

Psychological Evaluations in Child Maltreatment Cases

*Prepared for the Children's Law Office
by*

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There are many situations in which you may be confronted with legal questions that require psychological information about a family.

- *a mother who appears depressed, mentally ill or retarded--can she benefit from services?*
- *a father who is loving towards his child--could he have abused this child?*
- *child who sits on your lap but avoids interacting with her parent--is she attached to the parent?*
- *a child who seems out of control--has something traumatic happened to this child?*
- *a child who is withdrawn in foster care and failing in school--what kind of placement does this child need?*
- *a child who acts out after visits with a parent--should visits continue?*
- *a child who is sexually acting out--has he been abused?*
- *a child who reports that she was sexually abused by her parent but is in the midst of intense parental conflict--is she telling the truth about being sexually abused?*

These situations are examples of the very complex kinds of questions that arise when dealing with maltreated children and their families in the legal system. When family cases come before court, there are several critical issues and questions about the best interests of the child that require psychological information. Often there is insufficient information to resolve these questions so that a sound decision based on the best interests of the child can be made. Fundamental questions include:

- Does the parent have the skills to parent this child?
- Does the parent have personality, intellectual, or social problems that block their ability to benefit from services or to improve parenting in order to keep this child safe and provide adequate caretaking?
- Does the child have special needs to which a parent must respond and does this parent have the capacity to respond to them?
- Can the child testify in court without additional trauma? Can the child understand the court proceedings?
- Does the child perceive these parents as loving and able to protect and care for them or as hurtful, rejecting, or unavailable? Does the child have a strong attachment to this parent?
- Does the child report abuse, neglect, or threat or show the symptoms of maltreatment? Is this child depressed, anxious or show signs of trauma or behavior problems?
- Does the child show the capacity and motivation to bond with a family?
- What kinds of treatment or services are best suited for this child or family?

A psychological evaluation can provide empirical data and expert objective opinion to aid in answering these kinds of questions. However, too often psychological evaluations are not requested when they would be useful, are aimed at answering the wrong questions, or are too general to answer specific questions. The aim of this packet is to assist you in knowing when psychological evaluations can be useful and in making the most of psychological evaluations. The packet will focus on building your skills in determining:

- What is a psychological evaluation;
- What procedures, measures, and tests can be part of a psychological evaluation and what kinds of information and results can they provide;
- How to understand and interpret the kinds of information in a psychological evaluation;
- What questions can psychological evaluations answer and what questions can they not answer;
- How to guide the process and communicate with the evaluator to make the evaluation most useful to you;
- How to select an evaluator who is qualified and to determine a reasonable cost.

WHAT IS A PSYCHOLOGICAL EVALUATION?

A psychological evaluation uses a combination of 1)structured, objective and normed tests, 2)unstructured, subjective or projective personality measures and 3)behavioral observations. The evaluation provides a profile of a person's abilities, styles, needs and resources in a range of situations and compared to others. A psychological evaluation can include assessment of intelligence, academic achievement and learning problems, personality profile, behavior problems or symptoms. It may include assessment of particular issues, such as parent-child interaction, parenting skills, sexual problems, or developmental problems. A psychological evaluation may include several members of a family in order to assess issues such as quality of interaction, parent-child relationships, or attachment.

A psychological evaluation is **not a forensic evaluation**. A forensic evaluation is designed to collect evidence about whether abuse did or did not occur. Instead, the psychological evaluation focuses on psychological issues such as the person's capabilities, perceptions and needs.

A psychological evaluation in a case of maltreatment is different from a traditional or more general psychological evaluation. Experts in maltreatment recommend that psychological evaluations in maltreatment cases be **therapeutic in nature, take place over several sessions, include multiple types of assessment and multiple settings**. In essence, to be therapeutic the assessment must be designed to be supportive and respectful and to address difficult issues of maltreatment in a way that allows the child not to feel rushed, pressured or misused but instead heard and taken seriously. Several sessions are necessary both to develop some trust, to see the child over a more extended period in which there is a greater chance of opening up, and to provide for more depth of assessment. Multiple types of assessment provide different kinds of data that can be compared to get a fuller picture.

