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Authors
Olaguez, Alma
Castro, Amy
Cleveland, Kyndra
et al.

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Using implicit encouragement to increase narrative productivity in children: Preliminary evidence and legal implications

Alma P. Olaguez[a], **Amy Castro**[a], **Kyndra C. Cleveland**[b], **J. Zoe Klemfuss**[a], **Jodi A. Quas**[a]

[a]Department of Psychological Science, University of California, Irvine, Irvine, California, USA;

[b]Department of Psychology and Human Development, Vanderbilt University, Nashville, Tennessee, USA

Abstract

Statements made by children in a range of legal settings can irrevocably impact their family structure, relationships, and living environment. Because these statements can fundamentally alter children's futures, efforts have been made to identify methods to enhance children's reports by increasing comprehensiveness, completeness, and accuracy. Interviewer support has broadly been considered a method of interest, but variations in what constitutes "support" have highlighted the need for greater specificity in documenting how different facets of supportive behaviors relate to children's reporting tendencies. In this review, we describe work focused on the effects of interviewer support, on children's memory completeness and accuracy. We then describe to a subset of interviewer behaviors that encourage elaboration in dyadic interactions: back-channeling and vocatives. We present preliminary evidence suggesting that these utterances, referred to as implicit encouragement, can increase the amount of detail provided without compromising accuracy. Implications for custody evaluations are discussed.

Keywords

Child witness; interview; memory; review; social support

Infamous legal cases from the 1980s and 1990s involving scores of children making bizarre and, at times, impossible claims of sexual abuse inspired decades of attention in science, policy, and practice to children's memory, suggestibility, and eyewitness abilities. This attention yielded incredible results: We now have empirically-based recommendations regarding how to elicit lengthy, accurate reports from children about negative experiences, and we have clear ideas about problematic interviewing techniques that can lead to errors and even entirely false reports (Lamb, Hershkowitz, Orbach, & Esplin, 2008; Lamb, Malloy, Hershkowitz, & La Rooy, 2015; Saywitz, Lyon, & Goodman, 2017). This work has been applied broadly to legal cases across the globe (La Rooy et al., 2015) and has led to extensive training of police interviewers, social workers, attorneys, and others, charged with the daunting task of questioning alleged child victims to find out what—if anything—happened to them. Although there is still a concern that best practice guidelines have not

CONTACT J. Zoe Klemfuss jklemfus@uci.edu Department of Psychological Science, University of California, 4201 Social and Behavioral Sciences Gateway, Irvine, CA 92697-7085, USA.

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been fully implemented in all cases (Lamb et al., 2009), results are promising in that, when successfully implemented, best practice guidelines have led to improved investigations of suspected maltreatment and thus better identification of abused children (Saywitz et al., 2017).

Developing best practices for interviewing suspected victims of child maltreatment is clearly of great societal concern. However, children become involved in the legal system for a host of other reasons as well. For example, large numbers of children are questioned by psychologists, therapists, and legal professionals each year as part of divorce and custody proceedings (California Family Code §3042, 2012; Emery, Otto, & O'Donohue, 2005). In these cases, like those involving suspected maltreatment, children are expected to recall past events accurately and completely. However, children may be asked to provide more than just factual information regarding past events. Children may be asked to provide subjective information, for example, about their needs and desires. Indeed, children's answers to questions about both factual and subjective content can have a profound impact on their future by affecting where and with whom they live, and how often they will see other family members. In the present review, we sought to apply key concepts regarding best-practices in forensic settings—including those aimed at eliciting lengthier narratives and minimizing suggestibility—to custody dispute settings.

Because multiple exceptional reviews and books have been written on best-practice forensic interviewing questioning strategies (e.g., Lamb et al., 2008; Lamb et al., 2015; Saywitz et al., 2017), we focused on a narrower set of topics that we posit are especially relevant to children's reporting in custody and divorce situations. Specifically, we review how interviewer behavior influences children's reporting. Interviewer behavior can be influential in encouraging children to discuss past events in a detailed manner and reject false information provided by interviewers, thereby improving accuracy. We further propose that interviewer behaviors can affect children's accounts of factual content of experienced events and subjective content, such as feelings or desires, which may be especially relevant in custody cases.

Our review is organized as follows: We first provide an overview of existing literature on how interviewer support, one of the most well-studied categories of interviewer behavior, affects children's memory and event reporting. Next, we turn to how one specific facet of interviewer behavior, rather than just general support, may be uniquely beneficial in encouraging greater productivity, and we provide some preliminary evidence of this effect. We conclude by suggesting avenues for future research concerning children's reporting in child custody cases.

