

# Family Evaluation in Custody Litigation

REDUCING RISKS OF ETHICAL  
AND MALPRACTICE INFRACTIONS



G. ANDREW H. BENJAMIN  
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# Family Evaluation In Child Custody Litigation

**Philip M. Stahl**



## **Family Evaluation In Child Custody Litigation:**

*Family Evaluation in Child Custody Litigation* Richard A. Gardner, 1982      **Family Evaluation in Child Custody Mediation, Arbitration, and Litigation** Richard A. Gardner, 1989      **Family Evaluation in Custody Litigation** Dr G Andrew H Benjamin, Dr Connie J a Beck, Morgan Shaw, Robert A Geffner, 2024-02-15 New in paperback This book presents a well regarded evidence based step by step child custody assessment protocol for mental health professionals      *Family Evaluation in Custody Litigation* G. Andrew H. Benjamin, Connie J. Beck, Morgan Shaw, Robert Geffner, 2018 This book presents a well regarded evidence based step by step child custody assessment protocol for mental health professionals

*Conducting Child Custody Evaluations* Philip M. Stahl, 1994-08-15 A must have book on custody evaluations Philip Michael Stahl has done family law attorneys a great service by writing *Conducting Child Custody Evaluations* Dr Stahl s book is a solid addition to the literature It provides family law attorneys with the evaluator s perspective on the process its purpose and structure Packed with examples that illustrate the author s points the book is quite readable If you do custody work this book is a must You will find yourself using it continually as a resource and to share information with your clients Dr Stahl writes from experience and provides the perspective of a well trained thoughtful ethical evaluator He discusses the child custody evaluation process as I believe it should be no wonder I liked the book so much M Dee Samuels in *Family Advocate* Based on Philip Michael Stahl s extensive experience in the trenches *Conducting Child Custody Evaluations* presents a detailed examination of the many complex questions and issues involved in this process Practical guidelines for completing evaluations are provided including helpful information on interviewing parents and children testifying in court writing custody evaluations working with attorneys getting paid and working in an ethical manner Such fundamental concerns relating to divorce as the ability to parent bonding and attachment of children and parents the formulation of custody access plans and specific developmental issues are also addressed Sensible lucid and insightful this book is an important contribution to our understanding of how child custody evaluations are conducted and an excellent resource for psychologists evaluators social workers family court and private mediators judges attorneys and graduate students For those who need to know for whatever reason this is a valuable introduction in comprehensive and surprisingly jargon free detail to a rarely considered topic Child Family Behavior Therapy This text is comprehensive covering topics from interviewing children to how evaluators can stay current and experience professional renewal It also has some very practical information relevant to anyone who performs child custody evaluations from old hands to beginners This book is valuable to anyone interested in this subject evaluators who seek to perform this task attorneys who seek to understand the process of evaluation judges who seek to evaluate the quality of an evaluation and even parents who undergo such an evaluation It presents a significant contribution to the field *Family and Conciliation Courts Review* *Conducting Child Custody Evaluations* is excellent What makes this text so valuable is it is born of years of experience and reflects a more advanced vision about families following

divorce Both beginning and advanced evaluators will gain a great deal from reading this manual It is both comprehensive and practical capturing the essence and the spirit of performing this critical task Even more importantly it has several ideas about how evaluations can stay current and captures the value of a good evaluation on families as well as the court Nice work Hugh McIsaac Director Family Court Services Multnomah City Circuit Court Portland Oregon and Editor Family and Conciliation Courts Review Dr Stahl does a thorough clear and highly readable job of covering the complex arena of child custody evaluations articulating the multiple demands on the evaluator providing specific evaluation techniques for a range of referral questions in addition to outlining extra evaluation issues such as ethical concerns the evaluator s relationship to the court and burn out This is an excellent resource for both the new evaluator and those with expertise S Margaret Lee Ph D Private Practice Greenbrae California Dr Stahl is one of those rare professionals who neither talks down or around the problem His book should be in the library of every serious family lawyer family judge and family evaluator John Kydd J D M S W and President Elect Association of Family and Conciliation Courts Anybody working on behalf of children in the civil courts could make good use of this text Pay particular attention to chapters 5 6 and 7 the appendices and especially the specimen reports and excerpts These are the heart of the book And here Dr Stahl s style is a model of clarity and simplicity Guy Mitchell in Legal and Criminological

