

Sec. 25-60. [Family Division] Evaluations and Studies

(a) Whenever, in any family matter, an evaluation or study has been ordered pursuant to Section 25-60A or Section 25-61, the case shall not be disposed of until the report has been filed as hereinafter provided, and counsel and the parties have had a reasonable opportunity to examine it prior to the time the case is to be heard, unless the judicial authority [shall] orders that the case be heard before the report is filed, [subject to modification on the filing of the report].

(b) Any report of an evaluation or study pursuant to Section 25-60A or Section 25-61 shall be made in quadruplicate, shall be filed with the clerk, who will impound such reports, and shall be mailed to counsel of record, guardians ad litem and self represented parties unless otherwise ordered by the judicial authority. Said report shall be available for inspection [only] to counsel of record, guardians ad litem, and to the parties to the action, unless otherwise ordered by the judicial authority.

(c) [Said] Any report prepared pursuant to Section 25-61 shall be admissible in evidence provided the author of the report is available for cross-examination.

COMMENTARY: These revisions clarify that this section applies to evaluations conducted by family relations counselors and state licensed mental health professionals appointed to conduct court-ordered evaluations. The revision in subsection (b) extends the existing provisions to cover self represented parties and guardians ad litem, unless otherwise ordered by the judicial authority, not just counsel of record.