 minor child(ren) is appropriate for a custody KEYBOARD(and parenting time) study to assist the Court
13 in determining how to protect the child(ren)'s future interest.

14 The following statistical information is relevant:

15 **Petitioner:** **Respondent:**
16 KEYBOARD(Parties' name & Addresses)

17 KEYBOARD(Phone)

18 **Attorney:** **Attorney:**
19 KEYBOARD(Attorneys' names/addresses, if any)

20 **Children:** **Birthdate:**
21 KEYBOARD(Children/DOB)

22 IT IS HEREBY ORDERED as follows:

23 1. KEYBOARD(Referee's name) is appointed as a Referee under ORCP 65, and shall only
24 have the power to conduct an investigation consistent with ORS 107.137 and ORS 107.425 (1) and (2),
25 and make a recommendation to the Court as to the proper custodian for the custody of the minor
26 child(ren) pursuant to ORS 107.425.

27 1.1 The referee's findings shall be treated as a recommendation, not as findings of fact
28 which are binding upon either this court or the parties.

1.2 There shall be no confidentiality concerning communications between the referee

1 and any third person, including the parties, a child, potential witnesses, etc. Incidents of child
2 abuse or suspected child abuse shall be reported by the referee to appropriate authorities.

3 1.3 The referee is an officer of this court and is extended quasi-judicial immunity.

4 2. The parties shall cooperate fully with the referee, including completing necessary
5 documentation, arriving promptly for all appointments and submitting to any testing reasonably
6 requested by the referee. Failure to cooperate shall be considered by the referee in making the
7 recommendation.

8 3. An () oral or () written summary of findings and recommendations shall be provided
9 to counsel, or the parties if unrepresented, upon completion of the evaluation. A formal report shall
10 only be prepared at the expense of the party requesting such report.

11 3.1 If the referee orders random drug or alcohol testing, the cost shall be borne by the
12 person being tested. Failure to timely complete the requested test or any act of the party which
13 invalidates the test shall be considered by the court as an admission that the test result would
14 have shown evidence of drug or alcohol use.

15 3.2 Each party shall submit to an examination to be conducted by a psychologist of the
16 referee's choosing if requested by the referee. The person being examined shall pay for the
17 examination.

18 4. A copy of this order and any pleadings or other information either attorney or party
19 believes to be relevant shall be delivered to the referee. Neither attorney shall communicate with the
20 referee regarding the merits of the case prior to a final determination by the referee other than by letter,
21 with a copy of that letter being provided to the other attorney. It is anticipated that one or both attorneys
22 will discuss procedural matters with the referee while the study is underway.

23 5. A formal report, if prepared, shall be made available to the court and counsel, and parties
24 if unrepresented, prior to the time of hearing in this matter. Counsel and the parties, if unrepresented,
25 shall have a reasonable opportunity (not less than 14 days) to provide the referee with information on
26 any factual errors, omissions, or corrections that a party believes should appropriately be made before
27 the report is finalized. The referee shall not be required to make any changes to the report, but may issue
28 a supplemental statement if appropriate. This procedure is intended solely to provide the attorneys and
parties an opportunity to make corrections. It is not an opportunity to provide new or additional

1 information to the referee which a party could have previously presented to the referee but failed to do
2 so.

3 6. If the Court advances any part of the referee's fee, the rules in this section apply.

4 6.1 The court may review the report at any time after receipt.

5 6.2 The report shall be submitted and received into evidence without the evidentiary
6 requirement of a foundation.

7 6.3 Any written summary or findings and recommendations, and any formal report
8 prepared, shall be confidential, shall not be shown to or shared with the
9 child(ren), and all copies shall be returned to the court upon completion of the
10 hearing or trial for which the summary or report was prepared. Upon request,
11 the court may allow each attorney, or party if unrepresented, to retain one copy
12 of the report.

13 7. The parties shall pay the referee in equal shares and shall submit his or her respective
14 share of the fee to the referee before the referee performs work on the case.

15 **KEYBOARD(Option 1)**

16 The Court will advance one-third of the referee's fee, not to exceed a maximum of \$_____.

17 The parties shall pay the remainder of the evaluator's fee in equal shares.

18 8. IT IS FURTHER ORDERED that the parties, through their attorneys if represented,
19 shall notify the referee prior to the first session of any existing court order prohibiting contact
20 between the parties, or between a party and a child of the parties. The parties are responsible for
21 providing the referee with a copy of the order. The following safety issues may be relevant:

22 domestic violence child abuse substance abuse. Other proceedings pending are:

23 criminal FAPA Juvenile Other: _____

24 Dated this KEYBOARD(Day) day of KEYBOARD(Month, Year).

25 _____
26 **KEYBOARD(Judge)**
27 Circuit Court Judge

28 Order prepared by:

KEYBOARD(judge), Bar No. KEYBOARD(Bar Number)

Copies mailed to attorneys (or parties if pro se) and referee this date.