Interviewer support

Interviewer support has been studied extensively in the child eyewitness literature as an important influence on children's memory and suggestibility. Broadly, social support includes nonverbal and verbal behaviors used between interactional partners that are designed to induce feelings of wellbeing and comfort in each other (Burleson, Albrecht, & Sarason, 1994). Within the child forensic literatures, consistent benefits of interviewer

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support have emerged across several related bodies of research. These include controlled experiments in which researchers have evaluated the effects of interviewer support on children's memory and accuracy (e.g., Saywitz, Wells, Larson, & Hobbs, 2016), and naturalistic or field investigations of forensic interviews in legal cases involving alleged abuse (Hershkowitz, Lamb, & Katz, 2014; Hershkowitz, Lamb, Katz, & Malloy, 2015; Hershkowitz, Orbach, Lamb, Sternberg, & Horowitz, 2006; Teoh & Lamb, 2013). In the latter studies, although the ground truth could not be completely established, the cases were typically selected because corroborating evidence of the abuse existed. The third concerns investigations of the effects of interviewer support on children's provision of subjective content (Klemfuss, Milojevich, Yim, Rush, & Quas, 2013). Mechanistically, across all of these types of studies, interviewer support was believed to have impacted children's reporting by inducing comfort (Bottoms, Quas, & Davis, 2007). Children who are comfortable in the interviewing context should be more open when discussing their lives, especially if the topic to be discussed is negative or sensitive in nature. In a supportive interviewing context, children may also feel more comfortable contradicting the interviewer when he or she is mistaken, leading to increased response accuracy.

Experimental investigations have revealed benefits of interviewer support on children's memory and suggestibility in children ranging in age from as young as 3–4 years old (Goodman, Bottoms, Schwartz-Kenney, & Rudy, 1991; Imhoff & Baker-Ward, 1999; Quas, Bauer, & Boyce, 2004) to those in their teen-age years (Quas, Rush, Yim, & Nikolayev, 2014). In these studies, children were exposed to verifiable laboratory-based or naturally occurring activities. Most activities concerned positive or fun interactions, such as playing games with an adult confederate (Carter, Bottoms, & Levine, 1996; Davis & Bottoms, 2002; Peter-Hagene, Bottoms, Davis, & Nysse-Carris, 2014), although some included negative or stressful activities (e.g., observing emotionally evocative video clips or giving a surprise speech; Goodman et al., 1991; Quas et al., 2004; Quas & Lench, 2007; Quas et al., 2014). Children's memory for the activity was later tested via recall prompts asking children to narrate about their experiences (e.g., "Tell me everything that happened the last time you came here") and recognition questions (e.g., yes/no, option-posing).

Interviewers were randomly assigned to behave in a supportive manner or in a neutral (Goodman et al., 1991; Imhoff & Baker-Ward, 1999) or nonsupportive (Quas et al., 2004; Quas et al., 2014) manner. Although the specific nonverbal and verbal behaviors included in supportive conditions varied across studies, in general, supportive interviewers built rapport, maintained eye contact, talked with vocal intonations, smiled, offered words of encouragement, said children's names, and sat close to and facing the children (Bottoms et al., 2007; Saywitz et al., 2016). Neutral interviewers simply avoided supportive behaviors, while nonsupportive interviewers were instructed to behave in a cold and emotionally detached manner (Saywitz et al., 2016).

Across studies, several sets of findings emerged. First, there was no evidence that high general support was detrimental to children's memory reports (this finding was separate from studies where support was contingent on what children said, in which case, as mentioned, errors increased; Cleveland, Quas, & Lyon, 2016; Garven, Wood & Malpass, 2000). Second, interviewer support fairly consistently decreased children's susceptibility to

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suggestive questions. This effect was found in children ranging from 3 to 14 years old and when children were questioned about both positive and negative prior experiences (Almerigogna, Ost, Akehurst, & Fluck, 2008 [study 2]; Almerigogna, Ost, Bull, & Akehurst, 2007; Carter et al., 1996; Davis & Bottoms, 2002; Goodman et al., 1991; Goodman, Sharma, Thomas, & Considine, 1995; Peter-Hagene et al., 2014; Quas et al., 2004; Quas & Lench, 2007; Quas et al., 2014; Quas, Wallin, Papini, Lench, & Scullin, 2005; but see Imhoff & Baker-Ward, 1999, for an exception).

