AMCAP
Journal of the Association
of Mormon Counselors
and Psychotherapists
SPRING 1977 VOL. 3/ISSUE 1

President's Message

As this third issue of the AMCAP Journal goes to press, I pause to recollect how far we have come as a group of counselors and psychotherapists whose common bond is "membership in and adherence to the principles of the Church of Jesus Christ of Latter-day Saints." Our association is now well established with a set of bylaws to guide us, a group of dedicated leaders to serve us, area coordinators in a number of locations throughout the country, a journal and newsletter, and the funds and know-how necessary to conduct a well organized and meaningful annual convention. We have survived our birth and period of infancy, and are now rapidly growing toward full stature as a significant and effective nationwide professional organization, with the promise of becoming worldwide.

It has been a privilege and pleasure to serve as your president during this, the second year of our life as AMCAP. My thanks to all who have helped to make it a successful year: Don Lankford, Editor of the Journal and the Newsletter, and those who have worked with him; I. Reed Payne, F. Lucretia Brown, Wesley Craig, Lynn Eric Johnson, and Lynn Tyler; the Officers of the association: E. Wayne Wright, Burton C. Kelly, and Richard Heaps; the Governors: Richard Berrett, Myrle Ruesch, Don Lankford, Delbert P. Pearson, Victor B. Cline, and Margaret Hoopes; the Area Coordinators: Richard Bashaw, Steve Bunnell, Alice Clark, Larry Draughon, J. Richard Fletcher, E. Brent Frazier, Jayne Garside, James Hurst, R. Dean Yancey, and Albert B. Byrd; and to you, the members.

We also owe a vote of thanks to Vic and Myrle for the work they have done in planning and preparing for our third annual convention. We hope to see most of you there and would urge those who cannot come this year to start making plans now to attend next and every year. The plan is to hold the convention immediately preceeding the Semi-Annual General Conference of the Church each fall, so you can attend both during the same trip. What a feast is in store, both spiritual and professional, for those of us who do so! General Conference always "recharges my spiritual battery," and now I can also get a "professional battery recharge" at no extra cost.

My final message to you as your president is much the same as the others I have sent: It is good to be associated with you! As a "Mormon" who is engaged in counseling as a profession, I was pretty much alone for many years. Now I gain strength and enjoyment as well as professional and spiritual growth through my contacts with you, my fellow LDS counselors. Our association is different from all the rest in that it cuts across two of the most important areas of our lives. We can and should (and do, I feel) strengthen each other in the Gospel as well as in our professional lives. Yes, it is good to be associated with you!

Thank you for letting me serve you. You may count on my continued support and active participation in years to come.

H. L. Isaksen

EDITORIAL COMMENTS

Dear Members:

A new year for AMCAP is upon us. The editorial committee has now worked together for over a year to develop publications for you, the members.

During the past year we have received concerns from you that indicate your interest. On "Changing Views and Status of Women" (Fall 1976), some members threatened to quit if we published those articles, others threatened to quit if we didn't. Over 15 members have expressed concern that we would offend the General Authorities; none of the General Authorities of the L.D.S. Church have voiced concerns. One irate letter was concerned that our last cover (Fall 1976) indicated that we (AMCAP) would clean up the Kingdom. However the cover page was in reference to Bro. Hartman Rector and his presentation "Keeping the Kingdom Clean."

We have enjoyed working together this year and have appreciated all of your concerns. The board members have sometimes felt that our assignment was similar to the instruction given Alice . . .

> "A slow sort of country," said the Queen. "Now, here, you see, it takes all the running you can do, to keep in the same place. If you want to get somewhere else, you must run at least twice as fast as that!"
>
> Lewis Carroll—Alice Through the Looking Glass

Sincerely,

Don L

Don Lankford, Editor

Irving Lindsay, M.S.

Counselor, Utah Technical College, Provo, Utah. He received his Masters Degree in Counseling and Guidance at Brigham Young University. Mr. Lindsay is currently employed in Arizona. He has a family of two children.

Don Lankford, M.S.W.

Family Therapist in private practice at Rocky Mountain Family Institute, Orem, Utah. He received his M.S.W. from University of Utah, Salt Lake City, Utah.

Mr. Lankford has served as President of the Mental Health Association of Utah County and has been a member of the State Mental Health Board. He received certificates of honor for working with low-income families, 1973-74, and in 1973 an award for service to the mental health field of Utah County.

Mr. Lankford has a family of six children and is presently serving in the Sunday School Presidency of his ward.

Edwin G. Brown, Ph.D.

Dean of Graduate School of Social Work at the University of Utah. Dr. Brown obtained his Ph.D. at the University of Chicago and is presently a professor and consultant, primarily in social work. He received Honors from the American Academy of Human Services, 1973, and was chosen Outstanding Teacher from the Graduate School of Social Work, 1972.

Dr. Brown is a member of Counsel and Social Work Education and National Association of Social Workers. He is also a licensed social worker in Illinois and a licensed marriage and family counselor in the State of Utah.

Dr. Brown is married and has six children. He was recently released from the high council of the institute church group. He is now serving as Cub Master in his ward.

Au-Deane S. Cowley, Ph.D.

Director of Practicum for Graduate School of Social Work, University of Utah. Dr. Cowley obtained her Ph.D. and M.S.W. at the University of Utah and is now a professor working primarily with marriage and family counseling and divorce adjustment. She is a member of Phi Kappa Phi and Phi Beta Kappa. Dr. Cowley received the Josephine Bean Scholarship, Outstanding Sociology Student of the Year Award and is listed in Who's Who Among American Women, 12th Edition.

Dr. Cowley is married and has four children.

Brent Q. Hafen

Professor of Health Sciences, Brigham Young University, Dr. Hafen received his Ph.D. in Health Sciences from Southern Illinois University. He is presently engaged in research, writing and teaching, primarily in behavioral areas of health, drug abuse, death and dying, suicide and related fields.

He is a member of ETA SIGMA GAMMA National Professional Health Science Honorary Society.

Dr. Hafen has five children. He is currently serving as Teachers Quorum Advisor in his ward and recently has been released as branch president.

Douglas W. Johnson, M.S.W.

Certified Social Worker Division of Family Services. He receives his B.S. at Idaho State University and his M.S.W. at University of Texas. He is presently working with Protective Services Supervision and Family Counseling, primarily with family counseling. Mr. Johnson is married and has five children. He is now the Seventy's Teacher in his ward.

Authors

The Single Parents: What Do They Want?

Don Lankford, M.S.W.
Irv Lindsay, M.E.D.

INTRODUCTION

"The number of single parents—parents without partners—is growing. Over 8.5 million children under age 18 years (30 percent of them under 6) are being raised in one-parent families in this country. That is one out of every seven American children. There are about 4.2 million one-parent families in this country as compared to 25 million nuclear or two-parent families. The growth rate of single parent families has increased by 31.4% in the past ten years, almost three times the growth of two-parent families.

Some men and women choose to raise children alone, but most find the situation thrust upon them unwillingly by death, divorce or separation. Though many men are rearing children alone, most single-parent families are headed by women. Of the women who were heads of households in a recent year, government figures show that 37% were widows, 26% were divorced, 24% were separated from their husbands, and 13% had never been married.

Whatever the reason for their singleness, single parents all share the special difficulties of raising children alone in a society based on the traditional two-parent home. For children problems can center around their feeling of being different from their friends who have two parents. For the parent, problems include the feeling of isolation and loneliness, as well as the more practical difficulties of day to day rearing without a partner." (Riley Jr., Dr. Harris D., and Karen L. Woodworth, M.A. "*The* Single Parent—Going It Alone." *American Baby*, June, 1977. pp. 58.59.)

"What am I going to do with the single parents in my ward or stake?" This question seems to be a common one among bishops and stake presidents in the LDS Church. The essence of this question also appears to be plaguing leaders of other secular groups and government agencies.

In the helping services field, there are numerous theories to define and attempts to provide solutions for the problems of the single parent.

The purpose of this paper is to provide additional information to enhance your professional repertoire of experiences. The intent of this information is to help the single parent and other LDS members understand and communicate with each other and to realize that each is striving to live the gospel of Jesus Christ.

Why do professionals in the helping services have difficulty dealing with the single parent? Why do clergymen and agency counselors, in turn, find impasses in their relationship with the singles?

Obviously, there are few easy answers to these questions. There are ideas and descriptions of feelings in this paper that may shed light on one's understanding and experiences.

The initial material and examples were taken from case work, counseling interviews, and current research. However, one of the pronounced problems of the counselor is the identification with the single parent. This material was, therefore, initiated, researched, and compiled with constant input by single parents living in the State of Utah. Continued evaluation and change was provided by members of the Utah Valley LDS Multi-Region Special Interest Group, comprising over 10,000 members. A questionnaire was used as initial reference material. This attitudinal survey was distributed and collected at a multi-regional fireside held March, 1975. Five hundred questionnaires were handed out. Of those returned, 376 were usable.

The final information check was made by reviewing the data collected with over 150 single parents during a four-month period.

The arrangement of the information, in order, includes: description of three cases, a section on the needs as expressed by single parents, a section on suggestions for single parents, and a section on suggestions for ward and stake leaders.

Cases of Single Parents

Case #1

My husband left me for another woman when I

was 28; we had three children, ages 9, 7, and 4. We lived in a nice home in a wealthy ward. Our Bishop helped us with groceries, part-time work, and when my husband wouldn't pay child support, the bishop helped me sell the home rather than lose it.

We bought a modest home on the other side of town. When I talked to our bishop there, he told me we lived in a poor ward and there were about 15 families like myself. "The best thing for you is to get a job." During the next two years, I talked to a stake member (professional social worker) who helped me get a job, counseled me on children's needs and especially my feelings of bitterness. I had done nothing bad enough to deserve what had happened. My husband has since been disfellowshipped and I've received a temple cancellation. The Relief Society sisters helped tend my children until I made enough money to pay them. I was still lonely and so became involved in PTA for my children and spent recreation time with them. The more I've been able to feel happy with my life and what I'm accomplishing, the less bitter I am. The family also feels better. We still have problems; we just don't look at them as unsolvable crises. My children depend on my mood. They are very sensitive; if I am happy, then they are too.

At first, I also felt sorry for myself and kept asking myself why this happened. This seems to be a typical reaction for people who feel sorry for themselves. Now I ask myself what happened, how Jim and I treated each other, and promise myself that it won't happen again.

Case #2

George and I never did get along. We had five children in five years. I was always pregnant and he was always angry. We had some pretty bad fights. Well, we are divorced, and I am going to make it better for the kids.

We were married at the age of eighteen. Maybe that had something to do with it. I'm looking for a father for my children but I'm cautious; I don't want another George. College has been important to me. I only go half-time so that I can spend time with my little children. Church—yes, we went sometimes, and my children have always gone. Now I depend on the church more than I did before. Yes, I'm lonely sometimes. I can recall a professor speaking at our Special Interest Fireside. He said, "You really shouldn't be alone; general authorities, stake presidents, and bishops re-marry in a short period of time." Who is he kidding? I've been waiting 5 years for a man like that to marry me; but since I don't do the asking, I'm still waiting.

"George and I never really did get along."

Case #3

Charlotte had breast cancer. No matter what we tried she kept getting worse. Three months before she died, she delivered our third child, a frail little girl. I had been serving in the bishopric and busy in real estate. I realized that Charlotte had really cared for our children. Jason, 4 years, Janet, 2 years, and Charlotte, 3 months old, were now my responsibility. The Relief Society and relatives really helped. I finally asked to be released from my church responsibilities. I became depressed trying to work, keep clean clothes, feed the children, and tend the baby at night. Charlotte and I had worked together well as a team. Sometimes I felt sorry for myself, and I missed her so much. I seem more disorganized now. Sure, I guess I'm looking for a wife. I almost married a woman with four children, but what a responsibility! I was so used to Charlotte, and now I'm very unsure about other women. How do I know they'll really like me after we're married? What if I don't like them? Will they be as accepting of my faults as Charlotte was? I don't want to compare, but I do want to be happy with another woman, not just live with her. The gospel is very important to me but the value of my children was more important than service in the bishopric. Besides, others were doing a lot of my work which was a burden on them. I guess I can truthfully say that after three years I'm just reorganizing my life and adjusting to my role as a provider, father, and mother, to my children. The women of our ward really helped me, especially when I didn't care much about my children, when I was hurting; and I'm grateful for that.

SECTION II

This section is a sampling of statements or requests made by single people. One dominant attitude among a large number of singles is the lack of guidance and empathy from their church authority (bishops/stake presidents). Upon concluding an interview with a single person, the religious counselor often gives panacea advice: (1) "You need to fast and pray," (2) "You need to be involved with the singles group," (3) "What you need is a husband/wife." This is good, general advice; however asking a person how they feel and then listening to their needs, already provides a therapeutic aura that doesn't require an instant answer.

What We Would Appreciate (responses from single persons):

#1

We would appreciate acceptance. In gospel classes or church meetings where there is a discussion of temple marriage; hardly ever is there a discussion (or acceptance) of a single parent also having a temple recommend and raising their children in the gospel.

#2

We are healthy. Many people stress, and sometimes we accept their saying, we can't be happy if we're not remarried. We believe that we may progress even if we are single and strive for celestial goals as we seek an eternal companion.

#3

Our children are normal. One mother stated "When I had a husband and my children were rowdy the ward members were usually tolerant. Now that I'm divorced, many members want to save me and my children; they shake their head knowingly and say "we understand why Johny is in so much trouble."

#4

We have our ups and downs. Sometimes we are happy, angry, bitter, or depressed. This also happens to married couples.

#5

We have a place in the LDS Church. As children of our Father in Heaven, we have a right to be accepted as individuals. We are normal. As one young lady stated, "I don't want people to separate me from other ward members. I'm a member, too."

#6

Don't focus on our weaknesses. See our strengths and help us to use our talents. Sometimes just making sure we go to meetings is therapeutic. Don't find a deep seated problem to help us with.

