IRFLP 442 Physical, Mental and Vocational Evaluations of Persons

Idaho Rules of Family Law Procedure Rule 442. Physical, Mental and Vocational Evaluations of Persons.

A. Order for evaluation. When the mental, physical, or vocational condition of a party or any other person is in controversy, the parties by stipulation, or the court may order that person to submit to a physical, mental, or vocational evaluation by a designated expert or to produce for evaluation the person in the party's custody or legal control. The order may be made only on motion for good cause shown and upon notice to the person to be evaluated (unless the person to be evaluated is a minor child of one or both of the parties), and to all parties and shall specify the time, place, manner, conditions, and scope of the evaluation and the person or persons by whom it is to be made. The person to be evaluated shall have the right to have a representative present during the evaluation, unless the presence of that representative may adversely affect the outcome of that evaluation. A copy of any record made of a physical, mental, or vocational evaluation shall be provided to each party or their counsel upon request.

B. Report of evaluator. Upon completion of the evaluation, a copy of the detailed written report of the evaluator setting out the evaluator's findings, including the results of all tests made, diagnoses and conclusions, together with like reports of all earlier evaluations of the same condition shall be provided to each party or their counsel. If any expert fails or refuses to make a report the court may exclude the expert's testimony.

*Pilot Project for Fourth Judicial District
(Adopted November 20, 2012, effective January 1, 2013)

Source URL: http://isc.idaho.gov/irflp442