Saywitz et al. (2016) conducted a review of 15 studies that examined the effects of interviewer support on children's reporting and a meta-analysis of a subset of outcomes across eight of these studies. The most consistent and robust effects emerged when children's resistance to suggestive questioning was considered. All but one of the 15 reviewed studies found that interviewer support decreased children's susceptibility to suggestion and the meta-analysis revealed a moderate effect size in terms of increases in correct responses (SMD = .29, p = .001), and decreases in incorrect responses (SMD = −.32, p = .001) to the suggestive questions. Likewise, when responses to nonsuggestive questions were considered, the meta-analysis revealed that interviewer support significantly decreased children's inaccurate responses, although here, the effect size was small (SMD = −.18, p . 03). When correct responses to these same questions were considered, however, no significant effect of support was found (SMD = .10, p .20). And finally, among nine studies that tested the effects of interviewer support on the accuracy of information children provided in free recall, results were highly variable, with a few studies showing effects but others showing none. Because of the smaller number of studies that focused on recall, Saywitz et al. (2016) were unable to conduct a meta-analysis on this particular outcome. Thus, no concrete conclusions were drawn about effects of support on recall.

Benefits of the aforementioned studies included experimental manipulation of interviewer support, reliance on objectively verifiable to-be-remembered events, and use of structured interview questions. This rigor allowed for causal inferences to be drawn about the precise effects of social support on children's provision of true and false event details. However, it is also difficult to generalize results from these investigations to situations in which children are asked about emotionally charged experiences, or experiences which children may be reluctant to discuss, such as exposure to violence or parental arguments. It is, therefore, of interest to ascertain whether interviewer support affects children's reporting of factual and subjective content regarding maltreatment and other emotionally laden family experiences.

The second line of work, which involved field investigations of child victims, has done just this, by investigating the relations between interviewer behaviors and children's informativeness in forensic interviews about alleged abuse. It is important to note that in these field studies, the cases that were typically selected had corroborating evidence, but we cannot be completely confident of the ground truth of children's allegations. In some ways, the results from these field studies were consistent with experimental investigations in that, when social support was associated with performance, those associations tended to be positive. For instance, Teoh and Lamb (2013) coded supportive behaviors (i.e., positive feedback, empathy/questions regarding child emotions, back-channel utterances [e.g., "ok", "uh huh"]), and reassurance used by professional forensic interviewers while questioning

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child victims ranging in age from 5 to 15 years old. The researchers also coded children's responses for the provision of informative case details. Results revealed significant positive associations between the frequency of interviewers' supportive behaviors and the amount of new information provided by children.

In another investigation, Hershkowitz et al. (2006) took a slightly different approach. They divided a sample of suspected child victims into two groups: children who disclosed versus those who did not disclose abuse. Then the researchers documented occurrences of interviewer support in each group (i.e., positive reinforcement, use of the child's name, references to the child's emotions, back-channel utterances). A greater number of supportive behaviors was evident in interviews in which children disclosed than in interviews in which children did not.

Although these results suggest benefits of support when interviewing children about abuse, and are in some ways consistent with experimental investigations, two important issues need to be considered. One concerns the inevitable challenge with field research of inferring causality. That is, the direction of the associations between support and productivity or disclosure cannot be determined. Thus, while it is possible that support increased children's reporting, it is equally plausible that interviewers were more supportive of children who disclosed and gave informative responses than of children who did not. Second, unlike in experimental investigations, in which benefits of support have emerged most often when suggestibility was measured and not when recall was measured (Saywitz et al., 2016), the field investigations reported benefits specifically in children's recall productivity, and the benefits in terms of reducing susceptibility to suggestive questions are unknown. It may be the case that talkative children may have garnered greater support from interviewers, or it may be that the benefits of social support are stronger and perhaps broader when children are questioned about highly distressing experiences.

