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did not include  
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**Psychological Evaluation of Cheri Smith and Wesley Smith  
as relating to custody of their son Liam Smith**

Report Date: July 7, 2003

**Evaluation Question:**

Individual personality characteristics as it relates to parenting Liam, and parenting knowledge, style, and interaction with Liam, were both relevant variables as to parental custody of Liam Smith. Wesley Smith had a particular concern: Would Cheri Smith have mood fluctuations that would lead to inconsistency and/or harshness in her parenting of Liam? Cheri Smith had a particular concern: Would Wesley Smith become harsh and intolerant with Liam should, as Liam grows older, have opinions and views that might not agree with his father's views/beliefs?

**Background:**

Cheri and Wesley Smith have been married in 1988. Their son Liam was born in July 1997 and is now almost 6 years old. Liam has a modified form of Down's Syndrome called mosaicism, which results in many of the usual Down Syndrome qualities, but also has points of ability somewhat more capable than is typical for Down Syndrome. At the current time, Cheri and Wesley are living apart from each other and apparently a divorce filing is pending. Cheri continues in full time employment. Wesley has been unemployed for some time, but is reportedly studying and testing for software certifications that may open doors to employment.

**Assessment Instruments:**

Clinical interviews with Wesley Smith and Cheri Smith. Psychological Testing of Wesley Smith and Cheri Smith: MMPI-II; Rorschach scored according to the Exner method. (Both tests have good reliability and validity; the MMPI measures personality as it is manifested more towards structured situations, and the Rorschach measures personality as it is manifested more towards unstructured situations.) Observation of Wesley Smith and Cheri Smith, each separately, playing with Liam Smith. Observation of Liam Smith alone. Assessment and report of Liam Smith of his parenting/educational needs by Dr. Winget, licensed psychologist (Maryland), an expert in early developmental disorders (Dr. Winget's report is attached at the end of my evaluation). History and concerns of Wesley Smith and Cheri Smith as reported by each separately in correspondence as well as in interviews. Contact with some of the individuals who names and telephone numbers were submitted by Wesley and/or Cheri Smith.

Given Mr. Wesley Smith's concerns regarding mood disorder of Cheri Smith, an attempt was made

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CASE NO. CH 53360  
DATE 9/10/03  
JUDGE: [Signature]

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to contact Ms. Cheri Smith's individual therapist from a couple years ago, Ms. Ruth Welch. However, apparently there was no billing of insurance, and thus no formal verifiable diagnosis given by Ms. Welch to Cheri Smith; and Ms. Welch has ceased practice, is reportedly suffering from ALS, and is not able to be contacted.

There are historical events reported by Wesley about Cheri, and reported by Cheri about Wesley, that at first glance appear to reflect poorly on each other's parenting ability or reliability. However, each has their own different and plausible explanation to the historical event that seemed at first to color them negatively. I was thus not able to validate or use much of this historical data because it was so indeterminate.

**Results:**

Liam is a well adjusted, happy, and outgoing child. He is clearly attached to both Wesley and Cheri. He demonstrates feelings of security and attachment to both mother and father. He has a sense of himself, and while responsive to both parents, is not afraid to clearly exhibit his own preferences even when they are somewhat at odds with parental wishes. Despite the clear conflict and difference between the two parents and issues they have with each other in their parenting styles, Liam's parenting and related adult assistance from other professionals has caused excellent results in Liam's development thus far.

Both Wesley and Cheri have strong intellectual and verbal abilities; both have emotional attachment within themselves to Liam. Both parents demonstrate good logical abilities and ability to accurately assess interpersonal reality. They both have resiliency to their personalities - not that they can't be thrown off kilter, but that they will each return to a solid workable life pattern. There is no florid or severe emotional dysfunction in either parent. Both parents can 'read' Liam and match their interventions to his needs and/or his delights.

While both parents can function adequately in adult society, both parents have moderate, though different, deficits that keep each of them a bit apart or separate from close interpersonal community. Both can usually function well in more structured situations such as work or educational settings; but both parents can have some deficits in more unstructured settings - such as creating intimacy with another adult, or in creating a parenting environment for an unusual needs child - such as Liam. (I will speak of the specific deficits further in this report.)

**Re: Wesley Smith**

Wesley Smith has a wealth of emotional warmth, richness, playfulness and empathy when the interpersonal situation conforms to his view of right and wrong, of what is correct and true. He thus can tune into Liam's world and join in playfully or destructively, emotionally and intellectually. At these times he is an excellent father.

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However there are three concerns with Mr. Smith.

First, when someone is not in agreement with him regarding what is best or right, Mr. Smith becomes fixated on the issue of disagreement and becomes entrenched, preventing the relationship from moving onto other dimensions. He continues to bring up or argue his side of the issue, finding it difficult to go on to other relevant aspects of the relationship. His emotional warmth and repertoire cease to be evident under these interpersonal conditions. He is focused on winning the argument. In other words, he narrows himself and the relationship down to qualities surrounding the issue of disagreement and misses the bigger picture.

