

The Change for Children Evidence of Parental Alienation for the Domestic Abuse Bill

Compiled by Brian Ludmer, Owner LudmerLaw - A Canadian law firm focused on assisting families deal with high conflict separation and parental alienation, co-author of *The High Conflict Custody Battle* (New Harbinger Press 2014), legal editor of *Parental Alienation International Newsletter*, co-founder of *Lawyers for Shared Parenting Advisory Board*, member to the *International Support Network for Alienated Families* and to the *Family Access* organisation, frequent speaker at worldwide conferences, strategic consultant on high conflict separation cases around the world.

Contact: brian@ludmerlaw.com

Edited by Martin Cracknell, Founder of *The Change for Children*

Contact: martin@mediamine.co.uk

Published 1 February 2021

CONTENTS

Page 2 - 42	Parental Alienation - Science and Law, Chapter 1, Lorandos, Bernet 2020
Page 43 - 68	Psychology, Public Policy, and Law - Allegations of Family Violence in Court: How Parental Alienation Affects Judicial Outcomes, Harman, Lorandos 2020
Page 69 - 80	Empirical research on parental alienation: A descriptive literature review, Marques, Marciso, and Ferreira 2020
Page 81 - 148	Parental Alienation: Overview, Management, Intervention, and Practice Tips, Warshak 2015
Page 149- 163	Ten Parental Alienation Fallacies That Compromise Decisions in Court and in Therapy, Warshak 2015

PARENTAL ALIENATION

SCIENCE AND LAW



Demosthenes Lorandos • William Bernet

PARENTAL ALIENATION – SCIENCE AND LAW

Edited by

DEMOSTHENES LORANDOS, Ph.D., J.D.

*PsychLaw
Hamburg, Michigan*

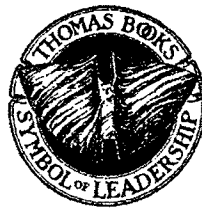
and

WILLIAM BERNET, M.D.

*Vanderbilt University
Nashville, Tennessee*

(With 14 Other Contributors)

2020



CHARLES C THOMAS • PUBLISHER, LTD.
Springfield • Illinois • U.S.A.

Chapter 1

INTRODUCTION TO PARENTAL ALIENATION

WILLIAM BERNET

Parental alienation (PA), a serious mental condition that affects hundreds of thousands of children and families in the United States, has been described in legal cases since the early 19th century¹ and in the mental health literature since the 1940's.² Mental health professionals, family law attorneys, and ordinary citizens observe PA every day, even if they do not know that the phenomenon has a name, where it comes from, or what to do about it. There has been a vast extent of descriptive, qualitative research and a more limited amount of quantitative research regarding PA.

Despite the extensive professional literature regarding this topic and the growing number of trial and appellate courts that have accepted the importance of PA, there continues to be a small group of outspoken critics and detractors who deny the significance or even the existence of this mental condition. The chapters of this book will address PA through two perspectives: first, a detailed discussion of some aspect of PA with appropriate citations to the mental health and legal literature; and, second, a summary of what PA detractors and deniers have stated regarding that topic with clearly documented rebuttals of those statements, i.e., a debunking of the debunkers. This bifid approach—a statement of the positive arguments that support the reality and significance of PA joined with a refutation of the arguments against PA—will demonstrate the importance of PA for clinicians as well as the admissibility of testimony regarding PA in courts in the U.S. Of course, that is why the title of this book refers to “science” and “law.”

DEFINITION OF PARENTAL ALIENATION

PA is a mental condition in which a child—usually one whose parents are engaged in a high-conflict separation or divorce—allies strongly with one par-

ent (the preferred parent) and rejects a relationship with the other parent (the alienated parent) without legitimate justification.³

Several features of the definition should be noted. PA can be conceptualized as a mental condition of the child (e.g., the child has a false belief that the rejected parent is evil, dangerous, or not worthy of love) or an aberration in the relationship between the child and the rejected parent (e.g., absence of communication and camaraderie between child and parent, even though they previously enjoyed a loving, nurturing relationship). We refer to "separation or divorce" because PA can occur prior to legal divorce and in families in which the parents were never married in the first place. PA sometimes occurs in high-conflict marriages, when the parents are still living in the same household.

It is essential to recognize that the child's rejection of the alienated parent is without legitimate justification. If a parent was abusive or severely neglectful, the child's rejection of that parent is understandable or legitimate and does not constitute PA. We follow the convention of most writers, who use *estrangement* to refer to warranted rejection of a parent and *alienation* to refer to unwarranted rejection. Finally, we realize that the rejected parent is not typically a perfect mother or father, and that parent may have contributed in a limited degree to the child's dislike of him or her. However, the essential feature of PA is that the child's rejection of the alienated parent is far out of proportion to anything that parent has done.

MANIFESTATIONS OF PARENTAL ALIENATION

Criteria for the diagnosis of PA were originally published by Richard Gardner, who said that *parental alienation syndrome* (PAS) referred to a child who manifested some or all of eight characteristic behaviors.⁴ We have adapted Gardner's eight criteria for the diagnosis of PA, as we use the term in this book (see Table 1). Gardner said that the diagnosis of PAS was based primarily on the presence of symptoms in the child, not on the behaviors of the alienator.

Researchers have studied the frequency with which the eight criteria occur in individual cases of PA. Amy Baker and Douglas Darnall studied self-identified alienated parents whose children "want nothing to do with the parent and the parent's access to the child was minimal at best."⁵ That is, they collected information from the rejected parents of children who manifested a severe degree of PA. The authors asked the parents whether the eight symptoms of PA, which had been identified by Gardner, occurred in their children. Baker and Darnall found that the following symptoms occurred "often" or "always" in the great majority of the families they studied:⁶

Table 1.
SYMPTOMS OF PARENTAL ALIENATION

-
- **Campaign of denigration:** "The denigration of the parent often has the quality of a litany. After only minimal prompting by a lawyer, judge, probation officer, mental health professional, or other person involved in the litigation, the record will be turned on and a command performance provided."
 - **Weak, frivolous, or absurd rationalizations for the deprecation:** "Typically, these children provide irrational and often ludicrous justification for their alienation. . . . Even years after they have taken place, the child may justify the alienation with memories of minor altercations experienced in the relationship with the hated parent."
 - **Lack of ambivalence:** "All human relationships are ambivalent, and parent-child relationships are no exception. The concept of mixed feelings has no place in these children's scheme of things. The hated parent is all bad and the loved parent is all good."
 - **"Independent-thinker" phenomenon:** "Many of these children proudly state that the decision to reject [the target parent] is their own. They deny any contribution from their [preferred parent]."
 - **Reflexive support of the loved parent in parental conflict:** "The children reflexively take the position of the loved parent—sometimes even before the other has had the opportunity present his (her) side of the argument. . . . These children may even refuse to accept evidence that is obvious proof of the hated parent's position."
 - **Absence of guilt:** "The child may express guiltless disregard for the feelings of the hated parent. There will be a complete absence of gratitude for gifts, support payments, and other manifestations of the hated parent's continued involvement and affection."
 - **Borrowed scenarios:** "Not only is there a rehearsed quality to these children's litanies, but one often hears phraseology that is not commonly used by the child. Many expressions are identical to those used by the loved parent."
 - **Spread of the animosity to the extended family of the hated parent:** "The hatred of the parent often extends to include that parent's complete extended family. Cousins, aunts, uncles, and grandparents—with whom the child previously may have had loving relationships—are now viewed as similarly obnoxious."⁷
-

• Campaign of denigration:	88 percent
• Weak, frivolous reasons:	98
• Lack of ambivalence:	97
• Insists not influenced by others:	95
• No guilt or remorse:	89
• Always sides with preferred parent:	100
• Uses borrowed phrases:	79
• Rejects extended family:	77

Thus, Baker and Darnall found that the eight classic symptoms of PA identified by Gardner in the 1980s were frequently found in alienated children in the 2000s. They said, "In general, these findings support Gardner's observations regarding the constellation of the eight symptoms of PAS and

should pave the way for the development of reliable assessment tools for identifying PAS.⁸ Future research will likely show that some of the eight criteria are more important than others. It may be that some criteria will be dropped, such as the “independent thinker phenomenon,” which may occur in circumstances of both alienation and estrangement. It may be that new criteria will be identified and added. The criteria for many psychological disorders—including well known conditions such as autism and attention-deficit/hyperactivity disorder—have evolved based on the observations of extensive field trials and other research.

SYMPTOMS ASSOCIATED WITH PARENTAL ALIENATION

In an elaborate research project, Buchanan, Maccoby, and Dornbusch interviewed 522 adolescents whose parents were divorced and identified youngsters with loyalty conflicts, i.e., feeling “caught between parents.” They found: “Feelings of being caught were related to higher levels of depression/anxiety and more deviant behavior.”⁹ Johnston, Walters, and Olesen compared alienated and nonalienated children. They found that “alienated children had more emotional and behavioral problems of clinically significant proportions compared to their nonalienated counterparts.”¹⁰ Also, Johnston said that alienated children “are likely to be more troubled—more emotionally dependent, less socially competent, have problematic self-esteem (either low or defensively high), poor reality testing, lack the capacity for ambivalence, and are prone to enmeshment or splitting in relations with others.”¹¹ She also noted, “Severely alienated children also are likely to manifest serious conduct disorders and can behave very inappropriately, at least in the presence of the rejected parent. Extreme expressions of hatred, rage, contempt, and hostility can be acted out in rudeness, swearing, and cursing, hanging up the phone, spitting at or striking a parent, sabotaging or destroying property, stealing, lying, and spying on the rejected parent.”¹²

Summarizing a great deal of research, Barbara Jo Fidler and her colleagues explained that data consistently show that alienated children are at risk for emotional distress and adjustment difficulties and at much greater risk than children from litigating families who are not alienated. They reported that clinical observations, case reviews, and qualitative comparative research uniformly indicate that alienated children may exhibit:

- (a) poor reality testing; (b) illogical cognitive operations; (c) simplistic and rigid information processing; (d) inaccurate or distorted interpersonal perceptions; (e) self-hatred; (f) low or inflated self-esteem; (g) pseudo-maturity; (h) gender-identity problems; (i) poor differentiation of self (enmeshment); (j) aggression and conduct disorders; (k) disregard for social norms and

authority; (l) poor impulse control; (m) emotional constriction, passivity, or dependency; and (n) lack of remorse or guilt.¹³

CAUSES OF PARENTAL ALIENATION

The most common psychosocial pathway to PA is the child's indoctrination by the preferred parent to dislike or fear the rejected parent. The activities and attitudes of the preferred or alienating parent—which are called *alienating behaviors* (ABs)—could be “naïve,” “active,” or “obsessed.”¹⁴ Darnall explained that *naïve alienators* make negative comments about the other parent but without serious intent to undermine the child's relationship with that parent. *Active alienators* have consciously intended to criticize and undermine the target parent and they realize that what they are doing is wrong and potentially harmful to the child. *Obsessed alienators* are determined to destroy the child's relationship with the targeted parent. They persistently pressure the child to adopt their own negative view of the other parent.

Although PA most often arises in the context of a dispute between the parents over the child's custody, it can arise during the course of other types of conflicts, such as a dispute between a parent and a grandparent. Sometimes, other family members—such as stepparents or older siblings—contribute to the creation of PA. On occasion, other individuals—such as therapists and child protection workers—cause PA to occur by encouraging or supporting the child's refusal to have contact with the alienated parent.

PA almost always arises in the context of intense conflict between the rejected parent and another person, i.e., usually the preferred parent. In circumstances of persistent, passionate conflict, the child is motivated to remove himself from the battle zone by gravitating to one parent and shunning the other parent. There is merit to the opinion of Kelly and Johnston, that PA may be caused by an interaction of several psychosocial processes, “specifically, a history of intense marital conflict; a humiliating separation; subsequent divorce conflict and litigation that can be fueled by professionals and extended kin; personality dispositions of each parent; and the age, cognitive capacity, and temperament of the child.”¹⁵ The alienated parent may contribute in some way to the child's rejection. For example, the alienated parent may lack an involved, warm style of nurturance. They may have devoted insufficient time to parenting activities. However, for the diagnosis of PA, the intensity and duration of the child's refusal to have contact with the rejected parent is far out of proportion to the relatively minor weaknesses in that person's parenting skills.

While the definition of PA indicates that this mental condition usually occurs in the context of “a high-conflict separation or divorce,” that sentence

is sometimes misinterpreted to mean that both parents are equally engaged in the conflict. That is, some readers mistakenly conclude that both parents are at fault when PA occurs in a family. In fact, in typical cases of PA the high level of conflict is generated by one parent—the preferred or alienating parent—and the second parent is the victim of the first parent's anger and manipulations. Of course, the second parent might respond with an inappropriate remark or act due to his or her frustration with the situation created by the alienating parent. Even in that circumstance, however, the child's refusal to have a relationship with the rejected parent is far out of proportion to anything that parent has done.

CHARACTERISTICS OF ALIENATING PARENTS

Many authors have described the features of alienating parents, usually based on their own clinical experiences. Referring to the types of alienating parents, some active alienators and almost all obsessed alienators are likely to have demonstrable difficulties in their psychosocial functioning. As long ago as 1985, Benedek and Schetky reported that in high-conflict custody cases, overly anxious parents tended to act out their mistrust for their former spouses. They wrote, "This parent mistrusts the former spouse and may transmit this anxiety to the child, causing the child to feel that he or she will not be safe while visiting the other parent."¹⁶ Gardner described the alienating behaviors (ABs) that he had observed in families he had evaluated. Gardner also discussed the underlying psychodynamics—both conscious and unconscious phenomena—that he identified in alienating mothers and fathers:

- the desire to maintain the psychological bond with the child
- anger at the former spouse and desire for revenge
- frustration over financial and legal issues
- reaction formation, i.e., anger as a mechanism to cover up affection for the former spouse
- projection of one's thoughts and wishes onto the former spouse and the children
- overprotectiveness (mothers more than fathers)
- and the exercise of power (fathers more than mothers).¹⁷

In his discussion of the "divorce related malicious mother syndrome," Turkat gave several examples of spiteful acts by those parents: "A divorced man gains custody of his children and his ex-wife burns down his home. A woman in a custody battle buys a cat for her offspring because her divorcing husband is highly allergic to cats. A mother forces her children to sleep

in a car to 'prove' their father has bankrupted them."¹⁸ Clawar and Rivlin described alienating parents as "Other Blamers": "Programming -and-brain-washing parents virtually *always blame* others for problems, issues, and circumstances that arise."¹⁹ More recently, Walters and Friedlander explained that the intractable, favored parent in families manifesting the resist/refuse dynamic may exhibit an encapsulated delusion, i.e., "a fixed, circumscribed belief that persists over time and is not altered by evidence of the inaccuracy of the belief."²⁰

Two groups of researchers found that the maladaptive personality traits of alienating parents were consistently identified with the Minnesota Multiphasic Personality Inventory-2 (MMPI-2). Siegel and Langford compared 16 female subjects who met criteria for PAS parents with 18 female subjects who were considered non-PAS parents.²¹ Gordon, Stoffey, and Bottinelli compared the MMPI-2 data from 76 cases where PA was found and 82 custody cases where PA was not found.²² These studies are discussed in greater detail in Chapter 2, "The Psychosocial Assessment of Contact Refusal."

METHODS FOR CAUSING PARENTAL ALIENATION

While PA usually refers to the attitudes, opinions, and behaviors manifested by the child who is refusing a relationship with one of their parents, ABs refers to the activities by which the alienating parent undermines the child's relationship with the rejected parent. Clawar and Rivlin—whose classic book, *Children Held Hostage*, was published by the American Bar Association—classified ABs by general themes or techniques, such as: the "denial-of-existence technique" (the preferred parent never talks about the target parent); the "Who, Me?" technique (the brainwashing parent attacks something about the character or lifestyle of the target parent, but then indicates that he or she meant no such thing and that the child was misinterpreting); the "middle-man technique" (speaking to the child about issues that should have been discussed with the other parent); the "circumstantial technique" (failing to inform the other parent of school dates, plays, conferences, ceremonies, etc.); the "I don't know what's wrong with him" technique (the preferred parent exaggerates differences between themselves and the other parent in front of the children); and several other techniques.²³

Baker and her colleagues studied and classified ABs in several ways. Baker and Darnall collected information from adults who self-reported being targets of ABs (i.e., adults describing the behaviors of former spouses); they identified 66 types of alienating strategies in eight general categories²⁴ (see Table 2). Baker and Chambers collected information from young adults

Table 2.
COMMON ALIENATING BEHAVIORS

-
- Badmouthing the target parent
 - Telling the child the target parent is dangerous or sick
 - Saying the target parent does not love the child
 - Confiding in the child about the marriage
 - Confiding in the child about legal issues
 - Badmouthing the extended family of the target parent
 - Limiting the child's contact with the other parent
 - Interfering with communication between the child and the other parent
 - Forcing the child to reject the target parent
 - Undermining the target parent's authority
 - Badmouthing the target parent to authorities²⁵
-

regarding their recollection of exposure to 20 ABs (i.e., adults describing the behaviors of their parents during their childhood); 80% of the sample endorsed at least one AB, and 20% of the sample reported that one parent tried to turn them against the other parent.²⁶ Research regarding ABs is discussed more fully in Chapter 3, "Parental Alienating Behaviors," and Chapter 5, "Parental Alienation and Empirical Research."

CRITERIA FOR THE DIAGNOSIS OF PARENTAL ALIENATION

Both mental health and legal writers have proposed criteria for the diagnosis of PA. When Bernet recommended in 2008 that the *Diagnostic and Statistical Manual of Mental Disorders* (DSM) include a discussion of PA, the proposal included the diagnostic features for *parental alienation disorder*. The diagnostic criteria, which were put in the format that had traditionally been used in the DSM, emphasized the eight behavioral symptoms of the child that characterized PA.²⁷

In 2011, law professor Sandi Varnado sought to define a novel cause of action that would allow alienated parents to make claims against alienating parents. She analyzed traditional tort-based causes of action—alienation of affections and intentional infliction of emotional distress—and found they were both inadequate or inappropriate in cases of PA. (Note that Varnado used "parental alienation" to refer exclusively to what we call "alienating behaviors.") Varnado proposed a new cause of action called "inappropriate parental influence," which included the following five elements: "(1) a sufficiently substantial relationship existed between the plaintiff-parent and the child prior to the alienating conduct; (2) the defendant-parent engaged in

Table 3.
FIVE-FACTOR MODEL FOR THE DIAGNOSIS OF PARENTAL ALIENATION

Factor One: The child actively avoids, resists, or refuses a relationship with a parent.
 Factor Two: Presence of a prior positive relationship between the child and the now rejected parent.
 Factor Three: Absence of abuse or neglect or seriously deficient parenting on the part of the now rejected parent.
 Factor Four: Use of multiple alienating behaviors by the favored parent.
 Factor Five: Exhibition of many or all of the eight behavioral manifestations of alienation by the child.

severe or pervasive alienating conduct; (3) damage to or destruction of the plaintiff-parent's relationship with the child; (4) the damage to or destruction of the relationship between the plaintiff-parent and the child was caused by the defendant-parent's severe or pervasive alienating conduct; and (5) the plaintiff-parent suffered severe emotional distress as a result."²⁸

In 2014, Amy Baker and her colleagues organized the criteria for the identification of PA into several factors.²⁹ For use in this book, the editors and chapter authors have adapted the factors of Baker et al. for the *Five-Factor Model* for the identification and diagnosis of PA. The Five-Factor Model takes into consideration the actions and attitudes of the child, the rejected parent, and the favored parent (see Table 3).

LONG-TERM CONSEQUENCES OF ALIENATION

The principle that family-of-origin relations influence future relationships and life adjustment is one of the foundations of developmental psychology. There are many studies that document long-term psychological damage associated with alienation. Wallerstein and Blakeslee exclaimed, "I have seen a great deal of evidence that Medea-like anger severely injures children at every age." They added:

Whether one or both parents act the Medea role, children are affected for years to come. Some grow up with warped consciences, having learned how to manipulate people as the result of their parents' behavior. Some grow up with enormous rage, having understood that they were used as weapons. Some grow up guilty, with low self-esteem and recurrent depression. . . ."³⁰

Waldron and Joanis, a psychologist and an attorney, described the deleterious effects of PAS on the children. They said, "The rejection of the hated parent becomes an internalized rejection and leads, over time, to self-loathing, fears of rejection, depression, and often suicidal ideation."³¹ Also, "The child's interpersonal functioning is affected. . . . For example, the child may become socially withdrawn, regress in social situations, or be seen by others as immature. Often these won't show up until the child reaches the final stages of individuation in early adulthood."³²

Amy Baker and her colleagues conducted several research projects involving adults who related that they experienced ABs as children. In her book, *Adult Children of Parental Alienation Syndrome*, Baker described a retrospective, qualitative study in which she conducted semi-structured interviews of 40 adults who had been child victims of PA. She identified several problematic areas in these subjects: high rates of low self-esteem to a point of self-hatred; significant episodes of depression in 70% of the subjects; drug and alcohol problems; a lack of trust in themselves and in other people; and high rates of divorce.³³ Baker reported that while most of the adults distinctly recalled *claiming* during childhood that they hated or feared their rejected parent and on some level did have negative feelings, they did not want that parent to walk away from them and secretly hoped someone would realize that they did not mean what they said.³⁴ In another study, Verrocchio, Baker, and Bernet surveyed 509 adults in Southern Italy regarding their childhood experience of twenty ABs. They found that exposure to ABs during childhood increased a person's risk of state anxiety and trait anxiety later in life.³⁵ (See Chapter 5, "Parental Alienation and Empirical Research.")

Finally, the loss of a parent—due to PA or other events—is an adverse childhood event that has both psychosocial, biochemical, and psychobiological consequences. Vezzetti reviewed the research and concluded that "parental loss and other childhood adversities during divorce involving minor children" may cause psychobiological damage that may not be apparent for 10, 20, or 30 years.³⁶ Multiple research projects involving adverse childhood experiences (ACEs) found that serious family malfunction during childhood had long-term, physical, medical sequelae later in life. Felitti and his colleagues found that the higher the number of ACEs that a person experienced, there was a greater likelihood later in life for "adult diseases including ischemic heart disease, cancer, chronic lung disease, skeletal fractures, and liver disease."³⁷

TRANSGENERATIONAL PARENTAL ALIENATION

Regarding another long-term consequence of PA, some authors say that this psychosocial condition is transgenerational, that is, individuals who experienced PA as children tend later in life to be alienated from their own children. For example, Baker reported that 50% of the adult children of PA in her study were alienated from their own children. She explained, "One scenario entailed individuals with a narcissistic parent (who alienated them from the targeted parent) marrying a narcissistic person who alienated them from their own children."³⁸

Other writers have described a different way in which PA is multigenerational, i.e., situations in which the target parent is alienated from their children and also their grandchildren. This may happen in the context of international child abduction. For example, Sobal described the case of a boy whose father abducted him from the U.S. to Iran. The mother became alienated from her son and—when he grew up, married, and had children—from her grandchildren.³⁹ Also, Areskoug described a case in Sweden in which a man was alienated from his daughter and subsequently also from his granddaughter.⁴⁰

There is another, common mechanism by which grandparent alienation occurs. That is, a child becomes alienated from a parent and then from the grandparents on that side of the family, i.e., by extending their contact refusal beyond the rejected parent to that parent's extended family. In fact, one of the eight key behavioral symptoms of PA is the child's spread of animosity to the extended family of the hated parent.⁴¹

PARENTAL ALIENATION AND PSYCHOLOGICAL ABUSE

Causing PA is a form of child maltreatment. Specifically, engaging in ABs in a purposeful, persistent manner constitutes child psychological abuse. A current definition, provided by the American Professional Society on the Abuse of Children (APSAC), states that child psychological abuse refers to "a repeated pattern or extreme incidents of caretaker behavior that thwart the child's basic psychological needs . . . and convey a child is worthless, defective, damaged goods, unloved, unwanted, endangered, primarily useful in meeting another's needs, and/or expendable."⁴² Also, child psychological abuse is defined in the *Diagnostic and Statistical Manual of Mental Disorders*, Fifth Edition (DSM-5), as "nonaccidental verbal or symbolic acts by a child's parent or caregiver that result, or have reasonable potential to result, in significant psychological harm to the child."⁴³ Baker explained in a systematic manner how alienating parents are psychologically abusive. For

instance, one of her adult subjects described how their parent was rejecting: "She always told us we were failures and would never amount to anything, that we were just like him."⁴⁴ Other adult subjects related that their alienating parent isolated them by "not allowing the child regular contacts with peers, restricting the child's participation in routine family activities, and locking the child in a room, basement, or attic."⁴⁵

Authors in many countries have explained how a person who induces a child to experience PA is causing child psychological abuse. For example:

- In 1998, Gardner said, "A parent who inculcates a PAS in a child is indeed perpetrating a form of emotional abuse in that such programming may not only produce lifelong alienation from a loving parent, but lifelong psychiatric disturbance in a child."⁴⁶
- In 2004, Janet R. Johnston and Joan B. Kelly said, "[Gardner] has drawn attention to an insidious form of emotional abuse of children that can be inflicted by divorced parents."⁴⁷
- In the U.S., the Consortium of Longitudinal Studies of Child Abuse and Neglect (LONGSCAN) said that emotional maltreatment includes circumstances in which "the caregiver *undermines the child's relationships* with other people significant to the child, e.g., makes frequent derogatory comments about other parents."⁴⁸
- In Brazil, national legislation states: "The practice of parental alienation infringes a fundamental right the child or adolescent has in having a healthy family life . . . and constitutes moral abuse on the child or adolescent."⁴⁹
- In Italy, the Italian Society of Child and Adolescent Neuropsychiatry wrote, "A further form of psychological abuse may be the alienation of a parent figure by the other until the cooperation of a child in 'Parental Alienation Syndrome.'"⁵⁰
- In South Africa, the editor-in-chief of the *African Journal of Psychiatry* wrote, "It is suggested that [parental alienation syndrome] be recognized as a form of child abuse; accordingly custody may be awarded to the innocent party, with sanctions potentially applied against the alienating party."⁵¹

It is sometimes assumed that child psychological abuse is a weaker or milder form of maltreatment, compared to physical abuse or sexual abuse. However, Spinazolla and his many colleagues (from seven academic centers) conducted a large, elaborate study, involving 5,616 maltreated children, in which they were able to compare the effects of child psychological abuse with other forms of abuse. The authors divided the participants into the following groups, based on the abuse that they had experienced: sexual abuse;

physical abuse; psychological maltreatment; sexual and physical abuse together; psychological maltreatment and sexual abuse together; and psychological maltreatment and physical abuse together. Spinazzola et al. concluded that psychological maltreatment alone was just as harmful as physical abuse or sexual abuse alone. Also, when psychological maltreatment was added to physical abuse or sexual abuse, the harm was increased.⁵²

The following appellate decisions found that parents who induced alienation in a child perpetrated child maltreatment:

- *J. M. v. Malant*, Louisiana, 2006. The appellate court stated, “The court further found that the father had inflicted emotional and mental abuse upon the child by alienating the child from his mother, coaching the child to exaggerate abuse by the mother, and subjecting the child to forensic examinations and interviews. . . .”⁵³
- *McClain v. McClain*, Tennessee, 2017. The appellate court quoted the psychologist expert who testified at the trial: “The phenomena of parental alienation are well recognized internationally and, sadly, are frequently alleged or encountered in custody and visitation litigation.”⁵⁴ The appellate court quoted the trial court: “The Court does find and does believe that parental alienation is a form of emotional abuse that should not be tolerated.”⁵⁵
- *In re Marriage of Wendy D. L. and George T. D., III*, Illinois, 2017. The appellate court stated, “Wendy’s argument that she made good decisions for the children and that George merely disputed her ‘methodology’ fails to address the primary thrust of the court’s reasoning: that her exclusion of George negatively impacted the children by interfering with their relationship with their father. The court emphasized that the strongest factor in its decision was the harm to the children caused by her longstanding efforts to alienate George from them.”⁵⁶

Readers should note that no expert or professional group has stated the reverse, i.e., that causing severe PA is *not* a form of child maltreatment. Since PA constitutes significant psychological harm to the child, causing severe PA should be classified as a form of child psychological abuse. Accordingly, child protection personnel and courts should consider removing—at least temporarily—children who manifest severe PA from the home of the favored, alienating parent. In that regard, this form of child psychological abuse should be addressed in the same way as physical abuse and sexual abuse is handled.