**A Comprehensive Guide to Child Custody Evaluations: Mental Health and Legal Perspectives** Joanna Bunker Rohrbaugh, 2007-12-18 Whether assessing general family functioning or specific areas of conflict professionals preparing child custody evaluations require sound knowledge of three interrelated fields up to date legal issues psychological findings and forensic procedures This book covers these three essential areas to walk readers through the evaluation process clearly and concisely It further provides a unique combination of legal guidelines with social science research

**A Comprehensive Guide to Child Custody Evaluations: Mental Health and Legal Perspectives** Joanna Bunker Rohrbaugh, 2007-11-26 In order to assist families embroiled in child custody disputes the courts order thousands of child custody evaluations each year Some of these evaluations are brief problem focused assessments aimed at quickly resolving a specific area of dispute Other evaluations are more comprehensive covering all aspects of family functioning in complex cases The process of ordering conducting or assessing either type of child custody evaluation requires a clear understanding of how legal and psychological issues are intertwined in each case This book is designed to meet this need for a comprehensive guide that combines legal information and forensic procedures with the social science research that must be the basis for all custody recommendations and decisions The book should be helpful to three separate but related groups of experienced professionals a family and probate judges b family practice attorneys and c forensic mental health professionals Before they can order a custody evaluation and use the information it provides judges must have a clear understanding of how to integrate clinical information about each family with the related social science research This book will also enable judges to assess each custody report in terms of the professional and legal guidelines for conducting custody evaluations and b

research based criteria in each area of family functioning The text and CD also offer examples of how best to write orders for custody evaluations and detailed parenting plans that address the issues in each family

**Psychological Testing in Child Custody Evaluations** Leslie Drozd, James R. Flens, 2014-06-03 A focused look at the uses and misuses of psychological tests in the context of child custody This book presents an advanced examination of psychological testing and usage in the child custody arena It addresses test selection issues provides insightful discussions of how to confront confirmatory biases and avoid the distortion of test findings and presents clear instructions for the use of specific tests including MMPI 2 and Rorschach and a point counterpoint discussion of the strengths and weaknesses of the Ackerman Schoendorf Scales for Parent Evaluation of Custody ASPECT Psychological Testing in Child Custody Evaluations can be viewed as a work in three parts The first section addresses theoretical and test usage issues with chapters focusing on addressing test selection issues from legal and psychological perspectives bias issues that interfere with the evaluator's ability to collect and consider data objectively a functional comprehensive approach to the use of psychological tests in a child custody evaluation with a conceptual framework for choosing assessment techniques to assess parenting competencies and other variables important in forming opinions about custodial placement and visitation access and a practical example of how to present psychological test data in an advisory report to the court a look at psychological testing from an attorney's point of view The second section of Psychological Testing in Child Custody Evaluations focuses on the MMPI 2 and the Rorschach Inkblot Test in the child custody context investigating hypotheses that can be inferred from the MMPI 2 regarding parenting behaviors and the use and value of the Rorschach This section examines the foundation from which the MMPI 2 can generate expectations regarding five basic issues the quality of attachment and bonding potential for antisocial behavior temper control alienation of affection and chemical abuse and dependence the range of variables that will generate useful hypotheses regarding parent child interactions and family systems the effects of the circumstances of litigation on score elevations including recommended limits as to how much elevation can be dismissed as only contextual the important differences between occasion validity and attribute validity the clinical application of an objective interpretation system including the courtroom credibility of explicit convergent validity the use of the Rorschach in child custody evaluations findings from a study using the Rorschach to address specific parenting variables The third section of Psychological Testing in Child Custody Evaluations is a focused point counterpoint discussion of ASPECT between test creator Marc J Ackerman and Mary Connell President of the American Academy of Forensic Psychology This book is essential reading for child custody evaluators family law attorneys and judges practicing in the family law arena as well as educators and students in these fields