#7

We are not sex-starved. Sex is an essential part of the gospel plan; so also is companship, concern, sharing and helping. If we can't stand the emotional pain of a marriage and so separate, then we do so for many reasons; sexual relations of itself, in or out of marriage, will not sustain a relationship. As a mother of eight suggested, "After John died, the six children and I were lonely for a father and husband. So I remarried and I had two more children, but Don never had a steady job during the five years we were married. Yes, we were sexually compatible but he was taking everything from me. I didn't need another child to raise. I needed a companion."

SECTION III

The following are suggestions for the single parent. These suggestions are not only directed toward the single parent, but are offered to the helping individual as a checklist for ways of giving support to the single person.

SUGGESTIONS FOR SINGLE PARENTS

1. Initially seek help from responsible church officials, LDS Social Services, etc.
2. Plan for the future.
   a. Develop a monetary budget.
   a. Employment plan for your future.
   c. Health services for you and the children.
   d. Recreation and activity for the family and individual family members.
   e. A single parent needs to make out a will and make arrangements for what will happen to minor children. (Going to an ex-husband or wife may not be the best thing—in cases of a widow or widower, grandparents may be too old.) It is difficult to think about but necessary!
   f. Immediate hold weekly (formal) interviews with your children, to discuss their needs.
   g. Consider *Your* Needs. Keep yourself as attractive as possible. It will help you attract attention from the opposite sex, but more important, this will help you feel good about yourself.
   Example: I indulge in a weekly "devoted-to-Ellen night." After the kids are safely in bed I take a leisurely hot bubble bath, do my hair, nails, put

on a pretty robe, and listen to music or read or rest in front of a good TV show.

Consider the fears and concerns of the children. Use good judgment, and discuss the loss your children feel. Don't wait for them to ask because they may not. Make certain that the child's feasible needs are met. This will also be therapeutic to you.

You're an individual. Be fair to yourself. Take good physical care of yourself. Being alone may be a shock; still make an effort to seek companionship through church activity, recreation, etc.

SECTION IV

Being single, over 26, and a single parent presents challenges (not problems) that Church leaders need to evaluate carefully in dealing with these groups. Each person's needs and challenges are unique. Those needs and challenges blended with the total individual provide the basis of a realistic assessment.

The following are a series of suggestions aimed at providing thought prior to dealing with the single parent.

SUGGESTIONS FOR WARD, STAKE LEADERS

1. Utilize single parents in the ward or stake, based on their skills.
2. Let them discuss their fears, concerns, and worries. Don't project problems to them because they are a single parent.
3. Help them with basics, food, clothing, shelter, employment, transportation, etc. This will help rid them of anxieties, and depression.
4. Focus on the strengths a single parent portrays by holding a temple recommend, striving to live the Gospel, and raising children alone. Let them see they are accepted.
5. Treat them as a person in your congregation, not as a minority with problems.
6. Don't counsel extensively with them. Utilize the stake or church social services component. Do utilize the principle of fellowshipping to help them feel accepted.
7. We don't want home teachers to ever visit us without companions.
8. "We need basic help" a single mother of five suggested, "I want a home teacher who will help:
   a. fix a light switch
   b. suggest the type of new tires for my car
   c. help trim trees in my yard
   d. be a father for my son on special ward outings
   e. help do what a father might so the children don't feel the loss so deeply
9. Many *programs* in the LDS Church, lesson plans, songs, etc., are geared to the two-parent family. This is good because we are a family-oriented church. But there *are* one-parent families within the church. The children in these homes often feel like sore thumbs when other children point them out as being different. My son came home one day and related how his classmates acted when he stated he didn't have a father. "Poor Scott" was the feeling. But Scott said he didn't know he was a "poor anything." The point is that other people had to bring out that he was different. *There should be programs for Primary, Sunday School, MIA, etc. that acknowledges the one-parent situation within the church.* (We sometimes feel like the black sheep that are being hidden.) A one-parent family is not ideal, but it does exist and we are not "freaks," nor do we want pity—only acceptance.
10. Actually some seemingly happily married people have more personal problems than the single parent. Divorce may not be the best answer for marital problems, but those who are divorced have at least *dealt* with their problems—have not ignored them.
11. Fellowshipping is so important. If a special interest person is invited to a ward or stake function where there will be mostly couples, they should be included in small group conversations and helped to feel welcome.

CONCLUSION

In concluding this paper, there are points that may well be restated. Firstly, the single parent has a need to see oneself as a human being and have the confidence of identifying with other human beings. Secondly, the person has an imperative need to be outside of self; to be a part of others' lives. Thirdly, there is a need to have primary communication skills shared with others; to share communication not solely by mouth to ear, but communication by a touch, smile, the warmth of friendship, and other subliminal means. Fourthly, a need to regroup feelings is vital; to learn that a positive attitude is possible, living can be exciting and not just tolerated, and the single person does indeed have a contribution to make in the LDS gospel plan. Lastly, the single person has the potential to become whatever or whoever he/she wants to be.

Counseling Divorced LDS Single Parent Fathers

Edwin G. Brown, Ph.D.

Au-Deane S. Cowley, Ph.D.

Divorce is not an unusual phenomenon, even in the Church. Its frequency makes it a significant family process and counselors are apt to spend a great deal of time helping families through the grief and hopefully onto growth. Divorce can be a constructive solution to family pain—or a shock and devastating disappointment. During the process of divorce, there are certain fundamental generalizable tasks that must be resolved. This paper will deal with counselor tasks in helping divorced single parent fathers resolve the stages of divorce, and move onto a new parenting role—either as the visiting or custodial parent. Major practice principles and concepts will be discussed in terms of their implication and adaptation for use by L.D.S. counselors and L.D.S. clients.

According to Wiseman, divorce resolution can be divided into five overlapping stages: (1) denial; (2) loss and depression; (3) anger and ambivalence; (4) re-orientation of lifestyle and identity; and (5) acceptance and integration (Wiseman, 205-212).

1. Denial-Denial as a defense mechanism begins during the "emotional divorce" period, which usually preceeds the actual legal divorce. Some marriages remain together even though the couple is emotionally divorced, in a kind of "empty shell" or cared house marriage (Bach, 1969). This is a common occurrence in L.D.S. families, because of the strong emphasis on the family unit as an eternal union. Divorce action, often triggered by a precipitating event, puts the family into crisis. This results in a justification for taking action. Due to pervasive support from the Church to keep mariages and family intact, for actice L.D.S. couples the precipitating event is frequently of a more serious nature. Not uncommonly, the precipitating event is a serious infraction of Church doctrine, such as infidelity. This infraction has dual repercussions in the Ward as well as the family. Where one's Church membership is put in jeopardy, it may be used to rule out any chances for reconciliation. Counselors working with such a family will have to help family members resolve their anger and pain about disfellowship or excommunication, as well as the feelings about the act of infidelity. One spouse must cope with feelings of being betrayed and devalued while the other feels unworthy and worthless. Children are the innocent victims of such a situation and will require counseling support to deal with their own anger, pain and fear.

Often part of owning reality and not denying the marital problems anymore includes re-evaluation of the entire marriage. Active Mormons not uncommonly take Church doctrine about celestial marriage and perfection to set up unrealistic expectations for their current stage of development. As a result, there is no place for conflict in marriage and family, only guilt when conflict emerges as a result of everyday life. This situation denies what we know professionally to be true, namely that there are predictable life crises, and that conflict is inevitable. Therefore, instead of using the self expectation of managing conflict constructively, such couples are consumed with guilt for having such human frailities. Any reality in the marriage that is in violation of Church teachings will precipitate this kind of stress. One reality that is often owned when dissolution of the marriage seems eminent is the anger expressed by couples as to why they were married in the first place.

If premarital pregnancy was the cause (71% of the marriages in Salt Lake City), this is sometimes used by either or both of the parties as a scapegoat or excuse for their marital infidelity and/or other destructive behaviors. It's easy to rationalize that a forced marriage justifies irresponsible, immature actions.

The examples cited above illustrate the paradox that the Church's strong religious values not only bring about a marriage but they may also contribute to its demise. Counselors need to be aware of this situation so as to mitigate the "double divorce" phenomenon that occurs when members leave their marriage and leave the Church simultaneously.

2. Loss and Depression—This second stage of the divorce is related to the separation, anxiety and grief reaction caused by loss of roles, relationships, status, friends, one's partner, and usually, for the man, his children and home. Such dramatic changes interrupt familiar habit patterns and ways of living everyday life. The divorcing L.D.S. couple may feel a loss of face with respect to the Church President McKay's oft quoted remarks: "No success in life can compensate for failure in the home" and feel this is no longer an ideal but a resounding chastisement which reinforces

feelings of inadequacy.

Regardless of how bad the relationship was—it did order one's life and losing it may precipitate some drastic reactions. Sometimes the feeling that "all is lost" leads to a sort of hedonism that may look on the surface like selfishness or immaturity, but often masks despair. All of the associative behaviors of "a fallen person" may occur as the "guilty" party plays the role of the "sinful person." The "wronged" spouse may even begin to act out in retaliation or in an effort to get even. During this stage, both may be hampered in their constructive coping efforts by fatigue and feelings of hopelessness. The counselor has an important contribution to make by acting as an alter-ego. The client needs sustaining and support with regard to his/her personal worth and concerning the prospects for a future, especially as it pertains to the Church. One goal in the helping endeavor is to prevent acting out behaviors (or at least minimize them) that result from feelings of despair and restlessness.

3. Anger and ambivalence is the third stage of working through a divorce. After denial is resolved and the depression is over, the anger will be expressed more directly. Sometimes interaction between spouses at this point is vindictive, punitive, or even violent. They may not only be expressing anger at each other more openly, but also at those who have taken sides during their problems. Sometimes anger is vented at the Church for not helping them more, and/or at those who have taken sides during their problems. Sometimes anger is vented at the Church for not helping them more, and/or at those in the Church who tried to help and failed. This period includes feelings of alienation and isolation. It is a purging time and a time to combat the ambivalence about whether or not to divorce that suddenly and surprisingly may surface. The practicality issues arise and sometimes one or both of the parties vacillate between returning to the familiar, unhappy situation and felling the fear of the unknown. If they continue on the divorcing track they will need to work through stage four. L.D.S. counselors may experience conflicts themselves and begin to represent a position of non-divorce rather than allow the clients to resolve this stage for themselves. L.D.S. people are very conscious of leads from persons in authority positions. This orientation may cause couples in conflict to assign more authority in the decision-making to the counselor than this phase of the divorcing process would indicate.

4. Reorientation of Life Style and Identity—For many L.D.S., being a non-married person in the Church is like living in limbo. They try to see the non-married state as transitory. This may be a defense

"The client needs sustaining and support with regard to his/her personal worth. . ."

against feelings of social stigma and of "not being O.K." During this stage, divorcing couples are vulnerable in many areas. For some, this stage reflects a choice point—they may reorganize their life in harmony with the Church or in antagonism to the Church. They may form a new relationship on a rebound to avoid facing the reality of being alone or avoid social contacts altogether. Time is an important factor. As counselors, we should encourage divorcing couples to leave time to grow and to take stock, and above all, not to be in such a hurry to remarry and to reconstruct their lives that they make unwise decisions.

The many problems confronting divorced persons often put them back into a real identity crisis. They must ask, "Who am I apart from my spouse?" For those who married young and only know the identity of husband and father, it may require the fundamental task of defining, "Who do I want to be?" The identity crisis associated with divorce includes the whole problem of being faced with a redefinition of one's sexual self. Within the bonds of marriage, sexual expression is endorsed by the Church. After the divorce, these same behaviors are taboo. It is important for the counselors to initiate discussions with clients in this area that is often avoided.

The counseling task in this phase is to help the client to define a life style that is congruent for him and to help him to keep a 'here and now' focus. He can be enabled to learn from the past but must be careful to not carry the past into the present.

5. Acceptance and Integration—As the fifth and final stage, the work here is to guide the client to discover and acknowledge "he's OLK.," and she's O.K., too." If final resolution is to be achieved, each person needs to reach a point of accepting himself as a divorced person with nothing to prove and no need to be defensive or reactionary. Many problems within remarriage occur because couples have failed to get thoroughly psychologically divorced, as well as legally. They must learn to accept their divorced state and develop a new social and personal identity (Wiseman, 205-212). Once the divorced father has reached the stage of integration, the Church as a formal organization becomes a valuable resource supporting remarriage efforts. Whereas in stage four, the counselor was trying to buffer the client from the press for remarriage, this is no longer necessary. Programs and group activities sponsored by the Church become resources for giving direction to the client during the stage of re-integration. Client self-acceptance is essential if these tangible resources are going to also be psychologically available.

Single Parenting Role

In nearly half-million families in the United States, the father is the primary parent. 8.4% OF CHILDREN IN ONE—PARENT DIVORCED FAMILIES RESIDE WITH THE FATHER (Gasser & Taylor, 1976, p. 397). Between 1964 and 1972, the number of divorced and separated fathers heading households alone increased by 71% (Orthner, Brown & Ferguson, p. 431). One could expect this trend to be accelerated as the women's lib movements' impact on the family is manifest.

There is an increasing recognition that fathers are as often the "psychological parent" in the family. When such families split—these fathers undergo unusual stress fearing that the mother will get custody and not meet the children's psychological needs. Often men are unaware that in Utah as well as many other states they have as much right to custody of minor children as does the mother.

Two of the traditional roles divorced fathers should be instructed to maintain, whether they are the custodial parent or the visiting parent, are those of "provider" and "nurturer." The common expectation for the father to remain the primary provider for the family after the divorce may produce stress and conflict for him. He is placed in the position of doubling the financial responsibilities of fatherhood. Some fathers report feeling valued only as "a walking pocketbook." The divorced father paying alimony and child support may not be able to afford a second marriage—particularly if that also includes the additional burden of "acquired" children (Messinger, 1976). The nurturing role is one wherein the single parent father receives support from the L.D.S. Church. Men are encouraged to help in rearing the children and if the Family Home Evening program has been a part of his homelife, he has been given opportunities to develop expressive relationships with his children. Recent studies show that fathers are capable of being as nurturant with children as mothers (Parke & Garwin, p. 367). However, no matter how clear the expectation or how motivated the father, the skills for the nurturing role may be lacking. Counselors must be aware of the support and training many fathers will require if they are to successfully fulfill this role.

