

Proposal Submission to AFCC-CA 2020 Conference

Title: Ethical Code Violations and Malpractice Issues Surrounding the Practice of Child Custody Evaluations

Presenter: Craig Childress, Psy.D.

Preferred Length: 90 minutes

Abstract:

The practice of child custody evaluations is vulnerable to licensing board complaints and malpractice lawsuits for violations of APA ethics code Standards, 2.04, 2.01a, 9.01a, and 3.04, as well as violation of Principle D Justice of the APA ethics code, and for a failure in the duty to protect for failing to properly assess IPV spousal abuse (using the child as the weapon of spousal abuse) and for failing to properly assess for potential child psychological abuse. This seminar will describe the problematic ethical and duty to protect issues surrounding the practice of child custody evaluations and will offer suggestions for a treatment-oriented assessment that addresses the family conflict by diagnosis, and by providing treatment-oriented solutions based on diagnosis.

Outline:

Child custody evaluators may face increasing professional risks from licensing board complaints and malpractice lawsuits from parents surrounding possible violations of the APA ethics code and professional standards of practice for the duty to protect. Areas of vulnerability include possible violation of Standard 2.04 for failing to apply knowledge from relevant domains of professional psychology, including behavioral psychology, family systems therapy, attachment, personality disorders, complex trauma, the neuro-development of the brain in childhood, and the DSM-5 diagnostic system; possible violation of Standard 2.01a for failure to possess the necessary knowledge in attachment (Bowlby, Ainsworth, Sroufe, Fonagy) needed to assess, diagnose, and treat attachment-related pathology, failure to possess the necessary knowledge in family systems therapy (Minuchin, Bowen, Haley, Madanes) needed to assess, diagnose, and treat families, the absence of necessary knowledge regarding personality disorder pathology (Beck, Millon, Kernberg, Linehan) needed to assess, diagnose, and treat personality disorder pathology, the absence of necessary knowledge regarding complex trauma (van der Kolk, Perry, Briere, Courtois) needed to assess, diagnose, and treat complex trauma pathology, and the absence of the necessary knowledge regarding the neuro-development of the brain in the parent-child relationship (Tronick, Siegel, Stern, Sapolsky) needed to assess, diagnose, and treat parent-child conflict pathology; possible violation of Standard 9.01a for failing to conduct an assessment “sufficient to substantiate their findings” by failing to apply the necessary domains of knowledge from professional psychology regarding attachment pathology, family systems therapy, personality disorders, complex trauma, and the neuro-development of the brain in childhood, to the assessment; and possible violation of Standard 3.04 for harm to the client, specifically related to any recommendations made of

limited or restricted contact with any parent, either made directly by recommendation or by de facto acceptance of pathology created restrictions, that is not justified by a DSM-5 diagnosis of child abuse. Restricting a parent's access to the child causes emotional harm to the targeted-restricted parent, in violation of Standard 3.04, and if justified by child abuse or child protection concerns then it needs to be accompanied by a corresponding DSM-5 diagnosis of child abuse. Child custody evaluators may also face additional legal liability for a failure in their duty to protect if they have not adequately assessed for the potential Intimate Partner Violence (IPV) of one (ex)-spouse inflicting IPV spousal emotional abuse on the other spouse-(and-parent), using the child as the weapon, and for possible failure to assess for a DSM-5 diagnosis of V995.51 Child Psychological Abuse relative to pathogenic parenting by the allied parent who's parenting practices are creating severe psychopathology in the child. The practice of child custody evaluations may also be in violation of Principle D of the APA ethics code for Justice, in that the procedures of child custody evaluations deny equal access and equal quality in the delivery of psychological services by restricting access to psychological input into the family conflict to only wealthier clients who can afford the child custody evaluation procedure, and through the absence of inter-rater reliability in the child custody evaluation outcomes. This seminar will discuss the domains of professional knowledge needed for professional competence in the assessment, diagnosis, and treatment of complex family conflict surrounding divorce, including behavioral psychology, attachment, family systems therapy, personality disorders, complex trauma, the neuro-development of the brain in the parent-child relationship, and cognitive dissonance relative to child interviewing, and will offer suggestions for alternative treatment-oriented assessment strategies anchored in the practices of clinical psychology.

