The Science and Art of Parent-Child Observation in Child Custody Evaluation

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ABSTRACT. Observation of parent-child interaction is a core function in child custody evaluations with potential to yield rich and relevant information concerning both parents and children. The application of scientific methodologies to the field of child custody evaluation has recently been advocated as an ideal in the field. This paper introduces behavioral science concepts, research findings, and practical procedures

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for child custody evaluators with a focus on office-based parent-child observation.

KEYWORDS. Observational methodology, parent-child observation, child custody evaluation

The clinical and forensic specialty of child custody evaluation has undergone rapid development in the past decade. Training and continuing education programs (e.g., Association of Family and Conciliation Courts and American Academy of Forensic Psychology) focus on skills and emerging practice standards. The field has started to receive attention from researchers (Bow & Quinell, 2001; Bow, Quinell, Zaroff, & Assemany, 2002; Horvath, Logan, & Walker, 2002; Hagen & Castagna, 2001). Child custody evaluations may be viewed as systemic assessments with multiple levels of analysis: community level, family system, social and dyadic relationships, and individual system (Gould, 1998).

Austin (2001) notes that the development of a behavioral science literature and recently promulgated best practice guidelines have established parameters for the conduct of custody evaluations. Austin (2001), writes,

> The custody evaluation is now construed as one type of forensic evaluation, namely, the application of theory, research, and scientific method to legal questions before the court. The task of the evaluator in the new paradigm is to present detailed observations in a scientific case study of the family system, explain relationships between relevant factors or predictor variables, and make predictions on the effects of differential environmental circumstances associated with custody and access arrangements on the developmental outcomes for the child. (p. 488)

Application of scientifically sound principles and procedures (Gould, 1998; Gould & Stahl, 2000) in child custody evaluations is a desirable goal. This permits standardization of procedure and forms the basis for valid generalizations. Scientifically constructed child custody evaluations enhance the credibility of the findings and encounter fewer problems on issues of admissibility in court.

Observation of parent-child interaction is an essential procedure in carrying out child custody evaluations, but has not received systematic attention. The literature on parent-child observation in custody evaluations is sparse at best. Schulz, Dixon, Lindenberger, and Ruther (1989), remains definitive in outlining procedures for the conduct of custody evaluations, including parent-child observations. A recent article by Hynan (2003), provides an overview of the area without much conceptual foundation or specific directives. Hynan (2003), addresses the area of family interaction theory and research but provides little practical guidance on the conduct of parent-child observation.

The current paper introduces the behavioral science concepts and procedures that until now have mostly remained in academic child psychology. The paper focuses on concepts, procedures, sources, formats, and the current scientific status of office-based parent-child observation methods. The strengths, weaknesses, and scientific status of analogue behavioral observation of parent-child interaction and application to child custody evaluation will be discussed. The Appendix to this paper provides definitions of technical terms in the field of measurement and observational methodology.

Analogue Behavioral Observation

The systematic observation of parent-child interaction is called *analogue behavioral observation* and has an established literature in clinical psychology (Haynes, 2001). Analogue behavioral observation involves the observation of clients in an environment that permits the derivation of clinically important inferences about parent and child characteristics and relationship dynamics. Observation of parent-child interaction is not only a necessity in understanding relationship dynamics and styles, but also a standard of good practice (AFCC, 1994; APA, 1994). Until recently, the senior author used an informal system of observation using concepts such as reciprocity (behavioral exchange), compliance, control, and cooperation in task completion, affective verbalizations, and affect tone of the interaction. I had been particularly concerned about parental over-control and didacticism in the interaction.

Analogue behavioral assessment is characterized by observational measure of the parent-child behaviors of interest elicited by the use of simulated conditions that take place in the laboratory or clinic (Mori & Armendariz, 2001). Simulated conditions are typically created with the naturalistic setting in mind, such that the behaviors of interest occur un-

der circumstances that are in some way similar to home, community, or school conditions. Naturalistic observational measures of parent-child behavior do not involve experimental manipulation of environmental conditions.

Analogue assessment is the "direct, systematic behavioral observation made of child behavior in the clinical laboratory setting, especially where efforts are made to have the setting approximate in some ways more natural situations, such as performance of schoolwork or chore performance at home" (Barkley, 1991, p. 150). According to Haynes (2001), analogue behavioral observation methods

> have several characteristics in common: (1) measurement of overt behavior, (2) measurement in a contrived situation that is analogous to situations that the client is likely to encounter in the natural environment or measurement in situations that are likely to elicit client behaviors that help the clinician make judgments about the client, and (3) the use of contrived settings, instructions, and stimuli that increase the probability that clinically important behaviors and functional relations will occur. (p. 73)

Questions of generalizability and ecological validity are primary methodological concerns (Mori & Armendariz, 2001). Can what we observe in the parent-child interaction be interpreted as typical in their relationship, and therefore, predictive outside the observation situation? Two chief concerns in any observation methodology is "reactivity" to the observer, that is, changes in subjects' behaviors as a result of the presence of the observer, and "demand characteristics," the impact of expectations about desirable or appropriate target behavior. The demand characteristics of parent-child observation in child custody evaluations most likely yield optimal not typical parental performance (S. Haynes, personal communication, August 16, 2003).

