Introduction

The devastating prevalence of opioid-abusing parents in custody cases poses a great challenge for forensic psychologists and attorneys. Opioid-abusing parents increase the likelihood of the child developing an array of neuropsychological problems and disorders. Due to the harmful outcomes of opioid abuse, the legal system has been overwhelmed with related child custody cases. The present research review examines the prevalence of opioid abuse, the legal system has been overwhelmed with related child custody cases. This information can inform legal proceedings for child placement.

Prevalence of Opioid Abuse

• Nearly 13 million Americans abuse opioids, resulting in more than 33,000 annual deaths.
• 1 in 6 children (<18 years) live in a household with at least one substance abusing parent.
• The vast majority of opioid-abusing adults have at least one child under the age of 18.
• Recent data indicates young parents are most at risk for opioid abuse.
• Young mothers are likely to discontinue opioid abuse during pregnancy.

Legal Precedents

All U.S. states and territories have statutes requiring the “best interests of the child” be considered in determining child placement. Most, if not all, of these factors are influenced by parental opioid abuse (White & Kunkel, 2017).

Forensic Psychologists

Forensic psychologists serve an important position in child custody cases. Forensic psychologists have a clinical responsibility to understand the long-term neuropsychological consequences of opioid abuse in the assessment and recommendation of child placement. Likewise, attorneys must be aware of the long-term neuropsychological consequences of opioid abuse to better inform custody proceedings. While family reunification often remains the ultimate goal, forensic psychologists and attorneys have an obligation to pursue the best interests of the child. Without intervention, either through de facto custody or other means, the affected children may continue to fall behind academically, cognitively, behaviorally, and socially. Ultimately, children raised by opioid abusing parents are at risk for maladaptive growth into a self-sufficient adult. It is of utmost importance to the legal and mental health systems to consider the neuropsychological effects opioid-abusing parents have on their children.

Discussion

Findings from current research reveal the alarming trend of opioid abuse in the child development. The cumulative findings of current research suggest that the opioid use environment harmfully affects neurological functioning in a manner that impacts academic, social, behavioral and cognitive development. Current research on actively using parents has shown comparable child outcomes to prenatally exposed to opioids. In addition, research has found the neuropsychological consequences of remaining in the home with an opioid abusing parent are far more severe than being raised in foster homes and other non-use environments (White & Kunkel, 2017). These findings indicate that parental opioid abuse is pertinent in child custody matters, and should be carefully considered during placement.

Neuropsychological Consequences of Opioid Abuse in Child Custody Matters

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Prenatal Exposure

Neuropsychological consequences of opioid abusing mothers during pregnancy:
• Learning
• Memory
• Attention
• Planning
• Visual scanning
• Executive functions (Hjerkinn et al., 2010)

Postnatal Exposure

Children raised by parents abusing opioids have been shown to develop:
• Neurocognitive Disorders
• Attention Disorders
• Personality Disorders
• Attachment Disorders
• Depressive Disorders
• Anxiety Disorders
• Impaired view of self in the world
• Violence
• Substance abuse
• Decreased self-efficacy
• Poor social skills
• Lowered academic achievement (Graen et al., 2014; Lynch et al., 2018; Nygaard et al., 2018)

References