Learning Objectives

1. Participants will be able to identify four APA ethical code Standards directly applicable to the practice of child custody evaluations.
2. Participants will be able to identify three family systems constructs directly applicable to the assessment, diagnosis, and treatment of complex family conflict surrounding divorce.
3. Participants will be able to identify three child symptom features of pathogenic parenting surrounding divorce and child custody.

Citations:

- Childress, C.A. (2015). *An attachment-based model of parental alienation: Foundations*. Claremont; Oaksong Press.
- Childress, C.A. (2017). *Assessment of attachment-related pathology surrounding divorce*. Claremont; Oaksong Press.
- Childress, C.A. (2018). *Petition to the APA*. Claremont; The Childress Institute.

Petition: <https://www.change.org/p/the-american-psychological-association-ending-parental-alienation-pathology-for-all-children-everywhere>

Biography:

Dr. Childress is a clinical psychologist specializing in attachment pathology, trauma, and family conflict, with a focus in attachment-related pathology surrounding divorce and solutions in assessment, diagnosis, and treatment for the family court. Dr. Childress spent his early career with Children's Hospitals before becoming the Clinical Director for a three-university collaborative assessment and treatment center for children ages zero-to-five in foster care, requiring an additional professional expertise in early childhood mental health and the neuro-development of the brain. Dr. Childress is currently in private practice and serves as a clinical psychology consultant to parents and attorneys in court-involved family conflict.

Presenter:

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Professional References:

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Education:

Pepperdine University; 11/00
Psy.D. degree in Clinical Psychology, APA accredited

California State University, Northridge; 6/85
M.A. degree in Clinical/Community Psychology

University of California, Los Angeles; 3/78
B.A. in Psychology, cum laude

Recent Presentations:

- Erasmus University Medical Center. Attachment-Based Parental Alienation: Trauma Informed Assessment of Complex Family Conflict. Rotterdam, Netherlands; 2/25/19.
- Dutch Ministry of Justice. Invited meeting; 2/27/19.
- Law Society of Saskatchewan. Solutions for the Family Court and Professional Psychology; Saskatoon 11/20/18; Regina 11/21/18.
- Certification Seminars for the Houston Pilot Program for the Family Courts. Attachment-Based Parental Alienation (AB-PA). 5/22-24/18; Houston, Texas.
- California Association for Licensed Professional Clinical Counselors (CALPCC). Parental Alienation Testing, Orders, and Treatment in BPD/NPD Custody Proceedings. April 20, 2018; San Francisco, CA.
- Legislature Briefing. Pennsylvania State Legislature; House Children and Youth Committee. Solutions to High-Conflict Divorce in the Family Court. November 15, 2017; Harrisburg, PA (<https://www.youtube.com/watch?v=A1a1KbfsWIM>)
- Legislature Briefing. Massachusetts State Legislature. Grandparent and Family Alienation; Hosted by Representative Walsh. 5/31/17; Boston MA.
- Association of Family and Conciliation Courts Annual Convention. An Attachment-Based Model of Parental Alienation: Diagnosis and Treatment. June 1, 2017; Boston, MA.
- Keynote Address. Parental Alienation Symposium 2017: Solutions for Professionals and Families. 4/29/17; Dallas, Texas.

Employment History:

6/08 – Current: Private Practice

219 N. Indian Hill Blvd., Ste. 201
Claremont, CA 91711

Psychotherapy with adults, couples, children, and families. Specializing in attachment pathology, ADHD, anger and impulse control problems in childhood, childhood trauma, family psychotherapy, marital therapy, and parent-child conflict.