A psychological evaluation begins with a referral question that it is designed to answer. A high quality psychological evaluation uses **normed tests, informal assessment measures, and behavioral observations** in combination to provide a multiperspective approach to answering specific questions.

Normed Tests

Normed tests are a set of structured tasks given under standard conditions to assess

some aspects of a person's intelligence, skills or personality in comparison to others and which provide an objective, quantitative score. The following are examples of normed tests and the kind of information they provide.

- Intelligence tests: e. g., Stanford-Binet Intelligence Scale, Wechsler Intelligence Scale for Children, Preschool or Adults, Kaufman Assessment Battery for Children, Slosson Intelligence Test. Intelligence tests provide an IQ score that compares this child's performance on school related cognitive skills to other children who are the same age. It mathematically computes scores so that a score of 100 is in the 50th percentile (exceeds the performance of 50% of people this age) and a score of 120 is in the top 10 percent. Intelligence tests also can provide a profile of cognitive strengths and weaknesses. They can be useful in determining developmental problems and special needs such as attention, memory or impulse control problems. They can also indicate the person's style in handling frustration and challenge, their ability to handle distractions, and their self-confidence.
- Personality tests: e. g., Minnesota Multiphasic Personality Inventory. On personality tests like the Minnesota Multiphasic Personality Inventory, a person's true-false responses to many items are compared to other people to determine the level of deviation from the average profile on a number of dimensions. The norms provide a data base from which to make recommendations based on research. For example, a conclusion that people with a similar MMPI profile are not likely to respond well to therapy is based on empirical statistics. However, a major caution of personality tests is that knowing that people with similar profiles respond in a certain way does **not** mean that this person will respond that way. It is a statistical probability and not a certainty. Personality tests like the MMPI are often used to assess personality issues of parents that may interfere with parenting, such as depression, suspiciousness, or antisocial behavior. However, knowing that a parent may show personality problems does not mean provide information about their parenting skills or relationship with their child.
- Adaptive behavior tests: e. g., Vineland Adaptive Behaviors Scales, AAMD Adaptive Behavior Scale. Adaptive Behavior Inventory for Children. Adaptive behavior scales measures daily living skills compared to others the same age. Generally, adaptive behavior skills are assessed by interviewing a caregiver or teacher. Unfortunately, a child's score may be affected by biases of the caregiver. For example, if a foster mother is overprotective with a child she may underestimate the child's ability to dress or feed herself. Adaptive behavior skills can be especially important to assess in maltreated children who may show deficits on academic skills but show more strengths in daily life skills that they have needed for survival. However, some neglected or abused children may show serious deficits in these areas because their experiences have been limited by their environment. Adaptive behavior skills can provide information about a child's needs that may be helpful in placement decisions.
- Academic achievement tests: e. g., Woodcock-Johnson Psycho-Educational Battery, Wide Range Achievement Test, Kaufman Test of Educational Achievement. Academic achievement tests assess specific cognitive skills and academic progress. Frequently children who have been maltreated show

significant learning problems and academic deficits. Achievement tests can pinpoint needs.

Normed tests are the backbone of psychological evaluations and are useful in several ways. They provide objective information about a person's skills and capacities. Since normed tests are taken under standardized conditions and instructions, they provide an opportunity for behavioral observations that can be compared to others in this situation. They are quantitative and so can provide a measure of change over an extended period of time.

For a child, normed tests can provide invaluable information about the child's developmental level, educational needs, motivation and behavior. For a parent, normed tests can answer questions about cognitive abilities, intellectual or personality skills that may interfere with learning, and treatment needs.

The disadvantage of normed tests is that they tend to provide general information that may not be of use for a particular purpose. Since normed tests can be time-consuming and expensive to administer, they may preclude getting more specific information. For example, if a mother functions well in a job and daily living, an intelligence quotient may not provide necessary information about the adequacy of her relationship with her child. Or if a child has been traumatized, academic achievement scores may not be helpful in determining the needs of the child for treatment or placement.

