

Attorney for Petitioner

Attorney for Respondent

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

In Re the Marriage of:)	CASE NO.:
)	
Petitioner:)	STIPULATION and ORDER FOR
)	APPOINTMENT AND PAYMENT
and)	OF
)	
Respondent:)	TO DO CHILD INTERVIEWS
)	
_____)	

PURSUANT TO EVIDENCE CODE, SECTION 730, IT IS HEREBY ORDERED and STIPULATED by and between the parties through their respective counsel of record to the appointment of MARY ELIZABETH LUND, PH.D., ANGUS STRACHAN, PH.D., or _____ (hereafter referred to as 'the interviewer') to interview the minor child(ren) (insert children's names and birthdates)

and make a report to the court about the interviews.

Dr. interviewer's hourly fee is \$ _____. The parties will pay a deposit of \$ _____ two weeks prior to the date of the appointment. Cancellation with less than 7 days notice will result in charge for the scheduled appointments.

The interviewer shall perform a child interview of each child to determine the children's capacity to have formed an intelligent preference and to determine such preference concerning a custody schedule and other matter related to custody. The interviewer will give his or her impressions of, not only what the children are saying, but also their affect, and make other clinical observations in the report to the Court. The cost of the interviews shall be paid one half by each party subject to reallocation.

The interviewer may only be called upon to testify as an expert witness (not as percipient witness) in deposition and/or at a hearing or trial in the above-captioned case in the Family Law Department of the Superior Court if at least one party via his or her counsel so requests and makes advance payment. If the interviewer is required to make an appearance for deposition or a court hearing, notification shall be by subpoena and delivered or mailed directly to the interviewer, with the fee at least fifteen (15) court days in advance of deposition or trial date. Unless there is another specific written agreement with the interviewer, testimony will be for one day or one-half day appearance. The fee for deposition or court testimony is \$3,000.00 per day. An exact date and time of testimony must be scheduled; the interviewer

shall not make arrangements to be on call. Expert testimony fees are charged for a full day of the interviewer's time unless he or she specifically agrees to appear for a half day at the rate of \$2000.00 for four (4) hours. Any appearance time required beyond the first day shall be billed at the same daily rate and is payable prior to testimony. If the appearance at trial or deposition is canceled 72 hours in advance, excluding Saturdays, Sundays, and holidays, the entire deposit shall be refunded. If the appearance is canceled with less than 72 hours notification, but in sufficient time so that the interviewer does not come to court or deposition, one-half of the deposit shall be refunded. There is no refund for cancellations received on the day of the scheduled appearance.

The parties agree that they shall indemnify and hold the interviewer, Lund & Strachan, Inc., and the staff of Lund & Strachan, Inc. harmless from any claims, demands, causes of action, damages of loss or any kind whatsoever resulting from procedures, conclusions, recommendations, reports, or testimony in connection with the child interviews. The interviewer as a court appointed neutral interviewer of the children, shall be engaged in an arbitral function for the Judiciary and shall be entitled to and shall be deemed to possess and hold all common law and

statutory privileges and indemnities available. The interviewer is not responsible for the outcome of the legal proceedings.

This stipulation and Order may be signed via facsimile signature, which shall be deemed to be original signatures.

IT IS SO STIPULATED.

Print Petitioner Name Petitioner Signature Date

Print Respondent Name Respondent Signature Date

Print Counsel for
Petitioner's Name Counsel for
Petitioner's Signature Date

Print Counsel for
Respondent's Name Counsel for
Respondent's Signature Date

ORDER

IT IS SO ORDERED.

DATED: _____

JUDGE OF THE SUPERIOR COURT