

Child Custody Evaluations –Peer Review & Expert Testimony Workshop 3

(note while this workshop is credited for 7 ce's we will probably depart early-[around 1:30]- with a take home activity to make-up the time)

I. Introduction

- a. Presenter
- b. Participants
- c. Topic
- d. Objectives

II. Differences between Therapeutic & Forensic Services

- a. Stay within the data
- b. Specific differences: **ACTIVITY**
 - i. Patient v. Litigant
 - ii. Relationship
 - iii. Confidentiality
 - iv. Personal orientation
 - v. Therapeutics v. Parenting
 - vi. Hypotheses
 - vii. Unconditional positive regard v. Scrutiny
 - viii. Structure
 - ix. Goals

Break

III. Common Pitfalls in Parenting Plan Timesharing Evaluations

- a. Continue your training and show it
- b. Be familiar with related research
- c. Interpret test data without computer-generated reports
- d. Your opinions need to be supported by research
- e. Your recommendations should be supported by your report
- f. Stick to only one role (evaluators are not therapists, consultants, advisors, etc.)
- g. The appearance of bias

IV. Keep yourself out of "trouble"

- a. Learn about interviewing
 - i. Children
 - ii. Adults
- b. Appropriate observation methods
- c. Understand
 - i. Hearsay
 - ii. Our limits: know them and stick to them
 - iii. Test data and technical properties (e.g., a high D \neq depression; r_{xx} , etc.)
- d. Disclose potential conflicts of interest
- e. Investigate any and all allegations
- f. Verify information (or stand that it is unverified)
- g. Own and have read test manuals
- h. Assess what's necessary to answer the question(s)
- i. Be balanced and unbiased

V. Expert Testimony

- a. Daubert v. Frye
- b. Reliability
- c. Relevance
- d. Multi-method model
- e. Testifying in court

VI. Issues Involving Children's Testimony

VII. What do you do if you are caught in a "peer review"

- a. Don't panic
- b. Make sure your file is well organized
 - i. Divide the file into sections that relate to each litigant and each phase of the evaluation (e.g., father's section, begins with informed consent, followed by questionnaires, followed by interview data, etc.)
 - ii. Beginning of file includes court order, followed by communications by attorneys
 - iii. Assessment protocols are filed in each litigant's section, with all heading completed
 - iv. Have a detailed log of all contacts between you and the litigants and the attorneys
- c. Follow the Do's and Don'ts from the Level 2 workshop
 - i. Don't allow yourself to be lured into other roles (advice giving, recommendations to one of the litigants, etc.)
 - ii. Maintain communication with both attorneys; no ex-parte communications
 - iii. Allot approximately the same time to each litigant (or have a real good reason who you spent more time with one and not the other)
 - iv. Use multiple sources for information gathering (e.g., the litigants, the children, collateral informants, assessment data, interview, questionnaires, document review, etc.)
 - v. Present an unbiased posture/orientation
 - vi. Address the question(s) in the Court's order

VIII. The Art of Uncovering Deception (or not)

- a. Paul Ekman
- b. James Pennebaker
- c. How good are we at this anyway?

IX. Summary, Follow-Up, & Evaluation of Workshop