President's Column

Notes From San Francisco

As I write this column, it's hard to believe that almost a month has passed since the APA Convention was held in the beautiful city of San Francisco. The Executive Committee (EC) of the Section met during the convention and had a very productive meeting. I would like to personally thank Amy Shadooin, Section Program Chair, and Lisa Ware, Program Co-Chair, for the wonderful job they did in collaborating with Division 37 Program Leadership to develop an excellent program for the Section. Amy and Lisa also deserve our appreciation for their hard work in keeping the hospitality suite for the Division/Section well stocked with food and beverages and in general, keeping everything so well organized.

A noteworthy event at the APA Convention was the presentation of the Section’s Dissertation Award by Sharon Portwood, Past President of the Section and Chair of our Awards Committee. The award went to Margaret C. Stephenson from the Department of Psychology at the University of Illinois at Chicago. Ms. Stephenson’s dissertation, under the direction of Dr. Bette Bottoms, is entitled “Juror attributions for mitigating evidence of child abuse in capital sentencing cases”. Congratulations to Margaret for this wonderful achievement.

A significant concern addressed by the Executive Committee is the Section’s declining membership. In 2003, we had a total membership of 329. As of this writing, our membership stands at 229. This is a decline of approximately 30%. This loss of membership in the Section is somewhat consistent with a parallel decline in membership in Division 37. In this regard, the greatest loss in membership has occurred in the category of current members not renewing. The EC devoted a great deal of discussion as to why this may be the case. Since the Section dues notice is sent under separate cover from Division and APA dues, several members of the EC wondered whether some members of the Section may believe that they have paid their Section dues when they paid their Division 37 dues. To address this concern, I am currently in the process of obtaining an up-to-date membership listing for the Section so that we can contact former members who believe that they have renewed Section membership when they actually have not. Additionally, I have requested that each member of the EC attempt to recruit five new members over the next year. And, for all of you in our membership, please let your colleagues and students know about the Section and encourage them to join. The work of the Section on behalf of children who are maltreated is vital but we would greatly benefit in our efforts by an increase in our membership numbers.

I would also like to provide an update on the very important work of the Division 37 Task Force on Corporal Punishment, which is chaired by Sandra Graham-Bermann, Member-at-Large of the Section’s EC. There was a preliminary report from the Task Force in 2006 but there was some concern that the report did not reflect the input of some experts in the field. In the winter of 2007, the amended preliminary report was sent for additional review to Dr. Elizabeth Gershoff who is a national expert in the field of corporal punishment. She raised concerns about the meta-analysis used in the report and the

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weighting of evidence in the review of studies. She also recommended expanding the task force to include others with expertise in this field and adding sections on cultural considerations and theories pertaining to the corporal punishment of children. Several other experts, including Dr. Gershoff and Dr. David Wolfe, have agreed to join the Task Force, with the goal of creating a revised report that better reflects the issues and controversies in the field. Although the timeline for this Task Force has been extended, I am confident that the final report will contribute in a significant way to the field.

Another important area of work is the Division 37/Section Joint Task Force on Advocacy Training. Sandra Bishop-Josef is the Section representative on this Task Force. Madeline Modrak from the Division has spearheaded this effort, along with Allison Redlich and Sandra contributing in significant ways. This Task Force has focused on building capacity across APA to advocate for the application of psychological knowledge to public policy affecting children, youth, and families at the local, state, and national levels. Their work has resulted in the development of a new product called the “American Psychological Association Division 37’s Guide to Advocacy: Legislative Support for Children, Youth, and Families”. A powerpoint presentation also accompanies the guide. Great work on behalf of Division 37 and the Section.

In closing, I would like to thank all the members of the Section’s EC who volunteer their time and efforts to a noteworthy cause. And I would like to encourage everyone in our membership to become active in the Section and to join us in our mission to prevent and treat the effects of child maltreatment.

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**Section Elections 2007**

**Call for Nominations**

The Section on Child Maltreatment will hold an election for two positions on the Executive Committee this Fall, with terms to begin January 1, 2008. Nominations are now being sought for these positions. Self-nominations are encouraged.

