

# Neuropsychological Consequences of Opioid Abuse in Child Custody Matters

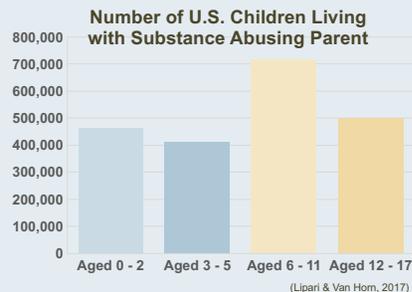
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## Introduction

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 neuropsychological effects of opioid abuse and how 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 8 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 least likely to discontinue opioid abuse during pregnancy.

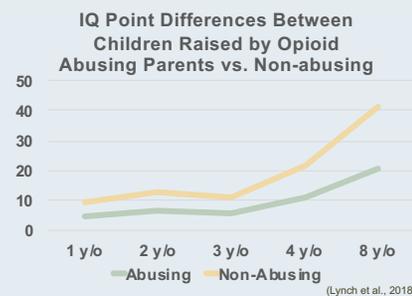


## Prevalence in Custody Cases

- 75% of child removal cases are due to neglect, largely as a result of a substance abusing parent (White & Kunkel, 2017).
- 32.2% of these child removal cases are due to parental opioid abuse.
- In 2016, 36 states experienced at least a 10% increase in child custody cases as a result of the opioid epidemic (White & Kunkel, 2017).
- 6 of these states experienced more than a 50% increase in child custody cases.
- 1 in 3 children enters foster care due to parental substance abuse (Barnard, 2014).

## Neuropsychological Effects

The harmful effects opioid abusing parents have on a child's development is well established in literature. Newer research shows postnatal exposure to opioid abuse produces comparable neuropsychological consequences to prenatal exposure to opioid abuse (Nygaard et al., 2016). These effects include impairments to social, cognitive, academic, and behavioral development.



## Prenatal Exposure

Neuropsychological consequences of opioid abusing mothers during pregnancy:

- Learning
- Memory
- Attention
- Planning
- Visual scanning
- Executive functions (Hjerkin 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

(Hjerkin et al., 2010; Lipari et al., 2017; Nygaard et al., 2018)

In addition, children raised by parents abusing opioids have been shown to have:

- Poor social skills
- Decreased self-efficacy
- Impaired view of self in the world
- Lowered academic achievement

(Gisev et al., 2014; Lynch et al., 2018; Nygaard et al., 2016)

## 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).

Best Interests of the Child Statutes	Opioid-Abusing Parents
1. Mental and physical needs of parents	<ul style="list-style-type: none"> <li>Opioid-abusing parents are 50% more likely to have a mental health disorder (Lipari et al., 2017)</li> <li>More likely to have chronic pain and diseases, cancer, heart disease, infectious disease, and early death (Barnard &amp; McKeeganey, 2014)</li> </ul>
2. Mental and physical needs of child	<ul style="list-style-type: none"> <li>Children are more likely to have mental health issues</li> <li>Impaired academic achievement</li> <li>Lowered cognitive abilities</li> <li>Decreased social skills</li> <li>Low psychological capacity (Hjerkin, 2010; Peisch, 2018)</li> </ul>
3. Capacity of parent to provide a safe home and adequate resources	<ul style="list-style-type: none"> <li>Opioid-abusing parents are more likely to experience housing insecurity and homelessness</li> <li>Financial distress</li> <li>Inconsistently attend to academic needs of children (Gisev, 2014; Lipari et al., 2017)</li> </ul>
4. Relationship with parents	<ul style="list-style-type: none"> <li>Opioid-abusing parents are more likely to have inconsistent and inadequate parenting abilities (Lipari et al., 2017).</li> <li>Have difficulty coping with thoughts and feelings (Peisch et al., 2018)</li> <li>Be emotionally erratic (Nygaard et al., 2016)</li> </ul>
5. Presence of domestic violence	<ul style="list-style-type: none"> <li>Opioid-abusing parents are more likely to be involved in violent relationships (Peisch et al., 2018)</li> <li>Misappropriate anger (Nygaard et al., 2016)</li> </ul>

## 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 to the non-using parent or external placements, the affected children may continue to fall behind academically, cognitively, behaviorally, and socially. Ultimately, children raised by opioid abusing parents are at risk of maladaptive growth into a self-sufficient adult. It is of most 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 detriment parental opioid abuse has on 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 outcomes to prenatal exposure 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-using environments (White & Kunkel, 2017). These findings indicate that parental opioid abuse is pertinent in child custody matters, and should be carefully considered during placement.

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