Threats to the validity of behavioral observation include (1) quality of the observational domains, (2) observer drift (lax observational skills), (3) reactivity, (4) demand characteristics, and (5) biased expectations of the observer. Because the observer cannot be completely removed from a parent-child observation, and one's biases impact the findings from the inception of the evaluation through the dissemination of the findings, the observer assumes a range of inquiry roles along a participant-observer to observer-participant continuum. A participant-observer "carefully observes, systematically experiences, and consciously records in detail the many aspects of a situation" (Glesne,

1999, p. 46). This maintains flexibility and openness while interacting, which increases understanding and manages subjectivity. As the participant-observer becomes involved in evaluation activities, he or she develops relationships with the parent or child, and perhaps a vested interest in the outcome of the evaluation. Careful role management, therefore, is necessary. The participant-observer evaluates his or her biases throughout the process to limit distortion or convergence toward preconceived expectations and opinions (Glesne, 1999).

Analogue behavioral assessment may be contrasted to naturalistic observation. Naturalistic observation places a premium on obtaining observational data obtained in typical, day-to-day situations with strong efforts to minimize any obtrusiveness or reactivity caused by the presence of an observer. Naturalistic observations typically take place in the classroom, playground, or anywhere. In contrast, analogue methods require more inferences than naturalistic observation in determining whether or not observed behaviors are representative of what actually occurs in the subject's day-to-day environment. Types of structured parent-child interactions are (1) free play, (2) parent-directed play, and (3) parent-directed chores (Roberts, 2001).

Free play. Free play requirements are simple: a sufficient quantity of age-appropriate toys, a parent with one or more children, a play area, and an observation or recording system. Prototypic free play instructions to the parent are: "In this situation, tell (child's name) that he/he may play whatever he/she chooses. Let she/he pick any activity she/he wants. You just follow his/her lead and play along with him/her."

Results of free play research are mixed (Roberts, 2001). Some commentators note the questionable utility of eliciting "typical" behavior in these interactions. Why? Young children of all sorts behave well in free play analogues. Why? Mothers or fathers generally inhibit control efforts and allow access to toys and choice, thereby eliminating the very frustrations that typically highlight differences between referred and normal dyads. Currently, free play assessments of positive parenting appear to be of minimum clinical utility.

On the other hand, some commentators have indicated that synchronized parent-child signaling and responding contributes to a host of positive developmental outcomes, including attachment styles, child self-concept, peer interactions, and socialization (Roberts, 2001). In this context, coding systems that observed positive child verbalizations initiated toward parents, child positive or neutral reactivity to parent signals, child orientation and proximity seeking toward parent, and child and parent self-esteem measures may be of value.

Parent-directed play. The second type of structured parent-child observation–parent-directed play–involves a physical arrangement that is identical to free play (toys, playroom, etc.) Prototypical instructions for parent-directed play are: "Tell (child's name) that it's your turn to pick the game. You can pick any activity. Keeping him/her playing with you according to your rules." In contrast to free play analogues, parent-directed play analogues are much more useful in discriminating normal from referred clinical samples (Roberts, 2001). Parent-directed play yields very different information from free-play analogues. In particular, child and/or parent deviance is more likely to emerge. The most salient factors are control and compliance. Nevertheless, the research on parent-directed play studies demonstrates poor generalizability to the home situation. There are concerns that child compliance levels do not correspond well to home behavior, raising the issue of ecological validity.

Parent-Directed Chore. The third type of structured parent-child observation, parent-directed-chore, involves a "cleanup" scenario. This approach appears to be of greatest clinical value. Prototypical instructions to the parent are: "Now I'd like you to tell (child's name) that it is time to leave and the toys must be put away. Tell (child's name) that you want him/her to put the toys away. Make sure that you have him/her put them away without your help. Have him/her put them away in the big toy box." An alternative set of instructions: "(child's name), I have some things for you to do now. It's important to me that you do these things right away, just like when you pick up your toys at home."

Cleanup scenarios typically code the same behaviors as parent-directed play, *for example*, for the parent: instruction quality, task compliance and noncompliance; *for the child*: task compliance and associated positive or negative behavior. Research on parent-directed-chore analogues has demonstrated data that may be used in parent-training programs and generalize to home settings (Roberts, 2001). Parent management style and child compliance can be accurately coded. Parent-directed chores appear better than parent-directed play for predicting child behavior in the home.