PARENTAL ALIENATION AND DOMESTIC VIOLENCE

Current terminology for domestic violence is *intimate partner distress* (IPD) (e.g., incessant arguing) and *intimate partner violence* (IPV) (e.g., physical and sexual abuse). Both IPD and IPV involve the underlying theme that the abusive partner controls and dominates his or her victim. In addition to controlling the spouse or domestic partner, the perpetrator of IPD and IPV often tries to control the children. The concepts of domestic violence and PA interact in two important but very distinct ways. The first and more important interaction is that causing PA in a child may be a form of domestic violence. That is, after the couple divorces, the abuser may continue to control the children and alienate them from the ex-spouse as a way to punish the former partner. Jennifer Harman and her colleagues, who extensively reviewed that topic, said, "This complex form of aggression entails a parental figure engaging in the long-term use of a variety of aggressive behaviors to harm the relationship between their child and another parental figure, and/or to hurt the other parental figure directly because of their relationship with their child."⁵⁷

Peter Jaffe was a leader in explaining how perpetrators of domestic violence sometimes also cause PA in the children. Jaffe and his colleagues wrote that "abusive ex-partners are likely to attempt to alienate the children from the other parent's affection (by asserting blame for the dissolution of the family and telling negative stories), sabotage family plans (by continuing criticism or competitive bribes), and undermine parental authority (by explicitly instructing the children not to listen or obey)."⁵⁸ Leslie Drozd and Nancy Olesen also described this phenomenon: "We have found that the aggressor parent may engage in behavior designed to sabotage the child's relationship with the victim parent. The aggressor takes advantage of the victim parent's vulnerabilities and convinces the child or children in the family that the victim parent is not a good parent and that he, the aggressor, has the power and can do best for the children."⁵⁹

The second interaction between the concepts of domestic violence and PA involves the agenda of advocacy groups. For example, there are groups of activists which claim that PA does not exist in the real world and that the idea of PA is a hoax. Individuals who advocate for the recognition of domestic violence might say that Richard Gardner invented PA as a way to help abusive fathers take their children away from protective mothers. Thus, these advocates for victims of domestic violence say that the reason children do not want to have a relationship with their father is simply because the father has abused the children and/or the mother, not because the mother has indoctrinated the children to fear or dislike the father. For example, a book intended for legal professionals referred to "the PAS fabrication of

Richard Gardner and the 'fathers' rights' (FRs) movement, which was never proven by research or peer-reviewed studies and has been thoroughly debunked."⁶⁰ In response, however, this author would summarize that domestic violence is real, although there have been false allegations of domestic violence; and PA is real, although there have been false allegations of PA. The solution is not to argue one extreme or the other, but to find ways to distinguish real domestic violence from real PA.

PREVALENCE OF PARENTAL ALIENATION

In epidemiology, *prevalence* refers to the number of cases presently existing in given population at any particular time. In contrast, *incidence* refers to the number of new cases of any condition that develop in a given population during a particular period of time. It is possible to estimate both the prevalence of PA (i.e., the mental condition experienced by the child) and the prevalence of ABs (i.e., the activities of the alienating parent to undermine the child's relationship with the other parent). The prevalence of PA among children and adolescents in the U.S. can be roughly estimated considering the following three factors.

First, consider the percentage of children under the age of 18 who live with separated or divorced parents. The U.S. Census Bureau estimates that about 12 percent of individuals less than 18 years old live with only one of their biological parents.⁶¹ For most affected individuals, that is due to parental separation or divorce, although a smaller number of cases are related to death of one of the parents.

Second, approximately 23 percent of separated or divorced parents can be considered high conflict, based on the extensive research of E. Mavis Hetherington and John Kelly since the 1970s in the Virginia Longitudinal Study of Divorce and Remarriage. They commented, "As obviously destructive as conflict is to all involved in this dilemma, it was surprising to discover that six years after divorce, 20 to 25 percent of our couples were engaged in just such conflictual behavior; former spouses would make nasty comments about each other, seek to undermine each other's relationship with the child, and fight openly in front of the child."⁶² Also, Garrity and Baris estimated that a "quarter of all divorced parents . . . remain locked in a bitter struggle that is likely to last throughout the children's formative years."⁶³

Third, among high-conflict cases of separation or divorce, approximately 20% involve some degree of PA. That estimate is based on the following studies:

- In 1998, Kopetski reported that PA occurred in 20% of the 413 families evaluated by The Family and Children's Evaluation Team between 1976 and 1990.⁶⁴
- In 2001, Berns reported on a study of divorce judgments from 1995 to 2000 in Brisbane, Australia, where PA was found to be present in 29 percent of reviewed cases.⁶⁵
- In 2007, Baker surveyed mental health professionals who conducted custody evaluations. When asked how frequently they identified PAS in their cases, the responses ranged widely from zero percent to 55 percent; the average rate for all respondents was 11.2 percent.⁶⁶
- In 2009 Bow and his colleagues surveyed mental health and legal professionals who were experienced with PA. They said, "When respondents were asked [in] what percentage of child custody cases was parental alienation an issue, the mean reported was 26% . . ." ⁶⁷

Multiplying these three factors together ($0.12 \times 0.23 \times 0.20$) gives a prevalence of about 0.5 percent of all children in U.S. having some degree of PA. There are about 74 million children, so that comes to about 370,000 children and adolescents experiencing PA. For comparison purposes, the prevalence of PA is less than the prevalence of autism spectrum disorders among children and adolescents in the U.S.⁶⁸

PREVALENCE OF ALIENATING BEHAVIORS

The reader should be aware that ABs are much more common than PA; most children exposed to ABs do not develop PA. Clawar and Rivlin studied "brainwashing" and "programming"—their terms for ABs—in a large sample of 1,000 children who were seen in custody evaluations. They referred to "the pervasiveness of programming-and-brainwashing in marital separations, divorces, custody conflicts," and similar circumstances.⁶⁹ They found that in about 86% of the 1,000 cases, there was some element of parental programming in an effort to implant false and negative ideas about the other parent, with the intention of turning the child against that other parent.⁷⁰ Their work focused on programming and persistent brainwashing, which sometimes resulted in severe PA.

Harman, Leder-Elder, and Birigen conducted a telephone survey of 610 adults in North Carolina. The interviewer provided a definition of ABs and asked whether the respondent was aware of the term "parental alienation." Almost 69 percent of the respondents said they knew someone who had experienced ABs. Furthermore, 13.4 percent of the parents in the poll reported being alienated from their own children. The authors estimated that

more than 22,000,000 adults in the U.S. "are currently being alienated from their children by the other parent."⁷¹

A recent collaborative study between the Vincent J. Fontana Center for Child Protection and New York University revealed that about 28% of adults in a community sample (i.e., not selected because of a precondition related to divorce or custody) reported that when they were children one parent tried to turn them against the other. These data are striking in that a significant portion of the sample was probably raised in an intact family. Not surprisingly, the proportion that reported that they had been exposed to ABs was higher in the subsample of individuals who had been raised by a step-parent, at 44%.⁷²

GENDER DIFFERENCES IN CASES OF PARENTAL ALIENATION

When PA was initially described in the 1980s, it was characterized almost exclusively with mothers being the alienating parents. In his pivotal article in 1985, Gardner provided 16 short vignettes to illustrate cases of PA; in all 16 vignettes, the father was the target parent.⁷³ Subsequently, Gardner said, "Mothers, far more often than fathers, are the active contributors in a child's parental alienation syndrome. However, my experience has been that in about 10 percent of cases it is the father who is the primary programmer of the child."⁷⁴ Likewise, in 1995, Turkat published an article with the inauspicious title, "Divorce Related Malicious Mother Syndrome."⁷⁵ Fortunately, several years later he published a sequel, "Divorce-Related Malicious Parent Syndrome," saying, "Since the original publication of that manuscript, case material has emerged which suggests that this pattern of behavior may not be gender-specific."⁷⁶

Other researchers have concluded that both mothers and fathers induce PA in their children, although mothers clearly are in the majority. For example, Kopetski and her colleagues reported on 84 PAS cases. They said, "The proportion of alienating mothers to alienating fathers was 2 to 1, not just in the early years, but in all three time frames [1976 to 1990]."⁷⁷ Bala and his colleagues reported that between 1989 and 2008, PA was found by Canadian courts in 106 cases; the mother was the alienating parent in 68 percent of the cases.⁷⁸ Finally, Lorandos identified 1,181 trial and appellate cases in the U.S. between 1985 and 2018, in which PA was determined to be admissible. He found that 75% of identified alienators were female; 25% of identified alienators were male. (See Chapter 9, "Parental Alienation in U.S. Courts, 1985 to 2018," for details of the Lorandos research on U.S. cases involving PA.)

LEVELS OF SEVERITY OF PARENTAL ALIENATION

Like many psychiatric disorders, the severity of PA may be classified as mild, moderate, and severe. This is an important feature of PA because the appropriate treatment for this condition depends on the severity of a particular case. Experienced clinicians have proposed a number of treatments or interventions for PA. The text below provides the definitions of mild, moderate, and severe PA and a brief explanation of the interventions to consider for each level of severity. While the choice of treatment depends primarily on the level of symptoms in the child, it may also depend on the intensity of the indoctrination and the attitude of the alienating parent. The various treatment approaches are discussed in greater detail in Chapter 4, "Parental Alienation: How to Prevent, Manage, and Remedy It."

Mild PA means that the child resists contact with the alienated parent, but enjoys his relationship with that parent once parenting time is underway. A typical intervention for mild PA is strongly worded instruction or psychoeducation. For example, a judge might clearly order the parents to stop exposing their child to conflict and stop undermining the child's relationship with the other parent, as well as to instruct the child to cooperate with the parenting plan and follow the schedule that has been ordered. Or, a parenting coordinator might meet with the parents to help them communicate in a constructive manner and advise them regarding the child's activities with the alienated parent.

Moderate PA means that the child strongly resists contact and is persistently oppositional during parenting time with the alienated parent. The treatment of moderate PA—assuming both parents are committed and cooperative with the intervention—usually focuses on changing the behavior of the parents, i.e., reducing the amount of conflict and improving communication. A parenting coordinator works with the parents together, and individual counseling is frequently arranged for the alienating parent (to help the individual stop indoctrinating the child against the other parent), the alienated parent (to help the individual be less frustrated and improve parenting skills, as needed), and the child (to help the child avoid the parents' battles and have a healthy relationship with both parents). However, this approach will not work in cases of moderate PA if the preferred parent does not endorse and support the treatment program. In cases of moderate PA, if the preferred parent continues to engage in ABs, it is usually necessary to adopt the interventions that are used in cases of severe PA.

Severe PA means that the child persistently and adamantly refuses contact and may hide or run away to avoid being with the alienated parent. When these children do spend time with the rejected parent, they are extremely, incessantly oppositional, especially if the preferred parent continues

to encourage their oppositional behavior. When the child manifests a severe level of PA, the alienating parent is usually obsessed with the goal of destroying the child's relationship with the target parent. The alienating parent has little or no insight and is convinced of the righteousness of his or her behavior. It is usually necessary to protect the child from the influence of the alienating parent by removing the child from their custody, greatly reducing the parenting time with that parent, and requiring the parenting time to be supervised.

Prevention and early intervention of PA are also very important. Katherine Andre and Amy Baker developed and published a prevention approach called *I Don't Want to Choose: How Middle School Kids Can Avoid Choosing One Parent Over the Other*. It is a structured program for group discussions with children of divorced parents, which can be implemented by school counselors. Early intervention refers to identifying children and families who are at risk for developing PA and who are manifesting some signs and symptoms of that condition. For example, it is likely that very early cases of PA come to the attention of therapists in private practice and mental health centers who work with children of parents who are headed toward divorce. As PA becomes better understood by front-line clinicians, they will be able to intervene with parent counseling and psychoeducation at an early stage when the condition is more treatable.

OTHER CAUSES OF CONTACT REFUSAL

There are many reasons that children may not want to see a parent after a separation or divorce. Most authors make a distinction between "estrangement" and "alienation." Realistic *estrangement* refers to a child's rejection of a parent that is justified "as a consequence of the rejected parent's history of family violence, abuse and neglect"⁷⁹ In contrast, *alienation* refers to a child's rejection of a parent that is unjustified, i.e., "unreasonable negative feelings and beliefs (such as anger, hatred, rejection, and/or fear) toward a parent that are significantly disproportionate to the child's actual experience with that parent."⁸⁰ With that distinction in mind, estrangement—avoiding contact with an abusive parent—is normal behavior. Alienation, on the other hand, is an abnormal mental condition because it consists of maladaptive behavior (refusal to see a loving parent) that is driven by a false or illogical belief (that the rejected parent is evil, dangerous, or not worthy of love).

The differential diagnosis of contact refusal includes: a child's normal preference; loyalty conflict; a child avoiding conflict; an anxious, worried child; an unusually stubborn child; an abused child (estrangement); accidental indoctrination; purposeful indoctrination; and a shared delusional

disorder. The differential diagnosis and the process for conducting an evaluation in cases that may involve PA are discussed in Chapter 2, "The Psychosocial Assessment of Contact Refusal."

ROLES OF MENTAL HEALTH PROFESSIONALS

When families are experiencing PA, mental health professionals take on a variety of important roles. For example:

- A social worker is already the therapist for a parent, who divorces and becomes either the preferred or the rejected parent as the family sinks into a PA scenario.
- A school counselor is working with an overly anxious child, who takes a turn for the worse when his parents divorce and the child forms a strong alliance with one parent and rejects the other.
- A psychiatrist or psychologist conducts a child custody evaluation or parenting time evaluation of a family experiencing PA and testifies as an expert regarding their findings and recommendations.
- A mental health professional—without personally evaluating family members—provides consultation to the attorney for one of the parents, the guardian ad litem, or the court.
- A reunification therapist helps a child and his parent re-establish a healthy relationship after being alienated from each other for months or years.
- A mental health professional acts as a parenting coordinator, who meets with divorced parents regularly and helps them communicate in a useful manner and collaborate in raising their children.
- A mental health professional assists a family experiencing severe PA through an educational intervention.

It is almost always hazardous for a mental health professional to take on multiple roles. Fidler and Bala explain that it is very difficult for one mental health professional to achieve desired objectives and meet the various, complex, and often competing needs of different family members.⁸¹ Trouble and headaches will likely be encountered when a mental health professional assumes dual roles of therapist and decision maker.⁸²

ROLES OF LEGAL PROFESSIONALS

While the behavioral sciences have been concerned with PA for the last seventy years, it has been found in legal settings for more than two centuries. There has been abundant criticism for many years regarding the handling of PA cases in court—with the criticism ranging from the adversarial nature of law itself, to the rules and policies of many courts, to the behavior of individual judges. Mental health and legal writers have expressed concern regarding: absence of active case management; legal disputes that continue for months and years; litigation that unnecessarily escalates conflict; litigation that encourages the children to gravitate to one parent and shun the other parent; and that when repeated violations of orders go unpunished, parents make a mockery of the court's authority. Legal professionals may take on a variety of roles, such as:

- The attorney for the alienated parent works with the parent in developing a comprehensive file that demonstrates the presence of PA and how it came about.
- The attorney for the preferred parent tries to clarify whether the child's contact refusal is due to PA or some other cause, such as parental estrangement.
- The attorney for the child, in some states, is charged with advocating for the child's preferences, even if those wishes are misguided.
- The guardian ad litem is typically charged with determining and seeking the best interests of the child, which may conflict with the child's wishes.
- A magistrate in family court may hear cases with allegations of child maltreatment, which may require distinguishing PA from realistic estrangement.
- A judge in circuit court may hear cases involving PA, which may arise in child custody disputes.
- A judge in an appellate court may have the opportunity to review cases involving PA and clarify how similar cases should be addressed in the future.
- A legislator in state and federal venues may have the opportunity to consider measures intended to reduce the incidence of new cases of PA.

BRIEF HISTORY OF THE CONCEPT OF ALIENATION

Over many years, various writers described the phenomenon of PA in the professional literature of psychologists, psychiatrists, and social workers, but did not provide a name for it or used a different name for what we now call "parental alienation." The following outline illustrates how the concept of PA has been described and discussed for more than 70 years in the professional literature. The citations are in chronological order.

- David Levy (1943): "[In some cases of maternal overprotection], the fathers adjusted with little or ineffective protest to the mother-child monopoly. . . . To these facts must be added the derogatory attitude of the child towards the father, which was in several instances fostered by the mother, thereby reducing the paternal influence to its lowest degree."⁸³
- Wilhelm Reich (1949): Divorced parents "fight for the child," and, "The true motive is revenge on the partner through robbing him or her of the pleasure in the child. . . . In order to alienate the child from the partner, it is told that the partner is an alcoholic or psychotic, without there being any truth to such statements."⁸⁴
- Louise Despert (1953): "It is a sharp temptation for the parent who remains with the children to break down their love for the one who has gone. . . . This can be a temporary relief to the parent who does so, but it can do only hurt to the child."⁸⁵
- Murray Bowen (1961): "There is an intense interdependence between father, mother and patient which we have called the 'interdependent triad.' . . . The most familiar pattern is one in which the mother, in an extreme overadequate position to the helpless patient, has the 'custody' of the patient, while the father is distant and passive."⁸⁶
- Philip J. Resnick (1969): "Spouse revenge filicide" referred to "parents who killed their offspring in a deliberate attempt to make their spouses suffer."⁸⁷
- Jack Westman and colleagues (1970): "Another pattern is found in which one parent and a child team up to provide an effect on the other parent. Not infrequently a child sides with one parent or the other, though feeling ambivalent underneath. In these cases one parent appears to deliberately undermine the other through a child."⁸⁸
- Salvador Minuchin (1974): "The rigid utilization of one child in spouse conflicts takes several forms. . . . One of the parents joins the child in a rigidly bounded cross-generational coalition against the other parent."⁸⁹

- David Sheffner and John Suarez (1975): "A woman who harbored much resentment toward her ex-husband influenced her young children against him. Both parents were well-functioning people and generally decent parents, except for the mother's irrational and destructive behavior in this one area. The children experienced considerable anxiety when visiting their father and wanted to discontinue their relationship with him altogether."⁹⁰
- Judith Wallerstein and Joan Kelly (1976): [Aligned children] formed a relationship with one parent following the separation which was specifically aimed at the exclusion or active rejection of the other. The alignments were usually initiated and always fueled by the embattled parent, most often by the parent who felt aggrieved, deserted, exploited, or betrayed by the divorcing spouse. . . . It should be noted that none of these children . . . had previously rejected the parent who, subsequent to the alignment, became the target of their angers."⁹¹
- Alan Levy (1978): "[Regarding children who are pathologically unambivalent], their statements seem well-rehearsed, almost programmed; and the words they speak are stilted and inappropriate, often repeating the exact phraseology used by the preferred parent in meetings alone with the psychiatrist. They can be described as having been brainwashed by that parent."⁹²
- Janet Johnston and colleagues (1985): "Strong alliance" referred to "a strong, consistent, overt (publicly stated) verbal and behavioral preference for one parent together with rejection and denigration of the other."⁹³
- Elissa Benedek and Diane Schetky (1985): "[The hostile, vindictive parent] may pressure the child to take sides, causing him to feel guilty about visiting the other parent. In the extreme, this may lead to brainwashing. . . . Very young children . . . may be particularly susceptible to brainwashing and come to believe that the horrible things one parent says about the other are true."⁹⁴
- Richard Gardner (1985): Parental alienation syndrome refers to "a disturbance in which children are obsessed with deprecation and criticism of a parent—denigration that is unjustified and/or exaggerated."⁹⁵
- Judith S. Wallerstein and Sandra Blakeslee (1989): "Modern Medeas do not want to kill their children, but they do want revenge on their former wives or husbands—and they exact it by destroying the relationship between the other parent and the child."⁹⁶ The "Medea syndrome" referred to the Greek myth in which Medea avenged the betrayal of her husband, Jason, by killing their children.

- Susan Forward (1989): "In a toxic family system, one parent will often enlist the child as a confidant or ally against the other parent. Children become part of an unhealthy triangle in which they are being pulled apart by the pressure to choose sides."⁹⁷
- Stanley Clawar and Brynne Rivlin (1991): "*Programming* is the formulation of a set or sets of directions based on a specific or general belief system directed toward another (target) in order to obtain some desired end/goal."⁹⁸ "*Brainwashing* is the selection and application of particular techniques, procedures, and methods employed as a basis for inculcating the programme."⁹⁹
- Barry Bricklin (1995): "Not-based-on-actual-interaction (NBOAI)" refers to "a response on the part of a child [that is] not in fact based on his or her actual interactions with a specific parent."¹⁰⁰ Also, "The classic NBOAI situation, the one typically referred to by people in the field as the 'parent alienation syndrome,' is one in which the child is being systematically programmed, subtly or blatantly, by one parent to hate and or fear the target parent."¹⁰¹
- Leona Kopetski (1998): "The alienating parent may or may not be consciously aware of manipulating the child and the legal/social systems. Alienating parents often believe that the accusations they make are true, but have developed those beliefs by a faulty reasoning process."¹⁰²
- Ira Turkat (1999): "Divorce-related malicious parent syndrome" was defined, in part, as "a parent who unjustifiably punishes his or her divorcing or divorced spouse by . . . attempting to alienate their mutual child(ren) from the other parent."¹⁰³
- Joan Kelly and Janet Johnston (2001): "An alienated child is defined here as one who expresses, freely and persistently, unreasonable negative feelings and beliefs (such as anger, hatred, rejection, and/or fear) toward a parent that are significantly disproportionate to the child's actual experience with that parent."¹⁰⁴
- Richard Warshak (2003): "Pathological alienation" refers to "a disturbance in which children, usually in the context of sharing a parent's negative attitudes, suffer unreasonable aversion to a person or persons with whom they formerly enjoyed normal relations or with whom they would normally develop affectionate relations."¹⁰⁵
- William Bernet (2008): "[Parental alienation disorder] is a typical example of a relational disorder because it usually involves the interacting attitudes of one child and two parents."¹⁰⁶
- *Diagnostic and Statistical Manual of Mental Disorders*, Fifth Edition (DSM-5) (2013): "Child affected by parental relationship distress [CAPRD] . . . should be used when the focus of clinical attention is the negative

effects of parental relationship discord . . . on a child in the family. . . .”¹⁰⁷ CAPRD includes PA as well as other mental conditions.¹⁰⁸

- Craig Childress (2015): An “attachment-based model of parental alienation” uses established constructs and principles of professional psychology to describe the psychological and interpersonal processes that constitute parental alienation.¹⁰⁹
- Marjorie Gans Walters and Steven Friedlander (2016): “The [resist/refuse dynamic] refers to a complex set of interacting factors, family dynamics, personality characteristics and vulnerabilities, conscious and unconscious motivations, and other idiosyncratic factors that combine to contribute to the unjustified rejection of a parent.”¹¹⁰

Our intention in providing this historical outline is to show that PA was not simply the “invention” of Richard Gardner and was not a “hoax” perpetrated by Gardner as a method for abusive fathers to wrest control of their children from protective mothers. Rather, it was a concept that percolated through the mental health literature for many years, both before and after Gardner introduced the specific term, “parental alienation syndrome.”