10/06 - 6/08: Clinical Director

START Pediatric Neurodevelopmental Assessment and Treatment Center
California State University, San Bernardino
Institute of Child Development and Family Relations

Clinical director for an early childhood assessment and treatment center providing comprehensive developmental assessment and psychotherapy services to children ages 0-5 years old. Directed the clinical operations, clinical staff, and the provision of comprehensive psychological assessment and treatment services across clinic-based, home-based, and school-based services. A three-university collaboration with speech and language services through the University of Redlands, occupational therapy through Loma Linda University, and psychology through Calif. State University, San Bernardino.

5/03 – 10/06: Clinical Director

Fineman Consulting Group
Fire F.R.I.E.N.D.S. Juvenile Firesetting Intervention Program
Executive Director: Kenneth Fineman, Ph.D.

Through grants from FEMA and the Department of Justice to develop a national model for juvenile firesetting intervention, collaborated with Dr. Fineman in developing a comprehensive clinical psychology assessment protocol for the mental health evaluation of juvenile firesetting behavior.

1/12 – 12/17: Faculty

University of Phoenix
Pasadena Campus; Ontario Campus

Courses taught: Child Development; Assessment and Treatment Planning; Advanced Diagnosis; Models of Psychotherapy; Counseling Psychometrics; Research Methods; Cultural Psychology

1/09 – 9/10: Faculty

Argosy University
San Bernardino Campus
Courses taught: Diagnosis and Psychopathology; Child and Adolescent Psychotherapy; Child Development

4/02 – 10/06: Pediatric Psychologist

Children's Hospital Orange County – UCI Child Development Center
Early Identification and Treatment of ADHD in Preschoolers
Director: James Swanson, Ph.D.

Served as the primary clinical psychologist on a joint CHOC-UCI project for early identification of ADHD in preschool-age children.

4/02 - 9/02: Research Associate

Children's Hospital Los Angeles
Principle Investigator: Ernest Katz, Ph.D.

9/00 - 4/02 Postdoctoral Fellow

Children's Hospital Los Angeles
Specialty focus: ADHD; Spina bifida

9/99 - 9/00 Predoctoral Psychology Intern - APA Accredited

Children's Hospital Los Angeles

9/98 - 9/99 Research Associate

UCLA Neuropsychiatric Institute
Principle Investigator: Elisabeth Dykens, Ph.D.
Area: Cognitive functioning in Williams Syndrome

9/85 - 9/98 Research Associate

UCLA Neuropsychiatric Institute
Principle Investigator: Keith Nuechterlein, Ph.D.
Area: Longitudinal study of initial-onset schizophrenia

Divorce Training

Certificate Program: Certification in Divorce Mediation. Conflict Resolution Training, Inc.
2/24/16 - 2/27/16. Susan Deveney, Instructor

Early Childhood Training:

Certificate Program: Parent-Infant Mental Health: Fielding Graduate University, 1/14/08;
1/15/08.

Early Childhood Diagnostic System: *DC:0-3R Diagnostic Criteria*: Orange County Early
Childhood Mental Health Collaborative.

Early Childhood Diagnostic System: *DMIC: Diagnostic Manual for Infancy and Early Childhood*.
Interdisciplinary Council on Developmental and Learning Disorders: assessment, diagnosis,
and intervention for developmental and emotional disorders, autistic spectrum disorders,
multisystem developmental disorders, regulatory disorders involving attention, learning and
behavioral problems, cognitive, language, motor, and sensory disturbances.

Early Childhood Treatment Intervention: *Watch, Wait, and Wonder*: Nancy Cohen, Ph.D.
Hincks-Dellcrest Centre & the University of Toronto.

Early Childhood Treatment Intervention: *Circle of Security*: Glen Cooper, MFT, Center for
Clinical Intervention, Marycliff Institute, Spokane, Washington.

