

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 2.601-06/17\*

IN RE: SELECTION AND PAYMENT  
OF COURT APPOINTED EXPERTS

\_\_\_\_\_:

Chapter 2005-236, Laws of Florida, amends various Florida Statutes concerning the appointment and funding of competency experts and mental health professionals. The statutory amendments are based on the general premise that the court system should be responsible for the payment of most experts it appoints to determine competence to proceed and certain other experts for other purposes.

Florida Statute §916.115 provides for the appointment of experts to examine a defendant who may be incompetent to proceed to trial. Rules of Criminal Procedure 3.210 et seq. establish the procedure for the examination of a defendant who is alleged to be incompetent to stand trial.

Florida Statute §916.301 provides for the appointment of experts to examine a defendant who may be incompetent to proceed to trial due to intellectual disability or autism.

Florida Statute §921.137 and Florida Rule of Criminal Procedure 3.203 provide for the appointment of experts to examine a death-sentenced prisoner, or a defendant charged with a capital felony and facing a death sentence, who may be mentally retarded and therefore barred from receiving a death sentence.

Florida Statute §985.19 provides for the appointment of experts to examine a juvenile who may be incompetent to proceed to trial. Rule of Juvenile Procedure 8.095 establishes the procedure for examination of a juvenile who is alleged to be incompetent to proceed.

Florida Statute §394.4655 and §394.467(6) provide for an independent examination of persons who are subject to involuntary placement under the Baker Act.

Florida Rule of Family Procedure 12.363 and Florida Statute §61.20 provides for the appointment of an expert to conduct an examination, evaluation, testing or interview of a minor child.

Florida Rule of Family Procedure 12.364 and Florida Statute §61.20 provides for the appointment of an investigator to conduct a social investigation and study when the issue of

time-sharing, parental responsibility, ultimate decision-making, or a parenting plan for a minor child is in controversy.

The source of compensation for various types of expert witnesses must be clarified in order to provide for the orderly appointment of expert witnesses.

**NOW, THEREFORE**, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is **ORDERED** as follows:

1. This administrative order shall govern the compensation of all experts and professionals seeking payments from public funds in all court matters except Probate and Guardianship as provided for in A.O 6.301 (as amended).
2. The Criminal Courts of the Fifteenth Judicial Circuit shall use a uniform order when appointing experts to examine the competency of a defendant (Exhibits "A" and "B").
3. The Juvenile Courts of the Fifteenth Judicial Circuit shall use a uniform order when appointing experts to examine the competency of a child (Exhibit "C" and "D").
4. The Family Courts of the Fifteenth Judicial Circuit shall use uniform orders when appointing experts to examine the mental health of a child in a family court matter (Exhibits "E").
5. The Family Courts of the Fifteenth Judicial Circuit shall use uniform orders when appointing investigators to conduct a social investigation when the issue of time-sharing, parental responsibility, ultimate decision-making, or a parenting plan for a minor child is in controversy in a family court matter (Exhibits "F").
6. The Juvenile Courts of the Fifteenth Judicial Circuit shall use a uniform order when appointing experts to examine the mental condition of a juvenile (Exhibit "G").
7. Payment for medical and psychological evaluations are subject to the following conditions:
  - a. Compensation for the expert's time to testify will be paid at a rate determined by the expert and the party who is requesting the expert's appearance. If no rate is agreed upon, then the rate shall be in accordance with those set forth below.
  - b. Except for allowable travel time, the rate shall be constant, i.e., there shall be no distinction between trial testimony and other professional services such as testimony at deposition, preparation time, correspondence time, telephone time, etc.
  - c. Experts who are retained by the State Attorney, Public Defender, Office of Criminal Conflict and Civil Regional Counsel or private counsel ("Contracting Party") and who are subsequently appointed by the Court, will be paid by Court Administration the lesser of the rate agreed to in the contract between the Expert

and the Contracting Party or the fee as provided for in this Administrative Order. Should the agreement between the Expert and the Contracting Party be a flat rate that includes an examination and testimony, then Court Administration will have no additional obligation to the Expert.

- d. The Expert's bill or invoice submitted for reimbursement shall detail the actual amount of time spent for the examination as well as for the preparation of the report. The bills submitted for reimbursement must be itemized to indicate in-court time, travel time, preparation time, etc., and be accompanied by a copy of the court order appointing said expert. Invoices are to show actual time expended by the Expert regardless of whether the Expert is being paid a flat fee. All invoices must be submitted within thirty days following the end of the month in which services are provided or compensation may be denied.

#### HOURLY RATES

8. Unless good cause is shown, all experts providing professional services within Dade, Broward, Palm Beach, Martin, St. Lucie and Okeechobee counties who apply for compensation pursuant to the terms of this order shall be compensated as follows:
  - a. All medical doctors, including psychiatrists, shall be compensated at a flat rate of \$500 per **adult competency evaluation**. Payment by Court Administration will not exceed a total of \$500.00 for the examination and preparation of report (including travel time). Examinations for defendants housed in the Belle Glade jail facility, Treasure Coast Forensic Treatment Center and South Florida Evaluation and Treatment Center will be paid a flat rate of \$550.00 for the examination and preparation of the report including travel time. Examinations to determine intellectual disability performed as part of the competency examination will be paid at a flat rate of \$650.00 for the competency/intellectual disability examinations. Neuropsychological evaluations will be paid at a rate of \$800.00 per evaluation including examination and preparation. **All medical doctors, including psychiatrists, shall be compensated at a flat rate of \$350 per juvenile competency evaluation. Payment by Court Administration will not exceed a total of \$350.00 for the examination and preparation of a report (including travel time).** Testifying at court will be paid at a rate of \$150.00 per hour, not to exceed a total of \$300.00. If a doctor is not able to complete a scheduled examination due to the defendant either not showing up or refusing to participate in the examination, all medical doctors, including psychiatrists, shall be compensated at a flat rate of \$200 per evaluation.
  - b. All psychologists shall be compensated at a flat rate of \$500.00 per **adult competency evaluation**. Payment by Court Administration will not exceed a total of \$500.00 for the examination and preparation of a report (including travel time). Examinations for defendants housed in the Belle Glade jail facility, Treasure Coast Forensic Treatment Center and South Florida Evaluation and Treatment Center will be paid a flat rate of \$550.00 for the examination and preparation of the report including travel time. Examinations to determine intellectual disability

performed as part of the competency examination will be paid at a flat rate of \$650.00 for the competency/intellectual disability examinations. Neuropsychological evaluations will be paid at a rate of \$800.00 per evaluation including examination and preparation. **All psychologists, shall be compensated at a flat rate of \$350 per juvenile competency evaluation. Payment by Court Administration will not exceed a total of \$350.00 for the examination and preparation of a report (including travel time).** Testifying at court will be paid at a rate of \$150.00 per hour, not to exceed a total of \$300.00. If a doctor is not able to complete a scheduled examination due to the defendant either not showing up or refusing to participate in the examination, all psychologists, shall be compensated at a flat rate of \$200 per evaluation.

