



## Psychiatry & Behavioral Sciences Section – 2007

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### **I5 Consideration of Parental Mental Illness in Child Custody Recommendations**

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After attending this presentation, attendees will understand the various issues involved in assessing the role of mental illness in parenting ability.

This presentation will impact the forensic community and/or humanity by assisting the forensic community to be better able to help judges in their determination of child custody for children with parents who have mental illness.

The evaluation of the parent's mental illness is important in determining the parental choice for custody in child forensic cases. The parents can have psychotic illnesses, non-psychotic illnesses (depression, anxiety, hypochondriasis, etc), personality disorders, and substance use and abuse disorders. It is important to evaluate the severity of the illness in the parent and the impact of the illness on the parent's activities of daily living. The evaluator needs to evaluate if the illness affects the capacity for caring for the child, and the capacity of the parent for caring for themselves. The assessment should include an evaluation of the parent's treatment compliance and the importance regarding the child's care. Along with compliance, the evaluator needs to assess the illness stability and the frequency of breakthrough exacerbations. Finally the evaluator needs to assess the child's understanding of the parent's illness and the capacity of the child to cope with the parent.

**Child Custody, Mental Illness, Children's Capacity**