**Secretary**: The Secretary is responsible for attending all Section Executive Committee and business meetings, which occur in conjunction with the APA Annual Meeting (typically in August). The Secretary takes and maintains meeting minutes and assists with other Section correspondence and record-keeping.

**Member-at-Large**: Each of the Section’s three Members-at-Large provide direction to the Executive Committee and, in consultation with the other members of the EC, creates and carries out at least one project over his or her 3-year term. The Member-at-Large position to be elected this year has primary responsibility for the Section’s Internship Guide.

 Participation on the Section Executive Committee helps to promote the mission of the Section and is an effective way of starting or expanding participation in a range of Section, Division, and APA activities. Previous experience in Section or Division activities is not required, and people who have never held an office in APA and who are eager to participate in Section activities are encouraged to apply. To run for and to serve in office, membership in the Section is required.

Self nominations may be made by sending a vitae and letter of interest. Those wishing to nominate someone else should check to see that he or she would be willing to accept the nomination, and then submit a letter or nomination. The nominee will also be asked to submit a curriculum vitae to the Elections Committee.

All nominations should be sent to Dr. Sharon G. Portwood, Executive Director, Institute for Social Capital, University of North Carolina at Charlotte, 9201 University City Blvd., CHHS Suite 335. Charlotte, NC 28223. E-mail and telephone inquiries are welcome (sgportwo@uncc.edu; (704)687-7913). Nominations must be received by November 15, 2007, so that candidates will have sufficient time to submit a brief statement that will be printed with the ballot.
Best Practices

Medication and Maltreatment: A Potent Brew

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The term maltreatment encompasses adverse environmental influences on children that range from neglect to physical and sexual abuse that is either allowed or inflicted by parents or other guardians. Children who have experienced maltreatment are vulnerable to medical and psychiatric disorders that may precede, occur during, or follow the maltreatment and that may require medication as a component of an overall treatment plan. Examples of disorders that may precede or be exacerbated by maltreatment include medical conditions such as asthma and diabetes and psychiatric conditions such as autistic disorder, behavior disorders, and mood and anxiety disorders. Disorders that may occur as acute or longer-term sequelae of abuse include head injuries and seizures, human immunodeficiency virus infections (HIV) and other sexually transmitted diseases, and psychiatric disorders such as post-traumatic stress disorder.

These considerations highlight the importance of including a comprehensive assessment of the child’s previous and current experiences with medications in the evaluation and management of maltreated children. Such assessment should include not only “routine” questions about which medications a child is currently taking but also detailed inquiry regarding the child’s and the parent’s understanding of the reasons the child is taking specific medication(s), the potential risks of the medication(s), the doses prescribed and times of day those doses are administered, the amounts prescribed and how much of each medication the parent or guardian has at home at the time of the assessment, the name and telephone number(s) of the prescribing physician(s), the person or persons responsible for administering the medication(s), the use of over-the-counter medications or herbal remedies for sleep or behavioral management, the place where medications are kept for the child and other family members and whether this location is secure.

Collaboration by psychologists and other mental health professionals involved in the care of maltreated children with pediatricians, psychiatrists and other physicians is essential in developing a clear understanding of the role of medication in the child’s treatment and in establishing a framework in which medications may be administered and monitored in a safe and effective manner.

“Medications may play an important role in management of disorders that present in maltreated children”
Public Policy

White House and Congress Battle Over Domestic Spending and Policy Issues

Thomas L. Birch, J.D.
National Child Abuse Coalition

The Bush Administration and the Democratic controlled Congress are headed for a drawn out series of battles over policy and spending issues as the President threatens to use the power of his veto to overrule legislation working its way through the House and Senate. Faced with a Congress controlled by the opposing party, the President has chosen to assert his authority with the most powerful tool available to the executive. As the 2007 legislative session moves into the final phase, much of the struggle centers on appropriations bills and the funding policy for extending health insurance coverage to poor children.

The President has told legislators he will veto any funding measure that exceeds the spending totals offered up in his budget sent to Capitol Hill at the start of the legislative session. Although the House has passed all twelve of its annual funding bills, the Senate has yet to take votes on over half the measures, and none of the bills has been sent to the White House for the President’s signature. The schedule for the remaining appropriations bills — including the Labor-HHS-Education Appropriations Bill with funds for services to children and families — is still under discussion.