Of note, in two field investigations, interviewers were trained to use an enhanced rapport-building protocol, before asking abuse-relevant questions (Hershkowitz et al., 2014; Hershkowitz et al., 2015). Instructions focused on expressing interest via verbal and nonverbal behaviors (e.g., back-channeling, using children's names, recognizing and acknowledging/exploring children's feelings, relying on positive reinforcement, and expressing empathy). In a sample of interviews that resulted in allegations of abuse deemed credible by external evidence, half of the children had been interviewed with the standard rapport-building phase and the other half had been interviewed with the enhanced rapport-building phase. Although all children disclosed, children who received the enhanced support during rapport displayed less reluctance when being asked about the alleged abuse, and provided more forensically-relevant details than those interviewed using the standard rapport (Hershkowitz et al., 2015). In a separate study comparing interviewers who utilized the enhanced rapport-building phase versus those who did not, children who were interviewed with enhanced rapport-building were also more likely to disclose (Hershkowitz et al., 2014). Thus, supportive behaviors by interviewers may well increase children's willingness to talk about negative prior experiences, such as maltreatment.

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The third small line of work relevant to supportive interviewing focuses on how interviewer behavior affects children's reporting of subjective content. That is, in a vast majority of prior work, a primary focus has concerned how social support affects children's eyewitness memory and suggestibility. In a criminal case, information of interest largely concerns factual details, and thus, veracity is a key factor. In other legal settings, however, like dependency or family courts, references to subjective content such as thoughts, feelings, and preferences, may also be important. In fact, even in criminal settings, emotion terms and expressions may be of value. They have been used, for example, as indicators of veracity by mock jurors, who see such emotions as evidence that children experienced a traumatic event (Cooper, Quas, & Cleveland, 2014; Myers, Redlich, Goodman, Prizmich, & Imwinkelried, 1999; Regan & Baker, 1998). Moreover, some efforts have been made to increase children's reporting of evaluative details as a means of increasing their overall productivity and credibility (Lyon, Scurich, Choi, Handmaker, & Blank, 2012).

Only a paucity of research has examined the effects of social support on children's reports of subjective, evaluative content. We conducted one such investigation (Klemfuss et al., 2013), in which children and adolescents completed a high or low stress laboratory activity and a few weeks later, completed a memory test about what happened. Interviewers behaved in either a supportive or nonsupportive manner, using manipulations similar to prior studies (e.g., Carter et al., 1996; Davis & Bottoms, 2002; Quas & Lench, 2007). Across age, among participants who experienced the more stressful lab event, those interviewed supportively provided a higher percentage of references to cognitions (e.g., "think," "know") compared to those interviewed nonsupportively (Figure 1). This pattern was not evident, however, among participants in the low-stress condition. Interviewer support also affected the likelihood that participants would reference positive emotions. Fifty-nine percent of participants referenced positive emotions in the supportive condition compared to 43% of participants in the nonsupportive condition. These results suggest that interviewer support may be particularly or, perhaps, primarily important for eliciting evaluative information when the event-in-question was potentially stressful. These results also suggest that such support may help children describe a range of emotions and cognitions about complex prior experiences, including positive and evaluative details. Such a possibility, is relevant to legal contexts, within which the topics of interest do in fact often concern salient emotional experiences.

In summary, evidence to date suggests three general conclusions regarding interviewer support, and at least one noteworthy caveat. First, supportive interviewing does not appear to inhibit children's accuracy, and second, supportive interviewing reduces children's tendency to fall prey to false suggestions. Third, and more tentative, interviewer support may increase children's willingness to talk about multiple facets of their experiences. As suggested by field investigations of forensic interviewer behavior and children's disclosures, this may include fact-based content. As suggested by our work, though, this may also include content related to thoughts and feelings, although this was only uncovered in one study. Further research is needed to confirm and extend these results across the range of topics of interest in legal settings.

In contrast to these general conclusions about benefits of supportive interviewing, experimental studies have not uncovered support effects on the amount of information

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provided in children's recall responses. The latter findings, or lack thereof, raise questions about when interviewer support does—and does not—increase productivity. We propose that, rather than focusing on interviewer support broadly, it may be more useful to operationalize and test the effects of specific components of interviewer behaviors separately on both accuracy and productivity. Some components may target accuracy, while others may target productivity. We have begun doing this, directing our attention toward interviewer behaviors that theoretically should be especially important in terms of increasing the amount of detail children provide in their narrative accounts. We are testing the effects of these behaviors on children's accuracy and the amount of factual and subjective content included in their narratives. Our results are providing novel insight into how such behaviors affect the content of children's reports.