Informal Assessment Measures

Informal assessment includes a range of measures such as interviews, projective tests, drawings and stories, and many others. Informal assessments include a wide range of measures such as the following.

- Standardized custody assessment measures. The ACCESS evaluation (A Comprehensive Custody Evaluation Standard System) developed by Barry Bricklin and Gail Elliot provides a range of standardized interviews and rating scales of parents, children, physicians, teachers and other sources, standardized observation forms for observing parent and child interaction and the quality of the home environment, and measures of the child's perception of the parent. The Custody Quotient, for example, provides structured questions for interviewing the parent about their approach to parenting, emotional responsiveness to child, values, and ability to provide for the child's needs and provides objective criteria for rating the quality and honesty of the parent's responses. The Parent Awareness Skills Survey reflects the sensitivity and effectiveness with which a parent responds to typical child care situations. The Parent Perception of Child Profile elicits the parent's understanding of a particular child. The Bricklin Perceptual Scales assess the child's perception of his or her parent's competence, supportiveness, consistency and admirable personality traits. The Perception-of-Relationship Test uses a series of drawings to assess the how the child perceives his or her relationship and closeness with the parent. These measures provide information of particular interest in child maltreatment cases about the parent's competence and ability to perceive and meet the needs of the child, the quality of the parent-child relationship, and the child's attachment to the parent.

They provide a data-based approach for making recommendations about a child's needs and placement.

- Standardized interviews that focus on particular issues, such as the Traumatic Events Interview that focuses on the traumatic event, feelings and thoughts. Standardized interviews focus on the abuse and can be especially useful since they provide a standardized format for delving into the abuse in a way that is therapeutic and assesses the child's needs and perceptions.
- Projective drawings such as the draw-a-person or kinetic family drawing are often used with children to elicit their feelings or thoughts. Projective drawings are based on the assumption that people "project" their own needs, feelings and thoughts. In the Draw-A-Person task a child is asked to draw a person and the drawing is assessed for developmental level, self-concept, indications of anxiety or other feelings. In the Kinetic Family Drawing a child is asked to draw a picture of their family doing something together. The drawing can indicate whom the child perceives as part of their family, closeness and distance, and other perceptions. Drawings provide a way to engage a child in discussions or in telling more about their ideas or feelings. The evaluator must be cautious in interpreting drawings. Drawings may be wishes, fantasies or imitations and not reflect reality. A child may draw a picture of him and his dad playing but that may be his wish and not what actually happens. Nevertheless, drawings may provide a window into the child that more direct questions block.
- Projective stories may be very useful, especially when the child or adult is guarded about talking. The Thematic Apperception Test or Children's Apperception Test focuses on general needs and perceptions, Roberts Apperception Test focuses on family relationships, and the Projective Storytelling Test focuses on abuse and neglect. Each of these presents a picture and asks the person to tell a story about it and then assesses the responses for coping style, feelings, needs and themes. The Projective Storytelling Test can be useful for children who will not respond to direct questions about abuse in indicating high levels of emotion or recurring themes. These stories provide a way for adults or children to express their needs and feelings and ways of looking at the world. Incomplete sentences and other written measures are other examples of projective measures to assess feelings, perceptions and needs. Again, however, even a detailed projective story does not indicate that an event actually occurred.
- Play interviews may be especially useful for very young children who may have difficulty verbalizing or even drawing. Puppets, dolls or animals may be used to interview the child in a way that engages and allows the child to express his or her needs and feelings. In projective play, a child may be asked to use fantasy to communicate about difficult issues. For example, a situation may be set up in the doll house with the child waking up at night crying and the child asked to play out what happened and what will happen next. Or a child might be asked to set up a world in a sand tray and to describe it. The child with a doll family can be asked to show what the child does when scared, or asked with whom the child wants to play. The responses may not reflect what happens but can assess the child's feelings and wishes.

Unstructured measures are essential to a psychological evaluation. They can focus in on the specific questions of the evaluation. They can provide more detailed information about the person's style of coping, thinking, and feeling.