Meanwhile, legislation moves forward to reauthorize the State Children’s Health Insurance Program (SCHIP). President Bush continues to threaten the legislation with his veto. The bipartisan agreement approved by the House and Senate would extend and expand SCHIP, adding $35 billion to boost the program to $60 billion for the next five years and increase total enrollment to 10 million children, from 6.6 million children currently covered. The expansion would be paid for by a 61-cent increase in the federal tax on cigarettes, to $1 a pack.

The compromise bill largely resembles the legislation passed earlier by the Senate, and rejects the original House-passed version which would have taken funding to $75 billion and paid for the new spending by cutting subsidies for private Medicare managed-care plans, an approach unpopular with many Republicans. President Bush accuses Congressional Democrats of risking poor children’s health coverage to score political points, calling the SCHIP reauthorization “an incremental step toward the goal of government-run health care for every American.”

The bill’s principal Republican champion in the Senate, Sen. Charles Grassley (R-IA) has suggested that Bush’s opposition stems not from the bill’s price tag but from larger policy issues. The White House wants to use the issue of uninsured children to resurrect the president’s long-dormant proposals to change the federal tax code to help the uninsured, adults and children alike, Grassley said, calling that a laudable goal but unrealistic politically. The President’s own proposal to reauthorize SCHIP would provide an additional $5 billion in funding for a total of $30 billion over five years, an amount insufficient to continue covering children already enrolled, according to the Congressional Budget Office, resulting in 840,000 children losing their coverage.

In part, the disagreement between the White House and the Congress involves whether to allow coverage for children whose families earn more than 200 percent of the federal poverty level. The bipartisan compromise would give states the flexibility to cover more children while reducing the federal matching funds for future coverage of children at higher income levels. The new measure would continue health coverage for pregnant women but would phase out coverage for parents and childless adults.

The SCHIP reauthorization plan enjoys the endorsement of the chairs of the Republican Governors Association and the Democratic Governors Association, as well as the personal support of 43 of the nation’s governors, including 16 Republicans. Advocates for the bill’s efforts to cover more children point to the differing costs of living and health care in various parts of the country and to the drop in employer-funded health coverage. According to the Census Bureau, the number of uninsured children grew by 710,000 in 2006 and 290,000 in 2005, reversing a pattern in recent years of steady
decline in the number of children lacking health insurance coverage. In August, the Bush administration imposed new rules restricting the ability of states to enroll children at higher income levels.

The Senate version of the bill, embodied in the final compromise, passed the Senate on August 2 with a vote of 68 to 31 — enough to override a veto, and with the backing of 18 Republican Senators, including such powerful conservative voices as Grassley and Sen. Orrin Hatch (R-UT), principal author of the original SCHIP legislation ten years ago. The more expensive version of the SCHIP reauthorization passed by the House on August 1, 225-204, fell considerably short of the 290 votes the House would need to overcome a veto.

“President Bush accuses Congressional Democrats of risking poor children’s health coverage to score political points”

With appropriations bills lagging behind schedule, Congress looks ahead to October and early November before finishing work on the funding measures to support federal programs in the 2008 fiscal year starting October 1. The House passed its Labor-HHS-Education money bill on July 19, with most funding for children and families set at the levels proposed in the President’s FY 2008 budget with no increases scored in almost all programs. The $607 billion bill with some $150 billion in discretionary spending for the departments of Labor, HHS, and Education leaves most child and family services funded at the 2007 levels – including federal funding for child welfare services to protect children and prevent child maltreatment. In the Senate, the Appropriations Committee voted on June 21 to approve its version of the Fiscal 2008 appropriations measure with much the same funding proposed as passed in the House. Still, the President has threatened a veto on the Labor-HHS-Education bill.