*Clinician's Guide to Child Custody Evaluations* Marc J. Ackerman, 2002-02-28 Comprehensive coverage of every phase of the child custody evaluation process Does a clinician hired by a parent's attorney bear the same responsibilities as a court appointed psychologist What are the most effective techniques for determining whether an alleged abuse has actually occurred Which factors should be

considered when determining whether a parent should be granted custody

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Second Edition answers these questions and hundreds more as it provides step by step guidance through every aspect of this sensitive and profoundly important process Employing riveting case studies drawn from the more than 1 800 custody evaluations he has performed Dr Marc Ackerman provides authoritative guidelines for Conducting interviews observing behavior and collecting collateral information Psychological testing and administering ASPECT and other custody instruments Evaluating parental behavior Reporting evaluation results Testifying in court This remarkably thorough resource offers completely up to date coverage of recent legal decisions affecting child custody new surveys on what judges and attorneys want from evaluations and new chapters on placement schedules and second opinion evaluations *Clinician's Guide to Child Custody Evaluations* Second Edition is must reading for every mental health professional who is or would like to be involved in child custody evaluations

*Family Evaluation in Custody Litigation* G. Andrew H. Benjamin, Jackie K. Gollan, 2003-01 Provides a child assessment protocol for both families and evaluators to minimize malpractice or ethical infractions

**Evaluation for Child Custody** Geri S. W. Fuhrmann, Robert A. Zibbell, 2012 Forensic mental health assessment FMHA has grown into a specialization informed by research and professional guidelines This series presents up to date information on the most important and frequently conducted forms of FMHA The 19 topical volumes address best approaches to practice for particular types of evaluation in the criminal civil and juvenile family areas Each volume contains a thorough discussion of the relevant legal and psychological concepts followed by a step by step description of the assessment process from preparing for the evaluation to writing the report and testifying in court Volumes include the following helpful features Boxes that zero in on important information for use in evaluations Tips for best practice and cautions against common pitfalls Highlighting of relevant case law and statutes Separate list of assessment tools for easy reference Helpful glossary of key terms for the particular topic In making recommendations for best practice authors consider empirical support legal relevance and consistency with ethical and professional standards These volumes offer invaluable guidance for anyone involved in conducting or using forensic evaluations Child custody cases represent one of the most complex areas of forensic mental health assessment The evaluations are highly specialized requiring expertise in child development and psychopathology and a thorough understanding of the professional and ethical guidelines for child custody evaluations This volume written by two child custody examiners with years of experience and an exceptional depth of understanding of the area synthesizes the highest quality of work in the field to articulate the best practices for these evaluations based upon professional guidelines law and research

*Psychological Testing in Child Custody Evaluations*  
Leslie Drozd, James R. Flens, 2014-06-03 A focused look at the uses and misuses of psychological tests in the context of child custody This book presents an advanced examination of psychological testing and usage in the child custody arena It addresses test selection issues provides insightful discussions of how to confront confirmatory biases and avoid the distortion

of test findings and presents clear instructions for the use of specific tests including MMPI 2 and Rorschach and a point counterpoint discussion of the strengths and weaknesses of the Ackerman Schoendorf Scales for Parent Evaluation of Custody ASPECT Psychological Testing in Child Custody Evaluations can be viewed as a work in three parts The first section addresses theoretical and test usage issues with chapters focusing on addressing test selection issues from legal and psychological perspectives bias issues that interfere with the evaluator s ability to collect and consider data objectively a functional comprehensive approach to the use of psychological tests in a child custody evaluation with a conceptual framework for choosing assessment techniques to assess parenting competencies and other variables important in forming opinions about custodial placement and visitation access and a practical example of how to present psychological test data in an advisory report to the court a look at psychological testing from an attorney s point of view The second section of Psychological Testing in Child Custody Evaluations focuses on the MMPI 2 and the Rorschach Inkblot Test in the child custody context investigating hypotheses that can be inferred from the MMPI 2 regarding parenting behaviors and the use and value of the Rorschach This section examines the foundation from which the MMPI 2 can generate expectations regarding five basic issues the quality of attachment and bonding potential for antisocial behavior temper control alienation of affection and chemical abuse and dependence the range of variables that will generate useful hypotheses regarding parent child interactions and family systems the effects of the circumstances of litigation on score elevations including recommended limits as to how much elevation can be dismissed as only contextual the important differences between occasion validity and attribute validity the clinical application of an objective interpretation system including the courtroom credibility of explicit convergent validity the use of the Rorschach in child custody evaluations findings from a study using the Rorschach to address specific parenting variables The third section of Psychological Testing in Child Custody Evaluations is a focused point counterpoint discussion of ASPECT between test creator Marc J Ackerman and Mary Connell President of the American Academy of Forensic Psychology This book is essential reading for child custody evaluators family law attorneys and judges practicing in the family law arena as well as educators and students in these fields **Conducting Child Custody**