PARENTAL ALIENATION AROUND THE WORLD

There is a vast international literature regarding PA that mental health and legal professionals in the United States know almost nothing about. PA has been identified and described in the professional literature of at least 30 countries on six continents. (See Chapter 11, “Parental Alienation: An International Perspective.”) The phenomenon of PA transcends politics, culture, and religion. It has been identified in Malta (a tiny country that is almost completely Roman Catholic) and Malaysia (a large country that is almost completely Islamic). The Parental Alienation Database contains more than 1,300 citations from the world mental health and legal literature, which relate directly or indirectly to PA.¹¹¹ The membership of the Parental Alienation Study Group includes individuals from more than 50 countries.¹¹²

Much of the international literature on PA starts by citing and paraphrasing the foundational writings of Gardner, followed by case examples from the writer’s own experience, reports of research, and/or an analysis of PA in the light of local jurisprudence. For example, mental health and legal authorities in Europe conceptualize PA as a violation of one of the fundamental rights of children, e.g., the right to have a meaningful relationship with both of their parents. These writers emphasize how the rights of children—as expressed by the United Nations and the European Court of Human Rights—have been violated when they experience PA. The interna-

tional documents, which state the relevant rights of children, are summarized here.

In 1924, the General Assembly of the League of Nations created a document, the *Declaration of the Rights of the Child*, which consisted of five principles. In 1959, the General Assembly of the United Nations developed a more comprehensive document and kept the same name. Principle 6 of the 1959 document states, "The child, for the full and harmonious development of his personality, needs love and understanding. He shall, wherever possible, grow up in the care and under the responsibility of his parents and, in any case, in an atmosphere of affection and of moral and material security; a child of tender years shall not, save in exceptional circumstances, be separated from his mother."¹¹³

In 1989, the United Nations established the *Convention on the Rights of the Child* (CRC), which consists of 54 sections or articles. The CRC was designed to establish that children have rights and to ensure that adults and their governments protect them. For example, the CRC provides that "In all actions concerning children . . . the best interests of the child shall be a primary consideration" (Article 3) and "States Parties shall undertake all appropriate . . . measures for the implementation of the rights recognized in the present Convention" (Article 4) and "States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child" (Article 18).¹¹⁴ It is ironic that of all the countries in the United Nations, only the U.S. and the Somalia have failed to ratify the CRC.

In 1950, the *European Convention on Human Rights* (ECHR) was established. In 1959, a European Court of Human Rights (ECtHR) was established to enforce the terms of the ECHR. The Court meets in Strasbourg, France, and hears actions by private citizens who are suing their own governments for deprivations of their rights under the ECHR. One of the typical grounds for suits by citizens against their governments is found in Article 8 of the ECHR: "Everyone has the right to respect for his private and family life, his home and his correspondence."¹¹⁵

MISINFORMATION REGARDING PARENTAL ALIENATION

Between 1990 and the present time there has been considerable discussion and debate regarding PA and PAS in the mental health and legal professional literature. Most of the discussion regarding PA has consisted of the typical dialogue among practitioners and scholars regarding any number of psychological disorders, for example: the criteria for diagnosing PA; the pathways by which PA comes about; the relative culpabilities of the pre-

ferred and alienated parents; the prevalence of PA; the appropriate interventions; and the role of preventative measures. However, the discussion of PA in professional journals, academic venues, and popular media has featured an unusual level of misinformation and deceptive propaganda. The purpose of this book is to state clearly the truth about PA and also to identify and refute the abundant false information that pervades articles and programs regarding PA.

Misinformation: Parental Alienation Syndrome is Junk Science

Each chapter of *Parental Alienation—Science and Law* will explain some aspect of PA and address misinformation that relates to that particular slice of the pie. Since Chapter 1 provides a broad overview of PA, we will address here broad arguments that critics have persistently used to undermine the reality of PA. For example, a provocative, colorful meme states that PA and PAS are “junk science” or “pseudoscience.” A *meme* is a concept, image, catchphrase, or piece of media which spreads from person to person via social networks, news sources, or professional journals. Similar to a fad or craze, the meme takes on a life of its own. The word “meme” was introduced by Richard Dawkins in the final chapter of his book, *The Selfish Gene*, as a way to explain how cultural information spreads. Dawkins said, “Just as genes propagate themselves in the gene pool by leaping from body to body via sperms or eggs, so memes propagate themselves in the meme pool by leaping from brain to brain via a process which, in the broad sense, can be called imitation.”¹¹⁶

An influential psychiatrist, Paul J. Fink, stated in 2003 that PAS constitutes “junk science.”¹¹⁷ Fink repeated that opinion many times and he has been quoted by other critics of PA and PAS. The phrase, “PAS is junk science,” is a meme. In 2010 Fink reiterated—in his column in *Clinical Psychiatry News*—that PAS was “junk science invented by a psychiatrist.”¹¹⁸ After receiving letters objecting to Fink’s statements, the management of *Clinical Psychiatry News* arranged for him to issue an apology and a clarification. Fink then said, “I do not deny that parental alienation occurs and that a lot of people are hurt when there is an alienator.”¹¹⁹ Thus, in this case, the misinformation was corrected by the same person that broadcast the fake news in the first place. However, Fink’s comments have frequently been recycled. For example, an article in *Newsweek* magazine said that the president of the Leadership Council on Child Abuse & Interpersonal Violence, “Paul Fink, has called PAS ‘junk science at its worst.’”¹²⁰ A newspaper in Israel ran a headline regarding PAS, “Junk science has its way in court,” and quoted Paul Fink.¹²¹

Numerous other authors have repeated the same false statement regarding PA, PAS, and junk science. In 2001, Carol S. Bruch published an article,

“Parental Alienation Syndrome: Junk Science in Child Custody Determinations.”¹²² In 2015, Rebecca M. Thomas and James T. Richardson published an article, “Parental Alienation Syndrome: 30 Years On and Still Junk Science,” in *The Judges Journal*.¹²³ The article by Thomas and Richardson was refuted by Bernet in the same issue of *The Judges Journal*.¹²⁴ In a 2016 law review article, student Holly Smith said, “This Note proposes that parties involved in child custody disputes should be educated on the junk science of parental alienation syndrome. . . .”¹²⁵ Finally, a 2016 blog from New Zealand was titled, “State-Sanctioned Child Abuse: Junk Science of Parental Alienation Syndrome, PAS or Any Other Name by Which It Is Known.”¹²⁶

In Response . . .

It is recycling misinformation when writers continue to claim that the literature and research regarding PA constitute junk science. The chapters in this book, taken together, explain how testimony regarding PA passes *Frye* and *Daubert* criteria: Chapter 2 explains how a family can be evaluated for the presence of PA in a methodical, professional manner; Chapter 4 details the research regarding treatments and interventions for PA; Chapter 5 addresses qualitative and quantitative research in peer reviewed journals regarding PA; Chapter 6 demonstrates that PA has been generally accepted by the relevant scientific community; and Chapter 9 shows that testimony regarding PA has been accepted in hundreds of courts in the U.S. In general, the editors and authors of this book believe that opinions and decisions involving PA should be based on scientific evidence, not on recycled memes.

Some authors have criticized PAS as junk science, but later endorsed the concept when it suited their purpose. That applies to some feminist writers, who seek to debunk PAS when mothers are accused of alienating their children, but readily describe ABs when fathers are accused of causing PA. For example, Phyllis Chesler wrote a provocative book, *Mothers on Trial*, which claims that family courts have been strongly biased against mothers. In the introduction to the book, Chesler said, “[‘Parental alienation syndrome’], first pioneered by Dr. Richard Gardner and widely endorsed by fathers’ rights groups, has been dismissed as junk science. . . .”¹²⁷ However, Chapter 9 of the book—“Paternal Brainwashing”—is devoted to examples of ABs committed by fathers. Chesler said, “The paternal brainwashing of children is a conscious and systematic attempt to force children into rejecting their mothers—that is, into committing psychological matricide.”¹²⁸ She explained that one feature of psychological brainwashing is “the devaluation of the mother,” e.g., “A child who hates and rejects his or her mother has long been encouraged to disobey her authority and suspect her maternal altruism. . . . Such a child has long been encouraged to criticize the mother in front of

other adults, to lie (or to 'forget' the truth) in court, to run away from the mother's home, and ultimately to refuse to see the mother at all."¹²⁹ Chesler strongly criticized PAS and "the misogynist rantings of one Dr. Richard Gardner."¹³⁰ In contrast, she strongly endorsed the concept of PA, saying, "Alienation does exist. . . . Actual alienation is a very extreme phenomenon and one that is devastating to the alienated parent."¹³¹

Misinformation: Parental Alienation Has Been Debunked

A second allegation that has taken on a life of its own is the statement that PAS and PA have been debunked. For example:

- In 2008, a newspaper in Australia ran the headline, "Ruling debunks custody diagnosis." The article said, "The Psychologists Board of Queensland last month disciplined prominent Brisbane clinical psychologist William Wrigley, saying he had acted unprofessionally in giving evidence about parental alienation syndrome to the court."¹³²
- In 2009, a press release from Justice for Children, a child advocacy organization, stated: "Parental alienation syndrome has been debunked, disproven and discredited by every major group and association involved with child abuse cases," said Tom Burton, General Counsel of Justice for Children. "Even with nearly unanimous agreement, defense attorneys continue to propagate this bogus theory in order to protect abusive parents."¹³³
- In 2009, Neustein and Leshner said, "Parental Alienation Syndrome (PAS) is a hydra: chop off its head, and new ones sprout up to take its place. For 20 years, critics of PAS theory have debunked its flawed assumptions, its self-serving methodology, and its inadequacy to access allegations of child sexual abuse."¹³⁴
- In 2014, law student Allison M. Nichols said, "The controversy surrounding allegations of parental alienation is multifaceted. On the one hand, various debunked mental health theories continue to exert inappropriate influence over the decisions of family courts. . . . Part I of this Note addresses the admissibility issue and concludes that testimony regarding PAS and related theories is inadmissible under the relevant evidentiary standards."¹³⁵
- In 2016, attorney Laurel Stuart-Fink wrote on her blog, "There is no such thing as 'Parental Alienation Syndrome.' It is a widely debunked pseudoscientific theory that, depending on what state litigants live in, is not infrequently promoted in contentious custody proceedings. It is not an accepted scientific theory in Michigan. . . ."¹³⁶

- The website of Stop Abuse Campaign, a child advocacy organization, states: “Parental Alienation Syndrome is a thoroughly debunked theory by Dr. Richard Gardner, a psychiatrist who really wanted to make it easier and acceptable for adults to have sex with children. We don’t know he invented PAS specifically for the purpose of letting fathers sexually abuse children, but that certainly has been the effect.”¹³⁷

In Response . . .

It is true, of course, that there have been *attempts* at debunking PAS and PA, for example, a 1998 article by social work professor Kathleen Faller, “The Parental Alienation Syndrome: What Is It and What Data Support It?”¹³⁸ The article strongly criticized Richard Gardner, who published a detailed rebuttal as a letter to the editor of the journal, *Child Maltreatment*.¹³⁹ Faller then published a “Response to Gardner” in the same issue of *Child Maltreatment*.¹⁴⁰

In 2001, attorney Carol Bruch published “Parental Alienation Syndrome and Parental Alienation: Getting It Wrong in Child Custody Cases.”¹⁴¹ Bruch relied on newspaper articles and internet web sites, among other sources, to make five criticisms of Richard Gardner, the person who originally introduced the term “parental alienation syndrome”:

- First, Gardner confounds a child’s developmentally related reaction to divorce and high parental conflict (including violence) with psychosis.¹⁴²
- Second . . . , Gardner vastly overstates the frequency of cases in which children and custodial parents manufacture false allegations or conclude to destroy the parent–child relationship.¹⁴³
- Third . . . , PAS shifts attention away from the perhaps dangerous behavior of the parent seeking custody to that of the custodial parent. This person, who may be attempting to protect the child, is instead presumed to be lying and poisoning the child.¹⁴⁴
- Fourth, Gardner believes that, particularly in serious cases, the relationship of an alienated child with the rejected parent will be irreparably damaged, probably ending for all time, unless immediate, drastic measures (custody transfer, isolation from the loved parent, and deprogramming) are taken.¹⁴⁵
- Fifth . . . , Gardner’s proposed remedy for extreme cases is unsupported and endangers children.¹⁴⁶

Since Bruch primarily criticized Gardner rather than the many other authors who have published articles about PAS and PA in peer-reviewed

journals, we choose to let Gardner himself provide the “Rebuttal to Carol S. Bruch’s Article.”¹⁴⁷ For example, Bruch said, “Gardner confounds a child’s developmentally related reaction to divorce and high parental conflict (including violence) with psychosis.” Gardner described that statement as a “gross misrepresentation.” He explained, “What I do state is that my experience has been that severe PAS represents about ten percent of the cases I have personally seen. Furthermore, I state that in some of those cases we do see paranoia in the accusing parent, which is a form of psychosis.”¹⁴⁸ Also, Bruch criticized Gardner’s estimate of the frequency with which “children and custodial parents manufacture false allegations” of abuse. Gardner simply replied, “From the vantage point of the innocent victim, it does not matter whether he (she) is in the one-percent group, the twenty-percent group, or any other percent group; that individual is still being falsely accused and may very well be sentenced to jail.”¹⁴⁹

At the end of her 2001 article criticizing Gardner, Bruch proposed recommendations for the future, saying, “The first question is whether scientific sufficiency has been indicated by respected professional vetting, for example, inclusion in the American Psychiatric Association’s DSM-IV or the World Health Organization’s ICD-10.”¹⁵⁰ We explain in detail in Chapter 6 of this book that the *concept* of PA is clearly stated in DSM-5, although the actual words are not; and that the words “parental alienation” and “parental estrangement” are introduced in ICD-11 as index terms for the diagnosis, caregiver–child relationship problem.

While some authors reject the concept of PAS as defined by Richard Gardner, almost all mental health and legal professionals accept the general definition of PA used in this book. That is, almost all mental health and legal professionals agree that some children—whose parents are engaged in a high-conflict separation or divorce—ally strongly with one parent and reject a relationship with the other parent without legitimate justification. For example, at the 2010 annual meeting of the Association of Family and Conciliation Courts (AFCC), about 300 attendees completed a brief survey regarding PA. Baker and her colleagues reported: “Nearly all of the respondents to the survey (98 percent) endorsed the question, ‘Do you think that some children are manipulated by one parent to irrationally and unjustifiably reject the other parent?’ . . . The survey results were overwhelming in support of the basic tenet of parental alienation.”¹⁵¹

Individual writers and researchers have endorsed the premise that the concept of PA has not been debunked, but has been accepted by the community of mental health and legal practitioners and scholars:

- In 2000, Elizabeth Ellis published her text *Divorce Wars: Interventions with Families in Conflict*. Ellis explained that by the year 2000, the con-

cept of parental alienation had “come to be accepted by clinicians working with families involved in post divorce conflict.”¹⁵²

- In 2010, Joan Kelly stated that there was “broad consensus among the mental health and family law community that the risk of child alienation is increased in highly conflicted separations accompanied by protracted adversarial child custody disputes”¹⁵³
- In 2016, Michael Saini and his colleagues reported on their review of 58 research studies regarding parental alienation. They stated that the quantitative research is relatively strong regarding the identification and assessment of parental alienation, saying, “There is remarkable agreement about the behavioral strategies parents can use to potentially manipulate their children’s feelings, attitudes, and beliefs in ways that may interfere with their relationship with the other parent. The cluster of symptoms or behaviors indicating the presence of alienation in the child can also be reliably identified.”¹⁵⁴

Chapter 6, “Recognition of Parental Alienation by Professional Organizations,” demonstrates how the concept of PA has been accepted by numerous professional organizations in the U.S. and other countries. Chapter 5, “Parental Alienation and Empirical Research,” summarizes research regarding PA that has been published in peer-reviewed journals. Chapter 9, “Parental Alienation in U.S. Courts, 1985 to 2018,” and the associated appendix identify more than one thousand trials in the United States in which the court accepted the concept of PA. Thus, it is truly a recurrent form of misinformation to repeat that PA has been debunked.

NOTES

1. *E.g., Westmeath v. Westmeath: The Wars Between the Westmeaths, 1812–1857*, in LAWRENCE STONE, *BROKEN LIVES: SEPARATION AND DIVORCE IN ENGLAND, 1660–1857*, 284 (1993). An 11-year-old girl reportedly said to her mother, “Papa and the Duke of Buckingham have pointed out to me what sort of woman you was. I never wish to see your face again” at 314. *See infra* Chapter 7, “Alienating Behaviors and the Law.”

2. DAVID M. LEVY, *MATERNAL OVERPROTECTION* 153 (1943).

3. This definition and other parts of this chapter are based on Demosthenes Lorandos, William Bernet & S. Richard Sauber, *Overview of Parental Alienation*, in *PARENTAL ALIENATION: THE HANDBOOK FOR MENTAL HEALTH AND LEGAL PROFESSIONALS* 5–46 (Demosthenes Lorandos et al. eds., 2013).

4. RICHARD A. GARDNER, *THE PARENTAL ALIENATION SYNDROME: A GUIDE FOR MENTAL HEALTH AND LEGAL PROFESSIONALS* 63–82 (1992).

5. Amy J.L. Baker & Douglas C. Darnall, *A Construct Study of the Eight Symptoms*

of *Severe Parental Alienation Syndrome: A Survey of Parental Experiences*, 47 J. DIVORCE & REMARRIAGE 55, 61 (2007).

6. *Id.* at 64.

7. Gardner, *supra* note 4.

8. Baker, note 5 at 71.

9. Christy M. Buchanan, Eleanor E. Maccoby & Sanford M. Dornbusch, *Caught Between Parents: Adolescents' Experience in Divorced Homes*, 62 CHILD DEV. 1008, 1026 (1991).

10. Janet R. Johnston, Marjorie Gans Walters, & Nancy W. Olesen, *The Psychological Functioning of Alienated Children in Custody Disputing Families: An Exploratory Study*, 23 AM. J. FORENSIC PSYCHOL., no. 3, 2005, at 39.

11. Janet R. Johnston, *Children of Divorce Who Reject a Parent and Refuse Visitation: Recent Research and Social Policy Implications for the Alienated Child*, FAM. L. Q., Winter 2005, at 757, 768-769.

12. *Id.* at 769.

13. BARBARA JO FIDLER, NICHOLAS BALA, RACHEL BIRNBAUM, KATHERINE KAVASSALIS, CHALLENGING ISSUES IN CHILD CUSTODY DISPUTES: A GUIDE FOR LEGAL AND MENTAL HEALTH PROFESSIONALS 226-227 (2008).

14. DOUGLAS DARNALL, DIVORCE CASUALTIES: PROTECTING YOUR CHILDREN FROM PARENTAL ALIENATION 18-22 (1998).

15. Joan B. Kelly & Janet R. Johnston, *The Alienated Child: A Reformulation of Parental Alienation Syndrome*, 39 FAM. CT. REV. 249, 254 (2001).

16. Elissa P. Benedek & Diane H. Schetky, *Custody and Visitation: Problems and Perspectives*, 8 PSYCHIATRIC CLINICS N. AM. 857, 868 (1985).

17. Gardner, *supra* note 4 at 121-140.

18. Ira Daniel Turkat, *Divorce Related Malicious Mother Syndrome*, 10 J. FAM. VIOLENCE 253, 253 (1995).

19. STANLEY S. CLAWAR & BRYNNE V. RIVLIN, CHILDREN HELD HOSTAGE: IDENTIFYING BRAINWASHED CHILDREN, PRESENTING A CASE, AND CRAFTING SOLUTIONS 279 (2d ed. 2013).

20. Marjorie Gans Walters & Steven Friedlander, *When a Child Rejects a Parent: Working with the Intractable Resist/Refuse Dynamic*, 54 FAM. CT. REV. 424, 426 (2016).

21. Jeffrey C. Siegel & Joseph S. Langford, *MMPI-2 Validity Scales and Suspected Parental Alienation Syndrome*, 16 AM. J. FORENSIC PSYCHOL., no. 4, 1998, at 5.

22. Robert M. Gordon, Ronald Stoffey & Jennifer Bottinelli, *MMPI-2 Findings of Primitive Defenses in Alienating Parents*, 36 AM. J. FAM. THERAPY 211 (2008).

23. CLAWAR & RIVLIN, *supra* note 19, at 31-41.

24. Amy J.L. Baker & Douglas Darnall, *Behaviors and Strategies Employed in Parental Alienation: A Survey of Parental Experiences*, 45 J. DIVORCE & REMARRIAGE 97, 105-106 (2006).

25. *Id.* at 115.

26. Amy J.L. Baker & Jaclyn Chambers, *Adult Recall of Childhood Exposure to Parental Conflict: Unpacking the Black Box of Parental Alienation*, 52 J. DIVORCE & REMARRIAGE 55, 55 (2011).

27. William Bernet, *Parental Alienation Disorder and DSM-V*, 36 AM. J. FAM. THERAPY, 349, 366 (2008).

28. Sandi Varnado, *Inappropriate Parental Influence: A New App for Tort Law and Upgraded Relief for Alienated Parents*, 61 DEPAUL L. REV. 113, 151 (2011). *See infra* Chapter 7, "Alienating Behaviors and the Law."
29. AMY J.L. BAKER, J. MICHAEL BONE & BRIAN LUDMER, HIGH CONFLICT CUSTODY BATTLE SURVIVAL GUIDE 101 (2014).
30. JUDITH S. WALLERSTEIN & SANDRA BLAKESLEE, SECOND CHANCES: MEN, WOMEN, AND CHILDREN A DECADE AFTER DIVORCE 196 (1989).
31. Kenneth H. Waldron & David E. Joanis, *Understanding and Collaboratively Treating Parental Alienation Syndrome*, 10 AM. J. FAM. L. 121, 129 (1996).
32. *Id.*
33. AMY J.L. BAKER, ADULT CHILDREN OF PARENTAL ALIENATION SYNDROME: BREAKING THE TIES THAT BIND 180–191 (2007).
34. *Id.* at 213.
35. Maria Christina Verrocchio, Amy J.L. Baker & William Bernet, *Associations between Exposure to Alienating Behaviors, Anxiety, and Depression in an Italian Sample of Adults*, 61 J. FORENSIC SCI. 692 (2016).
36. Vittorio Carlo Vezzetti, *New Approaches to Divorce with Children: A Problem of Public Health*, 3 HEALTH PSYCHOL. OPEN, no. 2, 2016, at 1.
37. Vincent J. Felitti et al., *Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults: The Adverse Childhood Experiences (ACE) Study*, 14 AM. J. PREVENTIVE MED. 245 (1998).
38. Baker, *supra* note 33, at 189.
39. Barbara Bevando Sobal, *Parental Alienation Syndrome and International Child Abduction: A Multigenerational Syndrome*, in THE INTERNATIONAL HANDBOOK OF PARENTAL ALIENATION: CONCEPTUAL, CLINICAL AND LEGAL CONSIDERATIONS 433, 436 (Richard A. Gardner et al. eds., 2006).
40. NILS-GÖRAN ARESKOU, PARENTAL ALIENATION: A SWEDISH PERSPECTIVE 16 (2013).
41. There is an international support group for alienated grandparents, Alienated Grandparents Anonymous, at <http://www.aga-fl.org/> (last visited Dec. 12, 2018).
42. AMERICAN PROFESSIONAL SOCIETY ON THE ABUSE OF CHILDREN, PRACTICE GUIDELINES: THE INVESTIGATION AND DETERMINATION OF SUSPECTED PSYCHOLOGICAL MALTREATMENT OF CHILDREN AND ADOLESCENTS 3 (2019).
43. AMERICAN PSYCHIATRIC ASSOCIATION, DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS 719 (5th ed. 2013).
44. Baker, *supra* note 33 at 87.
45. *Id.*
46. RICHARD A. GARDNER, THE PARENTAL ALIENATION SYNDROME xxi (1998).
47. Janet R. Johnston & Joan B. Kelly, *Rejoinder to Gardner's "Commentary on Kelly and Johnston's 'The Alienated Child: A Reformulation of Parental Alienation Syndrome,'"* 42 FAM. CT. REV. 622, 626 (2004).
48. Diana J. English and LONGSCAN Investigators, *Modified Maltreatment Classification System* 28 (1997).
49. The National Congress and President of Brazil enacted Lei No. 12.318 on August 26, 2010. Original text: "A prática de ato de alienação parental fere direito fundamental da criança ou do adolescente de convivência familiar saudável, preju-

dica a realização de afeto nas relações com genitor e com o grupo familiar, constitui abuso moral contra a criança ou o adolescente e descumprimento dos deveres inerentes à autoridade parental ou decorrentes de tutela ou guarda.” Lei No 12.318, Art.3º http://www.planalto.gov.br/ccivil_03/_ato2007-2010/2010/lei/112318.htm (last visited Dec. 14, 2018).

50. Società Italiana di Neuropsichiatria dell’Infanzia e dell’Adolescenza (SINPIA) [Italian Society of Child and Adolescent Neuropsychiatry], LINEE GUIDA IN TEMA DI ABUSO SUI MINORI [GUIDELINES ON THE SUBJECT OF CHILD ABUSE] 10 (2007). Original text: “Una ulteriore forma di abuso psicologico può consistere nella alienazione di una figura genitoriale da parte dell’altra sino alla co-costruzione nel bambino di una ‘Sindrome di Alienazione Genitoriale.’”

