



## Jurisprudence Section - 2015

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### F35 Child Psychological Abuse: Legal and Clinical Implications

*Stephanie Domitrovich, JD, PhD\**, Sixth Judicial District of PA, Erie County Court House, 140 W 6th Street, Rm 223, Erie, PA 16501; and *William Bernet, MD\**, Vanderbilt University, 1313 21st Avenue, S, 209 Oxford House, Nashville, TN 37232

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After attending this presentation, attendees will understand the definition of Child Psychological Abuse (CPA), clinical manifestations of CPA, legal implications of CPA, and criteria for reporting suspected CPA to child protection personnel. Attendees will also recognize how to distinguish parental estrangement (which typically involves physical abuse) from parental alienation (which involves CPA).

This presentation will impact the forensic science community by increasing the competence of mental health professionals in recognizing CPA in their clinical or forensic practice, thus helping them achieve greater confidence in treating and reporting CPA. Legal professionals will have increased competence in addressing CPA when it occurs in child custody cases and in dependency/neglect hearings.

Although the existence of child maltreatment can be traced to ancient times, it was not until the modern era that the mistreatment of children became a widely recognized social issue, which professionals in science and in law have addressed in order to protect children from harm. Psychologists, physicians, and social scientists have conducted research to analyze, identify, and understand this issue, while lawyers, judges, and social workers have been preparing directives and safety plans to protect children from maltreatment. The goals of science and law intersect to protect children from abuse.

Child maltreatment can be categorized into four types of abuse: (1) physical abuse such as kicking, biting, shaking, bruising, stabbing, or punching to cause physical injuries; (2) sexual abuse such as fondling, intercourse, exhibitionism, and commercial exploitation through prostitution and pornography; (3) neglect is the failure to meet children's basic needs for food, clothing, medical attention, or proper supervision; and, (4) emotional/psychological abuse such as social isolation, repeated unreasonable demands, ridicule, humiliation, intimidation, or terrorizing, which causes serious mental or behavioral disorders. Among these four types of abuse, the presenters will focus on the last form of child maltreatment — emotional/psychological abuse.

The federal definition of CPA refers to acts or omissions — other than physical abuse or sexual abuse — that caused or could have caused: conduct disorder, cognitive disorder, affective disorder, or other mental disorder. CPA frequently occurs as verbal abuse or excessive demands on a child's performance. CPA is a difficult topic for legal professionals and mental health practitioners to understand and address. The child protection agencies in the states have widely different approaches to identifying CPA; among the 50 states, the frequency of CPA ranges from 0.1% to 51% of substantiated cases of child maltreatment.

It is likely there will be an increased interest in this topic because CPA finally became an official diagnosis for mental health professionals in the United States when the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5), was published in 2013. The presenters will explain: (1) a brief history of CPA from the 1970s to the present time; (2) various definitions of CPA; (3) federal and state legal cases in which CPA was an issue; (4) clinical manifestations of CPA; and, (5) guidelines for reporting suspected CPA to child protection personnel. Also, there will be a discussion of the importance of distinguishing parental estrangement (when a child refuses contact with a parent because of a history of physical abuse, sexual abuse, or neglect) and parental alienation (when a child refuses contact with a parent because the child has been indoctrinated to fear or hate the rejected parent, which is a form of CPA).

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#### **Child Psychological Abuse, Parental Estrangement, Parental Alienation**