

Custody conflict in the family courts has a history of controversy and remains a largely unsolved child and family pathology. Legal and mental health professionals continue in conflict regarding the diagnosis for the problem and its solution, without clear standards of practice being identified for all mental health professionals in the assessment, diagnosis, and treatment of the parental personality disorder pathology and attachment pathology that occurs in the family courts. The application of the established scientific and professional knowledge in attachment, family systems therapy, personality disorders, and complex trauma provides all mental health professionals with a standard set of professional constructs to apply that will bring the professional controversy to an end, leading to a scientifically valid and a universally supported professional approach to the assessment, diagnosis, and treatment of court-involved child custody conflict surrounding divorce. The diagnostic concerns with court-involved custody conflict include a possible shared persecutory delusion, a possible Factitious Disorder Imposed on Another (DSM-5 300.19), possible Child Psychological Abuse (DSM-5 V995.51), and possible Spouse or Partner Abuse, Psychological (DSM-5 V995.82) of the targeted parent by the allied parent using the child as the weapon. These differential diagnoses will all be discussed as the framework for a scientifically supported approach to the resolution of the custody conflict in the family courts. All mental health professionals have professional ethics code standards that require professional competence in the domains of knowledge necessary to accurately diagnose and effectively treat the pathology they work with. All mental health professionals also have duty to protect obligations surrounding possible child abuse and possible spousal abuse. The current mental health and legal approaches to resolving custody conflict in the family courts is failing the children, their parents, and the courts. A different approach grounded in the established scientific and professional knowledge of psychology is needed to successfully resolve the child custody conflict in the family courts and provide accurate guidance for the court in its custody decisions. The coming paradigm shift within the family courts will be away from forensic child custody evaluations and court litigation and will instead return to the diagnostic and treatment-oriented approach of clinical psychology. The focus for solutions to the custody conflict in the family courts will shift from the legal system (litigation and custody of the child) to the healthcare system (diagnosis and treatment of the pathology). A clinical psychology focus on diagnosis and treatment will provide the courts with accurate information regarding the nature of the pathology in the family and its solution. Professional ethical and duty to protect obligations, differential diagnoses of a shared persecutory delusion and Factitious Disorder Imposed on Another, and treatment-oriented solutions from clinical psychology will all be discussed.