In a statement to the Senate Appropriations Committee in September, Sen. Robert C. Byrd (D-WV), chair of the committee, pointed to funds in the Labor-HHS-Education bill which would restore cuts proposed by the President for programs such as medical research, special education, rural health programs, and low income energy assistance. He observed that the President chooses to veto domestic bills because the Congress has okayed spending at $22 billion above his budget request, while the White House seeks over $150 billion in emergency appropriations to fight wars in Iraq and Afghanistan and to help rebuild Baghdad. Of the $22 billion targeted by the President to justify his veto threat, Byrd claims that $19 billion of that amount are actually restoration of the President’s proposals to cut spending.

At the beginning of the legislative session earlier this year, the Democratic leadership had aimed at wrapping up all 12 of the fiscal 2008 appropriations bills by September 30, a goal never achieved by their Republican predecessors. Now, with the Democrats unable to meet their deadline either, a continuing resolution will extend spending to November 16 to keep federal agencies funded at the current year’s levels.

A “Statement of Administration Policy” issued from the Office of the President by the Office of Management and Budget (OMB) on July 17 warns that “If H.R.3043 [the Labor-HHS-Education bill] were presented to the President, he would veto the bill.” The OMB message asserts that the Administration “strongly opposes” the bill “because, in combination with the other FY2008 appropriations bills, it includes an irresponsible and excessive level of spending.”

A July 18 report from the Center on Budget and Policy Priorities analyzing the FY08 Labor-HHS-Education appropriations bill asks, “Is the threatened veto justified? Is the assertion valid that these bills, and others, “contain irresponsible and runaway spending?” The Center compares the funding levels proposed for 2008 in the pending appropriations bills with the funding enacted for the years from 2002 through 2006, when the Republicans controlled Congress and the President signed every appropriations bill sent to him. In addition, the Center’s analysis compares funding growth for the seven appropriations bills the Administration has said the President is likely to veto with the funding growth in the five bills the President will probably sign.

The results show that, after adjusting for inflation and population growth, the appropriations bills the President is likely to veto – including the Labor-HHS-Education bill – would cost less in 2008 than the corresponding cost during 2002-2006. What’s more, the Center finds that the money bills free of the President’s veto threat will cost “considerably more overall” in 2008 than in the previous years. (The Center points out that President Bush, in the past, has said that an “honest comparison” of spending growth should take into account inflation and population growth. The Center’s report explains that the analysis would reach similar conclusions if prior funding were adjusted only for inflation.)

The Center for Budget and Policy Priorities concludes: “Because the President is likely to sign appropriations bills whose costs are substantially increasing….but is likely to veto appropriations bills whose costs are lower than they averaged in the past, it is difficult to conclude that his vetoes are motivated by a desire to restore fiscal discipline and halt
‘runaway spending’.” The report goes on and asserts that “possible motivations may include a desire to make Congress look ineffective…[and] strengthen claims that Congress has a poor track record of accomplishments.”

Among the specific programs OMB cited as problematic in the Statement of Administrative Policy are the Title XX Social Services Block Grant and the Community Services Block Grant, which the Administration says “duplicate other Federal social service programs that are better able to demonstrate results. The Administration urges the House to reduce these programs.”

“We need a system that focuses on preventing abuse, not just responding to it”

In the next paragraph, the statement singles out the Compassion Capital Fund for an increase, urging the House “to provide funding to support 27 additional grants to faith-based and community organizations.” Indeed, the House bill would support the Compassion Capital Fund at current funding of $64.35 million — still $10.65 million below the President’s budget request. The Senate money bill goes even further, cutting the program of grants to $53.625 million, and expressing concern “that the compassion capital fund has yet to demonstrate its effectiveness…and lacks baseline data for its performance measures.” Since appropriations legislation is essentially a matter of setting spending priorities, the White House and the Democrats in Congress are discovering their differences.

HOUSE PANEL HEARS CHILDWELFARE REFORM CHALLENGES

A new proposal to reform the federal financing of child welfare services and allow states to retain unused federal foster care dollars and to reinvest those funds in a range of services that prevent child abuse and neglect was presented at a congressional hearing on May 15 before the House of Representatives Ways and Means Subcommittee on Income Security and Family Support. The proposal significantly would allow states to direct the unused portion of their annual allotment of Title IV-E foster care and adoption subsidy dollars to support the full range of services necessary to prevent child abuse and neglect, it would ensure federal support to all children in foster care by eliminating the current income eligibility criteria, extend federal support to Native American children, and enhance accountability by requiring annual state reports on expenditures.