Implicit encouragement

We have begun to examine a class of interviewer behaviors we heuristically call *implicit encouragement* or nonsuggestive conversational utterances that promote the discussion and elaboration of information in dyadic interactions. These utterances are designed to convey that the listener is engaged, to direct the speaker's attention to the questions and conversation, and to signal that the listener would like to hear more. The two primary types of implicit encouragement in which we have been interested in include *back-channel utterances*, also known as "response tokens" (Gardner, 2001; McCarthy, 2003) or "facilitators" (Sternberg et al., 1996), which are brief, nonlexical expressions (e.g., uh-huh, mm-hmm) that communicate a listener is paying attention, interested, and would like the speaker to continue; and vocatives, which are words or phrases designed to capture a conversational partner's attention (McCarthy & O'Keeffe, 2003), with perhaps the most common form being the use of the conversational partners name. These were selected because they are often included in descriptions of socially supportive behaviors or are coded in investigations of interviewer behavior, because they may target children's productivity, and because they are easily implemented. As such, they may be especially helpful when narrative details are needed. These implicit encouragement techniques have been included as indicators of support in the reviewed field studies, which typically find positive associations between interviewer support and productivity, but are rarely examined in experimental work, which typically does not find productivity effects (see Saywitz et al.'s [2016] meta-analysis).

Several lines of evidence hint at benefits of implicit encouragement on children's productivity, and a few also show that accuracy does not appear to be compromised when using these techniques. The use of back-channel utterances, for instance, improves productivity in interpersonal interactions and education settings (Duncan, 1975; Krauss, Garlock, Bricker, & Mcmahon, 1977; Myers & Macnaghten, 1999; Roger & Schumacher, 1983; Tolins & Tree, 2014; Wannaruk, 1997). Greater use of back-channel utterances with high-risk populations (e.g., learning disabled, low-income), has also been shown to improve basic language and narrative competence (Miller, Lechner, & Rugs, 1985; Peterson, Jesso, & McCabe, 1999). Finally, in field research of actual forensic interviews with suspected child victims, back-channeling and vocatives have been documented (Hershkowitz, 2009; Lamb, Hershkowitz, Sternberg, Boat, & Everson, 1996), and more frequent occurrences of both of these are associated with children providing a greater amount of abuse-relevant details

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(Hershkowitz, 2002, 2009; Lamb et al., 1996). For back-channeling, these associations are particularly robust when paired with recall questions.

In combination, this work is promising in its suggestion that implicit encouragement can increase the amount of detail children provide about prior experiences. However, a key question, and one that was not addressed in former work, concerns the accuracy of the information provided. We have begun to address this issue, focusing on the effects of implicit encouragement on the amount and accuracy of factual details children provide about prior experiences.

For example, in one study, 3–8 year-olds participated in a scripted classroom baking demonstration (Cleveland, Quas, & Lyon, 2018; see Kulkofsky & Klemfuss, 2008 for a description of the demonstration task). After a week delay, they took part in a suggestive conversation followed by a mock forensic interview. The suggestive conversation was identical for all children (see Cleveland et al., 2016, for details) and included presenting children with false details, followed by negative feedback if children did not assent. The suggestive conversation tactics were highly effective in changing children’s responses. By the end of the conversation questions, only 10% of children’s answers were accurate. For the mock forensic interview, children were randomly assigned, across age, to a high implicit encouragement condition, which included back-channeling and vocatives (i.e., use of children’s names), or a low implicit encouragement condition in which interviewers were instructed not to include these behaviors.

Implicit encouragement increased productivity among older children (6–8 years old), but not younger children (3–5 years old; Figure 2), suggesting that implicit encouragement may be more effective at increasing productivity as children age, at least through middle childhood (in other preliminary work, we found that implicit encouragement may not benefit adolescents as much as children, although these findings are only preliminary at this point; Castro & Quas, 2017). In a subsequent analysis, we tested whether implicit encouragement influenced children’s accuracy, directly and in conjunction with age. The main effect of implicit encouragement was nonsignificant, suggesting that accuracy was comparable between the high and low implicit encouragement conditions. The lack of difference between encouragement conditions is especially noteworthy given that all children had been exposed to a highly suggestive conversation just before their recall was elicited. Thus, the inclusion of implicit encouragement did not, in any significant or meaningful way, compromise accuracy.

In summary, although only one published study exists, results are encouraging. When interviewers use implicit encouragement, older children provide more information. Moreover, implicit encouragement does not appear to have a detrimental effect on accuracy across age, even when children have been exposed to suggestive influences. We are now testing the effects, as mentioned, with adolescents, and are examining their descriptions of a prior stressful event. We are interested in whether implicit encouragement enhances reporting of factual information, as well as details about feelings and thoughts, and whether any evident effects vary with age. Findings will provide insight into whether potentially

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novel, but also easily employed, naturally occurring conversational tools influence the content and quality of children's reporting.