- c. Other Experts retained by the Court not listed above will be paid an hourly rate as agreed to between the expert and the contracting party but no more than a total of \$500.00 for examination, preparation of report and testimony (including travel time). Travel time is compensated at \$50.00/hour (actual time) which amount is not to exceed 1 hour in each direction.
- d. Other experts (e.g., fingerprints, blood, ballistics, jury selection, etc.) shall be compensated by the appropriate party on a case-by-case basis after entry of an agreed order having the concurrence of the State Attorney, Justice Administrative Commission and the defendant or after a hearing in open court attended by the above listed parties.
- e. Compensable travel time will be paid at a rate of \$50.00 per hour (or fraction thereof) but no more than one hour for time expended from the point of departure to the arrival destination.
- f. The Court may, in consultation with Court Administration, exercise its discretion to adjust the hourly rates set forth above or utilize agreements for per diem payment to compensate experts from outside the six-county area.

#### RESPONSIBILITY FOR PAYMENT

9. The responsibility for payment is as follows:

##### Orders pursuant to Florida Statute §916.115 (adult competency)

- a. When, on written motion by either counsel for the defendant, a *pro se* defendant, or the State Attorney, or upon the Court's own motion, the Court orders an adult competency evaluation pursuant to Florida Statute §916.115(2), the Court shall select and pay for **one expert. If the expert opines that the defendant is competent to stand trial and either party requests a second expert, the requesting party shall select and pay for the expert. If the expert opines the defendant is incompetent to stand trial and either party requests a second expert, the Court shall select and pay for the second expert.**

- b. When an expert is appointed by the Court pursuant to Florida Statute §916.115(2) to evaluate the competence of the defendant to proceed and the defense also requests that the defendant be examined for sanity at the time of the offense, the Court will pay only for that portion of the expert's fees relating to the evaluation of competency to proceed at the rates established in this Administrative Order or in the Contract between Court Administration and the Expert. The expert's fee for the sanity evaluation shall be paid by the defense.

Orders pursuant to Florida Statute §916.301 (adult competency: intellectual disability or autism)

- c. When, pursuant to Florida Statute §916.301, the Court orders the adult competency evaluation for a defendant whose suspected mental condition is intellectual disability or autism, the Court shall select and pay for one expert. The Court may order the Agency for Persons with Disabilities to also examine the defendant.

Orders pursuant to Florida Statute §921.137 (intellectual disability)

- d. When experts are appointed by the Court to evaluate a defendant or prisoner to determine whether the defendant or prisoner is mentally retarded and barred from execution, pursuant to Florida Statute §921.137 and Florida Rule of Criminal Procedure 3.203(c)(3), the Court shall select, appoint and pay for the experts.
- e. When the State Attorney requests an appointment of an expert under Florida Rule of Criminal Procedure 3.203(c)(2) and an expert is appointed pursuant to Florida Statute §921.137, the State Attorney shall select and pay for the expert.
- f. When an expert is otherwise appointed to determine a defendant's or prisoner's intellectual disability as a bar to execution, the Court shall select and pay for the expert(s).

Orders pursuant to Florida Statute §985.19 (juvenile competency)

- g. When an evaluation of a juvenile defendant is ordered pursuant to Florida Statute §985.19 to determine if the juvenile defendant is incompetent to proceed due to mental illness, the Court will select, appoint and pay for the expert(s).
- h. When an evaluation of a juvenile defendant is ordered pursuant to Florida Statute §985.19(1)(e) to determine if the juvenile defendant is incompetent to proceed due to intellectual disability, the Agency for Persons with Disabilities shall examine the juvenile in accordance with Florida Rule of Juvenile Procedure 8.095.

Orders pursuant to Family Rule of Procedure 12. 363 and 12.364 and Florida Statute §61.20 (social investigation)

- i. When the issue of visitation, parental responsibility, or residential placement of a child is ordered pursuant to Florida Statute 61.20, the court, on motion of any party or the court's own motion, may appoint an expert for an examination, evaluation, testing, or interview of any minor child.
- j. When the issue of time-sharing, parental responsibility, ultimate decision-making, or a parenting plan for a minor child is in controversy, the court, on motion of any party or the court's own motion, may appoint an investigator under section 61.20, Florida Statutes.
- k. The parties may agree to appointment of the expert, upon approval of the court. The parties are responsible for payment.

APPOINTMENT OF EXPERTS

- 10. When an expert is **appointed or reappointed by the Court pursuant to Rule of Criminal Procedure 3.212 to perform a periodic evaluation of a defendant who has been found incompetent to proceed, or appointed or reappointed by the Court pursuant to Rule of Criminal Procedure 3.213 after an adjudication of not guilty by reason of insanity, the Court shall select and pay for one expert. Provided the same expert is under contract with the Court, the Court will generally reappoint for subsequent evaluations the same expert who performed the last examination of the defendant. On the Court's own motion, or a motion of the State or defense showing good cause, the Court may appoint a new expert by rotation from the list of experts under contract with the Fifteenth Judicial Circuit.**
- 11. Except for those cases where the Court selects and appoints the expert or those cases pending in the Mental Health Specialty Division, whenever counsel for either the defendant or the State Attorney requests the appointment of an expert to determine competence to proceed or insanity, that attorney shall prepare a form Order Directing Examination of Defendant's Mental Condition for the Court's signature. The Order should be prepared and submitted to the Court within five days. The form Orders for use in the Fifteenth Judicial Circuit are attached to and incorporated into this Administrative Order as Exhibits A and B. The form Orders may be amended without further amendment to this Administrative Order.
- 12. Except where an expert is reappointed to do an examination or evaluation, the appointment of an expert by the Court will be by rotation from the list of experts under contract with the Fifteenth Judicial Circuit.
- 13. Experts appointed by the Court will be entitled to the appropriate compensation determined in this Administrative Order (as amended) or in the expert's contract with the Fifteenth Judicial Circuit if different. For an expert to be paid for services rendered, the expert's report and testimony must explicitly address each of the factors and follow the

procedures set out in the applicable chapter of the Florida Statutes and in the applicable Florida Rules of Court.

14. Experts retained by the Public Defender or Office of Criminal Conflict and Civil Regional Counsel ("Regional Counsel) pursuant to Florida Statute §29.006 or by the State Attorney pursuant to Florida Statute §29.005, shall be paid from the respective budgets of the Public Defender, Regional Counsel or the State Attorney. An expert retained by court-appointed counsel, by counsel for a defendant who is indigent for costs, or by a defendant who is indigent for costs shall, pursuant to Florida Statute §29.007, be paid by the Justice Administrative Commission. Prior court approval is required for such experts retained pursuant to Florida Statute §29.007. If the State Attorney needs a court order of appointment to ensure that a State-retained expert has access to the defendant, the State Attorney shall pay for the expert notwithstanding the Court's order of appointment.
15. This Administrative Order does not restrict the ability of the Court to otherwise appoint an expert pursuant to other Florida Rules of Court.
16. This Administrative Order does not affect the appointment or payment of experts under Administrative Order 6.301 (as amended) Probate and Guardianship Division Compensation for Attorneys, Examining Committee Members, and Other Experts Relating to Guardianship Matter nor social/home study investigations under Florida Statute §61.20 or Florida Rule of Family Law 12.363 and Florida Rule of Family Law 12.364.