Testifying at the hearing on challenges facing the child welfare system, Mary Nelson, administrator of the Iowa Division of Child and Family Services, put forth the reform proposal — not yet introduced in legislation — developed through a partnership of organizations, including the American Public Human Services Association; the American Federation of State, County and Municipal Employees; Catholic Charities USA; the Center for Law and Social Policy; Child Welfare League of America; Children’s Defense Fund; National Child Abuse Coalition; and Voices for America’s Children.

In opening the hearing, Rep. Jim McDermott (D-WA), the subcommittee chair, explained that the witnesses had been asked to focus on the obstacles that states encounter in their efforts to achieve positive outcomes for abused and neglected children, including too few available services, too few caseworkers, and “too little attention by government at every level.” McDermott went on to say, “We need a system that focuses on preventing abuse, not just responding to it. We need qualified and experienced caseworkers who are not forced to oversee twice as many children as recommended.”

Another hearing witness, William Bell, president of Casey Family Programs, identified for the subcommittee members “specific challenge areas” needing attention and resources, including: implementation of a standard caseload for all child welfare caseworkers; improved supervision over decisions made by caseworkers in child welfare services; and the development of comprehensive community services for children and their families.

The director of Education, Workforce, and Income Security Issues at the Government Accountability Office (GAO), Cornelia Ashby, testified about the findings of a survey of states which named the “most important challenges to resolve in order to improve outcomes for children”:

- inadequate mental health and substance abuse services:
- high average number of child welfare cases per worker; and
- the difficulty of finding foster care homes for children with special needs.

In addition, states identified challenges ahead over the next five years as a growing number of children exposed to illegal drugs, increasing numbers of children with special needs, and changing demographic trends requiring greater multicultural understanding in providing services to children and families.
Compliance with Forensic Recommendations

Samantha Miller
John Jay College of Criminal Justice
Student Representative

Given the salient lack of research on recommendations made in forensic evaluations for child abuse, it is useful to consider how psychological evaluations in forensic context differ from psychological evaluations in the general mental health settings mentioned in the research above. For example, to avoid ethical issues, forensic evaluations are not conducted by the same mental health worker who would administer the recommendations (e.g., through psychotherapy; Committee on Ethical Guidelines for Forensic Psychologists, 1991; Shuman, Greenberg, Heilbrun, & Foote, 1998; Strasburger, Gutheil, & Brodsky, 1997). This may affect compliance with recommendations in the sense that, right from the start, the case is transferred to another mental health professional with whom rapport must be established. Often this other professional will do their own evaluation, which can be burdensome for a child and family who have already disclosed their trauma in the prior forensic evaluation.

In addition, unlike referrals for general psychotherapy or psychological evaluations, referrals for forensic evaluations of child abuse often are not made due to the misbehaviors or psychological difficulties of the young patient; therefore, the recommendations may be wide ranging in topic (e.g., custody arrangements). The broad nature of the recommendations may affect compliance, in that mental health professionals may know how to best help families comply with psychotherapeutic recommendations; however, mental health professionals may not be able to assist families to the degree necessary to achieve comprehensive compliance. Maximal compliance therefore may require the collaboration and communication of an interdisciplinary team of legal, social work, and psychological professionals that may often be difficult to achieve consistently.

