



Psychiatry & Behavioral Sciences Section – 2005

I11 Minimizing Detrimental Effects of Child Custody Litigation on Children

Julie Y. Low, MD, St. Vincents Hospital/NY Medical College, 144 West 12th Street, Reiss 175, New York, NY 10011-8202*

After attending this presentation, attendees will be able to identify, isolate, and counteract specific negative effects of custody litigation on the children involved.

This presentation will impact the forensic community and/or humanity by helping the forensic examiners to be sensitive to the needs of the innocent children caught between two warring parents and their lawyers. With the learned material, the examiner will help the children weather the adversarial atmosphere in an optimal way and thrive in the new circumstances of their lives.

Child custody litigation can often be a process fraught with tension, resentment, and conflict. Therefore, this type of litigation has the potential to create deleterious psychological effects not only on the parents involved in the custody dispute, but also on their children. It is not automatic, however, that the psychological ramifications of custody proceedings must be negative. The forensic examiner can take positive steps towards facilitating and optimizing the outcome of this complex proceeding. The primary intervention is to encourage the parents' understanding of the crucial difference between their marital dispute and their mutual obligation and responsibility towards their children. Once that is achieved, the forensic examiner must also evaluate and understand the children's perspective of the divorce, and then he or she must principally act to protect and promote the best interests of the children. The forensic examiner has the unique opportunity to help forge a new relationship between the parents, one that can potentially ease the transition and future effects of the divorce on the entire family. In this article, potential detrimental effects and ways to minimize their impact will be comprehensively discussed.

Child Custody, Child Psychopathology, Forensic Neutrality