Single Parent Father as Visiting Parent

The most important question a counselor can help a single, visiting father to answer is, "When is my presence with the family helpful or a hindrance?" Each

visit with the children must be carefully planned and selected with due regard to timing. The counselor is responsible for exploring the father's reasons for the visit. Support should be extended for motivations related to the children's well-being. Expected outcomes from the visit should be specified and the means for accomplishing them explored. The reactions of the children and the former spouse should be anticipated to maximize constructive coping on the fathers part. In order for couples to carry out their difficult task of being parents together even though divorced, they must be able to put the welfare of their children above their own. This requires a mature resolution that may require counseling to achieve.

Visits with children should *not* be activity-centered all the time. Time should be planned so father and child can engage in meaningful interaction and communication of feelings. Work and study, as well as "fun" activities should be part of visits. The visiting father should be helped to understand how to manage visitation times so they don't penalize either the child or the parents in terms of their own needs for other social contacts. Some children of divorced parents report they have no time for themselves after supporting mother all week and visiting dad all weekend. Also, if visits are restricted to weekends, they can drastically reduce father's time for rest and recreation. Visits should never be used as a vehicle to romance or harass the ex-spouse.

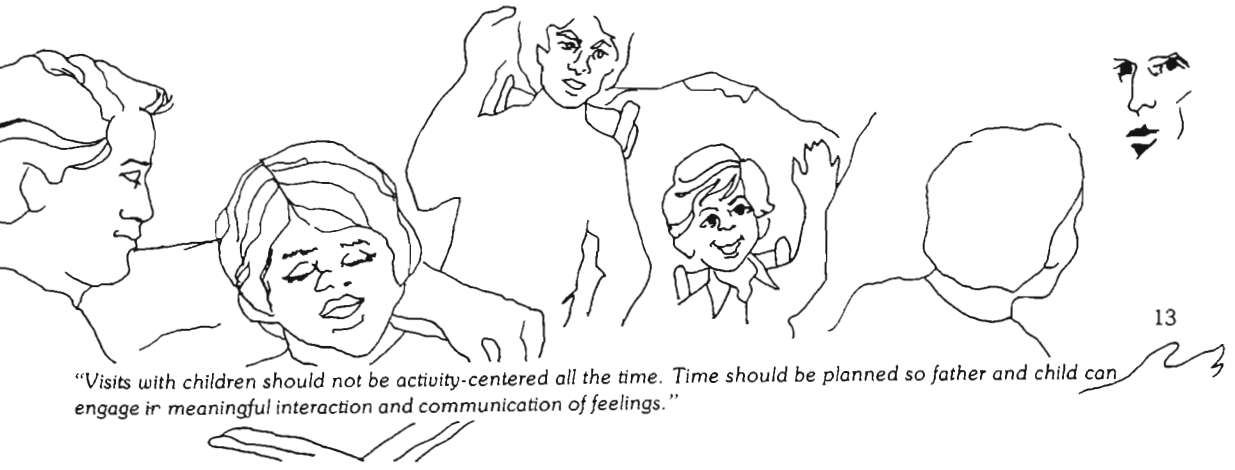
The fact of being separated from his children may make the father more conscious of what he wants for his children. These goals and values should be discussed by both parents to avoid mixed messages to the child and to reduce undercutting of each parent's efforts. Divorce does not release parents of the responsibility for cooperative effort in their children's behalf.

Single Parent Father as Custodian Parent

The traditional role of the father consists of such things as: strength, competence, wisdom, dependability, stability (Maxwell, 387-388). Some men are so sex-role stereotyped that they find it difficult to move out of the "keeping" role and into a more interactional, nurturing role when they are the custodial parent. They often experience conflict between the providing and nurturing roles. Guilt about working too many hours and not spending enough time with the children in the home is common. Contrary to expectations that the custodial father experiences pressure to get a housekeeper-wife to survive, studies show fathers can organize the family to meet its own housekeeping tasks in a self-sufficient manner. Three-fourths of fathers in one study needed no outside help (Orthner, Brown and Ferguson, p. 435). Most fathers felt capable and successful in their ability to be the primary parent for children. This independence of single parent father families should be supported as a healthy adjustment. Counselors should help single parent fathers to resist the pressure to marry for the sake of a housekeeper.

One problem occurs with such regularity for custodial fathers that it should receive special attention. This is a misinterpretation of the natural distance that often develops between father and adolescent daughter. Parents must be cautioned not to blame such developmental struggles onto the divorce.

Just as single parent women are encouraged to provide father figure models for their children, so should a counselor encourage single parent-custodial fathers to enlist the help of mother surrogates (i.e., the grandmothers, aunts, "big sisters," Sunday School



"Visits with children should not be activity-centered all the time. Time should be planned so father and child can engage in meaningful interaction and communication of feelings."

and Primary teachers) to keep the female influence in the family. The Church is an excellent resource for this need. A father's legacy to children can also include his ease in modeling traditionally "female" jobs himself, i.e., cooking, cleaning, and even ironing. This role flexibility is rapidly becoming a necessity for all "modern" families whether they are divorced or intact.

Below are some guildlines for successful single parenting from a book called, *Growth Through Divorce* (Smoke, 1976, pp. 60-66).

1. *Don't try to be both parents to your children.* Trying to be super parent will only bring you frustration and fatigue. Improve what you are and don't try to be what you are not.
2. *Don't force your children into playing the role of the departed partner.* A child needs to be a child. They cannot fill an adult's place, so don't force them to.
3. *Be the parent you are.* (Not friend, buddy, pal, big sister or brother, etc.) Children deeply resent having their parents try to invade their world. They NEED a parent.
4. *Be honest with your children.* Richard Gardiner *(The Boys and Girls Book About Divorce)* "Half-truths produce confusion and distrust, whereas truth, albeit painful, engenders trust and gives the child the security of knowing exactly where he stands. He is then in a position to handle situations effectively."
5. *Don't put your ex-spouse down in front of your children.* It's a game that nobody wins and eventually causes the child to lose all respect for either parent.
6. *Don't make your children undercover agents who report on the other parent's current activities.* This puts children in a double-bind. A child has the right to privately enjoy a parent without feeling disloyal to the other parent.
7. *The children of divorce need both a mother and a father.* (Only exceptions are when parent might cause emotional or bodily harm to the child.) Don't let your feelings about the departed parent deny your child the right to a continuing relationship with that parent. (Sometimes a poor spouse is a good parent.) Children need to see the departed parent in a real life setting. Let them help with chores and be part of your world.
9. *Share your dating life and social interests with your children.* They want to know how the relationship will affect them. Hiding your new social interests and not informing children is a greater threat than keeping them informed.
10. *Help your children keep the good memories of your past marriage alive.* You have no right to rob your children of their happy memories. Good memories are worth keeping. They help us become what we are and generate hope for the future.
11. *Work out a management and existence structure for your children with your ex-spouse.* When feelings cool and perspectives are regained, separated parents should be able to face the reality that child raising goes on and should go on as smoothly as possible for the welfare of the children. The Judge of the Superior Court in Santa Ana, California gives divorcing parents a brochure entitled, "Parents Are Forever."
12. *If possible, try not to disrupt the many areas in your children's lives that offer them safety and security.* The same house, school, friends, church and clubs will help maintain a balance that can offset to a degree the loss of a parent. If this is not possible—rehearse new situations and present them as an adventure—not a threat. Let them take part in decision making.
13. *If your child does not resume normal development and growth in life within a year of the divorce, he/she may need the special care and help of a professional counselor.* Some adjustment problems are normal. If negative patterns persist—seek help. "Being a single parent is a skill to be learned."

Remarriage:

Mormon counselors should help divorced clients resist the press *for* remarriage before the five stages of divorce have been completely resolved. L.D.S. clients often feel a push to remarry in order to regain a sense of status within the Church and the community. Not unlike other divorced persons, many remarry the same spouse. Regardless—remarriage should wait until the resolution of the divorce is accomplished. Divorcees should be cautious in remarrying anyone without counseling help. Particularly in remarrying the former spouse they may remarry for the same reasons as they married for the first time around. The instant replay may end with the same ineffective results as at first. As counselors restrain an urge to "match-make" and help support the moritorium rather than urging a premature re-entry. Six of seven will remarry within three years but should be forewarned and forearmed about the unique problems that research shows plague remarraiges (Messinger, 1976).

Summary

Counseling divorced single parent fathers is a complex task. First comes the task of healing the psychic wounds of divorce, freeing the client from entrapment in the past and moving him toward the process of living constructively in the present (Drantzler, 1973, p. 76). Then, since the role of single parent father has not yet been institutionalized in terms of role clarity with explicit expected behaviors (Mendes, 1976, 440), the single parent father is in need of much support. The counselor and groups of other single parent fathers can provide the stability a

man may be reluctant to seek. Fatherhood can be "person-making" (Maxwell, 1976, p. 391), and counselors have found that playing a contributing part in that process can be most rewarding.

REFERENCES

Bach, George R., *The Intimate Enemy*. New York: William Morrow & Co., Inc. 1969.

Bieler, H., and Meredith, D., *Father Power*. New York: Anchor Press/Doubleday, 1975.

Drantzler, Mel *Creative Divorce*. M. Evans & Co., Inc., New York, 1973.

Egleson, Janet and Jim, *Parents Without Partners*. E.O. Dutton, New York, 1971.

Gasser, Rita D. and Taylor, Claribel M., "Role Adjustment of Single Parent Fathers with Dependent Children." *The Family Coordinator*, 25 (October, 1976), pp. 397-401.

Hunt, Martin W., *The World of the Formerly Married*. New York: McGraw-Hill, 1966.

Lynn, D.B., *The Father: His Role in Child Development*. Monterey: Books Cole, 1974.

Maddox, Brenda, *The Half Parent*. M. Evans & Co., Inc., New York. 1975.

Maxwell, Joseph W., "The Keeping Fathers of America," *The Family Coordinator*, 25 (October 1976), pp. 387-392.

Mendes, Helan A., "Single Fathers," *The Family Coordinator*, 25 (October, 1976), pp. 439-444.

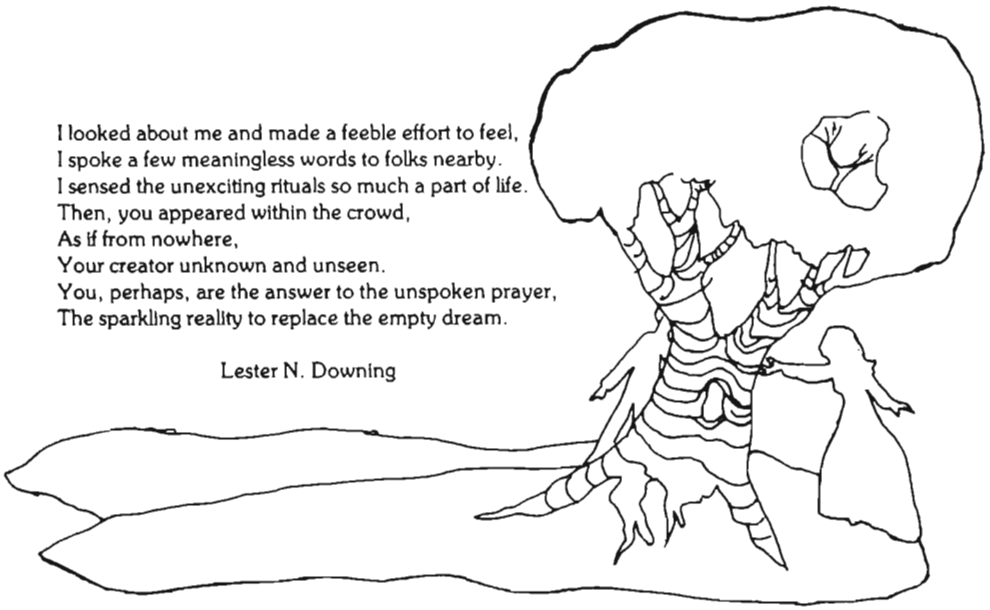
Messinger, Lillian, "Remarriage Between Divorced People with Children from Previous Marriages: A Proposal for Preparation for Remarriage," *Journal of Marriage and Family Counseling*, April, 1976, pp. 193-200.

Orthner, Dennis K., Brown, Terry, and Ferguson, Dennis, "Single-Parent Fatherhood: An Emerging Family Life Style," *The Family Coordinator* 25, (October, 1976), pp. 429-437

Satir, V., *Peoplemaking*. Palo Alto, California: Science and Behavior Books, 1972.

Smoke, Jim, *Growth Through Divorce*. Harvest House Publishers: Irvine, California, 1976.

Wiseman, Reva S., "Crisis Theory and the Process of Divorce," *Social Casework* 56, (April, 1975), pp. 205-213.



I looked about me and made a feeble effort to feel,
I spoke a few meaningless words to folks nearby.
I sensed the unexciting rituals so much a part of life.
Then, you appeared within the crowd,
As if from nowhere,
Your creator unknown and unseen.
You, perhaps, are the answer to the unspoken prayer,
The sparkling reality to replace the empty dream.

Lester N. Downing

CHILD CUSTODY:

Ameliorating the Pain for Parents and Children

Au-Deane S. Cowley, Ph.D.

This article will address four questions with regard to the complex phenomena of child custody: (1) How are custody decisions determined? (2) How does a child custody conflict feel to parents and children? (3) What are some specific ways counselors can be supportive to parents and children affected by custody conflicts? The purpose of this article is to enhance the awareness of the procedures and dynamics related to child custody cases for Mormon counselors whose client's lives are touched by divorce and custody conflicts.

How are custody decisions determined?

Sometimes a parent relinquishes his/her rights to custody through desertion, abandonment, or through voluntary relinquishment in an agreement that the other parent can best serve the needs of the child. Often, however, a bitter and destructive marriage becomes a bitter and destructive custody conflict centered around who is going to "win" the children. For such parents the fact of their retaining custody vindicates their marital failure and proves to the world that they were in the right and their partner wrong. Sometimes the child custody issue becomes a vehicle used by one spouse to intimidate or manipulate the other. Under such circumstances, the lawyers, judges and social workers or other helping professionals that are involved in determining custody are faced with a conflict-ridden situation where "facts" may be distorted and much psychological damage has already been done. In such an atmosphere, how are custody decisions reached?