51. Christopher P. Szabo, *Parental Alienation Syndrome*, 5 S. AFR. PSYCHIATRY REV., Aug. 2002, at 1.

52. Joseph Spinazzola, Hilary Hodgdon, Li-Jung Liang, Julian D. Ford, Christopher M. Layne, Robert Pynoos, Ernestine C. Briggs, Bradley Stolbach & Cassandra Kiesel, *Unseen Wounds: The Contribution of Psychological Maltreatment to Child and Adolescent Mental Health and Risk Outcomes*, 6 PSYCHOL. TRAUMA: THEORY RES. PRAC. & POL’Y, No. S1, 2014, at S18.

53. In the Interest of J. M. v. Malant, 41,670 (La. App. 2 Cir. 12/13/06), 945 So.2d 189.

54. McClain v. McClain, 539 S.W.3d 170, 182 (Tenn. Ct. App. 2017).

55. *Id.* at 200.

56. In re Marriage of Wendy L. D., and George T. D., III, 2017 IL App (1st) 160098, ¶ 83.

57. Jennifer Harman, Edward Kruk, & Denise Hines, *Parental Alienating Behaviors: An Unacknowledged Form of Family Violence*, 144 PSYCHOL. BULL. 1275 (2018).

58. Peter G. Jaffe, Janet R. Johnston, Claire V. Crooks & Nicholas Bala, *Custody Disputes Involving Allegations of Domestic Violence: Toward a Differentiated Approach to Parenting Plans*, 46 FAM. CT. REV. 500, 503 (2008).

59. Leslie M. Drozd & Nancy W. Olesen, *Is It Abuse, Alienation, And/Or Estrangement? A Decision Tree*, 1 J. CHILD CUSTODY 65, 88 (2004).

60. Wendy Titelman, Annette Zender, Paige Hodson, & Larissa Pollica, *From the Mouths of Mothers*, in DOMESTIC VIOLENCE, ABUSE, AND CHILD CUSTODY: LEGAL STRATEGIES AND POLICY ISSUES 10-1, 10-5 (Mo Therese Hannah & Barry Goldstein eds., 2010).

61. U.S. Census Bureau, *Living Arrangements of Children under 18 Years and Marital Status of Parents: 2016*, AMERICA’S FAMILIES AND LIVING ARRANGEMENTS: 2016 Table C3, <https://www.census.gov/data/tables/2016/demo/families/cps-2016.html> (last visited May 13, 2019).

62. E. MAVIS HETHERINGTON & JOHN KELLY, FOR BETTER OR FOR WORSE: DIVORCE RECONSIDERED 138 (2002).

63. CARLA B. GARRITY & MITCHELL A. BARIS, CAUGHT IN THE MIDDLE: PROTECTING THE CHILDREN OF HIGH-CONFLICT DIVORCE 28 (1994).

64. Leona M. Kopetski, Deirdre Conway Rand & Randy Rand, *Incidence, Gender, and False Allegations of Child Abuse: Data on 84 Parental Alienation Syndrome*

Cases, in THE INTERNATIONAL HANDBOOK OF PARENTAL ALIENATION SYNDROME: CONCEPTUAL, CLINICAL AND LEGAL CONSIDERATIONS 65, 66 (Richard A. Gardner et al. eds., 2006).

65. Sandra Spelman Berns, *Parents Behaving Badly: Parental Alienation Syndrome in the Family Court—Magic Bullet or Poisoned Chalice*, 15 AUSTL. J. FAM. L. 191, 199 (2001).

66. Amy J.L. Baker, *Knowledge and Attitudes About the Parental Alienation Syndrome: A Survey of Custody Evaluators*, 35 AM. J. FAM. THERAPY 1, 9 (2007).

67. James N. Bow, Jonathan W. Gould & James R. Flens, *Examining Parental Alienation in Child Custody Cases: A Survey of Mental Health and Legal Professionals*, 37 AM. J. FAM. THERAPY 127, 134 (2009).

68. Centers for Disease Control and Prevention, *Data & Statistics on Autism Spectrum Disorder*, AUTISM SPECTRUM DISORDER, <https://www.cdc.gov/ncbddd/autism/data.html> (last visited Dec. 14, 2018).

69. Clawar & Rivlin, *supra* note 19, at 401.

70. *Id.* at 420.

71. Jennifer J. Harman, Sadie Leder-Elder & Zeynep Birigen, *Prevalence of Parental Alienation Drawn from a Representative Poll*, 66 CHILD. & YOUTH SERV. REV. 62–66 (2016).

72. Amy J.L. Baker, *Adult Recall of Parental Alienation in a Community Sample: Prevalence and Associations with Psychological Maltreatment*, 51 J. DIVORCE AND REMARRIAGE 16 (2010).

73. Richard A. Gardner, *Recent Trends in Divorce and Custody Litigation*, 29 ACAD. F., Fall 1985, at 3.

74. Gardner, *supra* note 4, at 106.

75. Turkat, *supra* note 18, at 253.

76. Ira Daniel Turkat, *Divorce-Related Malicious Parent Syndrome*, 14 J. FAM. VIOLENCE 96 (1999).

77. Kopetski, *supra* note 64, at 68.

78. Nicholas Bala, Suzanne Hunt & Carolyn McCarney, *Parental Alienation: Canadian Court Cases 1989–2008*, 48 FAM. CT. REV. 164, 166 (2010).

79. Kelly & Johnston, *supra* note 15, at 253.

80. *Id.* at 251.

81. Barbara J. Fidler & Nicholas Bala, *Children Resisting Post-Separation Contact with a Parent: Concepts, Controversies, and Conundrums*, 48 FAM. CT. REV. 10–47 (2010).

82. William Bernet, *The Therapist's Role in Child Custody Disputes*, 22 J. AM. ACAD. CHILD PSYCHIATRY 180 (1983). Lyn R. Greenberg, Jonathan W. Gould, Robert Alan Schnider, Dianna J. Gould-Saltman & David A. Martindale, *Effective Intervention with High-Conflict Families: How Judges Can Promote and Recognize Competent Treatment in Family Court*, 4 J. CTR. FAM. CHILD & CTS. 49 (2003).

83. Levy, *supra* note 2.

84. WILHELM REICH, CHARACTER-ANALYSIS 265 (Theodore P. Wolfe, trans., 3d ed. 1949).

85. J. LOUISE DESPERT, CHILDREN OF DIVORCE 63 (1953).

86. Murray Bowen, *Family Psychotherapy*, 31 AM. J. PSYCHIATRY 40, 48–49 (1961).

87. Philip J. Resnick, *Child Murder by Parents: A Psychiatric Review of Filicide*, 126 AM. J. PSYCHIATRY 73, 78 (1969).

88. Jack C. Westman, David W. Cline, William J. Swift & Douglas A. Kramer, *Role of Child Psychiatry in Divorce*, 23 ARCHIVES GEN. PSYCHIATRY 416, 419 (1970).
89. SALVADOR MINUCHIN, FAMILIES AND FAMILY THERAPY 102 (1974).
90. David J. Sheffner & John M. Suarez, *The Postdivorce Clinic*, 132 AM. J. PSYCHIATRY 442, 443 (1975).
91. Judith S. Wallerstein & Joan B. Kelly, *The Effects of Parental Divorce: Experiences of the Child in Later Latency*, 46 AM. J. ORTHOPSYCHIATRY 256, 266 (1976).
92. Alan M. Levy, *Child Custody Determination—A Proposed Psychiatric Methodology and Its Resultant Case Typology*, 6 J. PSYCHIATRY & L. 189, 207 (1978).
93. Janet R. Johnston, Linda E.G. Campbell & Sharon S. Mayes, *Latency Children in Post-Separation and Divorce Disputes*, 24 J. AM. ACAD. CHILD PSYCHIATRY 563, 569 (1985).
94. Benedek & Schetky, *supra* note 16.
95. Gardner, *supra* note 73, at 3.
96. Wallerstein & Blakeslee, *supra* note 30, at 195–196.
97. SUSAN FORWARD, TOXIC PARENTS: OVERCOMING THEIR HURTFUL LEGACY AND RECLAIMING YOUR LIFE 179 (1989).
98. STANLEY S. CLAWAR & BRYNNE V. RIVLIN, CHILDREN HELD HOSTAGE: DEALING WITH PROGRAMMED AND BRAINWASHED CHILDREN 7 (1991).
99. *Id.* at 8.
100. BARRY BRICKLIN, THE CUSTODY EVALUATION HANDBOOK: RESEARCH-BASED SOLUTIONS AND APPLICATIONS 105 (1995).
101. *Id.* at 108.
102. Leona Kopetski, *Identifying Cases of Parent Alienation Syndrome*, Part I, 27 COLO. LAW., Feb. 1998, at 65, 65.
103. Turkat, *supra* note 76, at 96.
104. Kelly & Johnston, *supra* note 15, at 251.
105. Richard A. Warshak, *Bringing Sense to Parental Alienation: A Look at the Disputes and the Evidence*, 37 FAM. L. Q., Summer 2003, at 273, 292.
106. William Bernet, *supra* note 27, at 351.
107. AMERICAN PSYCHIATRIC ASSOCIATION, *supra* note 43, at 716.
108. William Bernet, Marianne Z. Wamboldt, & William Narrow, *Child Affected by Parental Relationship Distress*, 55 J. AM. ACAD. CHILD & ADOLESCENT PSYCHIATRY 571 (2016).
109. CRAIG CHILDRESS, AN ATTACHMENT-BASED MODEL OF PARENTAL ALIENATION: FOUNDATIONS (2015).
110. Walters & Friedlander, *supra* note 20, at 424.
111. *See Parental Alienation Database*, CENTER FOR KNOWLEDGE MANAGEMENT VANDERBILT UNIVERSITY MEDICAL CENTER, <https://www.mc.vanderbilt.edu/pasg> (last visited Dec. 12, 2018).
112. *See PARENTAL ALIENATION STUDY GROUP*, [https:// pasg.info](https://pasg.info) (last visited Dec. 12, 2018).
113. G.A. Res. 1386 (XIV), Declaration of the Rights of the Child, League of Nations (Nov. 20, 1959).
114. G.A. Res. 44/25, Convention on the Rights of the Child, League of Nations (Nov. 20, 1989).

115. European Court of Human Rights, *European Convention on Human Rights* Art. 8 (Nov. 4, 1950, amended).
116. RICHARD DAWKINS, *THE SELFISH GENE* 206 (1976).
117. Jamie Talan, *The Debate Rages on . . . In Death, Can He Survive?* NEWSDAY (July 1, 2003), <http://www.leadershipcouncil.org/1/pas/talan.html> (last visited Dec. 14, 2018).
118. Paul J. Fink, *Fink! Still at Large*, *Clinical Psychiatry News*, Mar. 2010, at 6.
119. Paul J. Fink, *Letters, Dr. Fink Replies*, *Clinical Psychiatry News*, May 2010, at 10.
120. Chris Weller, *Cut the Baby in Two: Parental Alienation Syndrome Isn't In the DSM Yet, But It's In Plenty of Arguments*, NEWSWEEK, July 18, 2014, at 52, 53.
121. Tamara Traubman, *Junk Science Has Its Way in Court*, HAARETZ (Aug. 15, 2003), <https://www.haaretz.com/1.5361271> (last visited Dec. 14, 2018).
122. Carol S. Bruch, *Parental Alienation Syndrome: Junk Science in Child Custody Determinations*, 3 EUR. J. L. REFORM 383 (2001).
123. Rebecca M. Thomas & James T. Richardson, *Parental Alienation Syndrome: 30 Years On and Still Junk Science*, 54 JUDGES J., Summer 2015, at 22.
124. William Bernet, *Parental Alienation: Misinformation versus Facts*, 54 JUDGES J., Summer 2015, at 23.
125. Holly Smith, *Parental Alienation Syndrome: Fact or Fiction? The Problem with Its Use in Child Custody Cases*, 11 U. MASS. L. REV. 64, 64 (2016).
126. Lisa Shamseldin, *State-sanctioned Child Abuse: Junk Science of Parental Alienation Syndrome, PAS or Any Other Name by Which It Is Known*, E2NZ.ORG (June 28, 2016), <https://e2nz.org/2016/06/28/state-sanctioned-child-abuse-junk-science-of-parental-alienation-syndrome-pas-or-any-other-name-by-which-it-is-known/> (last visited Dec. 14, 2018).
127. PHYLLIS CHESLER, *MOTHERS ON TRIAL: THE BATTLE FOR CHILDREN AND CUSTODY* xiv–xv (2d ed., 2011).
128. *Id.* at 130.
129. *Id.* at 135.
130. *Id.* at 321.
131. *Id.* at 325.
132. Tony Koch, *Ruling Debunks Custody Diagnosis*, AUSTRALIAN, Apr. 7, 2008.
133. Press Release, Justice for Children, *Justice for Children Warning: Don't Fall for Discredited "Parental Alienation Syndrome Day"* (Mar. 27, 2009), <https://angelfury.wordpress.com/2011/04/18/justice-for-children-warning-dont-fall-for-discredited-parental-alienation-syndrome-day-april-25th/> (last visited Dec. 14, 2018).
134. Amy Neustein & Michael Leshner, *Evaluating PAS: A Critique of Elizabeth Ellis's "A Stepwise Approach to Evaluating Children for PAS."* 6 J. CHILD CUSTODY 322 (2009).
135. Allison M. Nichols, *Toward a Child-Centered Approach to Evaluating Claims of Alienation in High-Conflict Custody Disputes*, 112 MICH. L. REV. 663, 665 (2014).
136. Laurel Stuart-Fink, *Parental Alienation—Fact and Myth*, THE LAW OFFICES OF LAUREL STUART-FINK, P.L.L.C. (Mar. 21, 2016), <http://www.laurelfink.com/uncategorized/parental-alienation-fact-and-myth/> (last visited Dec. 14, 2018).

137. *What is a Parental Alienation Syndrome*, STOP ABUSE CAMPAIGN, <http://stopabusecampaign.org/adverse-childhood-experiences-study/preventing-trauma/safe-child-act-a/parental-alienation-syndrome/> (last visited Dec. 12, 2018).
138. Kathleen Coulborn Faller, *The Parental Alienation Syndrome: What Is It and What Data Support It?* 3 CHILD MALTREATMENT 100 (1998).
139. Richard A. Gardner, *Letter to the Editor*, 3 CHILD MALTREATMENT 309 (1998).
140. Kathleen Coulborn Faller, *Response to Gardner*, 3 CHILD TREATMENT 312 (1998).
141. Carol S. Bruch, *Parental Alienation Syndrome and Parental Alienation: Getting It Wrong in Child Custody Cases*, 35 FAM. L. Q., Fall 2001, at 527. This article was republished, largely intact, as Carol S. Bruch, *Parental Alienation Syndrome and Alienated Children—Getting It Wrong in Child Custody Cases*, 14 CHILD & FAM. L. Q. 381 (2002).
142. *Id.* at 530 (2001).
143. *Id.* at 531.
144. *Id.* at 532.
145. *Id.* at 532–533.
146. *Id.* at 533.
147. Richard A. Gardner, *Rebuttal to Carol S. Bruch’s Article, “Parental Alienation Syndrome and Parental Alienation: Getting it Wrong in Child Custody Cases*, www.pas-konferenz.de/e/dok/gardnerbruch_e.doc (last visited Dec. 14, 2018). Gardner explained at the top of this unpublished article that the acting editor-in-chief of Family Law Quarterly declined to publish his rebuttal of Bruch’s article.
148. *Id.*
149. *Id.*
150. Bruch, *supra* note 141, at 550–551 (2001).
151. Amy Baker, Peter Jaffe, William Bernet & Janet Johnston, *Brief Report on Parental Alienation Survey*, ASSOCIATION OF FAMILY & CONCILIATION COURTS ENEWS (May 5, 2011), https://www.afccnet.org/Portals/0/PublicDocuments/2011_may.pdf?ver=2015-08-04-134136-377 (last visited Dec. 14, 2018).
152. ELIZATH ELLIS, *DIVORCE, WARS: INTERVENTIONS WITH FAMILIES IN CONFLICT* 227 (2000).
153. Joan B. Kelly, *Commentary on “Family Bridges: Using Insights from Social Science to Reconnect Parents and Alienated Children”* (Warshak 2010), 48(1) FAM. CT. REV. 81 (2010).
154. Michael Saini, Janet R. Johnston, Barbara Jo Fidler & Nicholas Bala, *Empirical Studies of Alienation*, in PARENTING PLAN EVALUATIONS: APPLIED RESEARCH FOR THE FAMILY COURT 374, 423 (Leslie Drozd, Michael Saini, & Nancy Olesen eds., 2d ed. 2016).

Psychology, Public Policy, and Law

Allegations of Family Violence in Court: How Parental Alienation Affects Judicial Outcomes

Jennifer J. Harman and Demosthenes Lorandos

Online First Publication, December 14, 2020. <http://dx.doi.org/10.1037/law0000301>

CITATION

Harman, J. J., & Lorandos, D. (2020, December 14). Allegations of Family Violence in Court: How Parental Alienation Affects Judicial Outcomes. *Psychology, Public Policy, and Law*. Advance online publication. <http://dx.doi.org/10.1037/law0000301>

Allegations of Family Violence in Court: How Parental Alienation Affects Judicial Outcomes

Jennifer J. Harman¹ and Demosthenes Lorandos²

¹ Department of Psychology, Colorado State University

² PsychLaw.net, Ann Arbor, Michigan


We tested a set of findings reported by Meier et al. (2019) related to the use of parental alienation as a legal defense in cases in which there are allegations of domestic violence and child abuse. A total of 967 appellate reports in which PA was found or alleged were sequentially selected from a legal database search. Nineteen research assistants blind to the study's hypotheses coded the reports for the variables used to test six preregistered hypotheses using a series of logistic and linear regression models. We failed to find any support for the conclusions made by Meier et al. Parents found (vs. alleged) to have alienated their children, regardless of their gender, had greater odds of losing parenting time, losing custody of their children, and losing their case. These findings held even when the accusing parent had been found to have been abusive. Losses or decreases in custody were not found when the (alleged) alienated parent was found to have been abusive. Results indicate that the majority of courts carefully weigh allegations of all forms of family violence in their determinations about the best interests of children. These findings, along with several others, raise concerns that the methodological, analytical, and statistical problems we detail about Meier's report that make her conclusions untrustworthy. Discussion focuses on the importance of using open science practices for transparent and rigorous empirical testing of hypotheses and the dangers of misusing scientific findings to mislead influential professionals who affect the well-being of millions of families.

Keywords: parental alienation, child abuse, domestic violence, child custody, judicial decision-making

Parental alienation (PA) refers to a mental condition in which a child allies strongly with one parent and rejects a relationship with the other parent without legitimate justification (Bernet & Lorandos, 2020).

PA is an outcome of what some scholars have considered a form of family violence (Harman et al., 2018) that is characterized by the perpetration of parental alienating behaviors by an alienating parent (e.g., derogating the alienated parent; Baker & Darnall, 2006; Harman & Matthewson, 2020). Although parental alienating behaviors are a primary cause of the child's alienation, they are not always the only source. For example, children may adopt and then share the alienating parent's negative attitudes, making them active participants in the rejection of the alienated parent (e.g., Warshak, 2003), and institutions and social systems may contribute to the problem with prolonged response times to violations of court orders or a failure to recognize and intervene when the problem is present (Harman et al., 2018). Parental alienating behaviors are very harmful to children and their extended family members (Dijkstra, 2019; Harman et al., 2018; von Boch-Galhau, 2018), which has led to a call for action for more research and interventions that employ a child protection response to the problem (Harman et al., 2018; Kruk, 2018).

Despite over three decades of research that have led to what is considered a scientific maturing, or "greening," of the field and understanding of PA (Harman, Bernet, & Harman, 2019, p. 1), there remain some vocal opponents to recognizing PA as a form of family violence. These opponents have referred to PA as being based on junk science (Faller, 1998; Silberg, 2013; Silberg & Dallam, 2019), a "pseudoscientific" theory (Meier et al., 2019, p. 3), as being a justified dislike for a parent and no different from estrangement (Hoult, 2018) and as being ambiguous and not diagnosable (Scott & Emery, 1987). PA theory has also been de-

Jennifer J. Harman  <https://orcid.org/0000-0002-7280-824X>

Demosthenes Lorandos  <https://orcid.org/0000-0003-2486-6397>

No external funding was received for this project. We thank Amanda Sharples for aiding with the statistical interpretation of the analyses and feedback. We would also like to thank the many undergraduate research assistant coders who were involved with the project: Davien Torres, Alondra Faudoa, Savannah Abbott, Akshira Weiser, Andrew Wilmont, Kylie Morse, Lauren Quintana, Maddie Foster, Alexander Van Sertima, Megan Keller, Emily Story, Jedediah Knode, Simone Yin, Tayla Wilson, Katie Regan, Ellie Stavropoulos, Lindsay Walker, Jordyn Alturafi, Amelia Hadad, and Breanna King. Finally, we thank the law office and PsychLaw team coders: Bruce Bielawa, Shamara Boines, Raphael Dominguez, Gabriel Hinman, LeAnn Scott, and Sarah Vasquez as well as PsychLaw research attorney Melissa Blevins and paralegal Elle Murphree. Results from this project have not yet been disseminated or made publicly available at the time of this writing. The authors have no conflicts of interest to report. All project materials for this study are available on the Open Science Framework: https://osf.io/fj9bh5/?view_only=fc6a8223317745e59fc7058543185058

Correspondence concerning this article should be addressed to Jennifer J. Harman, Department of Psychology, Colorado State University, 1876 Campus Delivery, Fort Collins, CO 80523-1876. Email: jjharman@colostate.edu

scribed as a legal strategy used by abusive parents (typically fathers) to obtain custody of their children (Meier et al., 2019; Silberg, 2013). Other scholars have argued that these claims made by opponents have been largely unsubstantiated, presented as strawman arguments, are supported by methodologically flawed research (see as examples Baker, 2020; Haines et al., 2020; Harman, Bernet, & Harman, 2019), and have hindered progress to address a serious public health problem (Vezzetti, 2016; von Boch-Galhau, 2020).

Joan Meier and colleagues (2019) have claimed that PA legal defenses serve to nullify the abuse concerns of mothers, even in the face of expert child abuse evaluations (p. 2). To support their position, the authors presented a review of over 2,000 trial and appellate court rulings published over a 10-year period in a law school research paper series that does not appear to be peer-reviewed. The authors stated that their paper brought “neutral empirical data” to bear on the controversy about

whether and to what extent it is true that courts are disbelieving abuse claims and removing custody from parents claiming abuse, whether and to what extent gender impacts these findings, and how cross-claims of parental alienation affect courts’ treatment of mothers’ and fathers’ abuse claims. (p. 4)

Meier et al. reported that mothers who claimed their children were abused were more likely to lose custody of their children and their legal cases than were fathers. They also stated that their hypotheses were supported in their data because fathers who claimed they were alienated were more likely to get custody of their children, even if they were proven to be abusive (p. 15).

After careful inspection of the Meier et al. (2019) research paper, we identified at least 30 conceptual and methodological problems with the design and analyses of the study that make the results and the conclusions drawn dubious at best. The severity of these methodological and analytical problems raises the concern that Meier et al.’s research paper is being used as a “woozle,” which is a belief or claim that has been repeatedly cited and presented in misleading ways (Nielsen, 2014, p. 164). For this article, we first describe the ways that the Meier et al. paper is being used as a wozzle. We then detail the conceptual, methodological, design, and analytic problems of their study, and finally, we will present the results of a preregistered, transparent, and methodologically rigorous study designed to test some of findings related to PA as reported by Meier et al.

Woozling

Woozles are faulty, partial, or misinterpreted research claims that can be used to mislead professionals and others working with families (Nielsen, 2015). These wozzles are not supported or are only partially supported by empirical evidence (Gelles, 1980), and they are created by a constellation of factors such as the misrepresentation of others’ data and confirmation bias (Nielsen, 2014). We share Nielsen’s concern that many wozzles are ideologically motivated, magnified, and widely disseminated such that they overshadow studies that challenge them (Nielsen, 2015).

In the research paper, Meier et al. (2019) made many inaccurate and misleading statements that have the potential to wozzle scientifically naïve audiences. In media reports, Meier et al. appears to be wozzling by minimizing or failing to discuss the limitations

of her report (Bonessi, 2019; Johnston, 2007; Schmidt, 2019). An underlying assumption that is repeatedly cited throughout the report is the premise that the concept of PA “was created specifically as a rationale for rejecting child sexual abuse claims” (p. 14). This statement is a misrepresentation of the works of Richard Gardner, who originally coined the term “parental alienation syndrome” (PAS; later simplified to PA; Gardner, 1985). Gardner noted that when children are being alienated from a parent, false allegations of abuse are often used to harm their relationship (Gardner, 1987), although in the majority of cases in which he found PAS to be present, a sex-abuse accusation was *not* alleged (Gardner, 1998). At the time Gardner’s (1985) seminal work was published, the American Academy of Child and Adolescent Psychiatry (1988) also noted stark increases in allegations of child sexual abuse, raising concerns that allegations should not always be accepted as true, particularly during child custody disputes. Gardner never recommended applying the PAS term if there was bona fide child abuse by the rejected parent (Gardner, 1985, 1987), and evidence-based assessments continue to require that child abuse be ruled out as a cause for the child’s rejection of a parent for PA to be diagnosed (Baker et al., 2014; Freeman, 2020).

