

## CAST OF CHARACTERS: PROFESSIONALS IN FAMILY LAW CASES

Marital & Family Law Section

Chair: Alexander Caballero - Mason Black & Caballero, P.A.



A family law matter may present a variety of issues, including analysis of financial transactions, business valuations, real property issues, criminal activity, domestic violence, as well as health and mental health issues. Accordingly, the family law attorney must be ready to draw upon a wide array of professionals to assist in these areas in order to properly represent the client's interests.

Protecting the interests of the children involved in a family law case should be the foremost concern. Where a parenting plan is at issue, the court is permitted to appoint a guardian ad litem to act as the next friend of the children, investigator, or evaluator. *See Fla. Stat. § 61.401.* The guardian ad litem is not an attorney or advocate for the children. *Id.* The appointment of a guardian ad litem is mandatory where there is a verified, well-founded allegation of child abuse. *Id.*

Where parents are experiencing more routine conflict, the court may appoint a parent coordinator, who is trained in both mediation and conflict resolution strategies. *See Fla. Stat. § 61.125.* The parent coordinator provides parents an

alternative dispute resolution process. *Id.* A parent coordinator cannot be appointed without the consent of both parties when there is a history of domestic violence. *Id.* When tasked with establishing or potentially modifying a parenting plan, the court is also permitted to appoint a psychologist, clinical social worker, or therapist to conduct a social investigation. *See Fla. Stat. § 61.20.* Health professionals may also be appointed to examine a child or parent, including paternity testing, mental health examination, physical examination, or any other type of examination related to a matter in controversy. *See Fla. Fam. L.R.P. 12.360 and 12.363.*

Independent professionals are also involved in the search for truth regarding financial issues. A party's claim for alimony may justify a compulsory examination if the party seeking alimony places his or her mental or physical health at issue. *See Fla. Stat. § 61.08.* In alimony cases, the court may also order a vocational evaluation to assess a party's earning capacity. *See Fla. Fam. L.R.P. 12.360.*

A forensic accountant may assist the court in determining the parties' respective need and ability



**The family law attorney must be ready to draw upon a wide array of professionals.**

to pay alimony. The parties may stipulate to the appointment of a neutral joint financial expert, the parties may have their own independent financial experts, and, in some cases, the parties may have both. Where the court is tasked with equitably dividing a party's ownership of a business, the forensic account or other valuation expert may identify the portion of the business that is properly characterized as marital and provide a valuation for the business. Experts may also testify on proper valuation of intellectual property, real estate, jewelry, antiques, or other property.

Other attorneys may also play a critical role. An experienced practitioner knows when to consult co-counsel on corporate, real estate, criminal, and other matters related to the family law case. And a

skilled mediator can help give the perspective necessary to resolve a highly contested case.



*Authors:  
Richard J. Mockler,  
Richard J. Mockler,  
P.A.; and Christine  
L. Derr, Law  
Office of Christine  
L. Derr, P.A.*

Looking for a new job? Check out the Career Center on the HCBA website at [www.hillsbar.com](http://www.hillsbar.com).