First, a judge makes an order for a child custody study to be done. Then, armed with the evaluator's findings and recommendations, the judge is faced with deciding which parent will become the custodial parent and which will be the visitor parent.

Historically, there have been various "doctrines" or predominate points of view to guide judges in making the difficult and complex decisions required in matters of child custody. These judges may or may not have the benefits of professionals from the helping professions in making these determinations. Many judges would not make such a decision without input from the social and behavioral sciences. Others feel confident in their own analysis and judgments and work independently or in contradistinction to recommendations from social workers, psychologists and psychiatrists. Occasionally, one may even encounter an "enlightened judge" who has a sound knowledge of the law combined with the hard-won psychoanalytic knowledge of child development (Goldstein, Freind, Solnet, 1973, XI).

The guiding doctrines most used by judges in making custody determinations are:

1. **Tender Years Doctrine:** This philosophical stance is related to the myth of maternal instinct and anachronistic legislation supporting a "natural presumption," which means that all things being equal, a child is better off with its mother in divorce or separation cases. No such presumption now exists in Utah laws, and a father's right to a child is considered equal to that of the mother. (From 1969 to 1972, of those fathers in Utah who asked for the custody of their children, more than fifty percent were awarded custody.)

2. **Fitness of Parent:** This doctrine takes a judgmental kind of stance that implies that one of the parents, as a person, is "fit" while the other (or both) is/are "unfit." This sense of unfitness is often predicated on assumed or documented "evidences" of a parent's moral flaws, "bad" habits, judgments or behaviors, or a lack of parenting skills or parental responsibility.

Divorcing parents sometimes believe they have "the goods" on their spouse because of evidences of "an affair," only to find that the judge does not ascribe to the fitness doctrine and is only concerned about whether discretion was used by the parent in such a relationship, and whether or not the child's welfare has been concretely affected in a negative way by that alleged relationship. Such an example illustrates the fact that this doctrine, though extant, is becoming less and less a determining factor in custody cases.

3. **The Best Interest of the Child:** This guideline has suffered from lack of specificity and has therefore resulted in the fact that despite good intentions to act "in the child's best interest—decisions based on this doctrine have not always benefitted the children involved. The lack of objective criteria for determining what is in the best interest of the child has resulted in this doctrine's being called to question in

the book, *Beyond the Best Interests of the Child.* In that book the authors maintained that the better guideline would be "the least detrimental alternative for safeguarding the child's growth and development."

> The least detrimental alternative, then, is that specific placement and procedure for placement which maximizes, in accord with the child's sense of time and on the basis of short-term predictions given the limitations of knowledge, his or her opportunity for being wanted and for maintaining on a continuous basis a relationship with at least one adult who is or will become his psychological parent. (Goldstein, Freud, & Solnit, 1973, p. 53).

More and more this "psychological parent" figures prominantly in custody determinations as evaluators are concerned for the psychological as well as physical well-being of the child. Evaluators must try to determine which of the available adults is the person who on a continuing, day-to-day basis, through interaction, companionship and shared expeiences has developed a relationship of mutual attachment with the child (Goldstein, Freud, & Solnit, 1973, p. 19).

Clues to aid the evaluators in determining the psychological parent can be gained by asking the child such questions as: "If you had a difficult problem, who would you go to for help?" or "When you're hurt or sick, who takes care of you?" or "If you wake up in the night with a bad dream, who would you want to comfort you?"

Both custody evaluators and judges need to be aware that sometimes children will manipulate so they will be placed with the parent they feel they can control of from whom they anticipate getting the most "rewards". This may indicate that a child has not yet developed a relationship with either parent that connotes the kind of caring and generativity associated with the concept of a "psychological parent." In the case wherein a child *does* have a psychological parent, however, being separated from him/her could be most detrimental.

How does a child custody conflict feel to parents and children?:

The knowledge that a stranger in a black cloak, somewhere in a courtroom—just like on T.V.—is going to make a decision that will drastically affect the lives of all family members, is a scary thing for both parents and children. Sometimes parents become so anxious about this loss of control that they are able to overcome their disagreements and come to an agreement with regard to custody before the court rules for them—(or against them as the case may be.) (When possible, counselors should encourage couples to resolve the custody issue before it goes to trial. In many instances after the study has been concluded, the judge and lawyers will discuss it together and reach an agreement to "settle out of court." In those instances when custody matters do go to trial, parents and children alike experience the destructive influence of an adversary proceeding.

Child custody trials are ugly in every sense of the word. The testimonies of custody evaluators, friends, relatives, teachers, doctors, etc., are often preludes to examinations under oath of both parents and occasionally, even the children. The damage to relationships incurred in such a trial cannot even be estimated or fully comprehended.

For a child the word "custody" can be a fearful addition to their vocabulary. It is sad to observe the terrible anxiety experienced by children old enough to understand that their whole future is in the hands of a stranger somewhere who may elect not to place them with either parent. I want to point out that in the State of Utah, the child cannot choose which parent he or she wants to live with; the court sees this as too big a burden for any child. It is sad to see parents put pressure on their children to choose sides since this can only make them feel like the rope in a tug-of-war contest, torn apart and guilty regardless of which parent is "chosen."

Sometimes children also are unhappy with the court's decision because they would prefer to live with a parent they can manipulate, the one who gives them no structure or limits. One such child called me when I recommended the firmer parent, crying and asking, "Don't you want me to be happy?" For obvious reasons children are not considered as competent to decide where their best long-term interests lie as are the judges and social workers who are more objective and more aware of all the issues involved. It is not unusual for children to have strong opinions about where they want to live based on parental promises they do not realize are unrealistic. I have had parents promise everything from a new pony to unlimited night-time television privileges to lure children into "picking" them.

For marriage counselors, trying to help couples solve these and many other problems that divorce creates for their children can be most distressing. Too

"She told me she was worried that the Easter Bunny would not know where to find her."

often we see parents forcing their children into destructive roles such as spies, messengers, referees, protectors and even cupids. I remember the sad plight of an eight-year-old boy who felt it his sole responsibility to find a boyfriend for his mother. He also refused to take a summer vacation on his grandparents' farm, stating that "my momma *needs* me." This illustrates the sad fact that too many divorcing parents have an over-reliance on their children and use them as an emotional "security blanket." Please advise your clients not to tell their children that they cannot live without them or that they are their only source of happiness. This is too heavy an emotional burden for children to carry. I remember the mother who told her five-year-old daughter that if the judge gave custody to daddy, she was going to go out in the backyard and "blow her brains out." What an irresponsible way to worry a powerless child! Also, do not let your clients try to divide their children in two, emotionally if not literally, for believe me, there is no just no fair way to divide a child.

I guess one of the most famous custody cases in history is that recorded in I Kings 3:16-28, where two women, both claiming the same child, were brought before King Solomon for his judgment:

> And the king said, Bring me a sword. And they brought a sword before the king. And the king said, Divide the living child in two, and give half to the one and half to the other. Then spake the woman whose the living child was unto the king, for her bowels yearned upon her son, and she said, O my Lord, give her the living child, and in no wise slay it. But the other said, Let it be neither mine nor thine, but divide it. Then the king answered and said, Give her the living child, and in no wise slay it: she is the mother thereof. And all Israel heard of the judgment which the king had judged; and they feared the king: for they saw that the wisdom of God was in him, to do judgment.

There is no threat today to physically divide children in two, but split custody—where children live half of the time with the mother and half with the father—is still viewed as a situation that is not conducive to healthy child development. One little girl was spending two nights with her mother, three with her father and grandmother, and two with a paternal aunt who took her to swimming lessons. She told me she was worried that the Easter Bunny would not know where to find her. Most authorities agree that in order to be "whole," the child should have his or her home with one parent or the other, and that times with the other parent should be in the nature of visits. It is too hard for most children to be emotionally divided between two homes. The home with custody has the ultimate authority in disciplining the child and when this concept is supported by both judges and parents, it helps prevent the child from using one parent against the other.

For the parent who loses custody of the child, the post-divorce period is doubly trying, for then he must learn the hard lesson from the movie *Charlie* that sometimes "truly loving is letting go." For them, I would like to repeat a short story found in the Gesell Institute's book on child behavior called "A Silent Lesson In Love."

A mother was asked by her young daughter, "How do you hold on to someone you love?" The mother silently picked up two handfuls of sand. One hand squeezed hard and the sand escaped through her fingers; the tighter she squeezed, the more the sand disappeared. The other hand she kept open; the sand stayed. The young girl watched her mother in amazement and said quietly, "I see."

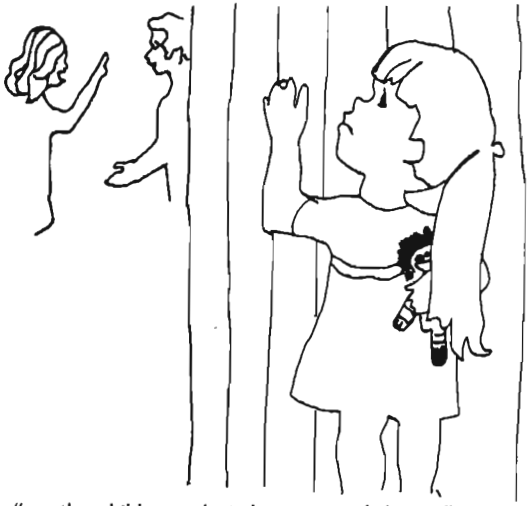
As hard as adjusting to the loss of custody can be for parents, how does it feel to the child? It tears me apart to experience with children some of the

conflictive situations in which their parents place them. Perhaps one of the most explicit descriptions of custody from a child's point of view appeared in *McCall's* magazine in a short story by Laura Hobson entitled merely, "Custody." Dramatic as it sounds, my experience with children and divorce leads me to still view it as a good representation of that trying time. To really get into it, let's imagine that we are crouched in the hall with little Peggy and see how her parents' discussion of custody feels to her.

> "But you wanted complete custody," he said angrily. "Nothing would satisfy you but cutting me out completely. Now. . ."
>
> "Now," she said, "I don't. I've had her for a year. Now you're going to take her and give me a chance. We're leaving next week."
>
> "It's impossible, I tell you. Irene is too young to be saddled with an eight-year-old, and you're not going to wreck this marriage, too."
>
> "Your child bride isn't going to wreck mine, either. Doug is not about to give up the biggest job he's ever had, and if you think we can cart her all over Europe and Asia with us. . ."
>
> "When is this job starting?"
>
> "I told you. We're flying May 5."
>
> There was silence, and behind the closed door, in the hall that led away from the living room, the child stared at the stripes of the wallpaper, counting from the first one outward until she got to ten. Ten was where the silver lines began to run together so you couldn't separate them any more. She wondered what they were doing in there now; she couldn't hear anything. That sour taste was in her throat again but if she had to run to the bathroom, she'd miss the rest of what Daddy and Mommy would say, so she swallowed faster (Hobson, 1970:88-89).

What are some specific ways counselors can be supportive to parents and children affected by custody conflicts?

Below are some specific suggestions that counselors can pass on to parents who are concerned with finding an answer to the question, "How can we help our children through the emotional turmoil of our divorce?"



". . . the child stared at the stripes of the wallpaper, counting from the first one outward until she got to ten."

First of all, I think it is most important for both parents to SPARE THE CHILD FROM AS MANY OF THE UNPLEASANT DETAILS OF THE DIVORCE AS POSSIBLE. Not everything has to be exposed. There is a real element of hostility involved in the parent that has to tell all the sordid facts of personal rejections and indiscretions to the children. A child continues to need two parents; and in most cases it is most important to preserve his emotional bond to each parent and thus prevent his feeling abandoned, ashamed or unloved. Children need to be defended from this basic fear of loss and thus should never be subjected to "reasons why" they should reject one of their parents.

Parents need to EXPLAIN TO THE CHILDREN WHAT IS HAPPENING. Parents should let the children know that their efforts to save their marriage have failed but that no matter what happens, they will take care of them. Nothing is more disturbing to a child than to know something is going on but to not know what. Thus, both parents, if possible, should make perfectly clear to the children involved just exactly what is being planned and what it will mean to them in terms of actual everyday living. These explanations should be geared in terms of the age of the child and his ability to understand. Children are interested in all kinds of practical matters like, "Will I still get an allowance?" For younger children parents may need to "play act," that is, tell stories or otherwise prepare them for any changes of routine or to explain how

visits work, etc. Since one of the greatest fears a child has is that of being unloved and abandoned by his parents, parents should be sure that a child is never threatened, either in jest or in anger, with abandonment, as did one mother who told her daughter, "I'm going to pack you up and give you to welfare." This was truly cruel and inexcusable behavior, particularly since the daughter had witnessed daddy packed up and sent away. Such a threat then seemed very realistic and possible.

In explaining financial facts of divorce, SPARE ANY REFERENCES THAT ARE INTENDED TO MAKE A CHILD FEEL OBLIGATED TO ONE PARENT OR WORRIED ABOUT THE FINANCIAL ASPECTS OF THE DIVORCE. Parents should avoid comments like, "Poor me, no house, no car, I have to leave everything behind. What am I going to do?"

DESTRUCTIVE ARGUING SHOULD NOT BE DONE IN FRONT OF THE CHILDREN. Children in divorce are under enough tensions without having to witness fights between their parents. Misunderstandings and problems do have to be worked out. The important question is, how? Parents' constructive settling of differences is a good model for children in view of the reality of interpersonal relationships, that sometimes people who care about each other fight—and make up—and still love each other. Destructive arguments between parents, however, are doubly anxiety-provoking for children because their total source of security is at stake. Parents are security. If parents desire to win a specific victory, regardless of the effects it could have upon the children, they could very well win the battle with each other but lose the war in terms of their children. I wish parents could have the dubious opportunity I have often had of hearing how their arguments sound to children. If they could listen to a taped interview of their children telling what they heard in arguments at home it might make a difference. I had one case where the child heard the mother call the father "a philandering drunk"; the father in the same case called the child "a little punk" in the midst of the battle. This child also heard his mother threaten "to kill" his father. Obviously, such experiences are unpleasant and downright frightening for children. Sometimes the destructive name-calling continues after divorce. It really is a poor commentary on adults when children come home from visits with questions like, "Mommy, daddy said you're a two-bit whore; what's that?"