When Gardner’s original work (Gardner, 1985) was published, it was not received well by child abuse advocates who held the belief that children never lie about abuse (Rand, 2013). Child sexual abuse was portrayed by critics as being an essential feature of PAS (Faller, 1998). Even in the face of decades of research documenting support for his original work (see Rand, 2013), critics have still chosen to misrepresent Gardner’s work (e.g., Bruch, 2001). Without citing evidence to support their claim that the concept of PA was created to reject child abuse claims, Meier et al. (2019) implied that Gardner and other scholars who pioneered the concept had malignant motives, which is tantamount to an ad hominem attack. Meier et al. claimed that their research findings provide evidence to support this misrepresentation of PA, despite many methodological flaws that make the validity of the work questionable and have prompted us to conduct the current study.

The way Meier and colleagues (2019) discuss the “crediting” of abuse claims throughout the report reflects an alignment with critics that all claims of abuse made by children or “protective parents” should be believed (p. 11). The authors fail to acknowledge studies that indicate parents, regardless of gender, often make false claims of abuse to gain a custody advantage (Clawar & Rivlin, 2013; Dunne & Hedrick, 1994; Harman et al., 2018; Harman & Matthewson, 2020; Hines & Douglas, 2016). For example, a thorough analysis of 7,672 child maltreatment investigation cases found that one third of the investigations were unsubstantiated, and the proportion of allegations shown to be fabricated was 12% in cases where a contact or residence dispute had occurred (Trocmé, & Bala, 2005). Ceci and Bruck (1995) also reported around half of abuse allegations in divorce are probably false. Despite this research, Meier and colleagues cited a paper where child sexual abuse claims made in custody litigation are *likely* valid more than half the time (p. 10; see Faller, 1998, but see *Bielaska v. Orley*, 1996). Nevertheless, this data document that a large proportion of allegations are still false. Meier et al. never addressed the fact that the parents in her data set may have been lying about abuse, which is a parental alienating behavior (Baker & Darnall, 2006; Harman & Matthewson, 2020).

To further matters, Meier et al. (2019) reported that guardians ad litem (GALs) and custody evaluators were not likely to credit mothers abuse claims (pp. 20–21) and need to be educated to “deconstruct misconceptions” about the use of PA claims when child abuse is alleged by mothers (p. 26). This position implies that all claims of abuse made by mothers should be taken at face value and fails to acknowledge that these third parties have had access to considerably more information than what is reported in the judicial reports the research team reviewed. These third parties may have concluded that allegations made by the accusing parent were not substantiated and were, instead, strategies used to obtain a custody advantage. When GALs or custody evaluators reject an abuse claim, this is not necessarily an indication they are untrained or biased. The data presented by Meier et al. does not support such a conclusion.

Meier et al. (2019) also utilized consensus effects to woozle the reader into placing faith in their findings. For example, the authors stated that protective parents and their attorneys have claimed that GALs and custody evaluators fail to recognize abuse, yet no references were cited to support this statement. The portrayal that “consensus” and “many experts” believe something based on anecdotal evidence makes it appear to the reader that there is general agreement on a topic when there is not (Nielsen, 2015, p. 599). In addition, Meier et al. woozle the reader into believing that some of their findings were statistically significant when they were not, such as highlighting in bold numerous results for which there were no odds ratios presented (and thus not statistically significant; see p. 19 footnote).

Finally, Meier et al. (2019, p. 26) went well beyond their limited data to suggest recommendations that “warrant action,” which is a woozling strategy that entails making policy recommendations by relying on one or a few studies and ignoring other relevant research on the topic (Nielsen, 2014, 2015). The authors stated that courts and affiliated personnel need to be “educated” about their findings that alienation theory plays a “significant role in the denial of child abuse claims” (p. 26), that child protection workers need to stop discrediting claims of abuse made by mothers in child custody disputes (p. 26), and that the U.S. Congress should amend the Child Abuse Protection Act (CAPTA) so that the application of PA theory is prohibited (p. 27).

Given Meier et al.’s (2019) call to action that could affect many influential individuals in institutions that make decisions affecting families (e.g., legislators), it is imperative that a transparent and rigorous test of their hypotheses be conducted to determine whether the findings they reported can be substantiated. To accomplish this task, we first identified 30 conceptual, methodological, and analytic flaws in the research paper and considered how the flaws may have impacted the validity and reliability of the authors’ findings and conclusions. We then developed a new method and analytic plan that would accurately test the study’s hypotheses and overcome the limitations of their study. Below, we briefly describe the flaws we identified and refer the reader to Table 1 for a more thorough description of each and how our study was designed to address them.

Selection of Cases

One of the most striking problems with Meier et al.’s (2019) research paper is how the legal cases for two data sets were

selected, leading to what may be a “cherry-picked” sample that is stacked in favor of the hypotheses that were described. There was a lack of transparency about the search terms used to select cases and processes by which they were developed in the original paper. The inclusion and exclusion criteria for the cases appeared biased because the Meier team deliberately selected the “cleanest” and most “paradigmatic” cases involving abuse and alienation (Meier et al. 2019, p. 7). The Meier et al. paper also notes that a large number of cases that reflect a significant proportion of postdecree appellate cases, such as cases where both parents claimed the other was abusive, were excluded. There were no details provided about the coders who selected the cases and how they were trained. In addition, some trial-level cases were included in the database, with no information about whether they were tied to appellate-level judgments made for the same case, which would violate assumptions of independence of the data in the analyses.

For the current study, we provide clear details about the search terms used. The same cases may have appeared in both of Meier et al.’s (2019) data sets, so our database contains only cases where PA was at issue or raised as a concern because all our hypotheses pertain to this situation. We did not exclude cases regarding custody disputes, relocation issues, joint custody, mutual claims of abuse, third party abuse allegations, nonspecific abuse cases, and aka cases (which Meier et al., 2019, described as cases where parental alienating behaviors are described), because we felt it important for the database to contain the full spectrum of cases in which PA was alleged or found so that our findings would have greater external validity. We also did not include trial-level cases that could be related to the appellate cases to prevent violations of independence of the data.

Coding of the Data Set

No details were provided by Meier et al. (2019) as to who was responsible for coding the two data sets presented in their paper, how discrepancies were resolved, or their methods used to ensure accuracy. Clear definitions of the codes were also lacking, and it was unclear how some codes were determined. For example, Meier et al. did not describe in their research paper how they coded multiple allegations of abuse from the same case, because only information about whether there was a claim made was reported. For our study, we provide full details about our codebook and who our coders were, and we employed quality checks to ensure that they were blind to hypotheses before and after coding the appellate cases. We followed a strict calibration protocol for training on the use of the codebook, have all materials publicly accessible on the Open Science Framework (OSF; e.g., raw coding sheets, the codebook), and provide details on how discrepancies were resolved. Meier et al. also stated that corroborations of abuse in their coding included arrests, protection orders, and prosecutions, without considering the possibility that the parent may later have been found innocent of their allegations. We utilized stringent criteria in our coding manual as to what was determined by the court and other investigating authorities (e.g., police, child protection workers) to be actual abuse. Such a finding would not imply biases by the court as Meier et al. claimed, if the judgments were made based on the preponderance of evidence presented.

Table 1*Methodological Flaws of the Meier et al. (2019) Research Paper and Remedies Implemented in the Current Study*

Issue and identified flaw	Problem with the flaw	Remedy
	Hypotheses	
Hypotheses were not explicitly detailed prior to the presentation of the results.	Failure to explicitly describe hypotheses a priori casts doubt about whether the researcher engaged in HARKing behaviors (e.g., see Murphy & Aguinis, 2019), making her hypotheses exploratory rather than confirmatory. Consequently, the researcher may have created hypotheses <i>after</i> finding statistically significant effects, which may have been statistical artifacts or false positives.	All hypotheses tested were preregistered on the Open Science Framework prior to data coding and analysis.
Several hypotheses were tested without any theoretical or practical rationale detailed in the introduction.	By not detailing why particular relationships were tested in the data, there were concerns that the researcher engaged in cherry-picking and “fishing” the data for statistically significant effects that aligned with the goals of the researcher and create confirmation biases.	The rationale for this study’s hypotheses was to determine whether we could find support for findings reported by Meier et al. One added hypothesis was included and the justification for testing it was provided.
	Selection of cases	
Failure to provide information about the different search engines and databases used to “test” search strings.	It was unclear which search engines were used and what search strings were tested at this stage and why ultimately LEXIS was selected over the other search engines. Lack of transparency makes replication impossible and may reflect a bias in the selection of the search engine that produced the desired outcomes.	The cases were selected from the Westlaw (Thomson Reuters) database.
Failure to provide in the paper the database search string of “over 10 lines of search terms” that were “constructed and applied” (p. 5). ^a	The final search string was not provided. The author did not define what “constructed” and “applied” meant in this context. Lack of transparency makes replication impossible and may reflect a bias in the selection of cases.	The complete search string used is provided.
No information was provided about the coders who “triated” the initial search cases.	It was unclear what training the coders had and whether they were blind to the study’s hypotheses. The coders may have been biased in their selection of cases if they knew about the study’s hypotheses and inaccurate in their classification of cases without training and oversight.	Full details about the research assistants’ training, oversight, and measures taken to ensure they were blind to the study’s hypotheses are provided.
Cases in which the parents were of the same sex were excluded from the database.	Same-sex parents are just as likely to be alienated from their children as are those of different sexes (Harman, Leder-Elder, & Biringer, 2019), and there is no justification for why these cases were excluded. Gender biases toward parents in same-sex couples can occur, so excluding these cases results in a sample that is not representative of all the cases that may be heard at the appellate level. ^b	Appellate case reports were not excluded if the parents in the case were the same sex.
Only cases that had three core outcomes were included in the sample: crediting of abuse, custody outcomes, and “wins.”	This sample restriction served to eliminate cases in which courts were addressing visitation (e.g., violations of parenting time), joint custody, and relocation matters, which are often legal interventions for parental alienating behaviors (Harman & Matthewson, 2020). The final sample was not representative of complex cases heard by appellate-level courts, making the generalizability of the findings limited and potentially biased because they were selected to match what Meier herself considered the “paradigmatic” and “clean” cases involving abuse and parental alienation.	Cases that pertained to visitation, joint custody, and relocation matters were not eliminated from the sample.
Cases with “third party victims” such as a new or old romantic partner, “mutual abuse” cases, “non-specific” abuse claims, and “AKA” cases, which were cases involving negative parenting behaviors, which are “similar” in analysis to PA cases, were excluded.	The only rationale for excluding these cases was to have the most “paradigmatic” and “clean” cases involving abuse and parental alienation. Excluding all these cases (1,987 of them) potentially biases the sample and may lead to false conclusions that cannot be generalized beyond the data Meier et al. selected.	Cases that pertain to third party victims of abuse, mutual abuse cases, nonspecific abuse claims, and aka cases, were not eliminated from the sample.

(table continues)

Table 1 (continued)

Issue and identified flaw	Problem with the flaw	Remedy
No information was provided about the coders who excluded cases at the inclusion or exclusion stage.	It is unclear what training the coders had and whether they were blind to the study's hypotheses. The coders may have been biased in their exclusion of cases if they knew the study's hypotheses and inaccurate in their classification of cases without training and oversight.	Full details about the research assistants' training, oversight, and measures taken to ensure they were blind to the study's hypotheses are provided.
An expanded data set of all abuse claims was created, without details of the search terms or search engine used.	It is unclear which search engine and search strings were used. Lack of transparency makes replication impossible and may reflect a bias in the selection of cases. ^c	No "pure abuse" data set was created for this study because the hypotheses tested are regarding only cases where parental alienation was raised as an issue.
Extrafamilial abuse cases were included in the "all abuse" data set but were excluded in the "analytic data set."	By excluding extrafamilial cases in one data set but including them in another, the two databases become incomparable.	No extrafamilial abuse cases were excluded from our database.
The degree of overlap between the "all abuse" and "analytic database" was not described. ^c	The two data sets both contained PA cases (p. 19), so it is likely that some of the same cases may have appeared in both sets of analyses. Results presented for the two data sets may have duplicate cases, making the findings redundant to some degree and not independent.	Only one database using cases in which parental alienation was raised as an issue was created.
There was a lack of clarity about how "non-alienation" and "pure alienation" cases were identified and how the final numbers for each were determined.	No details were provided about the individuals responsible for classifying cases as "non-alienation" and "pure alienation," so it is unclear what their training was or their understanding of the study's hypotheses. The numbers of cases for each category also do not directly match the number of cases reported as being included in the final samples. Replication of this categorization step is not possible due to the lack of information provided.	Only cases in which parental alienation was raised as an issue were in our data set.
Trial-level cases were included in the full data set.	No details are provided about the proportion of trial-level cases that were tied to the appellate-level cases in the same data set. Trial-level cases are not all listed on legal database searches, whereas all appellate-level cases are. Independence of the data cannot be assumed when some cases are tied, which violates statistical assumptions underlying the use of logistic regression models. The trial-level cases are also not representative of all trial-level cases, making the generalization of findings to that level of cases limited.	Only publicly available appellate-level cases were included in the data set.
Coding of the data set		
Details about the coders of the data sets are not provided.	It is unclear how many coders there were, how they were trained, their level of education, their gender, and how much knowledge they had about the study's hypotheses. The coders may have been biased in their coding of the cases.	Details about coders and their training is provided.
Details about how coding discrepancies were resolved are not provided, nor are interrater reliabilities.	It is unclear how accurate the coders were in the application of the codes and how discrepancies were resolved. The codes may have been unreliable in their application to the cases, and there may have been biases in how discrepancies were resolved.	All coders were blind to the study's hypotheses, and two independent coders completed the data-mining task for every case. Their being blind to the study's hypotheses helped to ensure they would not willfully overlook, or input, data in a selective way. A third coder identified discrepancies, referred to the original court ruling, and identified the correct response for those fields.
No details about the 45 specific codes and options for them that were applied to the cases were provided in the paper. ^d	Without details about the codes, it was impossible to replicate the coding of the cases for the current study.	All code definitions for this study are provided.
Readers are referred to "Appendix B" (Meier et al., 2019, p. 8) to obtain details about the codes used.	"Appendix B" (Meier et al., 2019, p. 8) was not published with the research paper and was not made publicly available until August 27, 2020. The author failed to provide us with the information when requested in the fall of 2019. This extended delay in provision of the materials required the reader to "trust" the author that the codes are clear and accurately captured the variables under study. This failure also made replication of the study impossible.	All codes and definitions for this study are provided and are publicly available on the Open Science Framework.

(table continues)

Table 1 (continued)

Issue and identified flaw	Problem with the flaw	Remedy
There was a lack of clarity in the paper concerning how codes were defined.	The authors were unclear about how multiple claims of abuse were coded because only “credited” or “not credited” was applied to each case when there was an abuse allegation. “Corroboration of abuse” was described as whether a protection order, arrest, or prosecution of interpersonal violence was made (p. 20). “Proven” cases in the “all abuse” database is also described, but it is unclear who made this determination and how substantiation was determined. Collapsing across multiple claims of abuse into one code of “credited” versus “not credited” for each case fails to document the use of serial abuse allegations in postdecree cases. The way corroboration of abuse is defined assumes that all claims and formal allegations of abuse are true, even if they later had been deemed false after investigation or trial.	All abuse claims were coded for each case and details were recorded as to their substantiation.
There did not appear to be consistent application of codes across the two data sets.	Corroboration of abuse appears to have been applied to only the “all abuse” data set and not the “analytic” data set. “Credited” abuse and “founded” abuse were described in separate analyses, with “credited” never being defined, and criminal convictions in the “all abuse database” being coded as “credited” for the “all abuse” data set (p. 20), making it appear that the two codes are conflated for the “analytic” data set analyses. Lack of clarity of the codes and how they were applied can lead to biases in application and interpretation and make replicability impossible.	One database was used for this study, and the codes were clearly defined and applied consistently across cases.
Change in custody is consistently worded throughout the report as whether the mother or father “loses custody” after making an abuse allegation.	Many judgments involved changing custody from joint to primary custody with one parent or reversing the primary custodial status of the parent. It is not clear whether Meier et al. were considering any negative change as complete loss of custody, which would be an inaccurate depiction of the outcome. ^c Lack of clarity about how custody loss was defined makes conclusions drawn about this outcome limited.	We coded cases for substantial gain, loss, or status quo regarding custody, as well as identified cases in which all parenting time was lost.
Readers are referred to “Appendix C” (Meier et al., 2019, p. 8) to obtain details about the analytic plan and statistical codes.	Data analysis “Appendix C” (Meier et al., 2019, p. 8) was not publicly available at the time of this writing and was not provided to us when requested of the author. We were informed that the information may not be available on the Department of Justice Archive for up to 9 months after the report was published. Only frequency data for the variables were provided. Failure to provide analysis and statistical information upon request, when Appendix C will not be available for review for many months after publication of the report, requires the reader to trust the author that the analyses were done correctly. This failure also makes replication of the study impossible.	The full analytic plan is provided. All data and syntax have been uploaded onto the Open Science Framework.
Control variables were not clearly described or justified.	“Control for factors that may affect key outcomes” (p. 7) was mentioned, such as the state in which the case was heard and trial-level versus appellate-level court rulings. No specifics were given about the variables used and why they were added as control variables. The interpretation of the statistical findings, without clarity of what factors were controlled for in the models, is not possible.	All variables in the calculated models are clearly specified.
Gender is reported to be included as a control variable (p. 7) in the statistical models.	Gender is an independent variable in the models, because all the analyses were testing gender differences. It is unclear why gender would also then be entered as a control variable. The interpretation of the statistical findings, without clarity of the role of gender in the analyses, is not possible.	Gender is an independent variable, not a control variable, in the analytic models.
The types of variables used in the model (e.g., continuous, dichotomous, ordinal) were not described.	Without describing what type of variable each factor in the model was, it is not possible to determine whether the analytic strategy used was appropriate.	All variables for our models are described as to whether they are continuous, dichotomous, or ordinal.

(table continues)

Table 1 (continued)

Issue and identified flaw	Problem with the flaw	Remedy
The ways variables were dummy-coded was not clearly described. ^c	Without knowing how the variables were dummy-coded, it is not possible to evaluate the direction of effects (odds ratios) in the model. Meier did not provide such statistics, so it is therefore impossible to determine whether her interpretation of the effects was accurate.	Information on how variables were coded are described in the preregistration materials, and all other decisions are described in an open research process document available on the Open Science Framework.
Results		
The ways variables were dummy-coded was not clearly described. ^c	Without knowing how the variables were dummy-coded, it is not possible to evaluate the direction of effects (odds ratios) in the model. Meier did not provide such statistics, so it is therefore impossible to determine whether her interpretation of the effects was accurate.	Information on how variables were coded are described in the preregistration materials, and all other decisions are described in an open research process document available on the Open Science Framework.
No model fit statistics were provided for any of the logistic regressions that were conducted.	Without model fit information, it is not possible to determine whether the models used were appropriate for the data and what factors in the models were most important.	All model fit statistics are provided.
Adjustments to <i>p</i> values for multiple comparisons (e.g., <i>p</i> < .01) and effect sizes were not provided.	It was not clear whether multiple comparisons were made and whether adjustments were made to the <i>p</i> values because the likelihood of false positives (Type 1 errors) increases with multiple comparisons. The magnitude of the effects is also not possible to determine based on the information provided.	A <i>p</i> value of .05 has been used (no multiple comparisons were made).
Odds ratios were described as likelihoods (e.g., “mothers are 2.48 times as likely to lose custody when an evaluator is present than not”; p. 24) when odds and likelihood are not the same concepts.	Odds are the ratios of two events, whereas likelihood refers to the number of events divided by the total number of events, which requires a base rate or estimation of the overall occurrence of the phenomenon (ranges from 0 to 1; e.g., Pampel, 2000). Describing odds ratios as probabilities is misleading and makes the statistical effect appear much larger than it is.	Statistical findings were thoroughly described so as to not mislead the reader.
Proportions of cases were continually reported as “rates.”	Rate refers to the quantity of one dimension (total people affected) divided by another dimension (population at risk) and includes an indication of time (e.g., each year; VanEenwyk, 2012). Proportions are just percentages of cases in the data set. The terminology used was incorrect and could be potentially misleading to the reader.	Statistical findings were thoroughly described so as to not mislead the reader.

Note. HARKing = hypothesizing after results are known; Open Science Framework = Open Science Framework; PA = parental alienation; AKA/aka = also known as.

^a On August 27, 2020, the user manual was finally made available to the public on the archive website. The user manual contained the search term string. We entered this term into the LEXIS/NEXIS database and obtained 10,000+ case results, only 250 of which can be downloaded at a time. Screen shots of this search are available on the Open Science Framework. The extremely detailed search string did not appear to narrow the search of cases to be included, and it still remains unclear how many cases from this large search were eliminated for the various reasons specified in the paper and user manual. ^b The user manual referenced in footnote a presented many other exclusion criteria for which no explanations or justifications were provided. For example, cases in which custody of children was split between parents, which is an intervention sometimes used by courts to address parental alienation, were excluded in the Meier et al. database. ^c The user manual referenced in footnote a indicates that the full data set may have been restricted to include only cases where abuse was credited, but the details about this remain unclear. ^d The user guide referenced in footnote a contained more details about the codes applied, but they were not fully explained, and it was not clear why so many levels were assigned to the values given to each code. ^e The syntax provided in the user manual described in footnote a did not make clear how variable codes were combined to form different types of variables (e.g., continuous, dichotomous).

Data Analysis

Meier et al. (2019) stated that spreadsheets of the coded data were sent to a statistical consultant for analysis and that the analytic plan and statistical codes were available in what was referred to as “Appendix C” (p. 8), which was not published with the paper. Specific details on variables and why particular control variables were used were also not provided in the Meier et al. paper. Without variable details or information about distributions of the data, it is not possible to determine whether the analytic strategy used was appropriate. The lack of transparency calls into question whether the analyses were executed correctly and/or whether the data were “massaged” to support her hypotheses.

Another concern was whether Meier et al.’s hypotheses were created post hoc to explain statistically significant findings—their hypotheses were not preregistered. We detail thoroughly below the full analytic models and variables that were preregistered on the OSF, prior to our data coding and analysis.

Statistical Results

Statistical results were reported largely as percentages of cases in different categories throughout the Meier et al. (2019) report, and odds ratios were reported for only statistically significant analyses. No model fit statistics were provided for any of the logistic regressions that were conducted. Meier et al. also did not

report what p value was used to determine statistical significance for most of her statistics (e.g., $p < .05$). Also, it was not clear whether separate model tests were conducted for group comparisons and how many there were, leading to the potential for Type I errors (false positives). Throughout the report, Meier and colleagues often described odds ratios as likelihoods or probabilities. Odds ratios represent how one event is more or less likely than another, whereas probability represents how likely an event is out of all possible outcomes. When the frequency for the event under investigation is low, odds ratios can make the likelihood of a rare event seem more common than it actually is. This is another form of woozling (Nielsen, 2015) because it is misleading to make the statistical effect appear much larger than it is. We provide all model fit statistics for our analyses and use the correct terminology to explain our results to not wozzle readers into misunderstanding the meaning of the statistical findings. All data and syntax used to conduct the analyses are available on the OSF.

Given the sampling, coding, and analytical problems described above, it is highly likely that Meier et al.'s (2019) interpretation of their findings is plagued by confirmation bias, which is another way that woozling occurs (Nielsen, 2015). If generalizations and recommendations for administrative (e.g., Child Protective Services [CPS]) and legal institutions are based on biased research, considerable damage may be caused for families. To prevent the woozling of personnel who make so many important decisions regarding the welfare of children and families, this OSF-preregistered study provides an objective, transparent, and methodologically rigorous test of the hypotheses related to PA described by Meier et al.

The Current Study

The time line within which we completed this project is important to detail. The Meier et al. (2019) research paper was published on the SSRN website (<https://ssrn.com/abstract=3448062>) on September 5, 2019. Due to concerns with the methods and statistics reported in the paper, a member of our research team contacted Meier between September 24 and 30 of 2019 and asked for the 10-line LEXIS search string, the coding manual, the full list of the 4,338 cases coded, Appendix B, and Appendix C that were referred to in the paper. Meier questioned the inquirer's affiliation, asked what the proportion of men and women were in her professional practice, and then directed her to archives of the National Institute of Justice for the requested information, which is the institution that funded her project.¹ We were notified by the funder that data was to be submitted by grantees at least 90 days *before* the end of their grant periods, which for the Meier et al. grant was June 30, 2019. In other words, although the data and materials were supposed to be available on the archive by April 30th of 2019, the materials were not yet accessible at the time of our inquiry in September of 2019, and Meier informed us she had "no idea" when they would be available (see footnote 1). After being denied our request for this information directly from her, we registered our emails with the archive's website to be notified when the requested materials would become available. We were left to our own devices to determine Meier et al.'s hypotheses, research methods, and statistical models, using only what was reported in their paper.

On January 19, 2020, we preregistered our hypotheses, methods, and analytic plan on the OSF. This preregistration was created to minimize the potential for ideological biases that may influence methodological choices and research conclusions. From the end of January through early July 2020, our research team coded, checked, and entered all the data for this study. Analyses for the study were completed, and the results and discussion sections of the paper were completed by the end of the summer of 2020. It was not until October 19, 2020, that we became aware that Meier and colleagues (2019) posted some of the materials we had requested (a year previously) on the archive website. However, not all the information we had requested was available on the website. The notification system had failed to inform us when these materials were made available on August 27, 2020, and at that point our entire project had been completed.

