

Parenting Evaluations:

What Defenders Need to Know

2024 Parent Attorney Conference
UNC School of Government

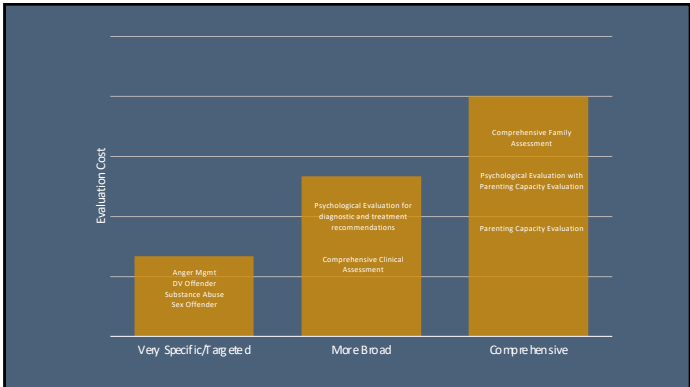
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Agenda

- PCEs vs. other evaluations
- Evaluation process
- What they do tell us
- What they do *not* tell us
- Best practices and standards
- What to do when you receive a poorly done evaluation

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Very Specific/Targeted Evaluations

- Anger Management Assessment
- DV Offender Assessment
- Substance Abuse Assessment
- Sex Offender Recidivism Assessment*

** Must be criminally charged OR substantiated by DSS*

Billable through insurance and offered by local mental health agencies

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Broad Evaluations

- Comprehensive Clinical Assessment
- Psychological Evaluation for diagnosis and treatment recommendations

Billable through insurance

Offered by local mental health agencies and private practices

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So...what *is* a parental capacity evaluation??

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Evaluation of risk and protective factors specific to the caregiver and the child

- Risk Factors:
 - Factors that are known to be associated with, or predictive of, negative outcomes
 - Factors that are likely to lead to the needs of the child not being met

- Protective Factors:
 - Factors that protect or buffer a child against negative developmental outcomes
 - Factors that are likely to lead to the needs of the child being met
 - Or, characteristics that decrease the impact of abuse or neglect

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Comprehensive Clinical Assessment

- Self Report
- Very little record review is done
- Highly unlikely that any testing will be done
- Typically completed by a bachelor's or master's level clinician who has limited training on the nuances of diagnosis and parental fitness

Parenting Capacity Evaluation

- Multiple data points, including the parent's interview
- Full record review should be done including child and parent records
- Various tests are used depending on the allegations and raised concerns
- Completed by master's or doctoral level clinicians who have training in nuanced diagnostic presentations and parental fitness

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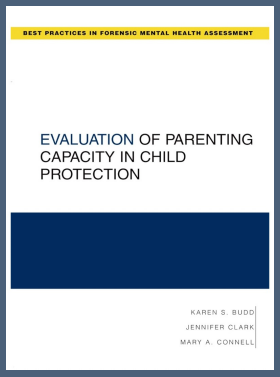
PCE Process

- Review of records
- Interviewing examinees/parents
- Interviewing collaterals or third party sources, if applicable
- Observing parents with their children, if applicable
- Conducting testing
- Interviewing the child, if applicable
- Data analysis
- Report writing + editing

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Guiding Literature

- Evaluation of Parenting Capacity in Child Protection
- Specialty Guidelines for Forensic Psychology
- Guidelines for Psychological Evaluations in Child Protection Matters
- American Psychological Association Ethical Principles and Code of Conduct



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What training is needed?

- Can be completed by a licensed mental health professional
- The evaluator should have experience and training in forensic psychology
- They need to be able to maintain a level of objectivity needed for legal contexts
- They also need to be knowledgeable child development, family relationships and dynamics, and parenting
- Understand their role, the differences between clinical work and forensic work, and what is within one's scope

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So, what does a PCE tell us?

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What it DOES tell us	What it does NOT tell us
<ul style="list-style-type: none"> • The <u>fit</u> between the parent and child • Risk and protective factors related to future abuse and/or neglect • Likelihood/probability the parent can sole caregiver 	<ul style="list-style-type: none"> • Custody arrangements, parenting time, etc • Whether the child should be in a placement or in the parental home • Whether or not abuse occurred

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IMPORTANT!!

- A mental health diagnosis or IDD should NEVER be used as a reason for lack of fitness
- It is the presentation of symptoms that is considered for the parent's ability to meet their child's needs
- There is NO diagnosis that automatically renders a parent incapable of parenting

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How to recognize a evaluation

- The evaluator does not have the requisite education, training, and/or experience
- The evaluation does not address BOTH child and caregiver risk and protective factors
- The evaluator does not address the lack of fit between the child's needs and the parent's ability to meet them
- The evaluator determines the parent's diagnosis is the sole reason for inability to sole caregiver
- Did not read DSS records, relevant medical/mental health/etc records
- The evaluator made opinions outside of their scope (parenting time, placement recommendations, determination of whether abuse occurred)

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What do you do, as an attorney,
when you get a 🍌 evaluation?

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If....

The clinician provided recommendations
outside their scope

Then...

You can call them to testify
Ask them how that is within the scope of
the referral
If they remain adamant that it is, have
them identify (or you identify and
question them) the standards, ethical
principles, etc which allows them to
make recommendations outside their
scope

Request a new evaluation

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If....

The clinician did not review relevant
records

Then...

You can call them to testify
Point to the ethical code which indicates
there must be adequate foundations for
opinions

Request a new evaluation

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I know when you represent a parent, they can be a little difficult or problematic.

If they are required to have a PCE, as someone who has completed nearly 200, I view it way more favorable when a parent participates because they're making the effort.

Even if they give us the worst thing, it can be useful for things to work on.

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Questions?

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