**DONE AND SIGNED** in Chambers in West Palm Beach, Palm Beach County, Florida, this 20 day of June, 2017.

  
\_\_\_\_\_  
Jeffrey Colbath, Chief Judge

Exhibits:

- A. Order Directing Examination of Defendant's Mental Condition (Criminal-Non Mental Health Division)
- B. Order Directing Examination of Defendant's Mental Condition with Intellectual Disability (Criminal-Non Mental Health Division)
- C. Order Directing Examination of Defendant's Mental Condition (Juvenile)
- D. Order Directing Examination of Defendant's Mental Condition with Intellectual Disability (Juvenile)
- E. Order Directing Psychological Evaluation in Family Law Cases (Family)
- F. Order Directing Social Investigations in Family Law Cases (Family)
- G. Order Directing Psychological Evaluation in Juvenile Cases (Juvenile)

\*supersedes admin. order no. 2.601-07/15

IN THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO.:

STATE OF FLORIDA

vs.

\_\_\_\_\_ /

ORDER GRANTING EXAMINATION OF DEFENDANT'S COMPETENCY AND  
ORDER SETTING HEARING RE: COMPETENCY STATUS CHECK

THIS CAUSE having come to be heard upon the \_\_\_\_\_'s written motion and good faith affidavit in the above styled cause, requesting a Determination of the Competency of the Defendant to Stand Trial, and the Court being otherwise fully advised, it is

ORDERED and ADJUDGED that:

1. The motion is hereby granted.
2. Dr. \_\_\_\_\_ who business address is \* and whose telephone number is \* is appointed to examine the defendant.
3. If the Defendant is in custody, the Sheriff of Palm Beach County shall permit the above-named experts to enter the Palm Beach County Jail to conduct the foregoing evaluation of the Defendant upon presentment of this Order. If the Defendant is not in custody, the Expert is to contact defense counsel, or pro se defendant, for scheduling.
4. The Expert is to give timely notice to the parties of the date and place of the examination.
5. A copy of the order serves as authorization for the Expert to inspect and copy any discoverable information relating to the Defendant maintained by the Defense Counsel, Clerk of this Court, State Attorney's Office, any hospital, doctor, or any health care provider, therapist, psychiatrist, psychologist, counselor, or any mental health provider, or other social or human services agency, Palm Beach County Jail medical records and to review any and all school records in the custody of the Palm Beach County School Board, its agents or employees, without the necessity of written consent by Defendant. All parties who desire for the doctor to consider above listed documents shall provide said documents to the doctor within five (5) days of this Order. The Doctor shall record the date of receipt of any of these documents for review past the five (5) day period.
6. This cause is scheduled for a status check on the issue of the Defendant's competency to proceed at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, in Division \_ \_\_\_, Courtroom \_\_\_\_\_, 205 N. Dixie Highway, West Palm Beach, Florida 33401.

7. The expert shall submit a written evaluation of the defendant's mental condition to this Court, with copies to the Assistant State Attorney and the Attorney for the Defendant, and Court Administration Mental Health Case Manager on or before the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, which shall include but is not limited to:
- a. Competence to Proceed (See Fla. R. Crim. P. 3.211(a), Florida Statutes §§916.115, 916.301). Whether the defendant has sufficient present ability to consult with counsel with a reasonable degree of rational understanding and whether the defendant has a rational, as well as factual, understanding of the pending proceedings. In considering the issue of competence to proceed, the examining expert shall consider and include in their report, the following factors, and any other factors deemed relevant by the experts, as they pertain to the defendant's capacity and/or ability to:
    - 1) Appreciate the charges or allegations against him;
    - 2) Appreciate the range and nature of possible penalties which may be imposed against him;
    - 3) Understand the adversary nature of the legal process;
    - 4) Disclose to his attorney facts pertinent to the proceedings at issue;
    - 5) Manifest appropriate courtroom behavior;
    - 6) Testify relevantly;
  - b. Recommended Treatment (See Fla. R. Crim. P. 3.211 (b)). Should the appointed expert find that the defendant is incompetent to proceed, then the expert shall determine whether the defendant meets the criteria for involuntary hospitalization and report on any recommended treatment for the defendant to attain competence to proceed. The expert's report and recommendations shall include consideration of the following:
    - 1) The mental illness or intellectual disability causing the incompetence;
    - 2) The treatment or treatments appropriate for the mental illness or intellectual disability of the defendant and an explanation of each of the possible treatment alternatives in order of choices;
    - 3) The availability of acceptable treatment, including whether the treatment is available in the community and whether the treatment involves community or residential facilities or inpatient or outpatient settings;
    - 4) The likelihood of the defendant attaining competence under the recommended treatment, an assessment of the probable duration of the treatment required to restore competence, and the probability that the defendant will attain competence to proceed in the foreseeable future;
8. All written reports submitted by the expert shall contain the following:

- a. A list of the specific matters referred for evaluation;
  - b. A description of the evaluation procedure, techniques and tests used in the examination and purpose for each;
  - c. The expert's clinical observations, findings, and opinions on each issue referred for evaluation by the Court, and specific identification of those issues which the expert could not give an opinion;
  - d. An identification of the sources of information used by the expert and a presentation of the factual basis for the expert's clinical findings and opinions.
9. All information contained in the motion to determine competency of the defendant or in any report submitted under this order, insofar as the information relates solely to the issues of competency to proceed or to commitment, shall be used only in determining the mental competency to proceed or the commitment or other treatment of the defendant.
10. If an order is entered for the determination of competency, the appointed expert shall be paid in accordance with his or her current contract with the responsible party, or in the absence of a contract, the current Administrative Order regarding payment of appointed experts. Evaluations that include both competency and sanity will be proportionately paid for by the responsible parties.
11. Payment for competency evaluations to determine competence to proceed or to determine recommended treatment for competence to proceed shall be made by the Court in accordance with the contract between the Court and the expert, or if no contract exists, then in accordance with the current Administrative Order regarding payment of appointed experts. The Expert shall submit the bill and appropriate invoice with an attached copy of this Order Directing Examination of the Defendant's Competency to the Court at:

Court Administration, Attention Finance Department  
 Administrative Office of the Courts  
 205 North Dixie Highway, 5<sup>th</sup> Floor  
 West Palm Beach, Florida 33401

12. When a request is made for an evaluation of the defendant to determine the defendant's sanity or as an aid for sentencing, the requesting party shall pay. Payment shall be made in accordance with the contract between the responsible party and the expert, or if no contract exists, then in accordance with the current Administrative Order regarding payment of appointed experts.