Conclusions

The vast majority of studies to date have focused on the effects of interviewer support and implicit encouragement on children's eyewitness memory and suggestibility, and these findings tend to be applied to criminal and dependency cases in which there is a question of whether abuse has occurred. However, the findings from this literature may have implications for a wide range of contexts within which information is sought from children. Such contexts include educational, medical, and clinical settings where children's experiences, but also feelings, thoughts, and preferences may be of interest. This subjective content is also important in legal settings outside of criminal and dependency cases that concern alleged maltreatment, including family court in which questions about custody and visitation arise. Children may be asked about factual details concerning prior experiences with one or both parents, including events that they may have witnessed; and about subjective details, such as their perceived needs and desires with regard to placement and feelings about custody arrangements (e.g., Buehler & Gerard, 1995; Kuehnle, Greenberg, & Gottlieb, 2004; "Michigan Child Custody Act of 1970," M.C.L.A. 722.23, amended 1980, 1993; Sattler, 1998). In fact, many states mandate that children, particularly in the teen years, have a voice when determining custody and visitation. As such, it is useful to consider whether interview strategies designed to enhance children's productivity without compromising accuracy would be effective in custody evaluations.

We have presented evidence that both social support, broadly, and implicit encouragement may indeed be beneficial to children's reports. Current best practices for interviewing children in custody evaluations already highlight the importance of interviewer support while talking with children (see Turoy-Smith & Powell, 2017, for a review). According to extant research on children's eyewitness abilities, such support should lead to more accurate responding on the part of children. There is strong and convincing evidence that when children are interviewed supportively, they are more resistant to false suggestions, even if unintended, from an interviewer. Such resistance appears to hold even when children are being questioned about potentially negative or stressful content, which increases applicability to contexts in which children are asked to describe their feelings regarding placement. Preliminary evidence focused on implicit encouragement strategies is equally if not more promising, especially in terms of increasing how much information children provide in response to interviewer queries. Implicit encouragement may do so by augmenting an interviewer's general supportiveness, although it may also do so by directing children's attention to the questions and signaling to children that the information they provide is important and of value. In either case, the outcome is that children are more productive, in terms of both fact-based information and subjective details. Finally, implicit encouragement does not appear to reduce the accuracy of details children provide, even when they have been exposed to suggestive questioning.

By incorporating both general support and specific implicit encouragement strategies into interviews with children about custody arrangements, it may be possible to increase the

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amount of useful information provided by children with regard to their experiences, needs, and preferences; doing so will likely lead to two crucial outcomes. First, children will have a voice in what happens to them and may, as a result, feel more involved in, and positive about, the process. Second, custody decisions will then be made with more complete input from all relevant parties in the case, leading to the best possible decision for children and families.