Unstructured measures are by definition subjective. They require some qualitative interpretation by the examiner. While some measures provide clear and researched standards for interpretation, others are completely subjective. For example the Custody Quotient provides clearly defined rating scales for evaluating a person's responses. In contrast, evaluation of projective stories is based more on theoretical assumptions. It is important to be cautious when interpreting informal assessments. First, the person's self-report on informal assessment may be biased. A mother may report being affectionate and nurturant toward her child but that may not be what she usually does. In normed tests, the behavior is actually measured. In unstructured measures, the person is reporting on their behavior, their thoughts, their feelings; and it is important to be cautious about the meaning of this report. Second, examiners may disagree in the interpretation of the same data. It may be difficult to determine the validity of an interpretation. If a drawing or story is described as showing insecurity or aggression, it is important to know what data led to this interpretation. Examiners should be clear about closely basing their interpretation on the behavior.

Behavioral Observations

Behavioral observations are an essential anchor for a psychological evaluation. They may be informal observations of the person's style, posture, tone of voice, intensity during interviewing or testing. For example, during an interview about the child, the examiner may observe that a parent kept changing the subject to their own problems or sat tensely without smiling. Observations may include verbatim reports of a person's comments or their language style. Observations may be structured in different settings or situations, at home, at school, in the waiting room, in the play room. For very young children, observations during play may be essential. They may be structured around a specific task, such as a parent and child building something together, drawing, or cleaning up,

Behavioral observations provide a view of the person's actual reactions and responses to different situations. Behavioral observations may provide the best measure of many questions involving parent-child interaction or attachment. The best data about the quality of a parent and child's relationship is provided by observing them together. Of course, these situations may not reflect that person's usual behavior. A child who is wary and withdrawn in the examiner's office may be outgoing at home. A mother who is smiling and playful in the playroom with her child may be depressed and unavailable at home. The examiner must be cautious about generalizing from the observed situations to others. Nevertheless, the behavioral observations provide views of actual behavior rather than reports and can highlight consistencies or discrepancies between what a person says and does.

In summary, a high quality psychological evaluation offers a compact and efficient way to provide a multidimensional picture of a person's psychological capacities and needs. A good psychological evaluation is focused on providing data from a range of situations and responses to answer a specific referral question. It includes normed tests to provide

quantitative comparisons, informal assessments of a person's needs, thoughts and feelings using interviews, drawings, stories, and other measures, and observations of the person's behavior, coping, style and approach in a range of situations and interactions.

PARTS OF A PSYCHOLOGICAL EVALUATION

Psychological evaluation of a child in a maltreatment case includes some or all of the following components.

Interview of caregiver

The interview of the caregiver provides background and history about the child's adjustment, behavior problems, coping style, relationships. The caregiver can provide a picture of the child's current environment and how the child copes with daily stresses and relates to the people around him.

Interview of child

An interview with a child may begin with general conversation to build rapport and to get to know the child, including things about what the child likes and dislikes and his daily routine. However, even with young children, the interview should focus in on the central issues including: their understanding of why they are there (and clarification), their descriptions and feelings about their current home environment, their perceptions of their relationship with their parents and their memories and feelings about them, and their hurts, wishes and needs.

Interviewing a child takes special skills and is quite different from interviewing an adult. With very young children and older children that are not comfortable with verbalizing, the interview may use play, puppets or drawings to make it easier for the child to communicate. The interviewer may have to use more directive questions. The interviewer has to be more sensitive to how difficult it can be for children to talk about feelings that are uncomfortable and about traumas that they want to forget.

The interview provides specific information from the child's perspective about the questions at issues. It also allows the opportunity for behavioral observations as the child communicates. The child may share a positive memory about their parent but look sad and hang their head. This can provide the chance to talk about these feelings-- whether the child is missing the parent, thinking about something sad or scary that happened, thinking that no one loves him. While a child should never feel pressured into choosing whom to live with, a child should feel that what they need and want is important and that the people who are deciding what will happen to him, care about him.