The only Meier et al. (2019) materials that were available for download from the archive at the time of this writing were the "user manual" that provides details on code definitions, the search terms, inclusion and exclusion criteria, and frequencies for the variables. The list of cases, statistical models, and output still did not appear to be available. Although the source of the data is publicly accessible (published court reports) and the project has been funded by public tax dollars, the database access is severely restricted. The requestor must meet many qualifications (e.g., have an appointment at a research institution, have an academic degree, and have institutional review board approval) and fulfill numerous activities (e.g., provide a reason for the request, sign confidentiality pledges) to gain access to the data (see <https://www.icpsr.umich.edu/web/NACJD/studies/37331>).

Therefore, a true replication of Meier et al.'s (2019) study has not been possible over the last year, given the paucity of information available about the authors' methods and statistics. Our review of the limited information uploaded to the archival website at the end of August 2020 raised more, rather than allayed, our concerns about the study's design and findings than we initially detailed prior to the preregistration of our study. For example, the search term provided was extremely long and specific yet yielded over 10,000 cases when we attempted to replicate the search using the same database the authors stated was used for their initial search. There were also not specific details about how many cases were excluded from this initial search using their exclusion criteria. The exclusion criteria provided for cases and reasons for discounting claims of abuse in the user manual contained many details that had not been described in the paper and only served to heighten our concerns about the cherry-picking of data and biased definitions of codes. Although syntax was provided to show how particular variables were scored, it is unclear what the values of the final variables are, whether they are dichotomous or continuous, and so forth.

Our study design, which provides a direct and thorough test of Meier et al.'s (2019) hypotheses related to PA, is detailed below. The study was designed to address the methodological limitations of Meier et al.'s study that were described in the research paper. After our review of the partial material that is now publicly accessible, we

¹ Details of the correspondence regarding our request for this, and other information referenced in the report is documented and available on the Open Science Framework.

determined that the methodological flaws identified in Table 1 remain unchanged (in fact we found more) and that our study, as designed, provides a stronger and more transparent test of the hypotheses. The execution of the method (procedures, analyses) was followed exactly as specified, and updates, coding sheets, data files, SPSS syntax and output (including model fit statistics), and other related materials are all publicly available on the OSF (https://osf.io/fj9bh5/?view_only=fc6a8223317745e59fc7058543185058).

We tested a more formally specified and expanded set of hypotheses related to PA cases than did Meier et al. (2019), who only outlined a series of research questions that they later said were “tested.” Without providing justification for the testing of some very specific relationships, the authors appear to also have developed hypotheses post hoc to explain statistically significant findings. For example, Meier and colleagues reported testing a hypothesis that when a mother makes a claim of sexual abuse *and* child abuse, and at least one of them was founded, she was more likely to lose parenting time than was a father. HARKing (hypothesizing after results are known) is a seriously questionable research practice that threatens the credibility of research results (Murphy & Aguinis, 2019), and so we preregistered our hypotheses prior to data collection to ensure that we could conduct confirmatory, rather than exploratory, tests of our hypotheses. Six main hypotheses (and one corollary hypothesis) that specifically examined whether there are gender differences in judicial outcomes for appellate cases in which PA was either alleged or found to be an issue were tested.²

Hypothesis 6 was the only hypothesis that was unique to this study, because we wanted to test whether unfounded allegations of abuse toward a targeted or alienated parent would result in decreases in or loss of parenting time for the targeted or alienated. Meier et al.’s (2019) five other hypotheses were written to test whether these negative consequences affected the parent accused of alienating their children. False or unfounded allegations of abuse against the targeted or alienated parent are often a strategy used by alienating parents to gain or obtain custody of their children (Harman & Matthewson, 2020), so we added Hypothesis 6 to test for this effect. For the sake of brevity, each hypothesis is detailed fully in Table 2, along with the variables and model tests that were used to test them.

Method

Selection of Cases

Two samples of appellate cases in which PA was “found” or “alleged” to have occurred were drawn from a full set of appellate cases created for a separate project unrelated to the current investigation (Lorandos, 2020). Alleged cases were those where PA was alleged by someone but was not found by an expert or the court to have happened, such as a parent claiming they were being alienated from their child. Found cases were cases in which an independent evaluating expert (e.g., a psychologist) is noted as having found PA to be an issue in the case or the court came to this determination after reviewing the evidence presented in the case. The cases were selected from a database inquiry using the ALL-STATES WestLaw database. The search query was as follows: ((alienat!/s (mother father son daughter parent!))) & DA(aft 12–

31-1984 & bef 01–01-2019). In plain English, the query searched for these:

1. any word fragment that contained “alienat” (which could include alienate, alienated, alienating, or alienation);
2. the “alienat” word fragment appeared within the same sentence as with one of these words: “mother,” “father,” “son,” “daughter,” or the root word fragment “parent”; and
3. the case was released and available between January 1, 1984, and December 31, 2018.

This initial search strategy resulted in 3,555 cases. There was considerable variability in the judgments about whether a case involved PA because some cases involved only allegations of PA, whereas others were corroborated by an expert or evidence presented in court. Six legal assistants (three men, three women) evaluated each case as to whether it involved an independent evaluating expert (e.g., a psychologist) who testified about PA, whether PA was found by the expert, or whether the court itself found that there was PA based on the evidence presented (with or without expert testimony). Four of the assistants were law school graduates, one was a forensic psychology doctoral candidate, and the other was a paralegal with a bachelor’s degree and over 10 years of legal research experience. The second author, a legal expert on PA, had monthly research meetings with the team to review the cases to determine whether they would be classified as what was eventually labeled the FOUND PA data set. This classification process resulted in 1,181 cases where an expert or the court determined PA had been found to have occurred in the case.

The remaining 2,374 cases contained those where PA was alleged (but not found by an expert or the court), cases where PA was referenced in relation to other cases rather than the appellate case itself, and cases in which the root word “alienat” was not referencing PA (e.g., alienation of property, alienation of partner affections). A Microsoft Word search using “alienat” as the root word was applied to the judgment entries to determine whether the root word(s) in each were related to PA. This sorting process eliminated cases that did not involve PA or where it was not raised as an issue by someone for the appeal case itself. After eliminating these cases, the final ALLEGED PA database contained only cases in which PA was mentioned or alleged by any party involved with the case (e.g., parent) but was not supported or found to be at issue in the case (aka “not credited”).

One paid female legal research assistant who had been trained by the second author and was blind to the study’s hypotheses sorted the legal cases for both data sets by date and year of entry. Although fathers were overrepresented as alienated parents in the full data set (~75% of cases; Lorandos, 2020), we aimed to select equal numbers of cases for male and female (alleged) targets of PA because all our hypotheses involved testing for gender differences in outcomes. Working chronologically from December 31, 2018, backward, we planned 250 cases each from the FOUND PA and ALLEGED PA data sets in which the mother was the alienating

² We initially specified seven hypotheses and one corollary hypothesis but then later realized that Hypothesis 5 was the corollary hypothesis and was therefore redundant. This hypothesis was therefore eliminated.

Table 2
Preregistered Hypotheses and the Analytic Models Tested

No.	Hypothesis	Analysis ^a	Independent variables ^b	Dependent variables
H1	When a mother is perceived to be undermining the father's paternal rights and alienating their child(ren), she is more likely to get a decrease in parenting time, lose custody of her children, and lose her case than is a father.	Logistic regression models	Gender of alienator (M/F) Founded versus alleged PA case	Decrease in parenting time Total loss of custody (Alleged) alienating parent loses case
H1a	H1 results will be statistically significant even when the alienated parent is proven to be abusive.	Logistic regression model using only cases where the abusive parent variable = 1	Gender of alienator (M/F) Founded versus alleged PA case	Decrease in parenting time Total loss of custody (Alleged) alienating parent loses case
H2	When mothers claim intrafamilial abuse in family court and the father claims PA, her reports of abuse will be determined by the court to be unfounded more often than if the father claimed abuse and the mother claimed PA.	Linear regression using only cases where the abuse allegation variable = 1	Gender of alienator (M/F) Founded versus alleged PA case	No. of unfounded claims of abuse
H3	When mothers claim intrafamilial abuse in family court and the father claims PA, she will be more likely to have a decrease in parenting time or lose all custody than if the father claimed abuse and the mother claimed PA.	Logistic regression model using only cases where the abuse allegation variable = 1	Gender of alienator (M/F) Founded versus alleged PA case	Decrease in parenting time Total loss of custody
H4	Mothers will have a decrease in parenting time or lose all custody more often than will fathers when a GAL or custody evaluator is involved in the case.	Logistic regression model using only cases where the third party variable = 1	Gender of alienator (M/F) Founded versus alleged PA case	Decrease in parenting time Total loss of custody
H5 ^c	When a mother claims that both child abuse and sexual abuse occurred and one or both were corroborated, she is more likely to be penalized than is the father by getting a decrease in parenting time or losing all custody.	Logistic regression model using only cases where the child abuse variable = 1 ^d	Gender of alienator (M/F) Founded versus alleged PA case	Decrease in parenting time Total loss of custody
H6 ^c	The greater the number of false allegations of abuse that a mother makes, the more likely it is for the father to have a decrease in parenting time or lose all custody.	Logistic regression model ^e	Gender of alienator (M/F) Founded versus alleged PA case No. of unfounded claims ^e	Decrease in parenting time (alleged) alienated parent Total loss of custody (alleged) alienated parent

Note. H = hypothesis; M = male; F = female; PA = parental alienation; GAL = guardian ad litem.

^a The decrease in parenting time variable has three ordinal levels, so a multinomial logistic regression was used. Total loss of custody and loss of the case were dichotomous, so binary logistic regression models were used. ^b Interaction terms for the independent variables will also be included in the equation. ^c Originally, we specified seven hypotheses but realized after preregistration of them that our fifth hypothesis was the same model test as Hypothesis 1a. Therefore, Hypothesis 5 was eliminated, and Hypotheses 6 and 7 were renumbered to 5 and 6, respectively. ^d Because only three cases met the criterion of having at least one of two child abuse or sexual abuse claims substantiated, the models could not be tested as originally planned. We therefore created the selection criteria variable *any founded claim of child abuse* as the predictor, regardless of whether the allegation was neglect or sexual, physical, or emotional abuse. ^e The original analytic plan had the cases restricted to when the parent made an unfounded allegation of abuse; however, this would not have allowed us to test the hypothesis as written. To examine whether the number of unfounded allegations affected the outcomes, we needed to include the continuous variable as an independent predictor in the models and an interaction term for this variable with gender of the (alleged) alienating parent.

parent, and 250 cases from each data set in which the father was the alienating parent, for selection ($N = 1,000$). This prioritization for more recent versus older cases was because recent judgments have considerably more detail provided and have greater potential to incorporate scientific advances in the field of PA in the testimony and conclusions made by the experts and court officials. After these cases were sequentially selected, the appellate report for each case was shared with the first author and her research team for coding and analysis.

The Data File

Next, an Excel data file was created where these details for each case were entered: (a) the sequential number assigned to the case; (b) the known or alleged database subset; (c) the name of the case; (d) the state where the appellate case was heard; (e) the year; (f) the gender of the alienating parent (alleged or found); and (g) the number of minor children directly involved in the appellate case decision (not other children indirectly affected, such as stepsiblings).

The Codebook

A codebook that captures the variables tested in our statistical models was created. This codebook is presented in Appendix (Table A1) of this article. Adobe fillable pdf coding sheets were created with fields for each variable where research assistants entered data derived from their close examination of the appellate case reports (see the data-mining task described below). For the sake of brevity, only those variables used to test the study's hypotheses are described here.

Party/Parties who alleged parental alienation was coded as any individual who was specifically mentioned as raising the issue of PA in the case but was not an expert or court appointed custody evaluator (e.g., a parent, extended family member). *Party/Parties who found parental alienation* was coded as any individual who was an expert appointed by the court to evaluate the family (e.g., custody evaluator). If the court determined PA was an issue and no other individual (parent or otherwise) was mentioned, then "court" was entered as the party who found PA after evaluation of the evidence presented in the case. Otherwise, court was not listed in the field. *Basis for parental alienation opinion or rejection* were fields where the opinion of the court was entered as to whether they determined PA was found. This opinion was not always in agreement with the individuals who alleged or found PA. In other words, if a custody evaluator found PA, the court may not have come to this conclusion, but the case was still classified as having been "found" by an expert or court appointed professional as being an issue. When no explicit opinion was provided, "not addressed" was entered in the field. *Custody change at trial level and/or appellate level* was a description of the change in residential or physical custody of the children at both levels. If no change was made, then "n/a" was entered in the field.

Did a parent lose all custody of the child(ren) was entered using a dropdown menu with "Yes" or "No/Don't know" options. "Yes" was selected if the parent lost all parental rights or their parenting time was so severely restricted it was only a few hours a month or less as supervised or therapeutic visitation. This loss had to occur or be affirmed at the end of the appellate decision; in other words, if their loss of custody occurred prior to the trial-level motions being heard, then "No" was entered. If a parent did lose custody, then the parent(s) who lost custody were entered into another field (some cases involved both parents losing custody). *Winner* was a Meier et al. (2019) code for whoever won the appeal. There was a dropdown menu where coders could select whether the mother or father won the case, the mother or father lost the case, both won or lost the case, or another outcome (e.g., foster mother won the case).

Allegations of abuse were coded in detail, with one pdf form completed for every single allegation described in the report. Many fields were coded for each allegation (see Appendix in this article), and the fields used for this current study were the type of abuse alleged (domestic violence, child physical abuse, child sexual abuse, neglect, or other), who the party was that was making the allegation, who the allegation was made about, and the outcome of the investigation(s). The exact wording used to describe the outcomes (e.g., false allegation, substantiated or unsubstantiated) was entered or else "unknown" was entered in the field. Preregistered hypotheses involving the other variables that were coded on this form are being tested in a forthcoming paper.

Coding of Appellate Case Reports

A team of 19 research assistants (RAs) composed of advanced undergraduate psychology students (14 female) was trained by the first author for the data-mining task. These unpaid RAs earned university credit for completion of the work. To ensure that the RAs were blind to the study's hypotheses, we asked them to write in detail what they believed the hypotheses were after being trained to use the codebook and again after they completed all coding. Their guesses about the hypotheses for each coder are available on the OSF.³ While there were not any RAs who correctly guessed the hypotheses, two coders were assigned to each case so that any potential biases that would interfere with their data mining task were minimized.

The RAs practiced coding a sample of five cases from the original search that were not included in the study's sample. Once these were coded, the team met to review their codes and explain and discuss discrepancies, and the codebook was then clarified. Then, another five cases (not from study data set) were coded to compare and identify misapplication of the coding scheme or specific elements of the case that were overlooked (e.g., footnotes that contained relevant information). Feedback was given to coders individually if fields were regularly misapplied until such mistakes no longer occurred.

The data-mining task was not a subjective categorization or evaluation of the material, so thoroughness and accuracy rather than interrater reliability were the goals.⁴ After two randomly assigned coders completed the coding forms for each case, another RA identified those fields that were discrepant between the coders, and then the first author reviewed these fields to determine from the original appellate report which information that had been entered into the field was correct. The final coded forms were then saved and entered onto an Excel spreadsheet. All coded and final pdf forms are available on the OSF (e.g., https://osf.io/j9bh5/?view_only=fc6a8223317745e59fc7058543185058 or Harman et al., 2020).

Calculation of Variables for Analyses

We present all the variables for the analyses, along with how specifically each were scored and/or calculated, in Table 3. Research process notes were also kept to document coding decisions (also available on the OSF [https://osf.io/j9bh5/?view_only=fc6a8223317745e59fc7058543185058]). It is important to note that the abusive-parent variable was coded with a dummy code of 1 if there were any findings of abuse by any party toward the parent who was accusing the other parent of alienating them from their child. The burden of proof for making a finding of abuse can be based on something as little as an "inarticulable hunch" of a CPS case-worker (Redleaf, 2019), and so our coding of this variable as a "founded" allegation was quite liberal. There may have been unreported details in the case to indicate that the finding was later

³ Four of the coders have continued working on a related study examining Canadian trial-level cases, so they have not yet provided their poststudy hypothesis guesses but will do so after completion of that study.

⁴ Our initial plan was to assess interrater reliability; however, it became apparent that the data mining for the task was not subjective and requiring calibration but rather was a task requiring triple checks to ensure accuracy.

Table 3
Variable Details for the Analytic Models

Variables used in analysis and variable name	Type of variable	Calculation
Restriction of sample variables		
Abuse allegation	Dichotomous	If <i>any</i> allegation of abuse was made by the (alleged) alienating parent, the case was assigned a dummy code of 1. If no allegation was made, the case was assigned a dummy code of 0.
Third party	Dichotomous	If a GAL or custody evaluator was mentioned as being involved in determining whether parental alienation occurred in the family, the case was assigned a dummy code of 1. If neither was mentioned, the case was assigned a dummy code of 0.
Abusive parent	Dichotomous	If an (alleged) alienated parent had <i>any</i> allegation of abuse (DV, child abuse, sexual abuse, neglect, or child maltreatment) toward them that was either substantiated and/or that they were found guilty of by a court, the case was assigned a dummy code of 1. If none are mentioned, the case was assigned a dummy code of 0.
Child abuse parent	Dichotomous	If an (alleged) alienated parent had <i>any</i> allegation of child abuse sans DV (child physical abuse, or sexual abuse, neglect, child maltreatment) toward them either that was substantiated and/or that they were found guilty of by a court, the case was assigned a dummy code of 1. If none are mentioned, the case was assigned a dummy code of 0.
Unfounded claims only	Continuous	A tally was created of all unfounded or unsubstantiated claims of abuse made by the (alleged) alienating parent. No tally was created if at least one of the allegations was substantiated or the (alleged) alienated parent was found guilty (the variable will be missing for these cases). Unknown findings were not included in this tally; only those allegations that were specifically investigated and reported to have been false, untrue, or unsubstantiated were coded.
Independent variables ^a		
Gender of (alleged) alienator	Dichotomous	If the (alleged) alienator was female, the case was assigned a dummy code of -1 . If the (alleged) alienator was male, the case was assigned a dummy code of 1.
Founded or alleged PA	Dichotomous	If the case was from the “founded PA” data set, it was assigned a dummy code of 1. If the case was from the “alleged PA” data set, it was assigned a dummy code of -1 .
Dependent variables		
Unfounded claims	Continuous	A tally was created of all unfounded or unsubstantiated claims of abuse made by the (alleged) alienating parent. No tally was created if at least one of the allegations was substantiated or the (alleged) alienated parent was found guilty (the variable will be missing for these cases). Unknown findings were not included in this tally; only those allegations that were specifically investigated and reported to have been false, untrue, or unsubstantiated were coded.
Decrease in parenting time	Ordinal	If the (alleged) alienating parent was given significantly less parenting time ($<20\%$ change in days) than they had prior to the trial-level hearing as described in the appellate case, the case was assigned a dummy code of -1 . If the (alleged) alienating parent had the same parenting time as prior to the trial-level hearing, the case was assigned a dummy code of 0. If the (alleged) alienating parent was given significantly more parenting time than they had prior to the trial-level hearing ($>20\%$ change in days), the case was assigned a dummy code of 1.
Total loss of custody	Dichotomous	If the (alleged) alienating parent lost all parenting time or parental rights, the case was assigned a dummy code of 1. These cases included those where the parenting time was substantially restricted to supervised visits for only a few hours a month or less. If the (alleged) alienating parent did not lose all time or rights, the case was assigned a 0.
Lost the case	Dichotomous	If the (alleged) alienating parent lost their appeal, the case was assigned a dummy code of 1. If the parent won the appeal, the case was assigned a dummy code of 0.
Decrease in parenting time (alleged) alienated parent	Ordinal	The <i>decrease in parenting time</i> variable was reversed to reflect loss of parenting time for the (alleged) alienated parent.
Total loss of custody (alleged) alienated parent	Dichotomous	The <i>total loss of custody</i> variable was reverse-coded to reflect total loss of custody for the (alleged) alienated parent.

Note. GAL = guardian ad litem; DV = dependent variable; PA = parental alienation.

^a Our original planned dummy-coding of this variable was 0 and 1, which would not have allowed us to compare the two groups with the interaction term. Therefore, this dummy code was adjusted to be -1 and 1.

deemed unfounded or false and the “abusive” parent may not actually have been abusive.

Results

Although the initial sample size planned for the study was 1,000 cases, there were 14 cases where the alienating parental figure was not a biological or adoptive parent (e.g., a foster parent, aunt,

grandparent). These 14 cases were not included in the hypothesis testing but are included in the sample description because they provide rich details about the types of cases seen at the appellate level that involve allegations or findings of PA. In addition, there were fewer appellate-level cases (33 cases) in the original search where the father was found or alleged to be the alienating parent than there were for mothers. Therefore, our final results contained

967 cases, of which 953 were with a mother or father as one of the found or alleged alienating parents. Of the 953 cases where a mother or father was the alienating parent, 245 were cases where the father was found to have alienated the children, and 213 were where PA was alleged and not found. After the nonbiological parental figure cases were excluded from the analyses, there were 247 cases where the mother was found to have alienated the children, and 248 where it was alleged and not found.⁵

In the full data set, there were appellate cases from every state of the United States, as well as the District of Columbia and the U.S. Territory of Guam. The largest percentage of cases were from more densely populated states, such as New York (11.9%), California (8.3%), and Pennsylvania (7.1%). The remaining states represented ~6% or fewer cases of the sample. There were approximately 1,711 children in the families that were in the appellate cases, of which 898 were from cases where PA was determined to have been found. There was great variability in the types of cases that were heard at the trial level, ranging from divorce and modification of custody and support orders to requests for termination of parental rights, contempt, and jurisdictional issues. Many appellate cases were appeals of two or more trial-level motions: 206 had two motions that were appealed, 29 had three, and four cases had four motions. The trial-level motions reflect the diversity of cases in which PA concerns are raised in U.S. family courts. We present numbers for each type of case in Table 4.

There was also great diversity in the number and role of the individual(s) who alleged or found PA across the cases, which are presented in Table 5. Thirty-one cases had no information about who raised PA as an issue. Of the remaining 936 cases, 830 had only one party raise it as a concern, 82 cases had two individuals, 10 had three, and one case had four individuals indicate they believed or found it to be an issue for the family. It is interesting that 263 cases (28.1%) involved the court's determining PA was an issue, which was a code that was applied only when there were no others who were described as raising it as a concern. This finding indicates that nearly one third of the cases in the sample had a court come to the determination that PA was an issue for a family, *independent of any other party* (the parent or a court-appointed evaluator). It is also interesting that of the cases where a court appointed custody evaluator or GAL determined that PA was occurring ($n = 151$), the court disagreed with their assessment 16.6% of the time.⁶ Again, these cases were still classified as PA having been "found" because a court-appointed professional or expert determined it to be an issue; there did not need to be agreement with the court and these experts about this determination.

Of the cases where the court concluded independently or explicitly agreed with the expert or custody evaluators that PA had occurred ($n = 225$), 21.3% involved a situation where the alienated parent had at least one allegation of abuse (e.g., domestic violence, child abuse, neglect) that was founded. These types of cases have been labeled "hybrid" cases by professionals because a child may have a legitimate reason for resisting contact with a parent because they were found to have been abusive in some form *and* the other parent engaged in alienating behaviors (e.g., Greenberg et al., 2019). Our data indicate that such hybrids represent only about one out of five PA cases seen at the appellate level, assuming all the findings of abuse were true.

The mean number of abuse allegations (whether substantiated or not) made about the mothers across the sample was 0.66 ($SD = 1.62$, range = 19). Nearly 70% of the cases (69.3%) did not involve any allegations of abuse for mothers, whereas 17.8% had one allegation and 6.2% had two. In contrast, the mean number of allegations made about the fathers across the sample was 1.46 ($SD = 7.95$, range = 233). A little over 50% of the cases involved no allegations of abuse toward the fathers (57.5%), and 20.8% involved two allegations (the remaining number of allegations represented 9% or fewer cases). The difference in the number of allegations of abuse alleged toward mothers and fathers was statistically significant, with fathers being alleged abusers more than mothers, $t(966) = -3.14$, $p = .002$. Those allegations that were substantiated or explicitly found by investigators or the court to be unsubstantiated, false, or not credible were examined separately in the testing of our hypotheses. It is important to note that 188 cases (19.4%) involved allegations of abuse being made about both mothers and fathers. These types of cases were deliberately eliminated from Meier et al.'s (2019) data set, making nearly 20% of cases heard at the appellate level unrepresented in her sample.

Changes in physical custody were common across the cases, regardless of the reason for the trial-level motion. At the trial level, 69% of the 967 cases had some form of physical custody alteration (e.g., shared parenting to alternating weekends), and 12.9% of these cases had an alteration at the appeal level, either reversing the trial-level order or ordering the initial request of the petitioning parent that had been denied at the trial level. Across the cases, 20.3% involved one parent's losing all custody of their children, either through termination of their parental rights or having limited supervised visitation to a few hours a week or less. Approximately 40% of the cases (390/963) involved an alienating parent's (alleged or found) losing 20% or more of their parenting time after the trial-level and appeals process, and 41.2% of 962 had no change in their amount of physical custody of the children. One hundred seventy-six (out of 963, or 18.3%) parents who alleged or

⁵ After cases were examined in the data-mining task with deep scrutiny, there were numerous cases in which the court determined parental alienation occurred or did not occur that were not originally classified in this way. This discrepancy was likely due to our analysis of all the details of the rulings, which resulted in identifying sections of text that were missed by the assistants in the initial identification of cases that featured the issue more prominently in their search terms and case summaries. In 512 cases, the court determined that parental alienation did occur in the family (of which 250 were alienating mothers and 270 were alienating fathers), and there were 247 cases in which the court specifically stated parental alienation was not an issue in the case (144 where the mother and 103 where the father was alleged but not found; the remaining were cases where the courts did not specify an opinion). We analyzed all our hypotheses using this as a predictor separately, and this output is available on the Open Science Framework (https://osf.io/j9bh5/?view_only=fc6a8223317745e59fc7058543185058). The research results were similar to those presented in this article; however, the effects were often stronger (see footnote 1).