Besides the obvious ill effects of tearing down one of the child's parents, this kind of interaction also runs the risk of creating a CREDIBILITY GAP between parent and the child. A child's experience with a parent is different than the spouse's. An abusive, wife-beating man in relating to his wife may be sentimentally attached to a child and be very good to him. Conversely, a devious, demanding or manipulative woman in a marital relationship may nonetheless be very nurturing in relating to her children. Where children have had a different experience with a parent than the parents have had with each other, any and all attempts to deny the child's reality will not only fail but will cause them to doubt the word of judgment of the complaining, downgrading parent.

THE CHILD'S ROUTINE SHOULD BE MAINTAINED AS MUCH AS POSSIBLE. Such things as regular meals and living in the same neighborhood can really be a big source of security to help the children through this troubled period of social transition. Particular attention should be paid to bedtime. Some undisturbed time alone with mommy and daddy just before sleep can do a lot to make a child feel more comfortable and secure amid change.

HEALTHY VISITATION PRIVILEGES SHOULD BE MAINTAINED. I want to stress that in most cases, children have the right and the desire to have a relationship with both of their natural parents. When such visitation has been set up by the courts, the parents owe it to the children to make these visits as

"Parents should avoid comments like 'Poor me, no house, no car, I have to leave everything behind. What am I going to do?' "

pleasant and happy as possible. I cannot stress too much the importance of having the children ready for the visit both emotionally and psychologically. I know one mother who handled this beautifully by rehearsing on the calendar with her children the days of the week with Saturday marked with stars as "Daddy's Day." Compare that to the mother who used to send her boy off with all kinds of tears and admonitions to call her on the phone from wherever he was going and greeted him on return from a two-hour visit as though it had been a year, saying, "Oh, I'm so glad you're back. I've missed you so! I was so worried, etc., etc."

PARENTS SHOULD NOT TRY TO GET THE CHILDREN TO TAKE SIDES BY OFFERING REWARDS. This makes the child naturally vacillate from one parent to the other. If they are used in such competitive exploitation, they may grow up saying "no" to any closeness. This bribing of children makes them feel guilty, disloyal and frightened. It also

encourages children to lose respect for their parents and to try to use them. In any situation, whenever one tries to buy good will or love, the price goes up like that of any other commodity, and this often leads to blackmail. One little boy had a good thing going with his mother. He told me, "I get what I want by keeping mother thinking I'll be bad. Of course, I have to be bad often enough to convince her she is not paying me for nothing."

In their book *Parents on the Run* (1967), the Beechers illustrate how children can manipulate their parents, especially if the parents are feeling guilty, through the principle of "divide and conquer." The chapter entitled, "There Are Little Terrorists in Our Midst," reminds us that "no actor puts on a play when the audience has left." When parents ignore the bad behavior of children and reward the good, the good gradually increases.

CRITICISM OF THE ABSENT SPOUSE SHOULD BE AVOIDED. Divorced parents must continue to be parents although they are no longer husband and wife. It is not an easy arrangement, since it often requires cooperation and a certain amount of friendliness when they do not feel like being nice to each other. But what is the alternative? Whenever a parent tears down or belittles another source of authority over his children, he should remember that once a child begins to doubt or lose respect for another authority or the other parent, it is not long before he loses respect for all authority and both parents. Attacks by one parent on the other also undermine the child's good feelings about himself, out of which grows his capacity to love others. After all, his parents are part of him and if they are bad, he is somehow at least partly bad, too.

Sometimes a parent is left with the reality of explaining to a child the other parent's thoughtless, immature or perhaps even criminal behavior. With all such problems the child benefits from an honest, valid explanation, tempered if possible by adjectives like confused, troubled, and so forth.

PARENTS SHOULD AVOID PROJECTION. Be particularly aware, if your client has really bitter feelings toward an "ex," that they do not let them spill over onto his children. Whenever I see a family where one of the children gets more than his share of grief from a parent, the first question I ask that parent is, "Who in the family is this child most like?" And when the answer is, "He's just like his dad—walks like him, talks like him . . ." then I know that parent is probably placing the hostility that should go to the father onto a more helpless victim: the child.

In summary, remember to caution clients that it is not always just a matter of *what* is said to a child about an upcoming divorce, since *how* it is said is also vastly important. Whatever is said when a child is told of a coming divorce should be said by parents in a reasonably calm and accepting manner. If a child feels that this is something that the parents themselves have accepted and adjusted to, there is a better chance that he or she may be able to accept and adapt to it also.

"Divorced parents must continue to be parents although they are no longer husband and wife."

Of course, these few suggestions do not exhaust the possible areas that need special attention where children and divorce are considered. But if parents could handle these areas, they would have far fewer divorce-related problems with their children to add to the many problems they will need to cope with in the post-divorce period. (Cowley, 1975, pp. 37-48).

A counselor can provide a valuable service by helping the child directly—and providing an opportunity for the child to ventilate the anger they are uncomfortable in acknowledging with parents. Also he/ she can make sure the children understand that the Judge decides who will get custody and that their parents know this. Counselors should also help children to accept the fact that the divorce is *not* their fault—that it's a problem between their parents. It is also important to help children to ventilate their fears about the process of divorce and custody and "rehearse" or role play with them so they can prepare to cope with the situations around meeting with custody evaluators, coping with the curiosity and questioning of friends, what it's like to talk to a judge (or go to a trial if such occurs), and how "visitation" works. If very young children are involved, it is helpful if counselors use family dolls to enact the various aspects of custody and visitation with them. One common problem with which children of divorce need help is in learning how to deal with the stress generated when their parents have conflicting expectancies (Folkman, 1956, p. 106.) Counselors will also need to facilitate the child in giving up the wish to get his/her parents back together again. The grief reaction around giving up this fantasy may need to be worked through the five phases of "loss" as developed by Kubler-Ross: (1) denial; (2) anger; (3) bargaining, (4) depression, and (5) acceptance (Hozman, 1976, pp. 272-275)

When working with the parent's pain it is a good

3. With or without divorce, the process of growing up is often stormy. (Counsel clients to beware of blaming the divorce for these "normal" growing pains.)

4. A two-parent home is not the only emotional structure within which a child can be happy and healthy. (Only 7% of the nation's families are constituted as a "normal" family of a mother and father and two kids. Mace Workshops, University of Utah, March, 1977).

5. The parents who take care of themselves will be best able to take care of their children. Parents who have lived through a creative divorce realize that sacrificing personal growth "for the sake of the children" places an intolerable burden of guilt on their offspring which inhibits the happiness of all concerned (Krantzler, 1974, pp. 194-199).

In summary:

In a country where 1,000,000 people divorced in 1975 and the lives of one and a quarter million children were thereby affected one can anticipate that the numbers of child custody conflicts will continue to "explode" along with the divorce explosion. In Utah where there were 13,000 divorces in 1975 (a 76% increase in the last ten years) counselors can anticipate being called upon to provide services to support families through the trauma of divorce, which is considered to be second only to death in terms of stress placed on individuals and family systems. When one adds to that divorce trauma a custody conflict it is easy to understand why such domestic cases are low on the preference lists of judges and lawyers, and why they are so demanding of counselors.

Providing the necessary remedial and preventive support to parents and children during divorce and/or custody crises when families are confronted with situations wherein divorce is the best solution is but one link in the total chain of services families must have if they are to reach their potential as fully functioning, nurturing systems. The other links of the chain of necessary family services span the continuum of the relationship from premarital education and counseling to marital support and enrichment across the predictable crises of "normal" family living.

It takes a certain dedication and expertise to provide divorce and custody related services, but such work can be very rewarding not only in terms of anticipating and guarding against possible visitation problems but also prevention of the psychological pain that occurs when divorce related emotions are not tactic to reassure them that just because two people have had a failure in a marital relationship does not mean that they have failed as persons or need to fail as parents. Divorce does not have to produce disturbed children, although parents often blame "normal" developmental problems conveniently on a divorce. To produce healthy children despite divorce, parents have to be able to cooperate—not in a forced hypocritical friendliness that is confusing to all—but in a businesslike manner. Parents then can consider themselves as being involved in a "helping relationship" together, for the benefit of their children, with the children's needs taking precedence over their own needs and feelings.

Some of the most frequent and disturbing feelings couples have around divorce and child custody have to do with their concerns about what effect the whole experience will have upon their children. Some of the questions which haunt them are frequently like these:

"How will our marital failure affect our children;"

"Will they be more prone to delinquency because of the divorce?"

"Does the trauma of divorce produce lasting emotional scars in children or lead to mental illness?"

"Can I handle it when my children have a continued relationship with my 'ex'?—or with a new stepfather or stepmother?"

"Will the children blame us some day for breaking up the family?"

"Will our divorce make our children less capable of achieving a happy marriage of their own?"

"Can they ever forgive me for leaving their mother/father?"

Mel Krantzler in his book, *Creative Divorce*, has listed five cogent research-backed reassurances to aid parents in dealing with their child-related guilt:

1. Children are resilient—short of actual neglect and physical abuse, they can survive any family crisis without permanent damage—and grow as human beings in the process—if they can sense some continuity and loving involvement on the part of their parents.

2. The impact of divorce on children is far less severe than the consequences of remaining in an unbroken but troubled home.

constructively resolved (Messinger, 1976, p. 193). Helping couples to divorce as constructively as possible is the best preparation for remarriage that there is.

LDS families will not be immune to this social disease of divorce, and Mormon counselors will need to develop expertise in handling these complex cases. One important skill that must also be mastered is the skill of referral if the trauma in the family is such that the full range of professional team services is indicated. For example, a grief and mourning period is to be expected, but if a depression becomes chronic, medication may be required and referral to a mental health clinic or a qualified private practitioner a must. Also, the services of school social workers should be enlisted as support systems for children.

The important question with regard to the ultimate health or pathology of the family system is not "to divorce or not to divorce?"—but "how?"

REFERENCES

Beecher, Marguerite and Willard, *Parents on the Run*, New York: Grosset and Dunlap, 1967.

Cowley, Au-Deane S., "Effects of Divorce on Children," in *The Crisis of Divorce*, Edited by Charlene L. Gray and Lucy B. Ascoli, Logan, Utah: Utah State University, 1975.

Despert, J. Louise, *Children of Divorce*, New York: Dolphin Books, 1962.

Folkman, Jerome D., "Stressful and Supportive Familial Interaction," *Marriage and Family Living*, 18, (May, 1956), pp. 102-106.

Glick, P.C., and Norton, A.J., "Perspective on the Recent Upturn in Divorce and Remarriage," *Demography*, 10, 1973, pp. 301-314.

Goldstein, Joseph, Freud, Anna, and Solnit, Albert J., *Beyond the Best Interests of the Child*, New York: Collier Macmillan Publishers. 1973.

Hobson, Laura, "Custody," *McCall's*, Vol. 87 (September) 1970, pp. 88-89.

Hozman, Thomas and Froiland, Donald, "Families in Divorce: A proposed model for Counseling Children," *Family Coordinator*, 25, (July, 1976), pp. 271-277.

Krantzler, Mel, *Creative Divorce*, New York: M. Evans & Company, Inc., 1974.

LeMasters, E.E., *Parents in Modern America: A Sociological Analysis*, Illinois: Dorsey, 1970.

Messinger, Lillian, "Remarriage Between Divorced People with Children from Previous Marriages: A Proposal for Preparation for Remarriage," *Journal of Marriage and Family Counseling* (April, 1976), pp. 193-200.

Mindey, C., *The Divorced Mother: A Guide to Readjustment*, New York: McGraw Hill, 1969.

Nye, F. Ivan, "Child Adjustment in Broken and in Unhappy Unbroken Homes," *Marriage and Family Living*, 19, (November, 1957), pp. 356-361.

Steingor, Bernard, *When Partners Divorce*, New York: Pantheon Books, 1969.

Wiseman, Reva S., "Crisis Theory and the Process of Divorce," *Social Casework*, 56, (April, 1975), pp 205-213.

Child Abuse and Neglect*

Brent Q. Hafen

Preface

The following article by Dr. Brent Q. Hafen was written at the request of the editorial board. Although the content may not be unique to the LDS professional, it is considered valuable for effective counseling. More particularly, the area is often a neglected one. In our culture, where the family is a primary unit and where so much emphasis is placed on unity, solidarity and strength of the family, influences which are divisive and destructive—not only immediately but over generations—need to be thoroughly understood. The failure to comprehend and deal skillfully with negative influences such as child abuse and its attendant problems, may more than cancel out the positive efforts of a counselor in trying to strengthen families. Educational programs aimed at helping new parents, parents with problems, or any parents trying to improve their role would benefit from this thoughtful and scholarly presentation.

Child abuse is the deliberate use of excessive physical force or deliberate act of omission by a parent or other custodian responsible for a child's care. The most severe form of child abuse is seen in the battered child syndrome. The syndrome lies at one extreme of a spectrum of insufficient care and protection. The term battered child syndrome is used to characterize a clinical condition in young children who have received significant physical abuse, generally from a parent or foster parent. Different, and less lethal, forms of child abuse include those in which injuries are repeated but not serious; instances of "failure to thrive" due to insufficient love or nutrition; cases of sexual abuse, emotional and social deprivaton; and, finally, that most difficult of situations where there is an absence of love, of nurturing affection on the part of the parents, but at a level which is not sufficient to result in demonstrable physical or marked emotional retardation.[1]

In 1974, Congress passed the Child Abuse Prevention and Treatment Act, Public Law 93-237, which defines child abuse and neglect as "the physical or mental injury, sexual abuse, negligent treatment, or maltreatment of a child under the age of eighteen by a person who is responsible for the child's welfare under circumstances which indicate that the child's health or welfare is harmed or threatened thereby."

