

CLINICIAN'S GUIDE TO CHILD CUSTODY EVALUATIONS

Marc J. Ackerman

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Death these days no longer seems to be the only cause that destroys the marital bond. "Till death do us part" no longer seems to be true. Today, the number of reasons for renegeing from one's marital vow is as many as the number of times a person gets married. Along with this development, if it may be appropriately called that, come several consequences that cannot just be ignored or set aside. One of these is the problem on child custody that arises when the couple decides to call it a day.

For today's laws make it easy to obtain divorce, couples often to choose divorce for less significant reasons. It is in conjunction with this that the dynamics of custody action must also be given significance. Clinician's Guide to Child Custody Evaluations discusses how divorce affects the parents and children. As discussed in the book, there are two types of divorce. First is the cooperative divorce where parties are willing to meet, discuss and resolve the issues without requiring a court battle. Second is adversarial divorce where one leads to a legal contest or court battle which involves attorneys assuming oppositions in court. As stated, eighty-eight percent (88%) of children of divorced parents live with their mothers and most fathers are required to provide child support. It also mentions the effects of divorce on children of different ages. It says that sometimes they have difficulty establishing their own relationships as they approach adulthood.

The book fully discusses the custody evaluations of a child from the beginning to end. It states that it is essential that many sources of data are consulted, including records, psychological tests, and interviews of the parties for a child custody evaluation for it to be adequate. In the legal context, the

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book mentions that the history presented in a custody evaluation frequently gives rise to specific concerns, such as the presence of any form of physical, sexual, or psychological abuse or victimization. As such, these concerns call for a specific emphasis during the evaluation. In addition, the book emphasizes that the primary purpose of the child custody evaluation is to assess the best psychological interest of the child. Hence, the focus of the evaluation must always be the parenting capacity, psychological and developmental needs of the child.

The book also distinguishes joint and sole custody of parents. There is joint custody when both parents have equal rights regarding their child's education, religious upbringing, medical treatment etc. On the contrary, in sole custody, one parent holds all of the legal rights for decision making about the children's development and future, including education, nonemergency, medical and religion. These concepts are essential so as to properly address the needs of the child despite his situation. Equally important as the child evaluation is the evaluation of the parents' behavior in a divorce proceeding. On this point, the book provides abundant research, studies and cases regarding the guidelines for the evaluation of the parents' behavior. This must be fully studied and acknowledged for it is the parents who will guide and support the children. They shall also be the one to make their children understand the divorce proceedings and guide them while coping with the separation.

The book moreover addresses the important role of a psychologist in evaluating the father or mother and the child. It discusses the Clinician's responsibilities as provided by the American Psychological Association (APA). It also provides the rights, obligations and duties of a psychologist. It states that the expert should not be biased and should meet the highest standards available and should be prepared to support the conclusions they draw with professional literature. The psychologist should also provide data regarding the positive and negative aspects of the parenting by each parent for it is the best interest of the child that is at stake. Nevertheless, he should acknowledge that it is still beyond his present ability to predict with certainty which parent would be the better custodial parent in all circumstances.

To boot, the book is definitely helpful and informational to the field of forensic psychology.¹ The book, in outlining the different ways and approaches in child custody, underscores the importance to the well-being of the child and to assist and guide him in dealing with the situation of his parents. Furthermore, the book provides a variety of tests to ascertain the behavior of parents so as to make sure that the child's interest and well-being are paramount. One of the tests is designed by the author, Asckerman-Schendorf Scales for Parent Evaluation of Custody (APSECT) which is designed to provide information for child custody evaluations. There are various psychological testing and guidelines for the evaluations parents and children provided in the book.

Although the book was written with the American legal system in mind, it is nevertheless a useful reading material that can aid judges, legal practitioners and child custody clinicians in the country in handling child custody cases, taking into account the myriad of Declaration of Nullity of Marriage and Annulment cases clogging the country's court dockets. It is a helpful guidebook in ensuring that the best interest of a child embattled in a child custody case is given effect.

1. Forensic psychology is the interface between psychology and the law, so all psychological services provided for the legal community are forensic psychological services. However, most forensic psychologists provide services which are both clinical and forensic in nature. When a psychologist treats an individual who was emotionally traumatized by an accident, the treatment is clinical in nature, designed to assist the individual in recovering from the trauma. But, when the psychologist is asked to provide a report for the court, regarding the extent of the trauma, and to assess the psychological damage incurred, then the psychologist is providing forensic services.