



Child Mental Health and the Law

Barry Nurcombe

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The legal aspects of child mental health have changed in recent years, yet many who deal professionally with disturbed children are ill informed about the rights and responsibilities of minors. *Child Mental Health and the Law* addresses the need for a comprehensive, up-to-date text that describes the evolution of child mental health law and the relevance of the law to the child mental health clinician. Separate chapters deal with the legal issues presented by custody disputes, accusations of abuse and neglect, special education, civil liability suits, juvenile delinquency, and the voluntary and involuntary treatment of minors. Also included are sections on malpractice and the rights of institutionalized children. An appendix contains sample forensic reports and a compilation of landmark cases. The authors, one a psychiatrist and developmental researcher, one a legal scholar, pay special attention to the role of the clinician as expert witness in court cases, and to the relationships (too often poor) between mental health professionals, attorneys, and judges. As the authors show, there has been little effective communication between those who study child development and those who make laws to regulate children's welfare. A thicket of technical and ethical problems confronts those child psychiatrists, psychologists, and social workers who, as experts, attempt to make their knowledge available to lawyers and judges. The legal profession, for its part, is too often frustrated in its attempt to interpret research findings and make use of expert testimony. For these professionals, the book provides a clear, jargon-free description of the scientific status of psychology and psychiatry in order to help them in their interpretation of the research findings and expert testimony. The authors conclude by drawing out the implications of current research for legal change and recommending some new directions the law might take. Whether studying child psychiatry, clinical psych

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