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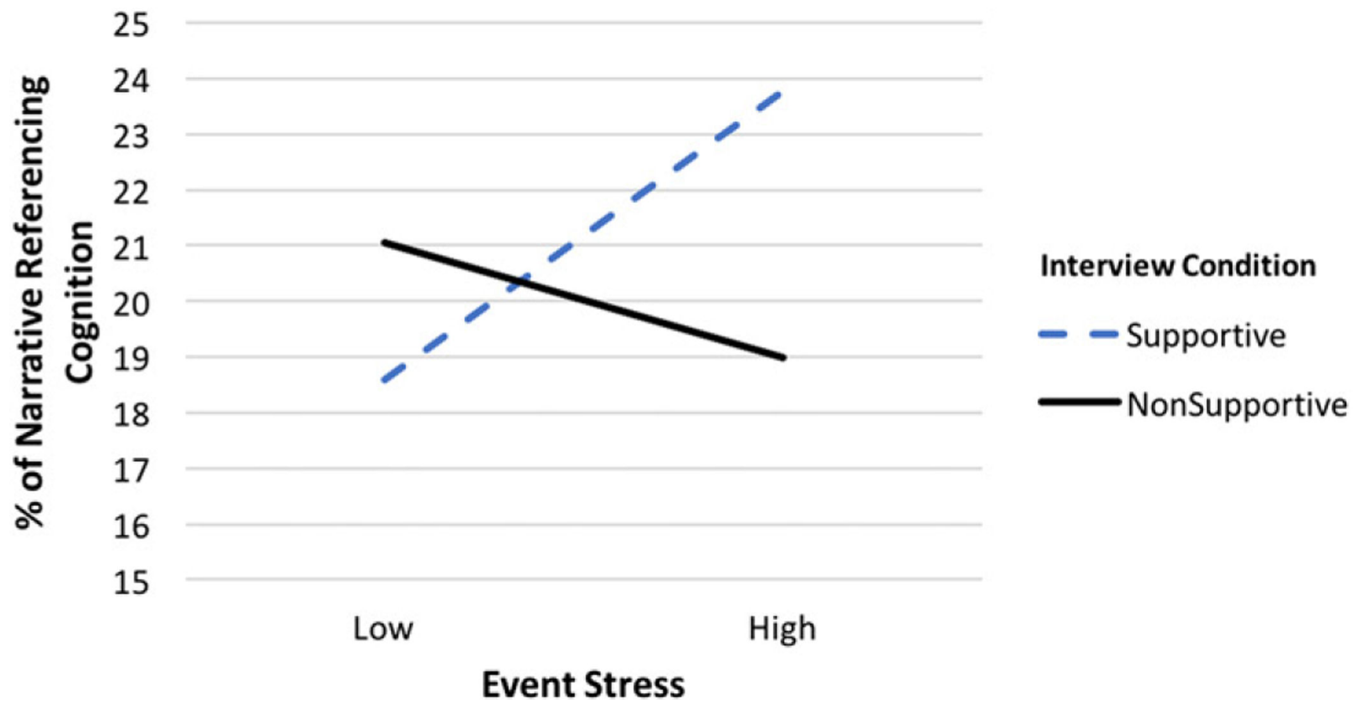

Figure 1.

Children's references to cognition by event stress and interviewer support conditions.

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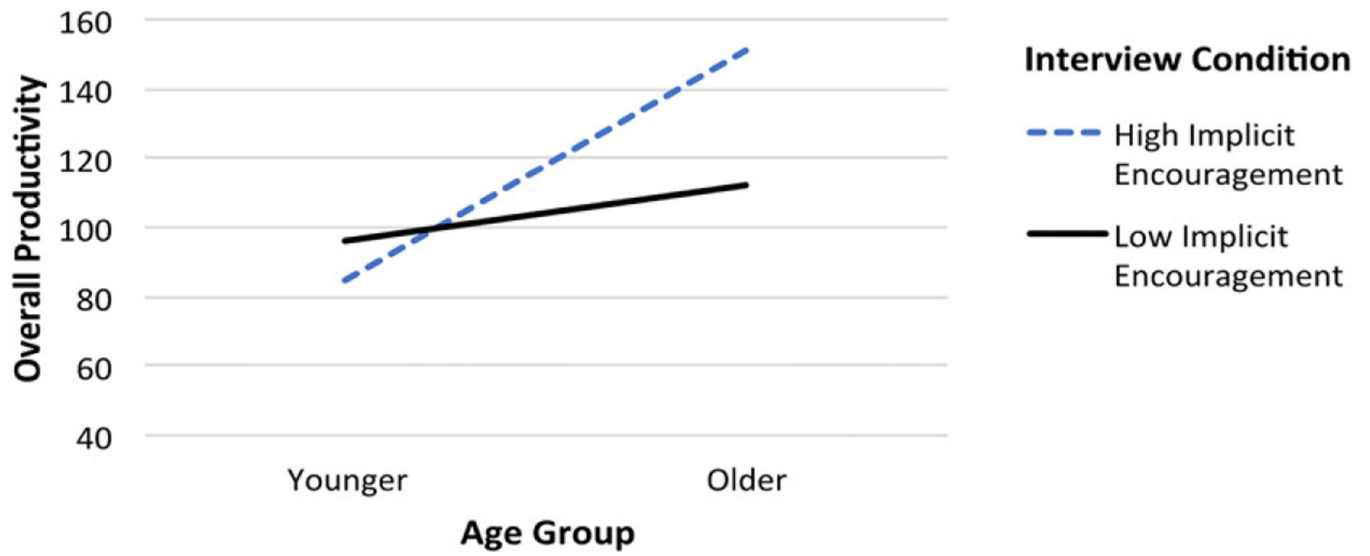

Figure 2.
Younger and older children's overall productivity in the high vs. low implicit encouragement conditions.