**DONE AND ORDERED** in Chambers, West Palm Beach, Palm Beach County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
 Circuit Judge

cc:

Court Psychology, Palm Beach County Courthouse, Main Courthouse, 205 N. Dixie Highway, Suite 5.1130, West Palm Beach, FL 33401

Dr. \*

\*IN CUSTODY/NOT IN CUSTODY – (Copy to Sheriff - defendant is in custody)

Office of the State Attorney

Counsel for the Defendant

Court Administration

This notice is provided pursuant to Administrative Order No. 2.207-1/15

**“If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Tammy Anton, Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.”**

**“Si usted es una persona minusválida que necesita algún acomodamiento para poder participar en este procedimiento, usted tiene derecho, sin tener gastos propios, a que se le provea cierta ayuda. Tenga la amabilidad de ponerse en contacto con Tammy Anton, 205 N. Dixie Highway, West Palm Beach, Florida 33401; teléfono número (561) 355-4380, por lo menos 7 días antes de la cita fijada para su comparecencia en los tribunales, o inmediatamente después de recibir esta notificación si el tiempo antes de la comparecencia que se ha programado es menos de 7 días; si usted tiene discapacidad del oído o de la voz, llame al 711.”**

**“Si ou se yon moun ki enfim ki bezwen akomodasyon pou w ka patisipe nan pwosedi sa, ou kalifye san ou pa gen okenn lajan pou w peye, gen pwovizyon pou jwen kèk èd. Tanpri kontakte Tammy Anton, kòdonatè pwogram Lwa pou ameriken ki Enfim yo nan Tribinal Konte Palm Beach la ki nan 205 North Dixie Highway, West Palm Beach, Florida 33401; telefòn li se (561) 355-4380 nan 7 jou anvan dat ou gen randevou pou parèt nan tribinal la, oubyen imedyatman apre ou fin resevwa konvokasyon an si lè ou gen pou w parèt nan tribinal la mwens ke 7 jou; si ou gen pwoblèm pou w tande oubyen pale, rele 711.”**

IN THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO.:

STATE OF FLORIDA

vs.

\_\_\_\_\_ /

ORDER GRANTING EXAMINATION OF DEFENDANT’S COMPETENCY  
WITH EVALUATION FOR INTELLECTUAL DISABILITY AND  
ORDER SETTING HEARING RE: COMPETENCY STATUS CHECK

THIS CAUSE having come to be heard upon the \_\_\_\_\_’s written motion and good faith affidavit in the above styled cause, requesting a Determination of the Competency of the Defendant to Stand Trial, and the Court being otherwise fully advised, it is

ORDERED and ADJUDGED that:

1. The said motion is hereby granted.
2. Dr. \* , whose business address is \* and whose telephone number is \* , is appointed to see the defendant. This is in accordance with Florida Statute s. 916.301, where the Agency for Persons with Disabilities is directed to select a psychologist who is licensed or authorized by law to practice in the State of Florida with experience in evaluating persons suspected having intellectual disability or autism and said psychologist is to evaluate whether the defendant meets the definition of intellectual disability or autism and, if so, whether the defendant is incompetent to proceed due to intellectual disability or autism. The Agency for Persons with Disabilities is also hereby directed to select a social service professional, with experience in working with persons with intellectual disability or autism, who shall provide a social and developmental history of the defendant.
3. If the Defendant is in custody, the Sheriff of Palm Beach County shall permit the above-named experts to enter the Palm Beach County Jail to conduct the foregoing evaluation of the Defendant upon presentment of this Order. If the Defendant is not in custody, the Expert is to contact defense counsel, or pro se defendant, for scheduling.
4. The Expert is to give timely notice to the parties of the date and place of the examination.
5. A copy of the order serves as authorization for the Expert to inspect and copy any discoverable information relating to the Defendant maintained by the Defense Counsel, Clerk

of this Court, State Attorney's Office, any hospital, doctor, or any health care provider, therapist, psychiatrist, psychologist, counselor, or any mental health provider, or other social or human services agency, Palm Beach County Jail medical records and to review any and all school records in the custody of the Palm Beach County School Board, its agents or employees, without the necessity of written consent by Defendant. All parties who desire for the doctor to consider above listed documents shall provide said documents to the doctor within five (5) days of this Order. The Doctor shall record the date of receipt of any of these documents for review past the five (5) day period.

6. This cause is scheduled for a status check on the issue of the Defendant's competency to proceed at \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in Division \_\_\_\_, Courtroom \_\_\_\_, 205 N. Dixie Highway, West Palm Beach, Florida 33401.
7. The expert shall submit a written evaluation of the defendant's mental condition to this Court, with copies to the Assistant State Attorney and the Attorney for the Defendant, and Court Administration Mental Health Case Manager, on or before the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, which shall include but is not limited to:
  - a. Competence to Proceed (See Fla. R. Crim. P. 3.211(a), Florida Statutes §§916.115, 916.301). Whether the defendant has sufficient present ability to consult with counsel with a reasonable degree of rational understanding and whether the defendant has a rational, as well as factual, understanding of the pending proceedings. In considering the issue of competence to proceed, the examining expert shall consider and include in their report, the following factors, and any other factors deemed relevant by the experts, as they pertain to the defendant's capacity and/or ability to:
    - 1) Appreciate the charges or allegations against him;
    - 2) Appreciate the range and nature of possible penalties which may be imposed against him;
    - 3) Understand the adversary nature of the legal process;
    - 4) Disclose to his attorney facts pertinent to the proceedings at issue;
    - 5) Manifest appropriate courtroom behavior;
    - 6) Testify relevantly;
  - b. Recommended Treatment (See Fla. R. Crim. P. 3.211 (b)). Should the appointed expert find that the defendant is incompetent to proceed, then the expert shall determine whether the defendant meets the criteria for involuntary hospitalization and report on any recommended treatment for the defendant to attain competence to proceed. The expert's report and recommendations shall include consideration of the following:
    - 1) The mental illness or intellectual disability causing the incompetence;
    - 2) The treatment or treatments appropriate for the mental illness or intellectual disability of the defendant and an explanation of each of the possible treatment alternatives in order of choices;

- 3) The availability of acceptable treatment, including whether the treatment is available in the community and whether the treatment involves community or residential facilities or inpatient or outpatient settings;
  - 4) The likelihood of the defendant attaining competence under the recommended treatment, an assessment of the probable duration of the treatment required to restore competence, and the probability that the defendant will attain competence to proceed in the foreseeable future;
8. All written reports submitted by the expert shall contain the following:
- a. A list of the specific matters referred for evaluation;
  - b. A description of the evaluation procedure, techniques and tests used in the examination and purpose for each;
  - c. The expert's clinical observations, findings, and opinions on each issue referred for evaluation by the Court, and specific identification of those issues which the expert could not give an opinion;
  - d. An identification of the sources of information used by the expert and a presentation of the factual basis for the expert's clinical findings and opinions.

All information contained in the motion to determine competency of the defendant or in any report submitted under this order, insofar as the information relates solely to the issues of competency to proceed or to commitment, shall be used only in determining the mental competency to proceed or the commitment or other treatment of the defendant.