As the above definition indicates, child abuse and neglect can take many forms. In general, abuse refers to acts of commission such as beating or excessive chastisement; neglect, to acts of omission such as failure to provide adequate food or emotional care.

Incidence

It has been estimated that at least 700 children are killed by their parents or parent surrogates in the United States each year. In the United States, approximately 10,000 children are severely battered; between 50,000 and 75,000 are sexually abused; and 200,000-500,000 are emotionally, physically, or morally neglected each year.[2] It has been suggested that for every case of child abuse that is reported, there are four that go unreported. Of the more than 10,000 cases of battered child syndrome reported each year in this country, fifty percent involve children less than five years of age; seventy-five percent involve children less than ten years of age; one-third require hospital treatment; and up to three percent are dead on arrival at the hospital.

Gil and Noble, however, assert that only a fraction of all child abuse cases are reported. If all cases were known, they feel that the incidence would reach 2.5 to 4.1 million cases per year.[3] Some investigators list abuse as the most common cause of death in the preschool age group.[4,5]

The problem of child maltreatment has often been compared to an iceberg: reported cases account for the visible tip, but estimates suggest a problem of staggering proportions yet to be revealed.

Characteristics of Abuse and Neglect[6]

Recognizing a child's need for protection is obviously more important than determining the form of maltreatment involved. In confronting a possible

Author's note: Much of the material presented is based on *Child Abuse and Neglect* Vol. 1 & 2 of the National Center on Child Abuse and Neglect and Henry C. Kempe's Testimony Before the Subcommittee on Children and Youth of The Committee on Labor and Public Welfare, United States Senate, March 31, 1973.

case of child maltreatment, the operational problem is not how to classify it, but whether or not to report it. Unfortunately, many of those who might report are not acquainted with the characteristics of abuse and neglect, and are therefore not alert to signs of possible maltreatment.

The following lists include both general characteristics of maltreated children and their parents, and some indicators of specific forms of maltreatment. The categories are not necessarily mutually exclusive; any of the forms of maltreatment can occur separately or together. Moreover, the characteristics listed are not proof of maltreatment, since any one or several can reflect situations other than abuse or neglect. But awareness of these characteristics helps in understanding the nature of abuse and neglect and, in practical terms, can help in identifying children in need of protection.

General. Abused or neglected children are likely to share at least several of the following characteristics:

- They appear to be different from other children in physical or emotional makeup, or their parents inappropriately describe them as being "different" or "bad."
- They seem unduly afraid of their parents.
- They may often bear welts, bruises, untreated sores, or other skin injuries.
- They show evidence of overall poor care.
- Their injuries seem to be inadequately treated.
- They are given inappropriate food, drink, or medication.
- They exhibit behavioral extremes: for example, crying often, or crying very little and showing no real expectation of being comforted; being excessively fearful, or seeming fearless of adult authority; being unusually aggressive and destructive, or extremely passive and withdrawn.
- Some are wary of physical contact, especially when it is initiated by an adult; they become apprehensive when an adult approaches another child, particularly one who is crying. Others are inappropriately hungry for affection, yet may have difficulty relating to children and adults. Based on their past experiences, these children cannot risk getting too close to others.
- They may exhibit a sudden change in behavior; for example, displaying regressive behavior—pants-wetting, thumb-sucking, frequent whining; becoming disruptive; or becoming uncommonly shy and passive.
- They take over the role of the parent, being protective or otherwise attempting to take care of the parent's needs.
- They have learning problems that cannot be

"But awareness of these characteristics helps in understanding the nature of abuse and neglect and, in practical terms, can help in identifying children in need of protection."

diagnosed. If a child's academic, IQ, and medical tests indicate no abnormalities but still the child cannot meet normal expectations, the answer may well be problems in the home—one of which might be abuse or neglect. Particular attention should be given to the child whose attention wanders and who easily becomes self-absorbed.

- They are habitually truant or late to school. Frequent or prolonged absences sometimes result when a parent keeps an injured child at home until the evidence of abuse disappears. In other cases, truancy indicates lack of parental concern or ability to regulate the child's schedule.
- In some cases, they frequently arrive at school too early and remain in after classes rather than going home.
- They are always tired and often sleep in class.
- They are inappropriately dressed for the weather. Children who never have coats or shoes in cold weather are receiving subminimal care. On the other hand, those who regularly wear long sleeves or high necklines on hot days may be dressed to hide bruises, burns, or other marks of abuse.

Physical Abuse. More specifically, physically abused children will probably fit some of the following descriptions.

- They bear signs of injury—bruises, welts contusions, cuts, burns, fractures, lacerations, strap marks, swellings, lost teeth. The list of possibilities is long and unpleasant. While internal injuries are seldom detectable without a hospital workup, anyone in close contact with children should be alert to multiple injuries, a history of repeated injury, new injuries added to old, and untreated injuries—especially in the very young child.
- The older child may attribute the injury to an improbable cause, lying for fear of parental retaliation. The younger child, on the other hand, may be unaware that severe beating is unacceptable and may admit to having been abused.
- They are behavior problems. Especially among adolescents, chronic and unexplainable misbehavior should be investigated as possible evidence of abuse. Some children come to expect abusive behavior as the only kind of attention they can receive, and so act in a way that invites abuse. Others have been known to break the law deliberately so as to come under the jurisdiction of the courts to obtain protection from their parents.
- Their parents generally provide such necessities for the child as adequate food and clean clothes; but they anger quickly, have unrealistic expectations of the child, use inappropriate discipline, and are overly critical and rejecting of the child.

The characteristics of a child that is most likely to be abused are as follows:[7]

- Child under three years of age.
- Premature birth.
- A newborn with a poor life expectancy.
- Child of an unplanned or unwanted pregnancy.
- Newborn with major defects.
- Mentally retarded child.
- Child seen as "different" by the parents.

Sexual Abuse. Sexual abuse, a form of physical abuse, ranges from exposure and fondling to intercourse, incest, and rape. Approximately 75 percent of the offenders, usually males, are known to the child or the child's family. Some 90 percent of the victims are girls, from infants through adolescents.

Since the sexually abused child lacks the tell-tale symptoms of battering, sexual abuse is difficult to identify and even harder to prove. Short of the child telling someone, the best indicators are a sudden change in behavior and signs of emotional disturbance.[8]

Physical Neglect. Dr. Abraham Levine notes that, to some extent, neglect "defies exact definition, but it may be regarded as the failure to provide the essentials for normal life, such as food, clothing, shelter, care and supervision, and protection from assault."[9] Physically neglected children tend to exhibit at least several of the characteristics below:

- They are often hungry. They may go without breakfast, and have neither food nor money for lunch. Some take the lunch money or food of other children and hoard whatever they obtain.
- They show signs of malnutrition—paleness, low weight relative to height, lack of body tone, fatigue, inability to participate in physical activities, and lack of normal strength and endurance.
- They are usually irritable.
- They show evidence of inadequate home management. They are unclean and unkempt; their clothes are torn and dirty; and they are often unbathed. As mentioned earlier, they may lack proper clothing for weather conditions, and their school attendance may be irregular. In addition, these children may frequently be ill and may exhibit a generally repressed personality, inattentiveness, and withdrawal.
- They are in obvious need of medical attention for such correctable conditions as poor eyesight, dental care, and immunizations.
- They lack parental supervision at home. The child for example, may frequently return from school to an empty house. While the need for adult supervision is, of course, relative to both the situation and the maturity of the child, it is generally held that a child

younger than 12 should be supervised by an adult or at least have immediate access to a concerned adult when necessary.

© Their parents are either unable or unwilling to provide appropriate care. Some neglecting parents are mentally deficient; most lack knowledge of parenting skills and tend to be discouraged, depressed, and frustrated with their role as parents.

Emotional Abuse or Neglect. Emotional abuse or neglect is far more difficult to identify than its physical counterparts. Such maltreatment includes the "parent's lack of love and proper direction, inability to accept a child with his potentialities as well as his limitations, . . . (and) failure to encourage the child's normal development by assurance of love and acceptance."[10] The parents of an emotionally abused or neglected child may be overly harsh and critical, demanding excessive academic, athletic, or social performance. Conversely, they may withhold physical and verbal contact, care little about the child's successes and failures, and fail to provide necessary guidance and praise. Though emotional maltreatment may occur alone, it is almost always present in cases of physical abuse or neglect. The emotional damage to children who are physically abused or whose basic physical needs are unattended is often more serious than the bodily damage.

"The parents of an emotionally abused or neglected child may be overly harsh and critical, demanding excessive academic, athletic or social performance."

The indicators of emotional maltreatment are often intangible, but sooner or later the consequences become evident. The child may react either by becoming "hyperaggressive, disrupting and demanding. . . shouting his cry for help," or by becoming "withdrawn . . . whispering his cry for help."[11] In a class of psychologically healthy children, the emotionally abused child often stands out unmistakably. Emotional maltreatment has a decidedly adverse effect on a child's learning ability, achievement level, and general development. The strongest indicators are unaccountable learning difficulties and changed or unusual behavior patterns.

CHARACTERISTICS OF ABUSIVE/ NEGLECTFUL PERSONS

In a report of 390 cases of child abuse in Hennepin County, Minnesota the perpetrators were documented as follows:[12]

Mother	126
Father	96
Mother and father	8
Stepparent	45
Siblings or other relatives	10
Nonrelatives	24
Mother's boyfriend or father's girlfriend	48
Unknown	33

Of the 390 cases investigated, 41 involved the battered child syndrome; 55 involved severe physical abuse—one-time beatings that resulted in lacerations or fractures; 287 involved more moderate physical abuse. Fourteen of the children died.

Most of us assume that only a mentally ill or criminal person could inflict injury or deprivation upon a child. Most think that such a person is a social misfit or drunk from the lower classes who strikes out in anger or for revenge. Frankly, there is no definite type of parent who batters his child. Abusive parents come from all social classes, races, creeds, religions, education levels, and socioeconomic groups. Abusers are not confined to persons with psychopathic personalities. Among abusers only 5 percent suffer from delusional schizophrenia or depressive illness. The child who is under the care of this 5 percent is often a part of the delusional system, much to his disadvantage and peril. Abusers in this group tend to inflict rather bizarre injuries upon their children. Another 5 percent appear to be aggressive psychopaths who deliberately and wilfully abuse. The majority of these are men who beat others—wives, children, animals, friends—indiscriminately. They hardly speak at all but communicate by bashing others.

The remaining 90 percent of abusive parents cannot be grouped into any one personality type or psychiatric class. They do, however, resemble each other in certain characteristics relating to their own childhood experiences.

Lack of "Parenting." The majority of abusive parents were severely deprived individuals who received little love or nurturing from their own parents when they were children. According to Kempe[13] abusive parents, as a rule, have, from their earliest

childhood, been exploited by their parents, had to conform to rigorous standards of behavior, and almost invariably had to provide a great deal of support and service for their parents. In short, they lacked the usual "ordinary" childhood which is made up of a great deal of early dependency followed by gradual emancipation. Individuals who have missed such parenting experiences in early childhood become distrustful of their own good qualities, come to feel that they are inferior and "no good" and deserve to be punished while continuing to hope that at some time a loving relationship will come their way. They often have chances for such a relationship through their teachers or their early friendships, but they tend to miss out on these, and the yearning is not fulfilled. They often marry at a young age in the hope of gaining such love and support from their spouses. If they are fortunate and marry someone who is warm, giving, and "mothering" all is well and they are emotionally reconstituted even though it is relatively late in their lives. Unfortunately, in most cases they tend to marry someone similarly deprived and continue to be two very needy individuals who cling to each other like non-swimmers whose struggling together often results in both of them drowning.[14]

"Parenting," commonly called "mothering," is the sensitive, individualized, and generous approach to children by a tender mother or father. It is a quality of giving to a defenseless small infant, virtually without limits, to fulfill whatever the child needs in the way of individual attention, food, and comfort. Mothering is required by all children for normal growth, and there needs to be a mothering person for every child whether it be the biological father or mother, foster parent, or other adult.

Further, this demand for satisfying behavioral response from the infant to parental need is highly premature and expressed very early in the infant's life. As an inevitable corollary, there is parental disregard of the infant's own needs, wishes, and age-appropriate abilities or inabilities to respond properly. It is as though the infant were looked to as a need-satisfying parental object to fill the residual, unsatisfied, infantile needs of the parent.

When the child inevitably fails to measure up as a love object—he is battered. The child should be able to count on being comforted, nurtured, cared for, and its cries interpreted as expressing some basic needs. To an abusive parent, prolonged crying is interpreted as being accusatory rather than a sign that the parents need to attempt to satisfy some need of the child. The parents feel the child is saying, "if you were a good mother or father, I wouldn't be crying like this." Often, these parents desire to be very good parents and to have a very loving relationship with the child. But the supposed rejection on the part of the child results in increased parental anger and frustration when they feel, once more, that someone they love has failed them.

Also victims of abuse. Abusive parents were usually battered as children by their own parents. They learn to view themselves, and eventually their own children, as slow, bad, defiant, and hard to discipline. They learn to expect an unusually high level of performance from their children, based upon their conviction that certain things are right, necessary, and must be carried out. They firmly believe physical punishment to be a necessary and correct form of

Mothering is a behavior children learn in the home from modeling after their parents. The presence of love alone does not insure mothering, and the mechanical performance of child care—diapering, bathing, feeding—is not to be considered mothering. These things must be performed with giving and genuine concern.

If parenting is not given in the home by the adults, the children grow up lacking the ability to teach this to their own children. An estimated 20 percent of all young mothers have serious problems in mothering. One in five doesn't know how to turn on mothering at all. If a child receives too little or no mothering he may

be damaged for life.