Measures derived from free-play parent-child interactions appear limited in the degree to which they discriminate between distressed and non-distressed dyads, correlate with other measures of the same phenomena, and help in the identification of treatment targets. Based on the research findings, that is, the lack of content, convergent, and criterion validity, it has been recommended that researchers and clinicians adopt parent-directed-chore analogues.

Findings from Parent-Child and Sibling Play Research

Research reveals significant differences between play in mother-child dyads and father-child dyads. Mothers exhibit more didactic, verbal instruction with children than fathers (Stevenson, Leavitt, Thompson, & Roach, 1988). Fathers demonstrate more physical and action-oriented play than mothers. Both mothers and fathers demonstrate age-appropriate adjustments, however. With infants and toddlers, play was more functional and physical. In preschoolers, there is more pretend play, that is, play that involves fantasy scenarios. Interactions with adults produce more didactic, varied, and mature play than play with siblings. Siblings interact less when their parents are present than when two children are alone.

Research shows that parents are responsible for much of the structuring occurring in children's play. Functional parents demonstrate consistent adjustment in their types of play according to the developmental level of their young children. In other words, parents "drive the interaction" (Macoby & Martin, 1983). Parents of referred children issue more instructions or demonstrate higher control than parents of normal children (Robert, 2001). Referred children demonstrate less self-regulated play. Mothers who are more controlling in their interactions tend to have children who demonstrate more negative affect and behavior (Roberts, 2001). The presence of a parent facilitates more mature and varied play than the presence of a sibling or other child. However, the younger the child the more influence the older sibling has, since infants tend to watch and follow their older siblings. Preschoolers tend to ignore their infant siblings while playing non-socially with toys (Stevenson, Leavitt, Thompson, & Roach, 1988).

In summary, there are expectable characteristics of parent-child interaction that may be present and do not necessarily represent clinically significant deviations. Parents commonly take charge in the play interaction. Parents often demonstrate didactic behavior. This is both normal, especially in the play of mothers but may also be an artifact of the demand characteristics of the evaluation situation. Many parents appear to be under pressure–conscious or unconscious–to demonstrate their outstanding capabilities or how gifted or talented their child is. Fathers may be more physical and less task-directed than mothers. The real action in the session is likely to focus around compliance issues and the way the parent manages them. Does the parent assume primary responsibility for the partnership by adjusting his or her behavior to the behav-

ior of the child? Or does the child adapt his or her behavior in accordance with behavior of the parent?

Observation Coding Schemes

Numerous examples of formal observation coding schemes are available to assess parent-child interactions. Kerig and Lindahl (2001), and Merrell (1999), outline selected observational coding systems, including the Achenbach Child Behavior Checklist: Direct Observation Form (96-item rating scale of internalizing/externalizing behavior and on-task behavior); Behavior Coding System (8 categories for coercive and aggressive behavior); Social Interaction Scoring System (12 categories for general social-behavioral problems); Family Interaction Code (29 categories for a person's family behavior); Child's Game and Parent's Game (7 parent behavior and 3 child behavior categories for child non-compliance and behavior problems during interactions with parent); and Teacher Behavior Code (9 categories for changes in parent teaching behavior following training). Hynan (2003), mentions the System for Coding Interactions and Family Functioning (SCIFF) and the Family Problem Solving Guide (FAMPROS), both of which offer coding schemes for affect, cohesiveness, and problem-solving skills. Trubitt (1994) describes several parent-child and family tasks to assist the observer in appreciating dimensions of family interaction. The family or filial play therapy literature (e.g., Schaefer & Carey, 1995), and attachment-based play therapy (Jernberg & Booth, 1999), may have much to offer custody evaluators in developing conceptual and clinical tools for parent-child observation.

Informal observational coding schemes may include: (a) the child's affection toward parent or parent's affection toward child (verbal or gestural actions reflecting positive affect; (b) positive sharing of happy feelings, includes approach behavior; (c) facial expression, eye contact, affect tone); (d) the child's avoidance of parent (child's tendencies or attempts to avoid interaction, including leaving situation or resisting parents attempts at engagement); (e) the child's negativity (verbal and gestural behavior reflecting negative affect: degree to which child or parent show anger, dislike, hostility, or passive aggression); (f) parent attempts to control child; (g) child attempts to control parent; (h) parent capability to adjust interaction to child behavior; (i) child reliance on parent for assistance; (j) child compliance with parent directions; (k) limit-setting; does parent act as director, facilitator, passive observer or co-player?; (l) What is the level of parental stimulation: optimal,

overstimulation, understimulation?; Parental encouragement of child's autonomy/task mastery; (m) global rating of child's enjoyment of play; (n) global rating of mutual enjoyment of play; level of conflict; (o) and consideration of the variations with an application of the Ainsworth's Strange Situation to assess attachment in infants/toddlers.