9. If an order is entered for the determination of competency, the appointed expert shall be paid in accordance with his or her current contract with the responsible party, or in the absence of a contract, the current Administrative Order regarding payment of appointed experts. Evaluations that include both competency and sanity will be proportionately paid for by the responsible parties.
10. Payment for competency evaluations to determine competence to proceed or to determine recommended treatment for competence to proceed shall be made by the Court in accordance with the contract between the Court and the expert, or if no contract exists, then in accordance with the current Administrative Order regarding payment of appointed experts. The Expert shall submit the bill and appropriate invoice with an attached copy of this Order Directing Examination of the Defendant's Competency to the Court at:

Court Administration, Attention Finance Department  
Administrative Office of the Courts  
205 North Dixie Highway, 5<sup>th</sup> Floor  
West Palm Beach, Florida 33401

When a request is made for an evaluation of the defendant to determine the defendant's sanity or as an aid for sentencing, the requesting party shall pay. Payment shall be made in accordance with the contract between the responsible party and the expert, or if no

contract exists, then in accordance with the current Administrative Order regarding payment of appointed experts.

**DONE AND ORDERED** in Chambers, West Palm Beach, Palm Beach County, Florida,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Circuit Judge

cc:

Court Psychology, Palm Beach County Courthouse, 205 N. Dixie Highway, Suite 5.1130, West Palm Beach, FL 33401

Dr. \*

Agency for Persons with Disabilities- – 111 S. Sapodilla Ave. Suite 204, West Palm Beach, FL 33401

\*IN CUSTODY/NOT IN CUSTODY – (Copy to Sheriff - defendant is in custody)

Office of the State Attorney

Counsel for the Defendant

Court Administration

Revised 05/2017

This notice is provided pursuant to Administrative Order No. 2.207-1/15

**“If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Tammy Anton, Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.”**

**“Si usted es una persona minusválida que necesita algún acomodamiento para poder participar en este procedimiento, usted tiene derecho, sin tener gastos propios, a que se le provea cierta ayuda. Tenga la amabilidad de ponerse en contacto con Tammy Anton, 205 N. Dixie Highway, West Palm Beach, Florida 33401; teléfono número (561) 355-4380, por lo menos 7 días antes de la cita fijada para su comparecencia en los tribunales, o inmediatamente después de recibir esta notificación si el tiempo antes de la comparecencia que se ha programado es menos de 7 días; si usted tiene discapacitación del oído o de la voz, llame al 711.”**

**“Si ou se yon moun ki enfim ki bezwen akomodasyon pou w ka patisipe nan pwosedi sa, ou kalifye san ou pa gen okenn lajan pou w peye, gen pwovizyon pou jwen kèk èd. Tanpri kontakte Tammy Anton, kòdonatè pwogram Lwa pou ameriken ki Enfim yo nan Tribinal Konte Palm Beach la ki nan 205 North Dixie Highway, West Palm Beach, Florida 33401; telefòn li se (561) 355-4380 nan 7 jou anvan dat ou gen randevou pou parèt nan tribinal la, oubyen imedyatman apre ou fin resevwa konvokasyon an si lè ou gen pou w parèt nan tribinal la mwens ke 7 jou; si ou gen pwoblèm pou w tande oubyen pale, rele 711.”**

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA  
JUVENILE DIVISION " " "  
CASE NO.:

IN THE INTEREST OF:

\_\_\_\_\_, a child  
\_\_\_\_\_ /

ORDER GRANTING EXAMINATION OF DEFENDANT'S COMPETENCY  
AND ORDER SETTING HEARING RE: COMPETENCY STATUS CHECK

THIS CAUSE having come to be heard upon the defense's written motion and good faith affidavit in the above styled cause, requesting a Determination of the Competency of the Juvenile to Stand Trial, and the Court being otherwise fully advised, it is

ORDERED and ADJUDGED that:

1. The said motion is hereby granted.
2. Dr. \* whose business address is \* and whose telephone number is \* is appointed to examine the juvenile.

Dr. \* whose business address is \* and whose telephone number is \* is also appointed to examine the juvenile.

3. If the child is in custody, the Sheriff of Palm Beach County or the Department of Juvenile Justice shall permit the above-named experts to enter the Palm Beach County Jail or the Palm Beach Regional Detention Center to conduct the foregoing evaluation of the child upon presentment of this Order. If the child is not in custody, the Expert is to contact defense counsel, or the parent/legal guardian of a pro se defendant, for scheduling.
4. The Expert is to give timely notice to the parties of the date and place of the examination.
5. A copy of this Order serves as authorization for the expert to review any and all school records in the custody of the Palm Beach County School Board, its agents or employees. This information shall not be disclosed to any other entities without a court order. All parties who desire the doctor to consider documents shall provide said documents to the doctor within five (5) days of this Order. The Doctor shall record the date of receipt of any of these documents for review past the five (5) day period.
6. This cause is scheduled for a status check on the issue of the Juvenile's competency to proceed at \_\_\_\_\_ on the \_\_\_ day of \_\_\_\_\_, 20\_\_ in Division \_\_\_\_\_. Courtroom, 205 N. Dixie Highway, West Palm Beach, Florida 33401.

7. The expert shall submit a written evaluation of the child's mental condition to this Court, with copies to the Assistant State Attorney, the Attorney for the child, and Court Administration Mental Health Case Manager, on or before the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, stating whether or not the expert believes the child to be competent. If the expert believes child is not competent, the report shall state whether the lack of competency is a result of mental illness, intellectual disability or autism, or mental age and which shall include but is not limited to:

a. Competence to Proceed (See Fla. R. Juv. P. 8.095(d)(1)(A)(B)(C), Florida Statutes §985.19). The experts first shall consider factors related to whether the child meets the criteria for competence to proceed; that is, whether the child has sufficient present ability to consult with counsel with a reasonable degree of rational understanding and whether the child has a rational and factual understanding of the present proceedings. In considering the competence of the child to proceed, the examining experts shall consider and include in their reports the child's capacity to:

- 1) Appreciate the charges or allegations against the child;
- 2) Appreciate the range and nature of possible penalties which may be imposed in the proceedings against the child, if applicable;
- 3) Understand the adversary nature of the legal process;
- 4) Disclose to counsel facts pertinent to the proceedings at issue;
- 5) Display appropriate courtroom behavior;
- 6) Testify relevantly;
- 7) The experts also may consider any other factors they deem to be relevant.
- 8) Any report concluding that a child is not competent must include the basis for the competency determination.

b. Recommended Treatment (See Fla. R. Juv. P. 8.095(d)(2)). If the experts find that the child is incompetent to proceed, they shall report on any recommended treatment for the child to attain competence to proceed. A recommendation as to whether residential or nonresidential treatment or training is required must be included. In considering issues related to treatment, the experts shall report on the following:

- 1) The mental illness, intellectual disability, autism, or mental age causing the incompetence;
- 2) The treatment or education appropriate for the mental illness or intellectual disability of the child and an explanation of each of the possible treatment or education alternatives in order of recommendation;
- 3) The availability of acceptable treatment or education. If treatment or education is available in the community, the experts shall so state in the report;
- 4) The likelihood of the child attaining competence under the treatment or education recommended, an assessment of the probable duration of the treatment required to restore competence, and the probability that the child will attain competence to proceed in the foreseeable future;

5) Whether the child meets the criteria for involuntary hospitalization or involuntary admissions to residential services under chapter 985, Florida Statutes.

