

ON THE USE OF PSYCHOLOGICAL TESTS IN CHILD CUSTODY EVALUATIONS

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Psychological evaluation using psychological tests or assessment tools is an important part of a comprehensive custody evaluation. Some evaluators do base custody recommendations simply on information obtained in interviews and from collateral sources but this introduces many sources of error and produces a questionable foundation upon which to develop an expert opinion about custody.

Psychological test results describe the psychological functioning of the parties involved in a custody evaluation. Information derived from clinical interviewing, a social history, observation, and collateral contacts can then assist in understanding these findings in the context of the individual's personal history and functioning within the family. *The results from psychological testing alone are not sufficient to make custody recommendations.*

A psychologist must choose assessment methods carefully when the results of psychological evaluations are to be used in forensic settings. Evaluation techniques which are perfectly appropriate in mental health settings

may not be suitable for civil litigation because the opportunities to compensate for measurement error, such as observation over time, are not available to the custody evaluator.

When an examiner reports the results of psychological testing to the court, it is incumbent upon the professional to be well versed as to the limitations of any given test, to choose tests which conform to prevailing rules of evidence for expert testimony and to have a sound rationale for the use of those which do not. It is essential that the measurement tools selected actually evaluate constructs relevant to custody decisions. These constructs might include, parenting ability, emotional stability, maturity, general knowledge, or communication abilities, to name only a few. It is also important that the examiner know if a particular psychological test is known to be inaccurate when used with custody litigants.

The gold standard for psychological tests is that they be standardized, reliable, and valid. Admissibility standards require that evaluation procedures be scientifically reliable and generally

accepted. Ability tests such as the Wechsler series (WAIS-III, WISC-IV), personality tests such as the MMPI-2, and some measures of parenting conform to these standards and are frequently chosen as data collection tools. However, there are evaluation tools such as the Rorschach Psychodiagnostic, which will never conform to this requirement because of the nature of the constructs evaluated. As a result, the Rorschach is not referred to appropriately as a psychological test but as an assessment device or tool and can be regarded as scientifically reliable if it is scored using the Exner Comprehensive Scoring System.

Tests of Ability

Typically referred to as "IQ" tests in the past, the Wechsler scales are better regarded as indices of basic cognitive ability, such as comprehension, verbal skills, planning, attention, or decision-making, to name a few factors that might be of interest for a custody evaluation. Also of interest would be any qualitative differences noted when comparing the

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Dr. Eabon is a clinical psychologist licensed by the Virginia and D.C. Boards of Psychology. In practice since 1987, she specializes in psychological evaluations for custody and visitation issues, juvenile offenders, educational litigation, learning disabilities, psychological problems, disability determination, and some toddler or young child personal injury. Although her practice is primarily consultation and evaluation, she does have a small psychotherapy practice for older adolescent and adult clients struggling with maturity or phase of life issues, depression, anxiety, or parent-child conflict. She also provides supportive therapy for clients of all ages who have siblings with special needs, including disability and illness.

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test results of both custody litigants, particularly with regard to communication abilities and cognitive style. Comparing quantitative differences in IQ's would only be useful if discrepancies suggest parents might not be able to work together or communicate effectively.

Tests of ability were not designed to evaluate custody litigants and results can be more an index of education than ability.

The response set of the evaluation participant can also limit the validity of the results if the individual is defensive or culturally unused to taking tests.

Not all evaluators assess intellectual ability when conducting a custody evaluation. Some are not knowledgeable about developmental and cognitive explanations for ability test scores. Others omit ability testing and feel that reporting scores would foment dissent and competition among

custody litigants. This omission can be reasonable if information about cognitive ability is available elsewhere. However, the absence of valid information about cognitive ability can introduce error in interpreting the results of personality tests and lead to recommendations for custody which do not have a solid foundation in fact. Ψ

Did you know that some personality tests are known to overpathologize female custody litigants? See the October issue of Clinical Psychology Insights.