Basic in the abuser's attitude attitude toward infants is the conviction, largely unconscious, that children exist in order to satisfy parental needs. Infants who do not satisfy these needs should be physically punished in order to make them behavior properly. Discipline is used to implement their high standards.[15]

The potential batterer tends to consider 2-6 weeks of age old enough for discipline for such causes as crying too much or making too many demands. (Unabusive parents tend to regard the child as ready for discipline at about one year of age, and then only for safety's sake.) When the child fails to fulfill the parent's expectations to behave in certain ways, far too premature for the level of the child's development, the parent imposes distorted punishments. One father expected his six month old baby to be toilet trained and placed him on a radiator to dry his pants if he wet. A man who had seriously burned the palms of the hands of his two little boys as a lesson-teaching punishment for playing with matches, said "That's the right and best way to deal with things. My mother burned my hands when I played with matches." So we see a pattern of parents repeating toward their own children the aggressive, violent behavior that was expressed toward them. They don't learn to differentiate between appropriate discipline, such as an occasional spanking, and abuse, beating or pouring scalding water on their baby's genitals.

No lifeline. Abusive parents tend to be depressed, isolated, and lack a lifeline to a giving parent, friend, or professional person who can help in crises.

The absence of safety valves—an understanding husband or neighbor or the very capability of the mother to withdraw from the child at the moment of great rage—places the helpless child at great peril.

Immaturity and lack of self-control. Abusive parents tend to be sensitive to stress and lack self-control in venting their frustrations in constructive manners (or they fail to perceive that abusive punishing is destructive.) They seek fulfillment of their own needs in immature ways. For example, a retaliatory parent uses the child as a scapegoat to "get even" with his spouse or own parent. This is especially true where the child is unwanted. The power-seeking parent only feels potent when the child is hurt or ill. The batter-by-proxy parent induces a spouse, older sibling, neighbor, or gang of children to inflict the injury.

Alcoholism is also closely related to child abuse. The inebriated parent is doubly lacking in self-control.

IDENTIFYING THE POTENTIAL CHILD ABUSER

Look for these characteristics:

- Little self-control, inability to cope with stress.
- Have experienced physical battering as children themselves.
- Have unusual expectations for their infants (similar to the excessive demands placed upon them as children).
- Live in high level of stress, tension and frustration—perhaps crowded and deprived circumstances.
- Were continually criticized as children.
- Could never please parents.
- Lack of basic mothering—fostering the feeling of being cared about from the beginning of one's life.
- Look to the child to provide the protection and loving response they were deprived of themselves as they grew up. When the child is incapable of "taking care" of the parent, the result is often an attack leashed upon the child.
- In the presence of an abusive parent and his child, you will often note that the child makes motions to comfort his parent when he or she is distressed. Yet, at the same time, the parent will ignore the obvious

needs of the child.

- Lack of trust within the marriage.
- Lack of meaningful communication.
- Relationships with family and friends are distant and superficial. Lead isolated and lonely existences because unable to create or sustain personal adult relationships.
- One parent usually the active batterer while the other almost always contributes to the abusive behavior by openly condoning it or by passively (consciously or unconsciously) going along with it.
- Between 25 and 35.
- Immaturity, characterized by a deep fear of their ability to cope with adult responsibility and a childlike demand for immediate gratification.
- They see a given child in a very special, unrealistic way. They tend to see the baby as demanding, unattractive, willful, spoiled, and not living up to their standards. Often, other children in the family are seen quite normally.

CHILD ABUSE PROTECTION MODEL

Usually a combination of three components sets off an abusive incident:[16]

Parent with potential for abuse + Child in special circumstances + Crisis = Abuse

Abuse potential within a parent stems from their rearing, ability to use help from others, method of viewing the child, subjection to distorted nurturing experiences, dependence on drugs, dependence on alcohol, etc.

A special child may be unexpected, unwanted, chronically ill or handicapped, hyperactive, disruptive—or just special because he is a convenient object. Usually a crisis event precipitates the abusive behavior. It can be a slight annoyance—broken television, dented fender, child who won't stop crying—or a major event such as loss of a job. The parent, child and environment interact.

The aim of prevention is to alter the model. Crisis is a fairly stable factor within the model, for when one crisis is solved the risk of abuse is not removed. Stress is a regular part of life and new crises can precipitate new incidents. Treatment must therefore be aimed at the child or parent. For protection, the child may need to be removed from the home. However, most desirable is to teach the parent adequate coping skills and make the home safe for the child. The child belongs at home (safely!)

Delsordo has devised five categories of classification of abusing parents and recommended action to be taken with their children.[17]

Classification	Recommended Action
1. Mentally ill	Termination of rights
2. Overflow abuse	Termination of rights
3. Battered child	Termination of rights
4. Disciplinary abuse	Agency intervenes with service
5. Misplaced abuse	Agency intervenes with service

1. Abusers found to be mentally ill are unfit parents who need hospitalization and psychiatric treatment. Termination of parental rights may be indicated in these cases.

2. Parents exhibiting overflow abuse are unable to cope with ". . . their own frustrations, irresponsibility, and lack of belief in themselves and anything else." They compensate by abusing anyone or anything, especially a child, who become a burden for them. They lack the mental and physical energy necessary to establish a healthy family environment. Termination of parental rights is suggested.

3. The parent of battered children regard the child as a competitor or a special burden and feel that he must be made to suffer or even be destroyed. These parents frequently project their own desirable traits on to the child. They are typically dependent personalities. Delsordo believes that since they can seldom be rehabilitated, their parental rights should be terminated.

4. Parents who practice disciplinary abuse rely on stringent physical punishment to correct the child's real or imagined transgressions. These faults are often beyond the child's control and the punishment may be extreme—much more severe than the ordinary spanking—and may result in damage to internal organs or brain damage in infants. Delsordo feels that most of these parents can be treated successfully through intervention. Duncan believes that essentially the same type of abuse can occur in school districts which permit corporal punishment.

5. Misplaced abuse is the result of displaced aggression. For example, a woman who is beaten by her husband may abuse her child rather than show aggression toward the husband. Delsordo believes that these parents can be helped through counseling and effective social work.

Prevention is far better than inadequate cure, and

the attention now focused almost exclusively on the management and disposition of families in which abuse has already taken place should be funneled, at least in part, toward predicting and preventing child abuse from occuring in the first place.

Society has worked out a way to take failure in marriage; it is called divorce. We should be prepared to accept failures in totally unregulated, random parenthood by permitting, without social stigma, either voluntary or involuntary termination, of parental rights for children from those parents who cannot, for one reason or another, give them the minimal physical and emotional support they deserve. Termination of parental rights should become a highly acceptable method of managing parenting failure when adequate diagnostic evaluation suggests that no other method of treatment will succeed.[18]

TREATMENT

The kind of help abusive parents have responded to involves relationships that are more intense and more personal than the usual professional therapeutic relationships. Some call it "reparenting" or nurturing. What it means in practice is fulfilling parents' needs in the following areas:[19]

- Parents need help to feel good about themselves, to make up for the devastating belittling they've experienced in their own lives.
- Parents need to be comforted when they are hurt, supported when they feel weak and liked for their lideable qualities—even when these are hard to find.
- Parents need someone they can trust and lean on, and someone who will put up with their crankiness and complaining. They also need someone who will not be tricked into accepting their low sense of self-worth.
- Parents need someone who will not be exhausted with them when they find no pleasure in life and defeat all attempts to help them seek it.
- Parents need someone who will be there in times of crisis and who can help them with their practical needs, by leading them to resources that they can use or by giving more direct help.
- Parents need someone who understands how hard it is for them to have dependents when they have never been allowed to be dependent themselves.
- Parents need someone who will not criticize them, even when they ask for it, and who will not tell them what to do or how to manage their lives. They also need someone who does not need to use them in any way.
- Parents need someone who will help them understand their children without making them feel either imposed upon by having to understand what they cannot, or stupid for not having understood in the first place.
- Parents need someone who can give to them without making them feel of lesser value because of their needs. Parents need to feel valuable, and eventually they need to be able to help themselves and to have some role in helping others.

Working with abusive parents is as demanding as a job as the list of parent's needs implies. It requires workers who are themselves exceptionally sensitive to other human beings, who can accept hostility and rejection without being devastated by it and without feeling the need to retaliate. It requires workers who will not be critical of the parent's behavior and who can feel at ease with parents' criticisms. It also requires workers who can share themselves without sharing their problems and who can befriend while maintaining awareness of their helping role. Workers must also be able to think first about the parents' needs and not their own, and they should have a sense of self-worth and achievement that will sustain them through work that is demanding and brings few immediate rewards.[20]

Even when workers feel strong within themselves, and have reasonably fulfilling lives of their own apart from their work, the nurturing of abusive parents can be quite exhausting. The parent's needs are extensive—at times like bottomless pits. Workers calling on their own emotional resources are constantly aware of themselves, their own upbringing and the way they are raising their own children if they have any. This awareness can be wearing. But the most draining part of caring for these parents is knowing that a child may be seriously injured or neglected, or even die, if the worker misjudges the parents' capacity to care for the child.[21]

REPORTING ABUSE

Every citizen has the moral and legal obligation to report immediately (to the Family Services Division, Social Welfare Office, or Police Department) suspected cases of child neglect or abuse. Failure to do so is punishable as a misdemeanor in most states. If you report a case of child abuse, your name is held confidential. You will be asked a few simple questions about what you have observed. Personnel from the Division of Family Services or a similar agency will visit the child and his parent. Hopefully, the situation can be resolved while the children are in their own home by counseling and guidance with parents and/or children, where appropriate. If the situation is extreme and the parents are unable to make appropriate changes, legal action will be instigated. Every

effort is made to keep the child in his own home, but the best interests and protection of the child are the first considerations.[22]

Reporting by professionals increases when they have ready access to a team which provides them with consultation and support and which has provided them with an initial orientation to the importance of reporting.[23]

CONCLUSION

The consensus seems to be that abused/neglected children are severely damaged in terms of their ability to function adaptively and that if intervention does not occur at a very young age, the damage may well be permanent.[23]

BIBLIOGRAPHY

1. Henry C. Kempe, "Child Abuse (The Battered Child Syndrome)." A Position Paper for Hearings of the Subcommittee on Children and Youth of the Committee on Labor and Public Welfare, United States Senate, March 31, 1973, p. 181.

2. Fredrick Green, "Child Abuse and Neglect." *Pediatric Clinics of North America*, May 1975, p. 330.

3. Mary Lystad, "Violence at Home: A Review of the Literature." *American Journal of Orthopedic Psychiatry*, 45 (3), April 19, 1975, p. 332.

4. Thomas P. Lowry and Anthea Lowry, "Abortion as Preventive for Abused Children." *Psychiatric Opinion*, June 1971, pp. 19-25.

5. Evi Underhill, "The Child and His Surroundings." *International Child Welfare Review*, May 1974, pp. 16-21.

6. From: *Child Abuse and Neglect: The Problem and Its Management*, Nutritional Center on Child Abuse and Neglect, DHEW Publication No. (OHD) 75-30073, pp. 4-9.

7. Shirley B. Lansky and Jean H. Wehr, "Prenatal and Postnatal Factors in Child Abuse." *Continuing Education for Physicians*, July 1975, p. 46.

8. As reported by Vincent J. Fontana, *Somewhere a Child is Crying*, New York: MacMillan Publishing Co., 1973, p. 99.

9. Abraham Levine, "Child Neglect: Reaching the Parent." *The Social and Rehabilitation Record*, 1, No. 7, July-August 1974, p. 26.

10. Henrietta Gordon as quoted by Robert M. Mulford, "Emotional Neglect of Children: A Challenge to Protective Services," Denver: The American Humane Association, Children's Division, n.d., p. 5.

11. Vincent DeFrancis as quoted by Herb Stoennen, "Plain Talk About Child Abuse." Denver: The American Humane Society, Children's Division, 1972, p. 24.

12. _____. "How Physicials Can Help Prevent Child Abuse." *Patient Care*, February 5, 1973, pp. 131-152.

13. Henry C. Kempe, "Child Abuse (The Battered Child Syndrome)," A Position Paper for Hearings of the Subcommittee on Children and Youth of the Committee on Labor and Public Welfare, United States Senate, March 31, 1973.

14. Ibid.

15. Edward Edelson, "It's the Parent Who Needs Help." *Family Health*, July 1970, pp. 15-17.

16. Henry C. Kempe and Ray E. Helfer, eds., *Helping the Battered Child and His Family*, Philadelphia and Toronto: J.B. Lippincott Company, 1972.

17. *Child Abuse and Neglect*, A Report on the Status of the Researcher, Maure Hunt, George Washington University, DHEW Publication No. (OHD) 74-20, p. 8.

18. Henry C. Kempe, "Child Abuse (The Battered Child Syndrome)," A Position Paper for Hearings of the Subcommittee on Children and Youth of the Committee on Labor and Public Welfare, United States Senate, March 31, 1973.

19. Stanley D. Kane, "Battered Child: The Syndrome of Family Interaction," *American Journal of Psychiatry*, 131:8, August 1974, pp. 882-886.

20. Ibid.

21. Ibid.

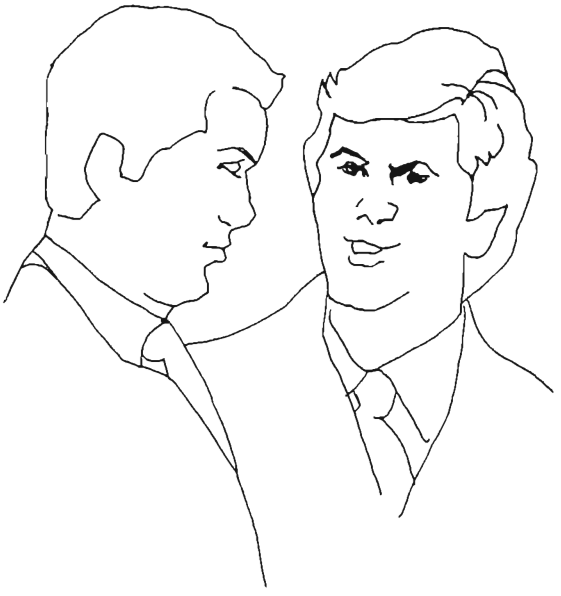
22. Brent Q. Hafen et. al., *Prescriptions for Health*, Brigham Young University Press, 1977, p. 322.

23. *Child Abuse and Neglect Programs: Practice and Theory*, National Institute of Mental Health, DHEW Publication No. (ADM) 76-344, pp. 151-156.