8. Any written report submitted by the expert shall:

- a. Identify the specific matters referred for evaluation;
- b. Describe the procedures, techniques, and tests used in the examination and the purposes of each;
- c. State the expert's clinical observations, findings, and opinions on each issue referred for evaluation by the court, and indicate specifically those issues, if any, on which the expert could not give an opinion; and
- d. Identify the sources of information used by the expert and present the factual basis for the expert's clinical findings and opinions.

The information contained in any motion by the child for determination of competency to proceed or in any report filed under this rule as it relates solely to the issues of competency to proceed and commitment, and any information elicited during a hearing on competency to proceed or commitment held under this rule, shall be used only in determining the mental competency to proceed, the commitment of the child, or other treatment of the child.

9. If an order is entered for the determination of competency, the appointed expert shall be paid in accordance with his or her current contract with the responsible party, or in the absence of a contract, the current Administrative Order regarding payment of appointed experts.

10. Payment for competency evaluations to determine competence to proceed or to determine recommended treatment for competence to proceed shall be made by the Court in accordance with the contract between the Court and the expert, or if no contract exists, then in accordance with the current Administrative Order regarding payment of appointed experts. The Expert shall submit the bill and appropriate invoice with an attached copy of this Order Directing Examination of the Juvenile's Competency to the Court at:

Court Administration, Attention Finance Department  
Administrative Office of the Courts  
205 North Dixie Highway, 5<sup>th</sup> Floor  
West Palm Beach, Florida 33401

When a request is made for an evaluation of the child to determine the child's sanity or as an aid for sentencing, the requesting party shall pay. Payment shall be made in accordance with the contract between responsible party and the expert, or if no contract exists, then in accordance with the current Administrative Order regarding payment of appointed experts.

**DONE AND ORDERED** in Chambers, West Palm Beach, Palm Beach County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

---

Circuit Judge

cc:

Experts:

Dr. \*

Dr. \*

Office of the State Attorney:

Counsel for the Defendant:

Attorney ad Litem

Court Administration, Finance

Court Administration Mental Health Case Manager

Colleen Farnsworth, DCF

Rhonda Nelson, DJJ

DJJ Court Liaison:

Revised 05/2017

This notice is provided pursuant to Administrative Order No. 2.207-1/15

**“If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Tammy Anton, Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.”**

**“Si usted es una persona minusválida que necesita algún acomodamiento para poder participar en este procedimiento, usted tiene derecho, sin tener gastos propios, a que se le provea cierta ayuda. Tenga la amabilidad de ponerse en contacto con Tammy Anton, 205 N. Dixie Highway, West Palm Beach, Florida 33401; teléfono número (561) 355-4380, por lo menos 7 días antes de la cita fijada para su comparecencia en los tribunales, o inmediatamente después de recibir esta notificación si el tiempo antes de la comparecencia que se ha programado es menos de 7 días; si usted tiene discapacidad del oído o de la voz, llame al 711.”**

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IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA  
JUVENILE DIVISION " "  
CASE NO.:

IN THE INTEREST OF:

A child

\_\_\_\_\_ /

ORDER GRANTING EXAMINATION OF JUVENILE’S COMPETENCY WITH  
EVALUATION FOR INTELLECTUAL DISABILITY AND  
ORDER SETTING HEARING RE: COMPETENCY STATUS CHECK

THIS CAUSE having come to be heard upon the defense’s written motion and good faith affidavit in the above styled cause, requesting a Determination of the Competency of the Juvenile to Stand Trial, and the Court being otherwise fully advised, it is

ORDERED and ADJUDGED that:

1. That said motion is hereby granted.
2. Dr. \*, whose business address is \* and whose telephone number is \*, is appointed to examine the juvenile.

Dr. \*, whose business address is \* and whose telephone number is \*, is also appointed to examine the juvenile. This is in accordance with Florida Statute Section 916.301, where the Agency for Persons with Disabilities is directed to select a psychologist who is licensed or authorized by law to practice in the State of Florida with experience in evaluating persons suspected having intellectual disability or autism and said psychologist is to evaluate whether the defendant meets the definition of intellectual disability or autism and, if so, whether the defendant is incompetent to proceed due to intellectual disability or autism.

3. If the child is in custody, the Sheriff of Palm Beach County or the Department of Juvenile Justice shall permit the above-named experts to enter the Palm Beach County Jail or the Palm Beach Regional Detention Center to conduct the foregoing evaluation of the child upon presentment of this Order. If the child is not in custody, the Expert is to contact defense counsel, or the parent/legal guardian of a pro se defendant, for scheduling.
4. The Expert is to give timely notice to the parties of the date and place of the examination.
5. A copy of this Order serves as authorization for the expert to review any and all school records in the custody of the Palm Beach County School Board, its agents or employees.

This information shall not be disclosed to any other entities without a court order. The Expert is to give timely notice to the parties of the date and place of the examination. All parties who desire the doctor to consider documents shall provide said documents to the doctor within five (5) days of this Order. The Doctor shall record the date of receipt of any of these documents for review past the five (5) day period.

6. This cause is scheduled for a status check on the issue of the Juvenile's competency to proceed at \_\_\_\_\_ on the \_\_\_ day of \_\_\_\_\_, 20\_\_ in Division \_\_\_\_, Courtroom, 205 N. Dixie Highway, West Palm Beach, Florida 33401.
7. The expert shall submit a written evaluation of the child's mental condition to this Court, with copies to the Assistant State Attorney, the Attorney for the child, and Court Administration Mental Health Case Manager, on or before the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, stating whether or not the expert believes the child to be competent. If the expert believes child is not competent, the report shall state whether the lack of competency is a result of mental illness, intellectual disability or autism, or mental age and which shall include but is not limited to:
  - a. Competence to Proceed (See Fla. R. Juv. P. 8.095(d)(1)(A)(B)(C), Florida Statutes §985.19). The experts first shall consider factors related to whether the child meets the criteria for competence to proceed; that is, whether the child has sufficient present ability to consult with counsel with a reasonable degree of rational understanding and whether the child has a rational and factual understanding of the present proceedings. In considering the competence of the child to proceed, the examining experts shall consider and include in their reports the child's capacity to:
    - 1) Appreciate the charges or allegations against the child;
    - 2) Appreciate the range and nature of possible penalties which may be imposed in the proceedings against the child, if applicable;
    - 3) Understand the adversary nature of the legal process;
    - 4) Disclose to counsel facts pertinent to the proceedings at issue;
    - 5) Display appropriate courtroom behavior;
    - 6) Testify relevantly;
    - 7) The experts also may consider any other factors they deem to be relevant.
    - 8) Any report concluding that a child is not competent must include the basis for the competency determination.
  - b. Recommended Treatment (See Fla. R. Juv. P. 8.095(d)(2)). If the experts find that the child is incompetent to proceed, they shall report on any recommended treatment for the child to attain competence to proceed. A recommendation as to whether residential or nonresidential treatment or training is required must be included. In considering issues related to treatment, the experts shall report on the following:
    - 1) The mental illness, intellectual disability, autism, or mental age causing the incompetence;