From a methodological point of view, it is desirable to focus on observable categories that have relevance to other sources of information, *for example,* observations of collaterals (relatives, teachers, coaches, or therapists), psychological testing, and behavior ratings (*for example,* Achenbach Child Behavior Checklist, Teacher Report Form, or Youth Self-Report). A multimethod-multitrait methodology combining observation, behavioral ratings, and collateral reporting provides the most robust methodology to provide convergence of findings that forms the foundation for solid inferences. Behavioral observation can provide "confirmation and specificity" to other sources of data, such as interview reports or elevated symptom scores on a standard questionnaire (Roberts, 2001, p. 46).

Office-Based Parent-Child Observation

Most research in analogue behavioral observation takes places in laboratories with one-way mirrors. The typical office- or home-based observation takes places in very different settings. If the clinician does not have a separate playroom with a one-way mirror, an easy adaptation of the setting and instruction involves a set of toys that permit an opportunity to observe the parent and child interacting in a task. I use a large set of Duplo blocks with the instruction: "I would like you to take the Duplo blocks and build something together" (combination of free play and parent-directed play). Approximately 10 minutes before the end of the session, I provide the following instructions: "OK, our time is almost up. It's cleanup time. I would like for you to put all the blocks away and cleanup, just like at home" (parent-directed chore). Without saying anything else, I can sit quietly in the corner and observe. Undoubtedly, reactivity is a factor but this scenario regularly yields interesting and relevant information.

Home visits, by comparison, are a form of naturalistic observation. Similar considerations may apply to home-based, parent-child observation, although the observer may have considerably less control over contingent events in the environment. The method of observation may be less formalistic (for example, taking notes after the observation). Opportunities for parent-child observation in situations that minimize the

intrusiveness of the observer are be particularly helpful, for example, attending parties, large family gatherings, school celebrations, graduations, or other events where other people are present. Nevertheless, the artifact produced by observer reactivity and demand characteristics must be kept in mind as a constant factor.

Observations and inferences are collated and integrated into the parenting assessment section of the report. Inferences may be linked to concerns expressed by the other parent, parenting history, psychological, and parenting assessment data, and collateral information in the formulation section of the report.

Recommendations for Current Practice

The current behavioral science status and recommendations concerning parent-child observational methods include:

> (a) establish a standard procedure and format, (b) be aware of observer reactivity effects, (c) use multimethod and multitrait assessment devices to correct for artifacts and the convergence of information, (d) rely on multiple observations, and (e) attempt to create linkages with other sources of information that create convergence or divergence for the purposes of inference making. Until such time as a coding system specifically relevant to custody assessments is developed, findings are descriptive and used to develop hypotheses and linkages to other sources of information, for example, psychological testing.

Future research in developing a stronger behavioral science foundation for child custody evaluations should focus on factors which provide the basis for accurate and valid predictions: developmental aspects of play, parent- child interactions in referred and non-referred groups, and attention to cultural, socio-economic, and gender variations in parent-child interaction.

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APPENDIX

Definition of Terms in Parent-Child Observation Methods

Multi-method information source–use of various sources of information for the purpose of creating information redundancy, which is the basis for valid inference

Ecological validity–the degree to which inferences from the play session accurately predict behavior in other situations

Generalizability–similar to ecological validity, the degree to which inferences from one information source can be generalized to another (school to home, office to home, etc.)

Observer drift–inattention of observer in following details of the behavioral interaction

Reactivity–changes in behavior that are due to the presence of the observer

Free Play–a format for parent-child observation where instructions are for the parent to facilitate the child's choice of play materials and action

Parent-Directed Play–a format for parent-child interaction in which the parent chooses the play materials and action

Parent-Directed Chore–a format for parent-child interaction where the observer defines the task and expects the parent and child to comply; the format likely to have the best empirical validity

Coding Scheme–observation categories the observer uses to code behavior and behavioral interactions, should have relevance to issues of parenting and parent-child behavior; should ideally demonstrate ecological validity and associate with other sources of information

Some useful coding categories include: qualitative observations of child and parent (dress, demeanor, focus, tension, etc.); frequency and direction of dialogue; affective tone; quality of behavioral exchange; expressions of affection/support/facilitation; who is the director of the play?; presence of coercive behavior; presence of didactic behavior; presence of withdrawal behavior; engagement of child or parent in fantasy scenarios; content of fantasy scenarios; compliance to task instruction; parent limit-setting; parent limit setting; critical incidents; and overall rating of play task.