Secondly, he can be too self-absorbed, self-centered at times, such that what others need or think is not attended to sufficient for mutual relationship. This dovetails of course with the first concern.

Thirdly, he can be somewhat unique or idiosyncratic in his thinking. When this is combined with the first two concerns, his different or odd thinking is not impacted or modified by interaction with others.

An example of this narrowed focus and behavior would be an argument between himself and Cheri. At one point during a difficult time between them as a couple, Wesley got into one of the cars the couple owned and would not get out and allow Cheri to use it. It was the car that Cheri usually used to drive to and from work, etc. It had her purse in it from earlier that day. To Cheri, the car was "hers", the one she used. For Wes, the car was "his", his name was on the title to the vehicle. (He did hand her the purse, but would not allow her into 'his' car.) It is not just in the heat of the argument that this - not meaningful, not literal but - letteralness-of-the-law type of logic comes into play; he repeated this logic to me without apology during my interview process.

Another example: Mr. Smith has at times called Liam "Tard" as short for 'retard', in the interest of having the word lose its sting, since it is allegedly done by a warm loving father in a warm manner. Mr. Smith's concern is that Liam may be called this by others in a pejorative, negative manner, and Mr. Smith wishes to pre-empt that by attempting to sort of hijack the word for positive connotation first. This action has been met with a negative reaction by many of the adults who becomes aware of it, including Cheri Smith. It is quite doubtful one can pre-empt the negative impact the word could have on Liam if it is used mockingly by others. But more than the odd rationale, is Mr. Smith's inflexibility in the face of Liam's mother's concerns/doubts regarding the Mr. Smith's rationale. It would have been more flexible and team-us oriented, to let go of this questionable non-crucial intervention in the face of concern by the other parent.

Wesley also exhibits this pattern as regards his ability to value Cheri's parenting of Liam. When she is supportive and towards Wesley, he is able to value her parenting. When she is unresponsive and 'away' from him, he finds minimal to say regarding aspects of her that might remain good for Liam. Cheri's 'mood' disorder has shifted to the negative. My point here is not to debate the statement of a mood disorder or not, but that even were it true, what might still be intact or good about Ms. Cheri Smith's parenting abilities? Wesley seemed unable to include 'good' when there is such 'had'.

Re: Cheri Smith

Cheri has an openness to other's input; seeks input from other professionals regarding Liam and herself; and uses her strong intellectual abilities to try to figure out better ways for herself to live and to parent. She remains intellectually flexible. She is self-reflective, and able to discuss her flaws and mistakes. Thus she continues working to sort out a way to achieve goals for herself and as a parent to Liam. She is able to keep intellectually a hold of the whole and not narrow to an issue of disagreement only. She is, for example, able to value aspects of Wesley in his parenting of Liam, despite simultaneously having issues with other aspects of his parenting.

There appear to be three types of deficits that impact Ms. Cheri Smith's parenting capacities.

First, Cheri does not think enough of herself at times; she can have low self-esteem compared to her opinion of others. While this can enhance her openness to input mentioned in the prior paragraph, it also leaves her open to be thrown back and forth trying different new ideas, struggling to know when to give herself and her own experience more credit, and when to give the nod to the outside input. Ms. Smith retains a sort of inner strength and can doggedly pursue a course despite obstacles. She will eventually sort out negative from positive, but goes through much emotional pain and turmoil in the process. Until this is sorted, Cheri can flip flop in her interventions with Liam, being say, strict or achievement oriented, and then shifting to lenient and easy going about the same area, which causes some confusion in Liam. The flexibility in the pursuit of what is right/useable is good; the getting there leaves something to be desired.

Cheri, when under stress, can function at the edge of her emotional resources. This internal stress will build, while she will appear on the surface to be steady. Ms. Smith can then fairly abruptly let go with loud verbal emotion, throw small objects, or behaviorally act somewhat quickly to get away from the source of the stress. This can be yelling at Mr. Smith, or perhaps at Liam. It can be moving out of the house at what overtly is without notice and not informing Mr. Smith where she is living. I need to add that to the best of my knowledge these overtly abrupt reactions do not endanger Liam physically, and if there is emotional harshness at Liam, Ms. Smith feels guilty and attempts to repair any woundedness in Liam or in her relationship with Liam; she will try to talk about the error so as to let it be speakable, and thus more workable.

Ms. Smith can have a difficult time just playing with Liam; Cheri thinks how to play almost more than emotionally feels how to play, and she subtly attempting to insert an achievement or educational goal into the play. This occurred in my observation of Cheri with Liam. Liam refused to go along with it. Cheri then let it go and was able to just play with Liam. It illustrates a bit of an achievement push that Cheri starts with, yet is able to modify. This push can be in discipline that is a bit too drawn out for Liam to grasp, versus more immediate, right now consequence; it can be in setting educational goals too high for Liam given his abilities and the school system's capacities. Again, I must also state that Cheri Smith does seem to be able to see with experience, or with outside input, when the process or goal is beyond Liam, and will then modify her stance.