Cognitive and achievement testing

Cognitive and achievement testing can be important in determining a child's needs and capacities. In addition, testing provides the opportunity to observe the child's cooperation and compliance with structure, ability to handle frustrations, ability to persevere and stay focused. The child's verbal abilities, activity level, and problem-solving can be assessed. Maltreatment can affect cognitive development and learning

problems that may often be overlooked. A clear assessment of the child's cognitive abilities can be important in determining their needs.

Projective testing

Children typically have difficulty verbalizing their thoughts and feelings, especially about issues that provoke anxiety or discomfort. Projective techniques like drawings, stories, fantasy play, and incomplete sentences provide a way for them to communicate how they see themselves and their world. Often children who are guarded about talking about their families and selves can tell much about their world through stories. Of course, however, a story must be interpreted with caution. A child who tells a story about killing a parent may be indicating the intensity of their anger but not their intention.

Checklists of symptoms or behavior problems

Checklists of symptoms or behavior problems provide an overview of the child's problems and needs compared to others this age. Some checklists are completed by caregivers, teachers, or the child. Some are general like the Child Behavior Checklist and provide a profile of child behavior problems in different areas such as anxiety or aggression. Others focus on specific areas such as hyperactivity, self-esteem, depression or anxiety. Other may focus on trauma symptoms, such as the Child Sexual Behavior Inventory. Checklists can be useful in determining the child's needs and symptoms of distress.

Behavioral observations

All of the assessments above provide varied settings in which to observe the child. However, specific settings may be essential for answering some questions. Questions about the quality of relationships can best be answered with direct observations of the relationship.

Behavioral observations can be structured to elicit certain kinds of information. A parent can be asked to teach their child a task, or to get their child to clean up, or to play whatever the child wants. Siblings can be observed making something together. A child can be asked to help a doll that is hurt.

Behavioral observations can be assessed by asking other observer for specific information. A teacher can be asked to estimate the percentage of time a child is on task. A caregiver can be asked to keep track of the number of tantrums each day.

Report of assessment and recommendations

A psychological evaluation should provide a clearly written report that summarizes the background and data and presents a clear summary of the issues and recommendations. The report should avoid jargon and focus on the psychological issues and their implications. The report should clearly summarize the data related to the questions addressed.

GETTING A USEFUL PSYCHOLOGICAL EVALUATION

Chances are that you may have read some psychological evaluations and found that they were not very helpful. Traditional psychological evaluations may present IQ scores

and test data with excessive jargon and vague comments about abilities or self-esteem. For psychological assessment to be useful it should: **target key questions, objectively evaluate the key people, use specific measures, and provide specific recommendations.** If you are the person requesting the psychological evaluation, you can collaborate in making the evaluation useful by working directly with the psychologist in formulating each of these steps.

As a case study, imagine the following situation. A ten year old girl and her six year old brother were placed taken into emergency protective custody when they were left alone in their house by their mother. The home was dirty with no food in the refrigerator. The mother was out with her boyfriend at a bar. The children have been in two separate foster homes for the past nine months. They have had visits with their mother and are reported to be glad to see her. However, she has not pursued her treatment plan of getting a job, completing alcohol treatment, and improving the condition of her home. The girl has made a good adjustment to her foster home but talks about wanting to go home and worrying about her mother. The boy has been having trouble following instructions at school and at home and has been observed by his foster mother masturbating and trying to touch the private parts of his foster sister, especially after visits with his mother.

Target Key Questions

A complex case like the one described above suggests several key questions like the following: should the mother's rights be terminated for not following through on her treatment plan, is she likely to be able to benefit from treatment? Is the mother capable of recognizing and meeting the children's needs? Are the children attached to their mother? Are the visits beneficial or harmful to the children? Do either of the children have special needs and is the boy's sexual acting out a possible sign of sexual abuse? Would the children benefit from being placed together? Would the children bond in an adoptive placement? Do either of the children need special services (for example, psychotherapy, therapeutic placement, medication, etc.). The answers to all these questions would be helpful in guiding the legal and treatment issues facing this family. However, some of these issues may be more of a priority at this particular period.