⁶ Due to the way the data was recorded, it was not possible to determine how often custody evaluators or guardians ad litem determined parental alienation did not occur and were overridden by the court.

Table 4*Trial-Level Motions of the Appellate Cases*

Motions	No. of cases
Divorce	160
Modification of custody, decision-making, or parenting time	550
Modification of child support, alimony, or other financial issues	85
Contempt, enforcement of court orders, show cause, compel	137
Termination of parental rights, name change, emancipation of child, guardianship, adoption	45
Relocation	44
Motions to vacate, dismiss, or strike motions or orders	15
Requests for orders of protection, supervised parenting time and visitation, neglect and dependency	70
Other logistical or jurisdictional issues, recusal requests, reconsiderations, requests for evaluations or grandparent visitation	98

Note. The total number of motions is higher than the number of cases ($n = 967$) because many of the appeals involved disputes concerning multiple motions that were heard at the trial level.

were found to have been alienated from their child(ren) lost 20% or more of their parenting time.

Around one quarter of the cases involved both parents' winning or losing their appeal (236/966) because the case involved divorce or multiple motions or points of appeal that were considered by the court. One third of the appeals were lost by both mothers (294/966) and fathers (298/966), and between 6% and 7% of cases were won by each (67/966 mothers; 57/966 fathers). Fourteen appellate cases were won by another party (e.g., foster parent, a GAL).

Preregistered Hypothesis Testing

All preregistered hypotheses and the statistical models used to test them are presented in Table 2. The full Excel database, SPSS file, and SPSS syntax and output are available on the OSF (https://osf.io/j9bh5/?view_only=fc6a8223317745e59fc7058543185058). A set of three-predictor logistic models was fitted to the data to test all the study's research hypotheses except Hypothesis 2, which was analyzed with a linear regression because the number of unfounded allegations of abuse was a continuous outcome. "Known" or "alleged" alienating parent cases and gender of the alienating parent were entered as independent variables into all the models, as well as interaction terms for the two variables. The regression analyses were carried out using IBM SPSS statistics package Version 26. Decrease in parenting time was an ordinal variable with three levels (increase of 20% or more parenting time, decrease of 20% or more parenting time,

or no change), and so multinomial logistic regression models were used for that dependent variable. Loss of custody and whether a parent lost their case were dichotomous dependent variables, and so binary logistic regression analyses were used to test those dependent variables.

Unless specified below, all model fit statistics were good, indicating that the models were more effective than was the null model. Tables 6–13 provide specific model fit statistics, and outcomes for the models with statistically significant findings (other specific model outcomes, observed and predicted case percentages, and so forth were excluded here for the sake of brevity but are available on the OSF [https://osf.io/j9bh5/?view_only=fc6a8223317745e59fc7058543185058]).

Hypothesis 1

The first preregistered hypothesis we tested was whether mothers who are perceived to be undermining the father's paternal rights and alienating their child(ren) are more likely to get a decrease in parenting time, lose custody of her children, and lose her case than was a father. We did not find support for this hypothesis. According to Table 6, the only significant predictor in the multinomial logistic regression model testing decrease in parenting time was whether the case had been identified as having a known or alleged alienating parent. Regardless of the gender of the parent, a known rather than alleged alienating parent had an 88% greater probability ($OR = 0.128$) of losing than gaining parenting time ($p < .001$). This finding implies that parents known to have alienated their child(ren) had more than a 10-fold increase in the likelihood they would lose rather than gain parenting time. A known alienating parent rather than an alleged alienating parent also had 50.4% lower odds ($p = .001$), or a 66.8% lower likelihood of having their custody remain the same than lose parenting time.

In a similar way, the results of the binomial logistic regression indicate that if there was a known alienating parent, this parent had 2.41:1 greater odds (70.64% greater likelihood) of losing custody of their children than was an alleged alienating parent ($p = .002$; see Table 7). This finding means that when a parent was a known alienating parent, their odds of losing custody increased 2.5 times. We also found a statistically significant gender main effect, such that fathers had 1.73 greater odds (63.30% greater likelihood) of losing custody of their

Table 5*Parties Who Alleged or Found Parental Alienation*

Party	No. of cases
Mother	204
Father	304
Court	263
Guardian ad litem	45
Court appointment psychological evaluator	140
Mental health, legal professional, or agency representative (e.g., therapist, child protection worker)	120
Other family member (e.g., stepparent)	17

Note. The total number of third parties represented is higher than the number of cases ($n = 967$) because many of the appeals involved multiple parties alleging or finding parental alienation had occurred.

Table 6

Multinomial Logistic Regression Analysis: Gender and Known or Alleged Alienating Parent as Predictors of Decreases in Parenting Time

Predictors in the model	B	SE B	Wald's χ^2	df	p	e^B (odds ratio)	95% CI for Exp(B)	
							LL	UL
Alienating parent lost parenting time								
Intercept	1.841	0.224	67.299	1	<.001			
Gender of known or alleged alienating parent	-0.177	0.210	0.710	1	.399	0.838	0.555	1.264
Known or alleged alienating parent	-2.056	0.210	96.012	1	<.001	0.128	0.085	0.193
Gender of Known or Alleged Alienating Parent \times Known or Alleged Alienating Parent	0.233	0.210	1.230	1	.267	1.262	0.836	1.904
No change in parenting time								
Intercept	1.208	0.238	25.857	1	<.001			
Gender of known or alleged alienating parent	0.091	0.203	0.198	1	.656	1.095	0.735	1.631
Known or alleged alienating parent	-0.702	0.203	11.897	1	.001	0.496	0.333	0.739
Gender of Known or Alleged Alienating Parent \times Known or Alleged Alienating Parent	0.111	0.203	0.298	1	.585	1.117	0.750	1.665
Test (overall model evaluation)		Value		χ^2		df		p
Overall model likelihood ratio test				143.417		6		<.001
Likelihood ratio test gender of parent				3.041		2		.219
Likelihood ratio test known or alleged alienating parent				138.216		2		<.001
Likelihood ratio test interaction effect				1.369		2		.504
Akaike information criterion		59.399						
Bayesian information criterion		98.276						
-2 log likelihood		43.399						

Note. $N = 953$. The reference category for this model is "alienating parent gained parenting time." SPSS programming codes are available in full on the Open Science Framework preregistration. Cox and Snell $R^2 = .140$. Nagelkerke R^2 (max rescaled R^2) = .160. McFadden = .072. All statistics reported herein use three decimal places to maintain statistical precision. CI = confidence interval; LL = lower limit; UL = upper limit.

child(ren) than did mothers ($p = .002$). The interaction effect was not statistically significant. Therefore, mothers who were alleged or found to be an alienating parent were less likely to lose custody of their child than was a father, and parents who were found to have alienated their children, no matter the gender, were more likely to lose custody.

Both main effects were statistically significant in the model examining who lost the appellate court case. Fathers had 26% lower odds of losing their case than did mothers (57.41% lower probability, $p < .001$), and parents found to have alienated their child(ren) had twice the odds of losing their case than did those who were alleged ($p < .001$; see Table 8). The interaction effect

Table 7

Binary Logistic Regression Analysis: Gender and Known or Alleged Alienating Parent as Predictors of Loss of Custody

Predictors in the model	B	SE B	Wald's χ^2	df	p	e^B (odds ratio)	95% CI for Exp (B)	
							LL	UL
Predictor								
Constant	0.515	0.175	8.701	1	.003	1.673		
Gender of known or alleged alienating parent	0.545	0.175	9.762	1	.002	1.725	1.225	2.429
Known or alleged alienation case	0.878	0.175	25.296	1	<.001	2.406	1.709	3.387
Gender of Known or Alleged Alienating Parent \times Known or Alleged Alienation Case	0.182	0.175	1.091	1	.296	1.200	0.852	1.689
Test		Value		χ^2		df		p
Overall model evaluation				39.912		3		<.001
Likelihood ratio test								
-2 log likelihood		211.279						
Goodness-of-fit								
Hosmer and Lemeshow Test				0.000		2		1.00

Note. $N = 953$. SPSS programming codes are available in full on the Open Science Framework preregistration. Cox and Snell $R^2 = .190$. Nagelkerke R^2 (max rescaled R^2) = .259. All statistics reported herein use three decimal places to maintain statistical precision. CI = confidence interval; LL = lower limit; UL = upper limit.

This document is copyrighted by the American Psychological Association or one of its allied publishers. Content may be shared at no cost, but any requests to reuse this content in part or whole must go through the American Psychological Association.

Table 8*Binary Logistic Regression Analysis: Gender and Known or Alleged Alienating Parent as Predictors of Loss of Case*

Predictors in the model	B	SE B	Wald's χ^2	df	p	e^B (odds ratio)	95% CI for Exp(B)	
							LL	UL
Predictor								
Constant	-0.299	0.076	15.350	1	<.001	0.741		
Gender of known or alleged alienating parent	-0.298	0.076	15.227	1	<.001	0.742	0.639	0.862
Known or alleged alienation case	0.745	0.076	95.096	1	<.001	2.106	1.813	2.446
Gender of Known or Alleged Alienating Parent \times Known or Alleged Alienation Case	-0.237	0.076	9.647	1	.002	0.789	0.679	0.916
Test								
Overall model evaluation	Value		χ^2		df		p	
Likelihood ratio test			124.685		3		<.001	
-2 log likelihood	1033.845							
Goodness-of-fit			0.000		2		1.00	
Hosmer and Lemeshow Test								

Note. $N = 953$. SPSS programming codes are available in full on the Open Science Framework preregistration. Cox and Snell $R^2 = .137$. Nagelkerke R^2 (max rescaled R^2) = .184. All statistics reported herein use three decimal places to maintain statistical precision. CI = confidence interval; LL = lower limit; UL = upper limit.

was also statistically significant, in that fathers who were known alienating parents had 21% lower odds (55.89% lower likelihood) of losing their case than did mothers who were known alienating parents ($p = .002$; see Table 8).

Hypothesis 1a

Hypothesis 1's corollary hypothesis was that the results would remain statistically significant even if the accusing or alienated parent was found to have been abusive. We narrowed the sample so that any case where the known or alleged alienated parent had a finding of abuse against them was used in the analyses. This restriction brought the sample size to 122 cases. We again did not find support for this hypothesis. Due to this substantial decrease in sample size, the model fit for the multinomial regression was not as good as the test of Hypothesis 1; for example, $\chi^2(6, N = 953) = 10.76, p = .096$ (see Table 9). The only statistically significant effect in this model was that when a parent was accused rather than found to have alienated the child(ren) and the other parent had at least one finding of abuse toward them, their odds of losing custody rather than gaining custody were 69.4% lower. In other words, parents who were found to be rather than accused of being an alienating parent had a 76.56% lower likelihood of gaining rather than losing parenting time when the other parent had a finding of abuse. There were not statistically significant gender differences or interaction effects in the model.

In the model testing loss of custody, there was a statistically significant main effect for gender of the alleged or known alienating parent. Fathers had 2.33 higher odds ($p = .037$) of losing custody of their children than did mothers, even when the mother had a finding of abuse against her. This finding means that the probability of a father losing custody of his child(ren) when the mother had a finding of abuse against her was 69.97% higher than for mothers in a family where the father had a finding of abuse. Parents found to have alienated their child(ren) had 2.45 greater odds of losing custody of their children than did parents who had been alleged to be alienators ($p = .028$) if there had been a finding of abuse made about the other parent (see Table 10). In other

words, when a parent was found to be alienating their child(ren) from the other parent and the other parent had some finding of abuse at some point, they were 70.97% times more likely to lose custody than were parents who were only alleged to be alienating parents. We did not find a statistically significant interaction effect in this analysis.

When an (alleged) alienated parent had a finding of abuse, the only predictor in the model as to whether the known or alleged alienating parent lost their case was their known or alleged status. This finding means that parents known to have alienated their child(ren) had over twice the odds of losing their case than did those who were only alleged, if there was a finding of abuse against the other parent ($p = .002$). Therefore, parents who were known to be alienating their child(ren) had a 67.91% greater probability of losing their case than did an alleged alienating parent if the other parent had a finding of abuse against them. There were no other statistically significant effects in the model.

Hypothesis 2

Hypothesis 2 was that when a mother claims intrafamilial abuse and the father claims PA, her reports of abuse will be deemed unfounded more often than if the father claimed abuse and the mother claimed PA. To test this hypothesis, we calculated a linear regression to predict the number of unfounded allegations of abuse based on the gender of the parent and whether the case was known or alleged. A statistically significant interaction effect between known and alleged cases of PA and gender would lend support to the hypothesis. We restricted our analysis to include only cases in which one parent made a claim of abuse toward the other parent ($n = 336$), and a significant regression equation was found, $F(3, 333) = 5.630, p = .001$, with an R^2 of .220. The only significant predictor of an unfounded allegation of abuse was gender ($\beta = -.199$, confidence interval $[-1.063, -.341]$), such that the number of unfounded allegations of abuse was higher for fathers than for mothers ($p < .001$), regardless of whether they were a

Table 9

Multinomial Logistic Regression Analysis: Gender and Known or Alleged Alienating Parent as Predictors of Decreases in Parenting Time in Cases Where the Accusing or Alienated Parent Was Found to Have Been Abusive

Predictors in model	B	SE B	Wald's χ^2	df	p	e^B (odds ratio)	95% CI for Exp(B)	
							LL	UL
Alienating parent lost parenting time								
Intercept	0.118	0.486	0.059	1	.808			
Gender of known or alleged alienating parent	-0.382	0.487	0.615	1	.433	0.683	0.263	1.773
Known or alleged alienating parent	-1.183	0.487	5.905	1	.015	0.306	0.118	0.795
Gender of Known or Alleged Alienating Parent \times Known or Alleged Alienating Parent	0.883	0.487	3.289	1	.070	2.418	0.931	6.278
No change in parenting time								
Intercept	0.000	0.500	0.000	1	1.00			
Gender of known or alleged alienating parent	-0.107	0.451	0.057	1	.812	0.898	0.371	2.174
Known or alleged alienating parent	-0.161	0.451	0.127	1	.721	0.851	0.352	2.061
Gender of Known or Alleged Alienating Parent \times Known or Alleged Alienating Parent	0.241	0.451	0.285	1	.593	1.272	0.526	3.080
Test (overall model evaluation)		Value		χ^2		df		p
Overall model likelihood ratio test				10.762		6		.096
Likelihood ratio test gender of parent				0.644		2		.725
Likelihood ratio test known or alleged alienating parent				7.055		2		.029
Likelihood ratio test interaction effect				3.556		2		.169
Akaike information criterion		44.356						
Bayesian information criterion		66.789						
-2 log likelihood		28.356						

Note. $N = 122$. The reference category for this model is "alienating parent gained parenting time." SPSS programming codes are available in full on the Open Science Framework preregistration. Cox and Snell $R^2 = .084$. Nagelkerke R^2 (max rescaled R^2) = .095. McFadden = .040. All statistics reported herein use three decimal places to maintain statistical precision. CI = confidence interval; LL = lower limit; UL = upper limit.

known or alleged alienating parent ($ps > .05$).⁷ In other words, fathers were more likely than mothers to have unfounded allegations of abuse made about them. Due to a failure to find a statistically significant interaction effect, we did not find support for Hypothesis 2.

Hypothesis 3

Hypothesis 3 was that when mothers claim intrafamilial abuse and the father claims PA, she will be more likely to have a decrease in parenting time or lose all custody than if the father claimed abuse and the mother claimed she was being alienated from her children. We again restricted the sample to only those cases where an allegation of abuse toward one parent was made by the other. We failed to find support for this hypothesis. As shown in Table 11, there was only one main effect in the model testing decreases in parenting time; the interaction effect was not statistically significant. Parents known to be an alienating parent and who made an allegation of abuse against the other parent had 86.1% greater odds (87.79% greater likelihood) of losing parenting time than gaining it compared with those who were accused of being an alienating parent ($p < .001$). There was not a statistically significant interaction effect. Likewise, a known alienating parent who made an allegation of abuse against the other parent had 47.4% greater odds (65.53% greater likelihood) of losing parenting time than maintaining the status quo compared than did those who were accused of being an alienating parent ($p = .039$).

A binary logistic regression analysis was conducted to test the hypothesis for loss of custody using only cases where an allegation

of abuse was made. Both main effects were statistically significant, but the interaction effect was not. As indicated in Table 12, fathers, compared to mothers, had 1.60 greater odds (61.54% greater probability) of losing custody if they made an allegation of abuse against the mother ($p = .048$). Parents found versus accused of having alienated their child(ren) and who made an allegation of abuse against the other parent had almost 3 times the odds of losing custody of their child(ren; $OR = 2.82$, 73.84% greater probability; $p < .001$; see Table 10).

Hypothesis 4

Hypothesis 4 was that if a GAL, a court-appointed psychologist, or custody evaluator were to identify or find PA in a case, mothers will lose more parenting time or custody than will fathers. The sample of cases was restricted to those where a custody evaluator or GAL made a finding of PA ($n = 176$), and the same models used to test Hypothesis 3 were calculated. We failed to find support for this hypothesis (all $ps > .05$). There were no statistically significant predictors in the models for decreases in parenting time or loss of custody. Mothers did not get decreases in parenting time or lose custody more often than did fathers when a GAL or

⁷ It is important to note that when the same set of analyses were conducted using as a predictor whether the court agreed with the parental alienation assessment or concluded themselves (rather than rejected it as an issue for the family), the gender difference was not statistically significant (output for these analyses is available on the Open Science Framework [https://osf.io/j9bh5/?view_only=fc6a8223317745e59fc7058543185058j]).

Table 10

Binary Logistic Regression Analysis: Gender and Known or Alleged Alienating Parent as Predictors of Loss of Custody in Cases Where the Accusing or Alienated Parent Was Found to Have Been Abusive

Predictors in model	B	SE B	Wald's χ^2	df	p	e^B (odds ratio)	95% CI for Exp(B)	
							LL	UL
Predictor								
Constant	-1.038	0.406	6.543	1	.011	0.354		
Gender of known or alleged alienating parent	0.846	0.406	4.352	1	.037	2.331	1.104	5.416
Known or alleged alienation case	0.894	0.406	4.855	1	.028	2.445	1.104	5.416
Gender of Known or Alleged Alienating Parent \times Known or Alleged Alienation Case	0.214	0.406	0.277	1	.599	1.238	0.559	2.743
Test (overall model evaluation)			Value		χ^2	df	p	
Overall model evaluation					9.810	3	.020	
Likelihood ratio test								
-2 log likelihood			44.174					
Goodness-of-fit					0.000	2	1.00	
Hosmer and Lemeshow Test								

Note. $N = 122$. SPSS programming codes are available in full on the Open Science Framework preregistration. Cox and Snell $R^2 = .185$. Nagelkerke R^2 (max rescaled R^2) = .274. All statistics reported herein use three decimal places to maintain statistical precision. CI = confidence interval; LL = lower limit; UL = upper limit.

custody evaluator was involved with the case, whether they were found to be alienating parents or not. The output for these analyses is available on the OSF (https://osf.io/j9bh5/?view_only=fc6a8223317745e59fc7058543185058).

Hypothesis 5

Hypothesis 5 was when a mother claims that both child abuse and sexual abuse occurred and one or both were corroborated,

she is more likely to be penalized than are fathers by getting a decrease in parenting time or lose all custody (see Table 12). Our careful coding of all allegations of abuse reported in each case (2,080 allegations total) included a close examination of factors such as who investigated each type of claim, findings of the investigations across multiple parties or institutions (e.g., police, CPS, therapists), and court determinations about the abuse (criminal and family court). Across all the cases in our

Table 11

Multinomial Logistic Regression Analysis: Gender and Known or Alleged Alienating Parent as Predictors of Decreases in Parenting Time in Cases Where an Allegation of Abuse Was Raised Against the Other Parent

Predictors in the model	B	SE B	Wald's χ^2	df	p	e^B (odds ratio)	95% CI for Exp(B)	
							LL	UL
Alienating parent lost parenting time								
Intercept	1.745	0.327	28.524	1	<.001			
Gender of known or alleged alienating parent	-0.403	0.310	1.685	1	.194	0.668	0.364	1.228
Known or alleged alienating parent	-1.975	0.310	40.487	1	<.001	0.139	0.076	0.255
Gender of Known or Alleged Alienating Parent \times Known or Alleged Alienating Parent	0.475	0.310	2.340	1	.126	1.608	0.875	2.954
No change in parenting time								
Intercept	0.821	0.362	5.149	1	.023			
Gender of known or alleged alienating parent	0.116	0.311	0.140	1	.708	1.123	0.611	2.066
Known or alleged alienating parent	-0.642	0.311	4.263	1	.039	0.526	0.286	0.968
Gender of Known or Alleged Alienating Parent \times Known or Alleged Alienating Parent	0.109	0.311	0.122	1	.727	1.115	0.606	2.050
Test (overall model evaluation)			Value		χ^2	df	p	
Overall model likelihood ratio test					63.512	6	<.001	
Likelihood ratio test gender of parent					4.420	2	.110	
Likelihood ratio test known or alleged alienating parent					53.658	2	<.001	
Likelihood ratio test interaction effect					3.128	2	.209	
Akaike information criterion			52.205					
Bayesian information criterion			83.852					
-2 log likelihood			36.206					

Note. $N = 386$. The reference category for this model is "alienating parent gained parenting time." SPSS programming codes are available in full on the Open Science Framework preregistration. Cox and Snell $R^2 = .152$. Nagelkerke R^2 (max rescaled R^2) = .174. McFadden = .079. All statistics reported herein use three decimal places to maintain statistical precision. CI = confidence interval; LL = lower limit; UL = upper limit.

Table 12

Binary Logistic Regression Analysis: Gender and Known or Alleged Alienating Parent as Predictors of Loss of Custody in Cases Where an Allegation of Abuse Was Raised Against the Other Parent

Predictors in the model	<i>B</i>	<i>SE B</i>	Wald's χ^2	<i>df</i>	<i>p</i>	<i>e</i> ^{β} (odds ratio)	95% CI for Exp(<i>B</i>)	
							LL	UL
Constant	0.039	0.237	0.028	1	.868	1.040		
Gender of known or alleged alienating parent	0.470	0.237	3.925	1	.048	1.600	1.005	2.547
Known or alleged alienation case	1.038	0.237	19.150	1	<.001	2.823	1.774	4.494
Gender of Known or Alleged Alienating Parent \times Known or Alleged Alienation Case	0.245	0.273	1.063	1	.302	1.277	0.802	2.033
Test	Value		χ^2					<i>p</i>
Overall model evaluation								
Likelihood ratio test			26.077			3		<.001
-2 log likelihood	123.050							
Goodness-of-fit								
Hosmer and Lemeshow Test			0.000			2		1.00

Note. $N = 386$. SPSS programming codes are available in full on the Open Science Framework preregistration. Cox and Snell $R^2 = .215$. Nagelkerke R^2 (max rescaled R^2) = .287. All statistics reported herein use three decimal places to maintain statistical precision. CI = confidence interval; LL = lower limit; UL = upper limit.

database, we identified only three cases (one for a mother and two for a father) in which an allegation of sexual abuse and child abuse was made and one or both was found to be substantiated. The abusive parents were not given even partial custody of the children in any of those cases. Due to the small number of cases that were identified, we could not test the hypothesis as specified. Therefore, we created a variable of *any* substantiated allegation of child abuse, whether it was neglect, sexual, physical, or emotional abuse. We felt this was a better test of the hypothesis because children should be protected from an abusive parent, regardless of the type of abuse.

There were only 77 cases in which a substantiated claim of abuse was found toward a parent that was alleged or found to have been alienated from their child by the other parent, so the model fit for both regression analyses was not ideal. None of the predictors in the models was statistically significant, so gender and known or alleged alienating parent were not related to a decrease in custody if there was a finding of child abuse against the other parent ($ps > .05$). Therefore, we did not find support for this hypothesis. The output for these statistical analyses is available on the OSF (https://osf.io/j9bh5/?view_only=fc6a8223317745e59fc7058543185058).

Hypothesis 6

Our last hypothesis was that the greater the number of false allegations of abuse a mother makes, the more likely it is for the father to have a decrease in parenting time or lose all custody. To examine whether the number of unfounded allegations affected the outcomes, we added this continuous variable and an interaction effect of unfounded allegations and gender of parent alleged or found to be alienating the child(ren) as independent predictor in the models.⁸ If we were to find a statistically significant interaction effect, then there would be support for this hypothesis.

We found that the more unfounded allegations made about a parent by a known or alleged alienating parent, the more likely the known or alleged alienating parent was to get an increase rather than a decrease in custody (43.6% lower odds of getting a decrease compared to an increase, or a 63.93% lower likelihood of receiving

decreased parenting time compared to gaining parenting time; $p = .022$, see Table 13). In other words, the more unfounded claims of abuse that were made against a parent, the more the accused parent was likely to get a decrease than increase in parenting time—increased parenting time favored the accuser. We also found that known alienating parents had 10 times greater odds ($p < .001$; 90.97% greater likelihood) of receiving a decrease in parenting time than an increase and 4.29 greater odds of getting an increase in parenting time than no change at all. We also found a main effect for gender in that alienated fathers had almost 6 times the odds (85.67% greater likelihood) of mothers of getting a decrease in custody than did alienated mothers ($p = .031$). The interaction term was not statistically significant.