- 2) The treatment or education appropriate for the mental illness, intellectual disability, or autism of the child and an explanation of each of the possible treatment or education alternatives in order of recommendation;
- 3) The availability of acceptable treatment or education. If treatment or education is available in the community, the experts shall so state in the report;
- 4) The likelihood of the child attaining competence under the treatment or education recommended, an assessment of the probable duration of the treatment required to restore competence, and the probability that the child will attain competence to proceed in the foreseeable future;
- 5) Whether the child meets the criteria for involuntary hospitalization or involuntary admissions to residential services under chapter 985, Florida Statutes.

8. Any written report submitted by the expert shall:

- a. Identify the specific matters referred for evaluation;
- b. Describe the procedures, techniques, and tests used in the examination and the purposes of each;
- c. State the expert's clinical observations, findings, and opinions on each issue referred for evaluation by the court, and indicate specifically those issues, if any, on which the expert could not give an opinion; and
- d. Identify the sources of information used by the expert and present the factual basis for the expert's clinical findings and opinions.

The information contained in any motion by the child for determination of competency to proceed or in any report filed under this rule as it relates solely to the issues of competency to proceed and commitment, and any information elicited during a hearing on competency to proceed or commitment held under this rule, shall be used only in determining the mental competency to proceed, the commitment of the child, or other treatment of the child.

9. If an order is entered for the determination of competency, the appointed expert shall be paid in accordance with his or her current contract with the responsible party, or in the absence of a contract, the current Administrative Order regarding payment of appointed experts.
10. Payment for competency evaluations to determine competence to proceed or to determine recommended treatment for competence to proceed shall be made by the Court in accordance with the contract between the Court and the expert, or if no contract exists, then in accordance with the current Administrative Order regarding payment of appointed experts. The Expert shall submit the bill and appropriate invoice with an attached copy of this Order Directing Examination of the Juvenile's Competency to the Court at:

Court Administration, Attention Finance Department  
Administrative Office of the Courts

205 North Dixie Highway, 5<sup>th</sup> Floor  
West Palm Beach, Florida 33401

Payment for competency evaluations with intellectual disability to determine competence to proceed or to determine recommended treatment for competence to proceed with intellectual disability when the expert is appointed as an Agency for Persons with Disabilities provider shall be made by APD in accordance with the contract between APD and the expert, or if no contract exists, then in accordance with the current Administrative Order regarding payment of appointed experts. The Expert shall submit the bill and appropriate invoice with an attached copy of this Order Directing Examination of the Juvenile's Competency with Intellectual Disability to APD at:

Agency for Persons with Disabilities, Attention Rose Taylor  
111 South Sapodilla Ave., Suite 204  
West Palm Beach, Fl 33401

When a request is made for an evaluation of the child to determine the child's sanity or as an aid for sentencing, the requesting party shall pay. Payment shall be made in accordance with the contract between responsible party and the expert, or if no contract exists, then in accordance with the current Administrative Order regarding payment of appointed experts.

**DONE AND ORDERED** in Chambers, West Palm Beach, Palm Beach County, Florida,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

---

Circuit Judge

cc:

Experts:

Dr. \*

Dr. \*

Agency for Persons with Disabilities

Office of the State Attorney:

Counsel for the Defendant:

Attorney ad Litem

Court Administration, Finance Department

Court Administration Mental Health Case Manager

Colleen Farnsworth, DCF

Rhonda Nelson, DJJ

DJJ Court Liaison:

Revised 05/2017

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IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO:  
FAMILY DIVISION

\_\_\_\_\_  
Petitioner

and

\_\_\_\_\_  
Respondent

ORDER GRANTING PSYCHOLOGICAL EVALUATION  
IN FAMILY LAW CASES

THE COURT hereby orders \_\_\_\_\_ to complete a psychological evaluation within 90 days. An updated psychological evaluation may be performed if the psychologist deems it necessary.

THE COURT ORDERS THE PARTIES TO CALL \_\_\_\_\_ AT \_\_\_\_\_ WITHIN THREE (3) DAYS FROM THE DATE OF THIS ORDER TO SCHEDULE AN APPOINTMENT AND TO COOPERATE WITH \_\_\_\_\_ TO ACCOMPLISH THE EVALUATION.

This case will not be continued because the Court has not received a report prior to trial. Psychological evaluations will be conducted for :

- Mother
- Father
- Children (indicate number of children) \_\_\_\_\_

The issues of concern to the Court are:

- 1.  Suicide Potential
- 2.  Violence Potential
- 3.  Child Abuse and Neglect
- 4.  Drugs or excessive alcohol abuse
- 5.  Mental Health Problems
- 6.  Other (please specify) \_\_\_\_\_

The amount due for a completed psychological evaluation, \$\_\_\_\_\_ for each person being evaluated, shall be paid to \_\_\_\_\_ within thirty (30) days from the date of this order as follows:

- \$ \_\_\_\_\_ paid equally by the parties (½ of total bill to be paid by each side).
- \$ \_\_\_\_\_ paid by the Petitioner
- \$ \_\_\_\_\_ paid by the Respondent.

**DONE AND ORDERED** in Palm Beach County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

Copies furnished by mail to:

Expert:

Petitioner/Petitioner's Atty.: \_\_\_\_\_

Respondent/Respondent's Atty.: \_\_\_\_\_

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

FAMILY LAW DIVISION  
CASE NO. 50 \_\_\_\_\_

IN RE: THE MATTER OF

Petitioner,

v.

Respondent.

\_\_\_\_\_ /

ORDER APPOINTING A SOCIAL INVESTIGATOR

This Court, sua sponte, or upon a previously filed Motion or Stipulation of the Parties, hereby appoints \_\_\_\_\_, a Social Investigator pursuant to Section 61.20, Florida Statutes, to conduct a social investigation involving the pertinent details relating to the children and to each parent, in this cause and to provide a report and recommendations to the court, with copies to counsel/unrepresented parties prior to hearing. The social investigator must be qualified as an expert under section 90.702, Florida Statutes, to testify regarding the written study. The investigator shall consider the best interests of the child(ren) based upon all of factors affecting the welfare and interest of the particular minor child(ren) and the circumstances of that family, including, but not limited to the statutory factors set forth in section 61.13, Florida Statutes.