Another difference is that like all children in treatment, the children referred to for forensic evaluations cannot personally implement the recommendations made for them; instead, they rely solely on the guidance, structure and support of those adults responsible for them. This reliance on children's caretakers has implications for barriers to compliance, as caretakers’ perceptions of children's symptoms and opinions about the alleged abuse may influence their motivation to comply with recommendations. In addition, several adults (e.g., parents, social workers) may concurrently be responsible for children referred for forensic evaluations, each assigned with (though not necessarily coordinating the execution of) the duty of facilitating the implementation of forensic recommendations. It, therefore, seems imperative to expand on the existing literature, which has focused on biological parents’ compliance with psychotherapy, by examining the compliance of all responsible parties (including foster and adoptive parents and agency workers) with the recommendations made in forensic evaluations.
Case Notes

Paying for the Crimes of Your Children

Eve M. Brank, J.D., Ph.D.
University of Florida

Parental responsibility laws that hold parents legally responsible for the illegal behaviors of their children are common, yet understudied, in the United States. Although psychology and criminology research supports the notion that families should and do play a role in the upbringing of a socially competent child, no research has yet confirmed that imposing post-offense requirements for parental behaviors decreases juvenile offending. Most research on parental responsibility laws has been limited to public opinion toward or legal analyses of the laws, without truly examining the effectiveness or unintended consequences of these laws.

Holding parents accountable for their children’s crimes is not a new concept, but it has gained increased attention in recent years as law makers and the media focus more attention on parental accountability. These laws generally come in three different forms at the state level: civil liability, contributing to the delinquency of a minor, and encouraged or required parental involvement. Under civil liability, a plaintiff may bring a case against parents for the intentional torts of their children. Contributing to the delinquency statutes hold parents or other adults criminally responsible for encouraging a child’s delinquency. Encouraged or required parental involvement statutes are based upon legislative efforts to make parents more involved in the juvenile court process and include such things as ordering the parents to pay for the court costs, pay restitution, pay for treatment costs, and participate in the juvenile’s case. In some states, failure to comply with the parental involvement requirements can lead to greater punitive sanctions. A number of city governments have also enacted similar ordinances that focus attention on the parents when juveniles break the law.

Although parental responsibility legislative law is quite common, appellate case law on the topic is rather rare. One exception is a Florida Court of Appeals case that involved a juvenile who vandalized an elementary school (Canida v. Canida, 1999). The school board brought a civil suit against twelve-year-old Bradley Canida’s parents pursuant to Florida Statute § 741.24. This statute provides that a victim of a juvenile’s willful or malicious destruction of property may recover damages from the juvenile’s parents. The court noted that the legislative intent for § 741.24 was to reduce juvenile delinquency. No disagreement about Bradley’s involvement or the willful nature of this actions were at issue in the case, rather, the court was asked to consider whether Bradley’s father should be held liable. At the time the vandalism occurred, Bradley’s parents were divorced and he was living with his mother and only making occasional weekend visits to his father’s home.

“What message do such laws send to juveniles about personal responsibility and accountability”

The Florida court held that only Bradley’s mother was financially liable because she alone had an “immediate and day-to-day opportunity to exert” parental control over Bradley. The court reasoned that because the statute specifically states that the parents of juveniles who are “living with” their parents are the ones who are open to this form of liability the statute does not apply to parents who do not provide the primary residence for the child. In Bradley’s case, his parents’ marriage dissolution agreement gave both parents shared parental responsibility of Bradley and his siblings, but the children had their primary residence with their mother.

A number of questions come to mind when considering Bradley’s case and parental responsibility laws in general. At a foundational level there is the question of effectiveness of Fla. § 741.24 and other similar statutes. As the court noted, the statute has the intent of reducing juvenile delinquency by imposing civil liability on a delinquent child’s parents. Do such statutes truly reduce delinquency? Additionally, what
message do such laws send to juveniles about personal responsibility and accountability? Do the laws effectively teach juveniles that there is someone else to blame when they do something wrong? More specifically to Bradley’s case, is the differential application between Bradley’s mother and father what the legislature intended when it referenced the parents? What effect does such a differential application have on delinquency and juveniles’ notions of justice? Psychologists who focus on legal issues related to children and families should consider cases like Bradley’s and more importantly empirically test the behavioral assumptions inherent in parental responsibility laws. In my lab we are examining a local ordinance that involves parental responsibility for curfew violations. Although not a civil liability issue like Bradley’s, we are also finding that there are complications in enforcement when the child does not come from a two parent home. As these laws continue to be utilized increasingly more often we need to carefully consider whether they are an effective option in juvenile justice and if so, how they should be employed to diminish the potential for disparate application.

Journal of Consulting and Clinical Psychology

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