

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 )  
 )  
 \_\_\_\_\_, )  
 )  
 Defendant, )  
 )  
 \_\_\_\_\_ )

File # \_\_\_\_\_

***Order Appointing Parenting Investigator***

The above-captioned matter was scheduled to come duly on for hearing at \_\_\_\_:\_\_\_\_ \_\_.m. on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Honorable \_\_\_\_\_, District Court Judge/Judicial Referee, presiding. The parties appeared personally and with their attorneys. Attorney \_\_\_\_\_ represents the Plaintiff, \_\_\_\_\_. Attorney \_\_\_\_\_ represents Defendant, \_\_\_\_\_. This Court, being familiar with the contents of its file, having reviewed the parties' affidavits, having heard and considered the parties' testimony and arguments, and being otherwise informed in the premises makes the following Order appointing a Parenting Investigator:

1. Parenting Investigator: \_\_\_\_\_ is hereby appointed as the Court's Parenting Investigator ("PI") herein. If \_\_\_\_\_ does not consent to serve, the parties, through counsel, shall attempt to agree upon the identity of another individual to serve as PI.

2. Investigation and Report: The PI shall conduct a thorough investigation and, at the conclusion thereof, provide to the Court a detailed report, which, at minimum:

- a. Describes his/her methods of investigation and identifies her sources of information (e.g., names of individuals, descriptions of documents);
- b. Discusses each of the “best interests of the child” factors, set forth in N.D.C.C. §14-09-06.2 as appropriate to the issues of residential responsibility, decision-making authority, and parenting time herein, indicating to what extent each factor favors either party;
- c. Makes ultimate recommendations to the Court relative to residential responsibility, shared decision-making authority and parenting time regarding the involved minor child(ren); and
- d. Provides such other information as he\she believes will assist the Court in its determinations herein, as relative to the involved minor child(ren).

The PI shall use his/her best efforts to conduct a thorough investigation and provide a report to the parties and the Court prior to \_\_\_\_\_.

3. Applicable Statutes: This appointment is made pursuant to the terms set forth in N.D.C.C, §14-09-06.2, N.D.C.C §14-09-06.3, and N.D.R.Ct. Rule 8.6, copies of which are incorporated herein by reference.

4. Fees: The PI shall be paid a fair retainer. Each party shall be equally responsible for the PI’s retainer of \$\_\_\_\_\_, each paying \$\_\_\_\_\_. The parties shall each be liable for one-half of any PI bill in excess of the retainer, and any additional evaluation fees incurred at her direction, unless the Court otherwise allocates responsibility therefore.

5. Ex Parte Communication: The PI shall be prohibited from any ex parte communications with the Court, to the same extent as the parties and their attorneys.

6. Release of Information: The PI is hereby authorized to obtain information and documents from all witnesses and entities having anything to do with the parties and the involved minor child(ren), including but not limited to County Social Services, employers, medical providers, counselors, mental health providers, chemical and alcohol dependency or treatment facilities, school districts, and teachers. Upon the PI's request, the parties shall provide release authorizations to assist in the collection of information and documents.

7. Additional Evaluations: The PI, in his/her discretion, may request psychological, parental capacity evaluations, drug screens and/or chemical dependency evaluations of the parties. In the event the parties are unable to resolve the particulars of such evaluations, such requests shall be expeditiously taken up by the Court, on the record.

BE IT SO ORDERED

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

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Honorable  
District Court Judge/Judicial Referee