To:

Social Investigator: \_\_\_\_\_

Mother: \_\_\_\_\_

Father: \_\_\_\_\_

It is further ORDERED AND ADJUDGED that:

- 1) The Social Investigator shall conduct a study for:
  - (A) An initial establishment of a parenting plan
  - (B) A modification of an existing parenting plan
  
- 2) The Social Investigator is authorized to conduct a:
  - (A) Comprehensive Investigation: Specific areas of concern are: \_\_\_\_\_
  - (B) Limited Investigation: This will cover only narrowly defined issues as determined by the Court. The area(s) to be addressed may be up to 2 two of the following issues:
    - time sharing
    - physical/emotional safety of children

- proper supervision
- home environment
- associates of parents
- drugs/excessive alcohol in home

- 3) Payment of the Fees. Both parties have agreed to the appointment of a private Social Investigator. The Petitioner must pay \$ \_\_\_\_ of this fee; the Respondent must pay \$ \_\_\_\_ of the fee. Both parties must, within SEVEN (7) days of service of this Order, remit the fee, indicated above (if any), made payable to the evaluator.
- 4) The parties shall contact the investigator appointed by the court to establish an appointment schedule to facilitate timely completion of the investigation. A copy of the order of appointment shall be provided immediately to the investigator by the court, unless otherwise directed by the court.
- 5) Written Study with Recommendations. The investigator shall prepare a written study with recommendations regarding a parenting plan, including a written statement of facts found in the social investigation on which the recommendations are based. The written study with recommendations shall be furnished to the court and a copy provided to all parties of record by the investigator at least 30 days before any hearing at which the court is to consider the written study and recommendations, unless otherwise ordered by the court.
- 6) Additional Investigation. After the written study is furnished to the court, any party may file a motion for an additional expert examination, evaluation, interview, testing, or investigation. The court upon hearing may order the additional examination, evaluation, testing, or interview of the minor child based on the court finding that the investigation is insufficient and that further examinations, testing, interviews, or evaluations of the minor child would be in the best interests of the minor child.
- 7) Production of File. On motion of any party, the court may order the investigator to produce the investigator's complete file to another qualified investigator for review by such investigator, who may render an opinion and testify.
- 8) The parties are hereby directed to fully cooperate with the investigation process. No continuances will be granted due to the failure of either party to participate in completing a social investigation/home study. This report shall be completed within sixty days from the date of this ORDER.

**DONE and ORDERED** in Palm Beach County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Circuit Judge

Copies furnished:  
Petitioner/Attorney

Respondent /Attorney  
Social Investigator

order revised 02/17/15

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

JUVENILE DIVISION  
CASE NO. \_\_\_\_\_

IN THE INTEREST OF:

\_\_\_\_\_  
Minor Child (DATE OF BIRTH) \_\_\_\_\_

ORDER FOR PSYCHOLOGICAL TESTING OF JUVENILE

THIS CAUSE came before the Court. This Court has jurisdiction over the parties and the subject matter thereof. The individual, who is the subject of this order, is presently residing at:

Juvenile Detention Center \_\_\_\_\_ PB County Jail \_\_\_\_\_ Other \_\_\_\_\_

Therefore, it is ORDERED AND ADJUDGED that:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

is ordered for Psychological Testing to be conducted by: Dr. \_\_\_\_\_ of Court  
Psychology, PBC Courthouse, 205 N. Dixie Hwy, Suite 5.1130, West Palm Beach, FL 33401

on: Date: \_\_\_\_\_ Time: \_\_\_\_\_

OR (Provider Name & Address):

\_\_\_\_\_  
Name of responsible adult: \_\_\_\_\_

Phone Number \_\_\_\_\_

The issue(s) to be specifically addressed are:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Substance Abuse                | <input type="checkbox"/> Character Disorder      | <input type="checkbox"/> Psychosis             |
| <input type="checkbox"/> Sex Offender                   | <input type="checkbox"/> Intellectual Disability | <input type="checkbox"/> Ungovernable Behavior |
| <input type="checkbox"/> Violence Potential             | <input type="checkbox"/> Learning Disabilities   | <input type="checkbox"/> Family Problems       |
| <input type="checkbox"/> Suicide Potential              | <input type="checkbox"/> Abused Child            | <input type="checkbox"/> Emotional Problems    |
| <input type="checkbox"/> Criminal Behavior<br>Potential | <input type="checkbox"/> Domestic Violence       | <input type="checkbox"/> Other _____           |

Priority status:  Emergency  ASAP  ROUTINE

The child/parent's next court date(s) is/are \_\_\_\_\_

The DJJ/DCF/CFC Caseworker/Probation Officer is to provide the Office of Court Psychology the Case Data Form, Predisposition Report and a brief Social Summary within three (3) days of this order.

A copy of this order serves as authorization for the expert to review any and all school records in the custody of the Palm Beach County School Board, its agents or employees. This information shall not be disclosed to any other entities without a court order. All parties who desire the doctor to consider documents shall provide said documents to the doctor within five (5) days of this Order. The Doctor shall record the date of receipt of any of these documents for review past the five (5) day period.

**DONE AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in Palm Beach County, Florida.

\_\_\_\_\_  
CIRCUIT JUDGE

Distribution:

- Court Psychology, inter-office mail
- DJJ/DCF/CFC \_\_\_\_\_ Phone \_\_\_\_\_
- Guardian Ad Litem, inter-office mail
- SAO \_\_\_\_\_
- PD \_\_\_\_\_
- CLS \_\_\_\_\_
- Legal Aid \_\_\_\_\_
- Legal Custodians \_\_\_\_\_
- Other \_\_\_\_\_

This notice is provided pursuant to Administrative Order No. 2.207-1/15

**“If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Tammy Anton, Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.”**

**“Si usted es una persona minusválida que necesita algún acomodamiento para poder participar en este procedimiento, usted tiene derecho, sin tener gastos propios, a que se le provea cierta ayuda. Tenga la amabilidad de ponerse en contacto con Tammy Anton, 205 N. Dixie Highway, West Palm Beach, Florida 33401; teléfono número (561) 355-4380, por lo menos 7 días antes de la cita fijada para su comparecencia en los tribunales, o inmediatamente después de recibir esta notificación si el tiempo antes de la comparecencia que se ha programado es menos de 7 días; si usted tiene discapacidad del oído o de la voz, llame al 711.”**

**“Si ou se yon moun ki enfim ki bezwen akomodasyon pou w ka patisipe nan pwosedi sa, ou kalifye san ou pa gen okenn lajan pou w peye, gen pwovizyon pou jwen kèk èd. Tanpri kontakte Tammy Anton, kòdonatè pwogram Lwa pou ameriken ki Enfim yo nan Tribinal Konte Palm Beach la ki nan 205 North Dixie Highway, West Palm Beach, Florida 33401; telefòn li se (561) 355-4380 nan 7 jou anvan dat ou gen randevou pou parèt nan tribinal la, oubyen imedyatman apre ou fin resevwa konvokasyon an si lè ou gen pou w parèt nan tribinal la mwens ke 7 jou; si ou gen pwoblèm pou w tande oubyen pale, rele 711.”**