

## Study Links Economic Stress to Child Abuse

By Barbara King

The recent recession has taken a heavy toll on marriages nationwide, displacing many families and creating rifts between spouses facing financial dire straits. Now a new study is illustrating the toll the recession has taken on children, who, according to researchers, suffer increasing physical abuse during a recession.

During the recent recession that technically lasted 19 months, abusive head trauma (AHT) rates involving children under 5 years of age in three U.S. geographic regions rose from 8.9 to 14.7 in 100,000. That rate is almost double the rate for the 47 months before the downturn technically began on Dec. 30, 2007. According to the National Bureau of Economic Research, the recession ended June 30, 2009. This study

was recently published in Pediatrics

Researchers examined clinical data for 422 AHT cases spanning a 5.5-year period. AHT is the leading cause of death in cases of known child abuse and frequently causes traumatic brain injury in infants. It is believed that the findings highlight the impact economic stress can have on violent behavior. Unfortunately, many families already knew this based on their own experiences during the recession.

Some spouses in abusive households may feel there is nothing they can do, believing they cannot afford court proceedings to protect their children, or fear they could lose custody due in part to their own unemployed status. But the protection of children must take precedence. And even if your spouse is the abuser and you are not, simply having knowledge of the abuse and doing nothing about it, can put you in danger of being charged with neglect.

Child protective proceedings and child custody

arrangements can always be filed in New York, in the Family Courts, which are Courts that are meant to be user friendly and do not mandate that a party have counsel. It is wise to secure counsel during the proceedings, but lack of funds need not cause a party to delay where a child's safety is at risk.

If an unemployed spouse petitions for physical or legal custody

to protect a child from an abusive parent, he or she needs to remember that a finding of child abuse

carries weight in the Courts. Where an allegation of child abuse is supported by a "preponderance of evidence," the court must take such evidence into consideration when determining visitation arrangements. The Courts cannot place a child in the custody of a parent who presents to the child "a substantial risk of harm."

Parents wanting to protect a child from abuse at home should not hesitate to reach out to Child Protective Services to make a report where necessary and to consult with a family and matrimonial

attorney to discuss custody

and support

options.

Barbara J. King

is a partner with Tully Rinckey PLLC who concentrates her practice in the areas of family and matrimonial

law. She can be reached at [bking@tullylegal.com](mailto:bking@tullylegal.com)

. To schedule a meeting with one of Tully Rinckey PLLC's experienced family and matrimonial law attorneys call 1-888-LAW-4-LIFE.