Publications:

Childress, C.A. (2018). *The Petition to the American Psychological Association*.
Claremont, CA: The Childress Institute.

Childress, C.A. (2017). *Assessment of Attachment-Related Pathology Surrounding Divorce*.
Claremont, CA: Oaksong Press.

- Childress, C.A. (2017). *Strategic Family Systems Intervention for AB-PA: Contingent Visitation Schedule*. Claremont, CA: Oaksong Press.
- Childress, C.A. (2017). *The Key to Solving High-Conflict Divorce in the Family Courts: Proposal for a Pilot Program in the Family Law Courts*. Claremont, CA: Oaksong Press.
- Childress, C.A. (2016). *The Narcissistic Parent: A Guidebook for Legal Professionals Working with Families in High-Conflict Divorce*. Claremont, CA: Oaksong Press.
- Childress, C.A. (2015). *An Attachment-Based Model of Parental Alienation: Foundations*. Claremont, CA: Oaksong Press.
- Childress, C.A. (2015). *An Attachment-Based Model of Parental Alienation: Single Case ABAB Assessment and Remedy*. Claremont, CA: Oaksong Press.
- Childress, C.A. (2015). *An Attachment-Based Model of Parental Alienation: Professional Consultation*. Claremont, CA: Oaksong Press.
- Childress, C.A. (2015). *Essays in Attachment-Based Parental Alienation: The Internet Writings of Dr. Childress*. Claremont, CA: Oaksong Press.
- Childress C.A. (2000) *Ethical issues in providing online psychotherapeutic interventions*. Journal of Medical Internet Research, 2(1):e5.
- Childress, C.A. (1999). *Interactive e-mail journals: A model for providing psychotherapeutic interventions using the Internet*, *Cyberpsychology and Behavior*, 2(3), 213-221
- Childress, C.A., & Asamen, J.K. (1998). *The emerging relationship of psychology and the Internet: Proposed guidelines for conducting Internet intervention research*. *Ethics and Behavior*, 8, 19-35.

“Parental Alienation” Seminars and Presentations Given:

- Law Society of Saskatchewan. Solutions for the Family Court and Professional Psychology; Saskatoon 11/20/18; Regina 11/21/18.
- Attachment-Based Parental Alienation (AB-PA) Certification Seminars for the Houston Pilot Program for the Family Courts. May 22-24, 2018; Houston, Texas.
- California Association for Licensed Professional Clinical Counselors (CALPCC). Parental Alienation Testing, Orders, and Treatment in BPD/NPD Custody Proceedings. April 20, 2018; San Francisco, CA.
- Certification in Attachment-Based Parental Alienation (AB-PA). Provided Basic and Advanced Certification Seminars in AB-PA. November 18-20. Westin Hotel Pasadena, CA.
- Legislature Briefing. Pennsylvania State Legislature; House Children and Youth Committee. Solutions to High-Conflict Divorce in the Family Court. November 15, 2017; Harrisburg, PA (<https://www.youtube.com/watch?v=A1a1KbfsWIM>)
- Legislature Briefing. Massachusetts State Legislature. Grandparent and Family Alienation. Hosted by Representative Walsh. 5/31/17. Boston MA.
- Association of Family and Conciliation Courts Annual Convention. An Attachment-Based Model of Parental Alienation: Diagnosis and Treatment. June 1, 2017. Boston, MA.

Keynote Address. Parental Alienation Symposium 2017: Solutions for Professionals and Families. 4/29/17; Dallas, Texas.

Master Lecture Series; California Southern University. *An Attachment-Based Model of "Parental Alienation": Diagnosis and Treatment*. November 21, 2014; Irvine, CA. (available online at <https://vimeo.com/calsouthern/review/113572265/8d0b48de77>)

Family Law Reform Conference. Invited Panelist: *Parental Alienation and Domestic Violence*. Hosted by DivorceCorp. November 15-16, 2014; Alexandria, VA.