**Evaluations** Philip M. Stahl, 2011 Addresses key topics such as the best interests of the child custody and time share divorce and its impact on children and children s developmental needs **Forensic Mental Health Assessment of Children and**

**Adolescents** Steven N. Sparta, Gerald P. Koocher, 2006 This volume provides essential knowledge and practical suggestions for conducting forensic mental health evaluations of children and adolescents A wide range of assessment problems are described along with discussions about measurement techniques and forensic issues related to minors Ethical and Legal Issues for Mental Health Professionals Steven F Bucky, Joanne E Callan, George Stricker, 2011-04-12 Get crucial ethical and clinical knowledge as it relates to the legal system Ethical and Legal Issues for Mental Health Professionals in Forensic Settings comprehensively focuses on the integration of ethical legal and clinical issues for practicing mental health

professionals dealing with legal processes in forensic settings This unique text is organized around the most current ethical and legal standards as defined by the mental health professionals of psychology social work marriage and family therapy and psychiatry Respected well known authorities with diverse backgrounds expertise and professional experience offer a far reaching discussion of ethical and legal issues important for every mental health professional to know Practicing clinicians increasingly find themselves needing to deal with the legal system about a multitude of issues Ethical and Legal Issues for Mental Health Professionals in Forensic Settings not only presents mental health professionals but also attorneys who defend mental health professionals providing legal and ethical discussions of importance to the field This powerful resource provides up to date crucial knowledge for graduate students and clinicians alike The final book in the three volume series will focus on special populations special treatment modalities Topics in Ethical and Legal Issues for Mental Health Professionals in Forensic Settings include the discovery process depositions personal injury evaluations various types of witness preparation for court testimony psychological evaluations juvenile court dependency forensic evaluations dealing with litigation with civil lawsuits tests that relate to false memories of trauma APA s Ethics Committee process and State Ethics Committees processes Ethical and Legal Issues for Mental Health Professionals in Forensic Settings is an essential text for all mental health professionals including psychologists psychiatrists social workers counselors therapists and graduate students in mental health and related fields     The Handbook of Forensic Psychology Irving B. Weiner, Randy K. Otto, 2013-12-16 A revised new edition of one of the top references for forensic psychologists This top professional and academic reference in forensic psychology is an established presence as both a professional reference and graduate text This Fourth Edition is completely revised and updated for the new and rapidly growing demands of the field to reflect the new tools available to and functions required of present day practitioners The new edition expands coverage of neuropsychological assessment eyewitness testimony ad jury competence and decision making including selection process and authority In addition the new ethics guidelines approved by the American Psychological Association APA are included and interpreted Updated to include reframed content and the introduction of new chapter topics and authors Ideal for professional forensic psychologists and graduate students Written by experts in the field a clinical professor of psychiatry and an associate professor of mental health policy     *Principles and Practice of Child and Adolescent Forensic Mental Health* Elissa P. Benedek, Peter Ash, Charles L. Scott, 2009-10-20 When care of younger patients raises thorny legal questions you need answers you can trust that s why this book belongs on every clinician s reference shelf Principles and Practice of Child and Adolescent Forensic Mental Health is a timely and authoritative source that covers issues ranging from child custody to litigation concerns as it walks clinicians through the often confusing field of depositions and courtroom testimony The book expands on the 2002 volume Principles and Practice of Child and Adolescent Forensic Psychiatry winner of the 2003 Manfred S Guttmacher Award to meet pressing twenty first century concerns from telepsychiatry to the Internet while continuing to cover basic issues such



