



Superior Court of California  
County of San Luis Obispo

**Family Court Services' Digital Evidence Policy**

If it is necessary for the evaluator to review audio files or video recordings as part of your 3111-child custody evaluation, or if the court has ordered materials for inclusion in the evaluation, please observe the following policy for submission of digital evidence. Family Court Services broadly defines digital evidence to include media or multimedia files in the form of audio or video files.

- A) Parties uploading multimedia (audio and/or video) files must make reasonable efforts to take precautions against the contamination of their computer systems and files by software viruses, worms, malware, or other malicious agents. At a minimum, such precautions shall include the installation, upgrading and use of commercial virus detection software to scan files and documents presented to the Court. All files submitted to the Court must be in a format that allows for virus scanning. No files can be submitted in a compressed or zipped format.
- B) The evaluator will create a SharePoint folder for the parties to access which will be emailed to the parties and their attorneys in the preliminary phase of the evaluation. In order to upload materials to the SharePoint folder, each party must have a Microsoft Office account.
- C) Before uploading anything to the SharePoint folder, the parties should send an email to the evaluator, and all parties in the action, that includes the following:
  - 1. The file name. Rename each file for easy reference.  
*Example: "ParkingLotExchangeDec2022.mov"*
  - 2. Include the date and time the recording occurred.
  - 3. Provide a Brief Description of the file.  
*Examples: "Text Messages between the parties from October 2022 to present", "Video of Recorded Zoom call on March 22, 2021", or "Video of supervised exchange on Jun 23, 2020.", etc.*
  - 4. Provide the video or audio length.  
*Example: 2 minutes*
  - 5. All media files submitted should include an accompanying transcript. The transcript may be prepared by the party presenting or offering the recording for consideration in the evaluation. A certified transcript is not required.

- D) Parties should understand that all items uploaded to the SharePoint folder will be available to the other party. Any edits made to files in the folder will notify the evaluator. Do not re-upload a document or media filed that has already been submitted by the other party.
- E) The evaluator cannot accept materials that have been recorded without the explicit consent of the recorded party.
- F) Media files are not to exceed 20 items. Exceptions can be made by the Court.
- G) Due to time constraints and efficiency of the report completion, the evaluator will not review materials more than 10 years old. Exceptions can be made by the Court.
- H) The evaluator will provide the deadline for submission of all supplemental materials. Parties will not be able to submit any materials after the established deadline.