A psychological evaluation can be guided by these key questions. You can guide the evaluation by providing the psychologist with a specific set of questions that are critical at this time. You can prepare the evaluation by providing relevant background, history and records. You can collaborate with the psychologist in prioritizing questions. A psychologist can clarify questions that may not be possible to answer. For example, the evaluation can not determine if the child's having trouble following directions is due to one particular cause.

Objectively Evaluate Key People

A complex evaluation may need to include key people either as a primary focus or as collateral contacts. If the biological mother is living with the boyfriend his competence in parenting may need to be assessed. If there is a question about the siblings being placed together, it may be essential to observe them together. If young children are to be evaluated, it is important to select an evaluator who is experienced in working with young children.

In order to assure that the necessary data is collected from the key people, it may be helpful for you to provide a list of the key people and the questions associated with each. Often when several key people are involved they may be evaluated separately by the same evaluator or by different evaluators. Separate evaluations make it difficult to coordinate the data. To provide objective data, the evaluator must evaluate the key people involved without "working for" one person. For example, an evaluator who just evaluates the mother may ally with the mother's point of view without being able to balance it with the child's. If the evaluation of the mother indicates that mother is loving and responsive, but the evaluation of the son indicates that he sees her as unavailable, which data is more important. It is helpful to combine the findings about the key people in a way that addresses consistencies and discrepancies.

Specific Measures

It is essential to use specific measures to answer the key questions. If the key question is whether the mother can provide safe and consistent caretaking, it may be inadequate to know her IQ and MMPI profile. Rather, it may be important to know her ability to understand the needs of her children and to interact positively with them. To make the evaluation more useful, it may be helpful to collaborate with the evaluator in discussing the kinds of measures that would be useful or not useful.

Provide Specific Recommendations

It can be very frustrating to receive a long awaited evaluation and jump to the end to find that the recommendations are vague and unhelpful. You can collaborate with the evaluator in discussing the issues that will be addressed in the recommendations. An evaluation should not try to make the decisions that a judge must determine. An evaluation should not go beyond the data, for example by saying that the mother is unfit when she has not been evaluated. An evaluation should provide specific recommendations based on the data, for example describing the quality of the attachment, the effects of visitation, the fears, wishes and needs of the children

GUIDING THE EVALUATION

Your role is critical to assure the evaluation is useful in several ways: **select a qualified, experienced psychologist, collaborate, and provide feedback.**

Select a qualified, experienced psychologist.

Many evaluators are not qualified to evaluate maltreatment cases. Some may be inexperienced in working with young children or maltreatment and may be uncomfortable assessing the sensitive issues. They may provide a generic psychological evaluation that does not address the key questions. Others may not be objective but be hired by an attorney to provide support for their client.

Different disciplines are trained in different kinds of evaluation. Forensic evaluators focus on evidence and guilt. Psychiatric evaluations tend to focus on psychopathology. Psychologists are trained to do objective standardized testing and multimethod assessment and to be sensitive to family and developmental issues.

Check carefully on the experience of the psychologist in evaluating maltreatment cases. If you are unfamiliar with the psychologists, seek recommendations from colleagues. You may even ask to see a copy of their resume or previous evaluations. Ask specific questions about their experience in working with similar cases and how they handled it.

Collaborate

As we have been reiterating, your collaboration is important in getting a useful evaluation. To determine a fair and reasonable price for the evaluation, ask about the number of contact hours and the hourly rate. Discuss the people who will be involved in the evaluation and the kinds of measures that will be used. Discuss the kinds of data that will be provided to answer the key questions.

Provide feedback

After you have received a report, contact the evaluator to provide feedback, asks questions about parts that may not be clear, clarify recommendations, or discuss interpretations. The report should be useful to you.

SUMMARY

A well-designed and executed psychological evaluation can be extremely beneficial in maltreatment cases. It can be therapeutic for children, providing them support and an empowering voice at a time when they can feel shut out and ignored. It can provide data for making difficult legal and system decisions about families. It can provide guidance about the needs of children and families and the services best suited for them. By being informed about the role of psychological evaluations, you can guide the evaluation to make it useful and use the data to help children and families.

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