as forensic evaluation psychological screening and the interviewing of children for suspected sexual abuse that are important to both new and experienced practitioners Many of its chapters have been entirely rewritten by new authors to provide fresh insight into such topics as child custody juvenile law abuse neglect and permanent wardship cases transcultural transracial and gay lesbian parenting and adoption and the reliability and suggestibility of children s statements It also includes significant material not found in the previous volume Two chapters on special education offer an introduction to screening instruments and help practitioners determine a child s potential need for special education programs and services A chapter on cultural competence helps readers improve the accuracy and responsiveness of forensic evaluations and minimize the chance of an unjust outcome resulting from misguided expert opinion The section on youth violence features three new chapters Taxonomy and Neurobiology of Aggression Prevention of School Violence and Juvenile Stalkers plus a newly written chapter on assessment of violence risk offering guidance on how to confront problems such as bullying and initiate effective family interventions A chapter on psychiatric malpractice and professional liability addresses these legal concerns with an eye toward cases involving minors A chapter on psychological autopsy covers evaluation of the circumstances surrounding pediatric suicides describing various types of equivocal deaths and discussing legal issues such as admissibility of the autopsy in court A newly written chapter on the Internet expands the previous book s focus on child pornography to help practitioners deal with issues ranging from online threats to emotional and legal consequences of interactions in cyberspace This is a valuable reference not only for practitioners in psychiatry and the mental health field but also for attorneys and judges It opens up a field that may be too often avoided and helps professionals make their way through legal thickets with confidence

*Parental Alienation and Family Reunification* Pearl S. Berman, Ethan M. Weisinger, 2024-02-01 This book on parental alienation and family reunification provides family court professionals with critical background in child development dynamics present in violent families and how to evaluate the testimony of experts to ensure it values children s views best interests of the children and follows evidence based practice As laid out in the Child Welfare Information Gateway report 2020 Family court judges should make decisions per the best interests of the child standard High conflict custody cases make this complicated especially when reunification services are requested In the middle of contentious proceedings judges oftentimes receive conflicting information from parents Judges and family law professionals can be lead astray relying on unproven constructs and instruments not meeting the criteria of reliability and validity Mandating victimized children into reunification programs that are neither evidence based nor trauma informed can cause further harm to the children This book will be of interest to those working in the family courts particularly expert witnesses clinical psychologists therapists children s services workers including social workers child protection court workers mental health professionals involved in child custody decisions and researchers with an interest in parental alienation The chapters in this book were originally published as a special issue of Journal of Family Trauma Child Custody Child Development

*Parental Alienation, DSM-5,*

and ICD-11 William Bernet,2010 Parental alienation is an important phenomenon that mental health professionals should know about and thoroughly understand especially those who work with children adolescents divorced adults and adults whose parents divorced when they were children In this book the authors define parental alienation as a mental condition in which a child usually one whose parents are engaged in a high conflict divorce allies himself or herself strongly with one parent the preferred parent and rejects a relationship with the other parent the alienated parent without legitimate justification This process leads to a tragic outcome when the child and the alienated parent who previously had a loving and mutually satisfying relationship lose the nurture and joy of that relationship for many years and perhaps for their lifetimes We estimate that 1 percent of children and adolescents in the U S experience parental alienation When the phenomenon is properly recognized this condition is preventable and treatable in many instances The authors of this book believe that parental alienation is not simply a minor aberration in the life of a family but a serious mental condition Because of the false belief that the alienated parent is a dangerous or unworthy person the child loses one of the most important relationships in his or her life This book contains much information about the validity reliability and prevalence of parental alienation It also includes a comprehensive international bibliography regarding parental alienation with more than 600 citations In order to bring life to the definitions and the technical writing several short clinical vignettes have been included These vignettes are based on actual families and real events but have been modified to protect the privacy of both the parents and children

*Forensic Mental Health Consulting in Family Law* Robert L. Kaufman,Margaret Lee,2014-06-11 Forensic Mental Health Professionals have entered the fray of child custody litigation in ways that could not have been predicted even a decade ago Traditionally engaged as neutral court appointed evaluators or mediators or as treatment providers for children parents or families FMHPs are assuming a range of consulting functions Services span a wide range including providing expert testimony on specific content areas reviewing and critiquing colleague s work product providing behind the scenes consultation to attorneys and even help attorneys manage difficult cases and clients These more recent services raise questions about sound professional practice This volume tackles these thorny issues head on and discusses questions how consultants can work creatively and ethically to make a positive contribution in the challenging world of family law This book was originally published as a special issue of Journal of Child Custody

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