**Summary of Results**

Wesley Smith has more emotional depth of resources with Liam when life falls within a narrower scope that fits his, Wesley's, assessment, and his self-orientation. Cheri Smith has more flexibility at considering and valuing different points of view and the complexities associated with them and acting on a summation of viewpoints. Wesley can be more off-kilter a bit in his thinking and hold to that view rigidly. Cheri can absorb input that modifies her view, but this modification and the internal stress attendant for her in including the divergent input, can result in Cheri being less consistent.

Both Cheri and Wesley demonstrate a good ability to 'truck' Liam. Liam demonstrates an affection and a security with both parents.

**Recommendations:**

I am concerned about impasses between the two parents regarding decisions for Liam's best interests. If they disagree about educational interventions for instance, the conflicting approaches could paralyze the school system or result in harmful, significant, delays. Since Liam will need closer and customized ongoing adult intervention/assistance as a special needs child, much more of his life would be impacted by a stalemate between the parents, than would be true for a less developmentally delayed child.

Unless one parent is awarded sole legal custody, I recommend a psychotherapist be designated a 'parenting coordinator' by the court, empowered to work with the parents on issues of ongoing parenting disagreement, on an "as needed" basis, and who would have the authority to direct the parents to a particular decision if they are unable to agree. This would also involve directing the parents to consult with particular professionals, such as Dr. Winget, in hopes that expert consultation might result in parental agreement.

Sincerely,

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# Westview

Psychological Services, LLC

Wednesday, June 11, 2003

## Impressions and Recommendations for Liam Smith

**Name:** Liam Raleigh Smith  
**Date of Birth:** July 22, 1997  
**Parents:** Wes and Cheri Smith  
**Evaluated by:** Scott T. Winget, Psy.D.

The following impressions and recommendations come from a review of prior evaluations, an interview with Liam's parents, and from a center-based play observation of Liam.

### Impressions:

At present Liam appears to be a happy young boy without obvious anxiety or anger. He is inquisitive and engaged with others, and appropriate in his social interactions. Liam has good joint attention and accepts help when offered. He has an active imagination and a love of learning. At the same time, Liam does have difficulty with transition and at times his speech can be hard to understand. His mother expressed concern that Liam may be anxious about his lower performance compared to that of his peers. His father expressed concern that Liam may be overly frustrated by academic and functional demands that exceed his capabilities. Although Liam does not appear overly anxious or frustrated at present, these concerns are both appropriate and should serve to help maintain a balance between challenge and support.


Liam has had difficulty meeting his stated IEP goals in Kindergarten. In part, this appears due to goals that were initially overly ambitious and his recently changed IEP goals have been adjusted downward. These changes seem reasonable, given his progress to date and his assessed functioning levels across developmental domains (cognitive, speech and language, adaptive, fine motor).

His parents have both expressed a concern that Liam's education plan is inadequate to meet his needs. His mother is concerned that Liam have adequate support and services to reach his potential. His father is concerned that Liam's educational plan be realistic given his strengths and challenges. These are both important considerations. Based on a review of his school records (assessments, IEP, and progress statements), it is clear that Liam needs individualized one-on-one support for adaptive and educational success. While he has strengths with initiation, persistence and enthusiasm, Liam has challenges with maintaining routines, learning in all academic subjects, transitions, and carry-over of learned information. Liam has related challenges with fine motor skills, speech (articulation) and language (receptive, expressive and pragmatic) skills. He requires a comprehensive educational plan that will include special education, speech and language therapy, occupational therapy, as well as individualized support.

### Recommendations:

- 1) Every effort should be made to place Liam in a regular education classroom, with the understanding that he will need significant support, and quite possible a number of pull-out services

- 2) Liam's IEP should include opportunities for him to develop social skills in the context of peer relationships. He would benefit from structured and guided small group experiences with a mixture of special needs and typically developing children
- 3) His teachers should look for ways to make appropriate adaptations and accommodations within the classroom to help Liam better handle transitions, to stay focused and to maintain his involvement with group activities
- 4) Liam should continue to have one-on one-support in the classroom
- 5) Liam's educational plan should emphasize easy access to and integration of related services (speech and language therapy, occupational therapy)
- 6) Liam should continue to receive speech and language therapy services to address his challenges with articulation, expressive language, and pragmatics
- 7) Liam's educational plan should provide for sufficient modeling and practice of new material so that he develops both competence and confidence in his abilities
- 8) Liam's parents and teachers should work together to develop a home program that supports his IEP. His teachers should work to include both his parents in all meetings regarding his education, with an ear for and understanding of their unique concerns and perspectives.
- 9) Liam's parents should work to avoid polarizing their perspectives on his needs, and recognize that there will be an ongoing tension in finding the best mix of challenge, services, adaptation and accommodation.

  
 Scott T. Winget, Psy.D.  
 Maryland Psychologist #2876