Do Professionals have an Obligation to Report Child Abuse?

Douglas W. Johnson M.S.W.

At the 1976 AMCAP Convention, after the panel presentation on *Confidentiality and Privileged Communications*, a controversy arose over whether or not professionals or bishops have a responsibility to comply with the section of the UTAH CODE REQUIRING THE REPORTING OF CHILD ABUSE TO PROPER AUTHORITIES. Some felt, for example, that a bishop who received a confession of such abuse from one of his ward members could properly deal with the matter as a bishop has the right to do, but did not need to report further. Others felt that he was obligated to report to legal authorities. Some professionals felt like the privileged communication granted by their licensing laws also freed them from the obligation to report child abuse.



I believe that such reports should be made with few exceptions. A father had confessed having an incestuous relationship with a daughter. The daughter was placed in foster care through L.D.S. Social Services and the father was excommunicated from the church. No report was made to the legal authorities. I believe that if this father had faced legal sanction as a result of his crime, it would have done much to prevent further problems. But, this family has now been all but destroyed. I have recently gone to court and removed two more children from this family. I don't want to deal more with the specifics of this case, but I have been motivated to research the law to see if there is a valid reason why such abuse is not reported.

As a social worker in the State of Utah I have dealt specifically with the Utah statutes but a professional working in another state would find similar statutes both in regard to the reporting of child abuse and in regard to the evidentiary problem of privileged communication in cases of child abuse. From analyses of various state laws as made by Brian Fraser and Roy D. Wienberg* I glean the following:

All fifty states have a child abuse reporting statute.

2. In forty-nine of these states reporting is mandatory, (New Mexico is the exception).

3. In twenty-nine of these states there is a criminal penalty for failure to report child abuse.

4. In thirty-nine states some part of the statutes dealing with privileged communication have been changed or removed in cases of child abuse.

5. Every state grants some form of immunity to persons required to report child abuse.

6. Six states have statutes which deal specifically with "Psychologist-Client" communication.

7. Seventeen states have "Psychologist-Client" statutes.

8. Thirty-eight states have "Attorney-Client" statutes.

9. Thirty-seven states have "Physician-Patient" statutes.

10. Forty-four states have "Priest-penitent" statutes. These in most cases would apply to L.D.S. Bishops.

11. Privileged communication for social workers and marriage and family counselors is recent and is covered in their individual licensing laws. Those states which have passed laws are likely to be similar to those in Utah because they are most likely to be based on models suggested by the National Association of Social Workers and the American Association of Marriage and Family Counselors.

The text of Utah's law on reporting child abuse is as follows:

55-16-1. Mandatory of cases of abuse or neglect-Intent of legislature. - In order to protect children whose health and welfare may be adversely affected as a result of abuse or neglect, the legislature of the state of Utah provides for the mandatory reporting of all known or suspected instances of child abuse and neglect to the local city police or county sheriff or office of the division of family services by any person having cause to believe such case exists. It is the intent of the legislature that protective social services shall be made available in an effort to prevent further abuse or neglect and to safeguard and enhance the health and welfare of such children and to preserve family life whenever possible.

55-16-1.5. Definitions. - As used in this act and only for the purpose of this act:

(1) "Child abuse and neglect" means harm or threatened harm to a child's health or welfare by a person responsible for the child's health or welfare.

(2) "Harm or threatened harm" means any nonaccidental physical or mental injury, sexual abuse, or negligent treatment or maltreatment including the failure to provide adequate food, clothing, or shelter. A parent or guardian legitimately practicing religious beliefs who does not provide specified medical treatment for a child, for that reason alone, shall not be considered a negligent parent.

(3) "Child" means a person under eighteen years of age.

(4) "A person responsible for a child's health or welfare" means the child's parent, guardian, or other person responsible for the child's health or welfare, whether in the same home as the child, a relative's home, a foster care home, or a residential institution.

55-16-2. Persons required to report suspected abuse or neglect. - Any person who knows or reasonably suspects that a child's health or welfare has been or appears to have been harmed as a result of abuse or neglect shall report or cause reports to be made in accordance with the provisions of this act; provided that when the attendance of any person with respect to a child is pursuant to the performance of services as a member of the staff or as an employee of a hospital or clinic or similar institution, he shall notify the person in charge of the institution or his designated delegate who shall report or cause reports to be made in accordance with the provisions of this act.

55-16-3. Procedure for making reports - Contents. - An oral report shall be made as soon as possible by telephone or otherwise and may be followed by a report in writing to the local city police or county sheriff or office of the division of family services. Such reports shall contain the name and address of the child, if known by the person making the report, and any other information the person making the report believes might be helpful in establishing the cause of the abuse or neglect and the identity of the perpetrator; provided, that any report under this act shall be to an agency other than the agency, institution, or other facility involved in the acts or omissions and other than an agency which supervises, governs, or directs the affairs of any institution or facility involved in the acts or omissions.

55-16-4. Immunity from liability of persons or institutions making reports.

Any person or institution making report in good faith pursuant to this act shall have immunity from any liability, civil or criminal, that might be otherwise incurred or imposed. Any person or institution making a report in good faith pursuant to this act shall have the same immunity with respect to participation in any proceeding resulting from such report.

55-16-5. Physicial-patient privilege not ground for excluding evidence.

The physician-patient privilege shall not be a ground for excluding evidence regarding the minor's injuries or cause thereof in any proceeding resulting from a report made in good faith pursuant to this act.

55-16-6. Penalty for violation.

Anyone knowingly or willfully violating the provisions of this act shall be guilty of a misdemeanor.

55-16-7. Appointment of guardian ad litem. - In every case involving an abused or neglected child which results in a judicial proceeding, the court shall appoint a guardian ad litem to represent the child in such proceedings.

A careful reading of this law would lead me to believe that there are no exceptions to the requirement to report.

The section of the Utah code dealing with Privileged Communications applies only to being examined as a witness.

I find no part of it which would prohibit the reporting of child abuse. Complete text of this code as far as it applies to attorneys, clergymen and physicians is as follows:

78-24-8. Privileged communications. - There are particular relations in which it is the policy of the law to encourage confidence and to preserve it inviolate. Therefore, a person cannot be examined as a witness in the following cases:

(2) An attorney cannot, without the consent of his client, be examined as to any communication made by the client to him, or his advice given therein, in the course of professional employment; nor can an attorney's secretary, stenographer or clerk be examined, without the consent of his employer, concerning any fact, the knowledge of which has been acquired in such capacity.

(3) A clergyman or priest cannot, without the consent of the person making the confession, be examined as to any confession made to him in his professional character in the course of discipline enjoined by the church to which he belongs.

(4) A physician or surgeon cannot, without the consent of his patient, be examined, in a civil action, as to any information acquired in attending the patient which was necessary to enable him to prescribe or act for the patient.

Paragraph 3 of this section applies to bishops and it seems clear that, though a bishop could not be examined in court about a confession made by a ward member, he would not be precluded by this section from complying with the provision of the reporting law. The law as it applies to attorneys and physicians will be discussed later.

Specific licensing laws for individual professions deal specifically with Privileged Communication. The Utah law regarding Marriage and Family Counselors is as follows:

58-39-10. Privileged communications - Exceptions. - Any communication between the marriage or family counselor and the person counseled is privileged and confidential. Its secrecy shall always be preserved and this privilege is not subject to waiver, except:

(1) A marriage or family counselor may communicate orally about any person being counseled with another member of his profession or of a related profession who is also working with or has worked with the person being counseled. However, he may make no written communication with other professional persons about the communications from the person being counseled, unless the person being counseled consents in writing.

(2) A marriage or family counselor, to whom a person has been referred by a court or by a conciliation department working under the supervision of a court, may submit to the appropriate court a written evaluation of the prospects or prognosis of a particular marriage without divulging facts or revealing confidential disclosures.

(3) If the counselor is a party defendant in a civil, criminal or disciplinary action arising from that counseling, in which case the waiver is limited to that action.

"Any communication between the marriage or family counselor and the person counseled is privileged and confidential. Its secrecy shall always be preserved and this privilege is not subject to waiver, except: . . ."

Thus, there seems to be a conflict between this law and the child abuse reporting law, which has not as yet been resolved. The likely resolution of this by case law would probably be against the marriage and family counselors and in favor of the child abuse reporting law. I make this judgment based on case law developed around the attorney-client privilege, which is the oldest and most firmly developed of all the special privileges. The attorney-client privilege applies to giving testimony and not to reporting. There has been much case law in which the attorneys ethical duty is held to be different from privileged communication. It is his ethical duty to comply with the law. It is also his ethical duty to "preserve his clients' confidences", according to Canons of Professional Ethics of the American Bar Association. If an attorney were to report information gained from his clients' confidences, he may be inviolation of his profession's code of ethics. But, since he would not be providing testimony, he would not be violating the law dealing with privileged communication. It is probable that the court would follow the precedents developed in regard to the attorney-client privilege and thus separate the ethical duty of the marriage and family counselor from the legal requirements of privileged communication.

"The attorney-client privilege applies to giving testimony and not to reporting. There has been much case law in which the attorney's ethical duty is held to be different from privileged communication. It is his ethical duty to comply with the law."

The licensing law for psychologists speaks of privileged communications as follows:

58-25-8. Privileged communications. - A psychologist licensed under the provisions of this act cannot, without the consent of his client or patient, be examined in a civil or criminal action as to any information acquired in the course of his professional services in behalf of the client. In other matters a licensed psychologist's relationship with his client or patient shall be accorded the same privileged communication as the relationship between an attorney and his client.

This law also fails to distinguish between ethical duty and legal requirement but it speaks only to giving testimony and refers to the attorney-client relationship. It does not preclude reporting child abuse except in section 58-25-11 (8) in which "communicating without the consent of the client, information acquired in dealing with the client necessary to enable the psychologist to act for such a client" is defined as unprofessional conduct. The dilemma again is whether to comply with the reporting law or to violate an ethical rule.

The privileged communication given to a physician clearly not only does not free him from his obligation to report, but as seen above in section 55-16-5 his privilege is not ground for excluding evidence.

The law does not grant privileged communication to the clients of certified social workers but rather requires confidentiality as follows:

58-35-10. Information confidential - Exceptions. - No licensed certified social worker shall disclose any information he may have acquired from persons consulting him in his professional capacity except:

(1) With the written consent of the client, or in the case of death or disability, of his personal representative, other person authorized to sue in behalf of the client or the beneficiary of an insurance policy on the client's life, health, or physical condition;

(2) A licensed certified social worker shall not be required to treat as confidential a communication that reveals the contemplation of a crime or harmful act;

(3) When the person is a child under the age of 16 and the information acquired by the licensed certified social worker indicates that the child is the victim of a crime, the licensed certified social worker may be required to testify fully in relation thereto at any legal or administrative proceeding in which the commission of the crime is a subject of inquiry;

(4) When the person waives the privilege of (by) bringing charges against the licensed certified social worker.

Note that paragraph 3 specifically requires that the social worker not only report but may be required to testify.

Many persons hold dual licences, attorneys, social workers, physicians, etc. and some are also bishops. Rather than trying to define different privileges, it seems to make more sense to try to use good judgment and make the decision that will most

help the people with whom we work. Each therapist will have to make his decision but should consider many factors.

At the last AMCAP convention, Elder Hartman Rector, Jr. complimented us highly when he said, "you, by your selection of a profession, have decided that you want to help people to overcome their problems, their sins: . . ." To help people overcome their sins is to help them repent.

I have understood that to repent of a violation of the law included answering to the lawgiver. If a person breaks one of the laws of God, he can repent and through His representative our Father in Heaven may grant forgiveness. But, if the law broken is also the law of the land, the bishop can grant only the forgiveness of the one he represents. A violation of the law of the land can be forgiven only by the duly constituted authorities charged with administering justice. I believe that if we really want to help people to overcome their problems, and we find that they have committed a crime, whether against a child or others, we are not really doing our job unless we help them take the proper course to gain forgiveness for their crime. This includes confession to the proper authorities and submitting to them. Such submission is not always for punishment, but may be for counselling or other appropriate treatment.

"You, by your selection of a profession, have decided that you want to help to overcome their problems, their sins: . . ."

Alma told his son, Corianton, that none but the truly penitent are saved. It is true that we work with many people who may never be truly penitent but this seems to be a worthwhile goal for those who have broken the law.

The Twelfth Article of Faith says we believe in obeying, honoring and sustaining the law. The law of the state of Utah requires *all persons* to report child abuse and gives the reasons for such reporting that "protective social services shall be made available in an effort to prevent further abuse or neglect and to safeguard and enhance the health and welfare of such children and to preserve family life whenever possible." This goal is in harmony with the principles of the gospel and the counselor or therapist who fails to report may be held eternally responsible if he makes decisions which keep child abusers unknown to proper authorities and as a result children and families are further injured or destroyed.

Pause to Ponder

there are manipulators and manipulovers. manipulators can be easily identified and work their malicious acts out where they can be seen by those who have eyes to see. "manipulovers" work differently. they tell others how much they love them; how they would never hurt them; how they would gladly give their lives for them; how they would lift those they love up even if it meant that they themselves might fall. but when all is said and done, manipulovers pull people that they have claimed to love down into turmoil, and the love and support that they have expressed is far more cruel and evil than the acts of the manipulator.

Richard R. Wootton

Back Page

Subscriptions

Subscriptions are available only to AMCAP members. Additional copies may be obtained from the address above.

Change of Address

Please send change of address notice as soon as possible to address above. Journal issues will be forwarded only if subscribers notify the local post office in writing that they will guarantee second-class forwarding postage.

Manuscripts

Please submit manuscripts for possible publication in the AMCAP Journal to:

AMCAP Editorial Board
C-273 ASB B.Y.U.
Provo, Utah 84602

Manuscripts should be no longer than 20 pages, typed, double spaced. Style should follow that prescribed by your professional organization format.

Three copies of each manuscript should be sent, each accompanied with an abstract of approximately 150 words, typed on a separate piece of paper.

A brief professional biographical sketch should also be sent for each author.