Master Lecture Series; California Southern University. *Theoretical Foundations of Attachment-Based Model of "Parental Alienation."* July 18, 2014; Irvine, CA. (available online at <http://www.calsouthern.edu/content/events/parental-alienation-an-attachment-based->

Early Childhood Mental Health Seminars and Trainings Given:

Early Childhood Intervention with "Behavior Problems" in the Preschool Classroom. San Bernardino Head Start Preschool Teacher Training Series (10/27/06; 11/3/06; 11/17/06).

Early Childhood Intervention with "Behavior Problems" in the Preschool Classroom. San Bernardino West End SELPA Preschool Teacher Training Series (10/17/06; 11/7/06; 12/5/06).

Early Childhood Intervention with "Behavior Problems" in the Preschool Classroom. San Bernardino West End SELPA Preschool Teacher Training Series (10/31/06; 11/14/06; 12/12/06).

Early Childhood Intervention with "Behavior Problems" in the Preschool Classroom. (5/12/06). Apple Valley Head Start, Apple Valley, CA

Early Childhood Intervention with "Behavior Problems" in the Preschool Classroom (5/5/06). Victorville Head Start. Victorville, CA

Early Childhood Intervention with "Behavior Problems" in the Preschool Classroom. (11/12/04). National Association for the Education of Young Children Conference, Anaheim, CA

Functional Behavioral Analysis and Positive Child Guidance with Preschoolers. (5/1/04). Westminster School District. Westminster, CA.

Functional Behavioral Analysis with Preschool-Age Children - Seminar Series. (3/5/04; 4/2/04). Placentia Yorba Linda School District; School Readiness Coordinators. Yorba Linda, CA

Functional Behavioral Analysis with Preschool-Age Children - Seminar Series. (2/6/04; 2/13/04; 2/20/04). Irvine Unified School District. Irvine, CA.

Functional Behavioral Analysis and Positive Behavior Management with Children. (12/3/03). Orangewood Preschool, Irvine, CA

Early Childhood Working with "Problem Behavior" in the Preschool Classroom (10/31/03). Orange County Head Start; Teachers & Teacher Aides. Bren Events Center, University of California; Irvine, CA.

Functional Behavioral Analysis and Positive Child Guidance with Preschool-Age Children. (10/17/03). Irvine Unified School District. Irvine, CA.

Functional Behavioral Analysis with Preschool-Age Children - Seminar Series. (9/26/03; 10/17/03). Orange County Head Start Center Directors and Multi-disciplinary Teams. Orange, CA.

Internet Psychology Seminars and Presentations Given

World Health Organization, 2nd International Symposium on Psychiatry and Internet: Information – Support – Therapy. Invited presentation on *Ethical Issues in Online Psychotherapeutic Interventions*. 4/2002, Munich, Germany.

American Association for the Advancement of Science and the Office of Protection from Research Risks, Conference on the Ethical and Legal Aspects of Human Subjects Research in Cyberspace. Invited paper presentation on *Privacy and Confidentiality Issues in Internet Research*. 6/1999, June. Washington, D.C.

American Psychological Association Convention, Symposium on Using the Internet for Change: Online Psychotherapy and Education. J. Grohol (Chair): *The Potential Risks and Benefits of Online Therapeutic Interventions*. 8/1998; San Francisco, California.

Attachment & Divorce Pathology Online Seminars & Material:

- Parental Alienation: An Attachment-Based Model
California Southern University; 7/18/14
www.calsouthern.edu/content/events/treatment-of-attachment-based-parental-alienation
- Treatment of Attachment-Based Parental Alienation
California Southern University; 11/21/14
www.calsouthern.edu/content/events/treatment-of-attachment-based-parental-alienation

Website: drcachildress.org

Blog: drcraigchildressblog.com

Facebook: Alliance to Solve Parental Alienation