Finally, we calculated a binomial logistic regression model using the same predictors, and we found a main effect for only gender: Fathers were more likely to lose custody of their children than were mothers ($p = .036$; see Table 13). We failed to find a statistically significant interaction effect for loss of custody (table not presented here, but statistical output is available on the OSF [https://osf.io/j9bh5/?view_only=fc6a8223317745e59fc7058543185058]). Therefore, we did not find support for our last hypothesis, because both interaction effects were not statistically significant: Fathers were more likely than mothers to receive decreases in parenting time and loss of custody than were mothers, regardless of whether an unfounded allegation was made against them. However, the more unfounded allegations made against a parent, regardless of gender, the more likely they were to get decreases in their parenting time.

⁸ The original analytic plan restricted cases to when the parent made an unfounded allegation of abuse; however, this would not have allowed us to test the hypothesis as written. Therefore, the variable was entered as an independent predictor in the models. We also included only an interaction effect of the unfounded allegations and gender of the alleged or found alienated parent, because this effect would be the crucial test of the hypothesis.

Table 13

Multinomial Logistic Regression Analysis: Unfounded Allegations, Gender, and Known or Alleged Alienating Parent as Predictors of Decreases in Parenting Time in Cases

Predictors in the model	β	SE β	Wald's χ^2	df	p	e^β (odds ratio)	95% CI for Exp(B)	
							LL	UL
Alienating parent lost parenting time								
Intercept	-2.682	0.470	31.520	1	<.001			
Unfounded allegations	-0.573	0.249	5.284	1	.022	0.564	0.346	0.919
Gender of known or alleged alienating parent	1.788	0.829	4.656	1	.031	5.980	1.178	30.350
Known or alleged alienation case	2.311	0.359	41.447	1	<.001	10.080	4.989	20.369
Unfounded Allegations \times Gender of Known or Alleged Alienating Parent	-0.413	0.249	2.756	1	0.097	0.661	0.406	1.077
No change in parenting time								
Intercept	-1.068	0.225	22.512	1	<.001			
Unfounded allegations	-0.029	0.050	0.328	1	.567	0.972	0.880	1.072
Gender of known or alleged alienating parent	0.342	0.264	1.672	1	.196	1.407	0.838	2.362
Known or alleged alienating parent	1.457	0.271	28.905	1	<.001	4.293	2.524	7.303
Unfounded Allegations \times Gender of Known or Alleged Alienating Parent	0.031	0.050	0.367	1	.545	1.031	0.934	1.138
Test (overall model evaluation)								
Overall model likelihood ratio test						80.425	8	<.001
Likelihood ratio test unfounded claims						10.809	2	.004
Likelihood ratio gender of known or alleged alienating parent						2.346	2	.309
Likelihood ratio test known or alleged alienating parent						58.407	2	<.001
Likelihood ratio test interaction effect						4.702	2	.095
Akaike information criterion	167.406							
Bayesian information criterion	205.928							
-2 log likelihood	147.406							

Note. $N = 348$. SPSS programming codes are available in full on the Open Science Framework preregistration. Cox and Snell $R^2 = .206$. Nagelkerke R^2 (max rescaled R^2) = .238. McFadden = .115. All statistics reported herein use three decimal places to maintain statistical precision. CI = confidence interval; LL = lower limit; UL = upper limit.

Discussion

This preregistered study tested the research findings reported by Meier et al. (2019) related to the use of PA as a legal defense in family court cases, many of which included allegations of abuse (e.g., domestic violence, child physical and sexual abuse). We identified 30 serious concerns about the conceptual, methodological, and analytic strategy used by Meier et al. to potentially mislead and “woozle” readers using her findings, and these concerns were not alleviated when more details were finally available about the study, a year after it was published and the current study was completed. The purpose of our study was to provide a more robust, transparent, and empirically rigorous test of the hypotheses derived from the Meier et al. research paper, as well as to test an additional independently proposed hypothesis. Not only did we fail to find support for Meier et al.’s conclusions but we found some effects to be the opposite of what the authors reported.

Hypothesis 1 tested whether mothers, more than fathers, would be more likely to lose or have decreases in custody and lose their legal case if the other parent claimed they were being alienated from their children. Our results did not support two of the three outcomes. Parents who were found to be alienating their children were more likely to suffer these negative consequences compared to parents who were only alleged to be doing so. In other words, claiming one is being alienated from a child did not always work as a legal strategy to gain custody of children for either mothers or fathers. Such a claim had to be “founded,” and when it was, family courts across the country appear to have taken steps to

protect children from this form of abuse. This conclusion indicates that courts recognize the damage that parental alienating behaviors do to children and that it is not in the children’s best interests to have their relationship with the alienated parent undermined or destroyed by the alienating parent. Fathers were also more likely than mothers to lose custody of their child(ren), regardless of whether the mother had been found or alleged to alienate the child(ren) from him.

We did find gender differences in which parent lost their appellate case, with mothers being more likely than fathers to lose their appeal, and if the mother was found to have been alienating her child(ren), she was more likely to lose her appeal than was a father who was found to be alienating the child(ren). This was the only hypothesis of Meier et al.’s (2019) that was supported in our study; however, the meaning of this finding is difficult to interpret. Unlike Meier et al., we did not exclude appellate cases where there were multiple reasons for the appeal, so our analysis included only cases where one parent lost or won all their reasons for their appeal. The “winning” or “losing” of the appeal also did not necessarily mean it was a bad outcome for the parent regarding their custody of their child. The trial-level motions that were appealed, such as pertaining to financial issues (e.g., child support or alimony adjustments, distribution of property) and jurisdictional challenges, varied considerably. Future research should investigate whether the type of appeal and loss of the case had a negative impact on the “loser” by gender and whether they were a known or alleged alienating parent.

As a corollary hypothesis, we tested Meier et al.'s (2019) claim that Hypothesis 1 would remain statistically significant if the accusing parent had been found to be abusive in any way. Utilizing a stringent coding of all allegations of abuse in every case, our results did not support Meier et al.'s finding. Parents who were found to have alienated their children versus those who were merely accused were the only ones more likely to have a decrease in parenting time if the other parent had any finding of abuse toward them. Likewise, parents found to have alienated their children were more likely to lose custody of their children than were those who were alleged, even when the other parent had a finding of abuse. There were statistically significant gender differences in this effect but in the opposite direction from the one that Meier et al. reported. Fathers had a higher likelihood of losing custody of the children than were mothers, even if the mother had been found to be abusive. Therefore, if a parent claimed they were alienated and had been found to be abusive, they were not more likely to get more or all custody than was the other parent, unless the other parent was found to be alienating their child(ren). A possible reason for this result is that some courts may have determined PA of the children was abusive and therefore required an intervention to protect them. Future research could examine whether such statements or findings are made with cases where more details are provided (e.g., trial-level cases).

Hypothesis 2 examined Meier et al.'s (2019) finding that when mothers claim intrafamilial abuse and fathers claim PA, her reports of abuse will be determined to be unfounded more often than if the father claimed abuse and the mother claimed PA. Our data did not provide empirical support for this hypothesis. Overall, mothers made more unfounded claims of abuse than did fathers, which is not surprising given that false allegations of abuse are a form of indirect aggression and women tend to use more indirect forms of aggression than do men (e.g., Harman, Lorandos, et al., 2019; Murray-Close et al., 2010). However, our results do not indicate that the allegations were more likely to be unfounded when mothers or fathers alleged PA. In our test of Hypothesis 6, we also did not find that mothers were penalized as much as were fathers for making false allegations of abuse toward the other parent. In fact, our results pointed to an opposite effect: Fathers had greater odds of losing parenting time if they made an unfounded claim of abuse compared to mothers.

In a similar way, in our test of Hypothesis 3, our results did not support the claim that when mothers made an allegation of abuse and the father made an allegation of PA, she would be penalized by a loss of parenting time or custody. Our data supported the opposite result: Fathers, regardless of whether they were a known or alleged alienating parent, were more likely to lose custody of their children than mothers if they made an allegation of abuse about the mother. This result may reflect a backlash effect (Rudman & Phelan, 2008), such that fathers face social reprisals for behaving counterstereotypically by accusing mothers of being abusive because there are stereotypes that women are not abusive and that men cannot be abused (see Seelau & Seelau, 2005). As with the model tests for Hypothesis 1, parents who were found to be alienating their child(ren) from the other parent and who made an allegation of abuse toward them, regardless of their gender, were more likely to have a decrease in their parenting time or lose custody than were parents who were just accused of alienating their children.

It is interesting that almost one third of the cases involved the court's determining PA was an issue for a family, independent of whether another third party identified it as an issue. When a GAL or

custody evaluator identified PA as an issue, mothers were not more likely to lose or receive a decrease in custody of their children. Therefore, Hypothesis 4 was not supported.

Hypothesis 5 regarded when an allegation of sexual abuse plus another form of child abuse was made and one or both were founded. Meier et al. (2019) stated in their research paper that mothers were more likely to lose parenting time or custody if such a situation occurred. We identified only three cases out of the entire data set where both types of abuse claims were made about the (alleged) targeted parent and one or both of them was founded. The abusive parent was not given even partial custody in these three cases. Out of the 3.5 million reports of child maltreatment recorded in the United States each year, approximately 686,000 children were found to be victims of maltreatment, 78% of whom were neglected and 11% were victims of some other form of maltreatment (e.g., emotional abuse; Administration on Children, Youth and Families & Administration for Children and Families, 2013). Meier et al. excluded neglect and emotional abuse of children cases from their database so as to include only child physical and sexual abuse cases. These cases represent only 18% and 9% of all child maltreatment cases, respectively, in the United States (Administration on Children, Youth and Families & Administration for Children and Families, 2013), so it is not surprising that we identified only three cases in our data set that indicated the parent had a finding of child abuse and/or sexual abuse. The prevalence of child and sexual abuse cases in the general population calls to question the sample size tested in Meier et al.'s model for this hypothesis.

We are concerned about how allegations of abuse were "credited" by Meier et al. (2019, p. 8) due to how unclear the coding descriptions were in the research paper. According to our review of their user manual, which was made publicly available at the end of August 2020, her team coded protection orders and arrests as evidence of guilt despite the fact that such allegations could later be proven false or unsubstantiated. We ultimately tested Hypothesis 5 using *any* founded child abuse claim (including neglect and child emotional abuse) as our selection criteria for cases because it would not be good for any child to be placed in the custody of a parent who is abusing them in any way. There were only 77 cases where such a finding was definitively made and referenced in the report, and most cases where allegations of abuse were made were not founded. Due to the small sample size of cases that met this model test criteria, the fit for the models was not good and so we could not ultimately test the hypothesis.

Due to a shared concern about protecting children from abuse, all cases in which a child was placed with a parent found to have been abusive in any way when the other parent had been found to be alienating the child were investigated more closely (16 total cases, 11 with "abusive" fathers, three with "abusive" mothers, and two where both had findings of abuse). The second author and his legal research assistant investigated each of the cases by contacting the attorneys for the person said to be abusive in each case. The results of this investigation indicate that courts were not placing children in the custody of parents who were actively abusive toward the other parent or child. The claims of abuse were not ignored—they were deliberated with great scrutiny by multiple parties and institutions. When the children were placed with the parent who had a past finding of abuse, it was determined the alleged abuse occurred so far in the past that the children were not at risk, the parent had taken the required steps to remediate the problem, the alienating parent's behaviors were so egregious that

the placement with the other parent was the safer alternative, or that the allegation was later deemed false. A memo describing the results of our investigation of these cases is available on the OSF (https://osf.io/j9bh5/?view_only=fc6a8223317745e59fc7058543185058). After attempting to test this hypothesis, we question the sample size and statistical model tests conducted by Meier et al. (2019), as well as their argument, based on their findings, that judges are taking children away from protective mothers and placing their children in the custody of abusive fathers. Our empirical evidence did not support this conjecture.

The last hypothesis tested was that the more unfounded allegations made about a father by a mother, the more likely he was to lose parenting time or all custody than when a father made unfounded allegations about the mother. We did not find support for this hypothesis. Our results indicate, however, that fathers were more likely than mothers to have a decrease than increase in their custodial time with their child(ren), and the more unfounded claims of abuse that were made against a parent, the more likely they were to get a decrease than increase in their parenting time. This result provides support to what some professionals have called a weapon, or “silver bullet” in child custody disputes: Making an unfounded or false allegation of abuse can be an effective tool for parents (of any gender) to obtain more custody of their children (e.g., Lowenstein, 2012, p. 194). It is interesting that when a parent who was known to be alienating their child(ren) made unfounded claims of abuse, they were more likely to lose parenting time than were those who were accused. This result indicates that courts were able to discern when unfounded allegations were being used by parents to alienate children from the other parent. If the parent was found to have alienated rather than merely accused of having alienated their children, their use of unfounded allegations of abuse was not effective in gaining more custody; rather, they were more likely to lose parenting time.

Our sample was representative of a wide variety of cases where PA was alleged at the appellate level, not just “paradigm” cases that Meier et al. (2019, p. 13) selected, making our study high in external validity and generalizability. That said, most trial-level cases are not appealed, so a limitation of the current study is that it is difficult to determine whether the findings are generalizable to what occurs at the trial level. The purpose of our study was to test Meier et al.’s research paper findings, which were based largely on appellate cases, so we restricted our sample to such cases. In the United States, trial-level courts are not required to publish their rulings, so it was not possible to obtain a representative sample of trial-level cases to test our hypotheses. We are currently collecting data from trial-level cases in Canada, where such detailed reports are publicly available, to determine whether our findings replicate at that level.

Although about 75% of the appellate cases where PA was found to have occurred involved mothers as the alienating parent (Lorandos, 2020), it is not clear what the source of this gender disparity is and whether it also exists at the trial level. The financial and emotional costs associated with judicial appeals are a great deterrent for many parents, and there may also be gender biases in assessment and identification. Research examining trial-level cases would be helpful in examining whether such gender disparities exist there. We identified only one case in our database where both parents of the child(ren) were the same gender. As more cases involving same-gender parents are heard in the appellate- and trial-level courts, it will be important to examine how judicial decisions regarding child custody are made when there have been allegations of PA.

There was also considerable variability in the level of detail provided in the appellate reports, particularly related to allegations of abuse. We were conservative in coding whether an allegation was deemed unfounded, in that an allegation was entered as unfounded, unsubstantiated, or false only if the report explicitly stated this to be the case. At the same time, we were liberal in coding whether a parent was “found” to be abusive, in that they were coded as such if they had even one founded allegation, which is a highly discretionary and unconstrained conclusion drawn by investigators (e.g., CPS; Coleman et al., 2010) and can be influenced by their personal orientations (Ashton, 2004). Had more detail been available in the appellate reports, it is possible that the codes for the allegations may have been different, so it will be important to replicate our findings with cases in which more details are provided, such as in trial-level reports.

In conclusion, after we transparently and rigorously tested six preregistered hypotheses, our results soundly disconfirmed nearly all the findings we tested from Meier et al.’s (2019) report or discovered the findings to be in the opposite direction of that claimed by the authors. We identified 30 very concerning conceptual, methodological, and statistical issues with Meier et al.’s study, and when asked to provide us with appendices and statistical output to evaluate her conclusions, she refused to provide them; questioned the inquirer about who they worked for and what types of clients they represented (mothers or fathers); and referred them to a national archive for the material, where much of the material was still not available at the time of this writing. This response raises concerns about the validity of Meier et al.’s data and the conclusions that can be drawn from it. Our review of the partial materials now accessible on the archive website for the study also raised more, rather than allayed, our concerns.

Unfortunately, Meier et al. (2019) have been extensively disseminating their findings to media and policymakers, have failed to discuss the limitations of their report, have been presenting their findings as definitive proof (e.g., Bonessi, 2019; Johnston, 2007; Schmidt, 2019), and have been communicating to the public that abused mothers are losing custody of children to abusive fathers. For example, a September 27, 2020, Canadian national news outlet cited Meier et al.’s paper with the headline “Survivors of Domestic Abuse Told to Keep Quiet About It in Court or Risk Jeopardizing Child Custody” (Carmen, 2020). Such messaging propagates stereotypes about men being abusive and women being victims, both of which were not supported in our study.

Meier et al.’s (2019) call to action in their paper also appears to be influencing advocacy groups. Recently, advocates have been trying to draft legislation that prohibits evidence related to PA being used in court (Warshak, 2020). In the spring of 2020, the first author learned from an inside source of a domestic violence group (Moms Fight Back) about the language of a bill being pushed by advocacy groups around the United States. This bill was written such that it would create legislation requiring professionals to be taught about how “alienation theory” is improperly used to deny abuse and fuel misconceptions about “protective parent” and victim behavior and that professionals using the theory should be punished in ways such as losing their immunity, face criminal liability actions, and lose their professional licenses and accreditations (Anonymous, personal communication, March 2, 2020). Given the concerns we have raised about their study and our inability to find empirical support for any of the hypotheses we tested, we feel that the misuse of Meier et al.’s research findings is unethical. Further, this misuse has the potential to harm millions of parents and children, regardless of gender, who are being

alienated from each other by an alienating parent (Harman, Leder-Elder, & Biringen, 2019).

Independent replications; the use of open science practices; and strong, rigorous research methods are essential not only for the accumulation of reliable scientific evidence. These practices are essential for the development and modification of evidence-based policies and legislation. It can be very dangerous to develop policies and legislation based on one or a few research studies, particularly studies that are flawed and based on weak evidence drawn from the use of questionable research practices. Chris Chambers (2017) has stated that “malpractice in any field wastes precious public funding by pursuing lines of enquiry that may turn out to be misleading or bogus” (p. xiv). In fields of inquiry where there are concerns that ideological motivations drive research practices and create bias, we believe it is imperative that researchers utilize open science research practices in their work in order to be considered reliable. We followed these practices to the best of our abilities in the current study, and all of our research activities are documented and openly available to the public on the OSF (https://osf.io/j9bh5/?view_only=fc6a8223317745e59fc7058543185058). Our hope is that other researchers in this area will do or be expected to do the same.

Certainly, there are parents who claim they are being alienated from a child when they are not, just as there are parents who claim they are being abused when they are not. Some professionals working with families make false positive findings of PA (Warshak, 2020), and domestic violence or child abuse may be missed or overreported due to a poor understanding of the problems and insufficient efforts to reduce biases. Fortunately, our findings indicate that appellate courts do not take all claims of PA or domestic violence or child abuse at face value. These claims are evaluated based on the evidence presented, and parents who were found to have alienated their children were more likely to get a decrease in or lose custody of their children, regardless of gender. We did not find that abusive parents were likely to gain or obtain custody. No system is perfect. Yet we are optimistic, based on the data reported here, that decision-makers can discern when children are at risk for family violence in the many forms it takes, including PA, and are implementing strategies to protect the best interests of children.

References

- Administration on Children, Youth and Families & Administration for Children and Families. (2013). *Child maltreatment 2012*. U.S. Department of Health and Human Services, Children’s Bureau. <http://www.acf.hhs.gov/sites/default/files/cb/cm2012.pdf>
- American Academy of Child and Adolescent Psychiatry. (1988). Guidelines for the clinical evaluation of child and adolescent sexual abuse. *Journal of the American Academy of Child & Adolescent Psychiatry*, 27(5), 655–657. <https://doi.org/10.1097/00004583-198809000-00025>
- Ashton, V. (2004). The effect of personal characteristics on reporting child maltreatment. *Child Abuse & Neglect*, 28(9), 985–997. <https://doi.org/10.1016/j.chiabu.2004.03.012>
- Baker, A. J. L. (2020). Parental alienation and empirical research. In D. Lorandos & W. Bernet (Eds.), *Parental alienation—Science and law* (pp. 207–253). Charles C. Thomas Publisher, Ltd.
- Baker, A. J. L., Bone, J. M., & Ludmer, B. (2014). *The high conflict custody battle: Protect yourself & your kids from a toxic divorce, false accusations & parental alienation*. New Harbinger Publications, Inc.
- Baker, A. J. L., & Darnall, D. (2006). Behaviors and strategies employed in parental alienation: A survey of parental experiences. *Journal of Divorce & Remarriage*, 45(1–2), 97–124. https://doi.org/10.1300/J087v45n01_06
- Bernet, W., & Lorandos, D. (2020). Preface. In D. Lorandos & W. Bernet (Eds.), *Parental alienation—Science and law* (pp. xiii–xviii). Charles C. Thomas Publisher, Ltd.
- Bielaska v. Orley, WL 33324080 (Mich. Ct. App. 1996).
- Bonessi, D. M. (2019, August 19). *Fathers are favored in child custody battles, even when abuse is alleged*. WAMU. <https://wamu.org/story/19/08/19/fathers-are-favored-in-child-custody-battles-even-when-abuse-is-alleged/>
- Bruch, C. S. (2001). Parental alienation syndrome and parental alienation: Getting it wrong in child custody cases. *Family Law Quarterly*, 35(3), 527–552. https://law.ucdavis.edu/faculty/bruch/files/fam353_06_Bruch_527_552.pdf
- Carmen, T. (2020, September 27). *Survivors of domestic abuse told to keep quiet about it in court or risk jeopardizing child custody*. CBC News. <https://www.cbc.ca/news/canada/survivors-of-domestic-abuse-punished-for-talking-about-it-in-child-custody-cases-1.5738149>
- Ceci, S. J., & Bruck, M. (1995). *Jeopardy in the courtroom: A scientific analysis of children’s testimony*. American Psychological Association. <https://doi.org/10.1037/10180-000>
- Chambers, C. (2017). *The seven deadly sins of psychology: A manifesto for reforming the culture of scientific practice*. Princeton University Press.
- Clawar, S. S., & Rivlin, B. V. (2013). *Children held hostage: Identifying brainwashed children, presenting a case, and crafting solutions*. American Bar Association.
- Coleman, D. L., Dodge, K. A., & Campbell, S. K. (2010). Where and how to draw the line between reasonable corporal punishment and abuse. *Law and Contemporary Problems*, 73(2), 107–166. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3805039/pdf/nihms491470.pdf>
- Dijkstra, S. (2019). “I did not see my daughter for years:” The impact of coercive control on post-divorce relationships between mothers and children. In M. J. Magalhães, A. Guerreiro, & C. Pontedeira (Eds.), *II European Conference on Domestic Violence* [e-book] (pp. 48–56). Faculty of Psychology and Education Sciences, University of Porto.
- Dunne, J., & Hedrick, M. (1994). The parental alienation syndrome: An analysis of sixteen selected cases. *Journal of Divorce & Remarriage*, 21(3–4), 21–38. https://doi.org/10.1300/J087v21n03_02
- Faller, K. C. (1998). The parental alienation syndrome: What is it and what data support it? *Child Maltreatment*, 3(2), 100–115. <https://doi.org/10.1177/1077559598003002005>
- Freeman, B. (2020). The psychological assessment of contact refusal. In D. Lorandos & W. Bernet (Eds.), *Parental alienation—Science and law* (pp. 44–81). Charles C. Thomas Publisher, Ltd.
- Gardner, R. A. (1985). Recent trends in divorce and custody litigation. *Academy Forum*, 29(2), 3–7.
- Gardner, R. A. (1987). *The parental alienation syndrome and the differentiation between fabricated and genuine child sex abuse*. Creative Therapeutics.
- Gardner, R. A. (1998). *The parental alienation syndrome* (2nd ed.). Creative Therapeutics.
- Gelles, R. (1980). Violence in the family: A review of research in the seventies. *Journal of Marriage and the Family*, 42(4), 873–885. <https://doi.org/10.2307/351830>
- Greenberg, L. R., Schnider, R., & Jackson, J. (2019). Early intervention with resistance/refusal dynamics and hybrid cases. In L. R. Greenberg, B. J. Fidler, & M. Saini (Eds.), *Evidence-informed interventions for court involved families: Promoting healthy coping and development* (pp. 189–226). Oxford University Press. <https://doi.org/10.1093/med-psych/9780190693237.003.0008>
- Haines, J., Matthewson, M., & Turnbull, M. (2020). *Understanding and managing parental alienation: A guide to assessment and intervention*. Routledge.

- Harman, J. J., Bernet, W., & Harman, J. (2019). Parental alienation: The blossoming of a field of study. *Current Directions in Psychological Science*, 28(2), 212–217. <https://doi.org/10.1177/0963721419827271>
- Harman, J. J., Kruk, E., & Hines, D. A. (2018). Parental alienating behaviors: An unacknowledged form of family violence. *Psychological Bulletin*, 144(12), 1275–1299. <https://doi.org/10.1037/bul0000175>
- Harman, J. J., Leder-Elder, S., & Biringen, Z. (2019). Prevalence of adults who are the targets of parental alienating behaviors and their impact: Results from three national polls. *Children and Youth Services Review*, 106, Article 104471. <https://doi.org/10.1016/j.chilyouth.2019.104471>
- Harman, J. J., Lorandos, D., Biringen, Z., & Grubb, C. (2019). Gender differences in the use of parental alienating behaviors. *Journal of Family Violence*, 35, 459–469. <https://doi.org/10.1007/s10896-019-00097-5>
- Harman, J. J., Lorandos, D., & Sharples, A. (2020, November 5). *Parental alienation allegations in family court*. OSF. osf.io/j9bh5
- Harman, J. J., & Matthewson, M. (2020). Parental alienation: How it is done. In D. Lorandos & W. Bernet (Eds.), *Parental alienation—Science and law* (pp. 82–141). Charles C. Thomas Publisher, Ltd.
- Hines, D. A., & Douglas, E. M. (2016). Relative influence of various forms of partner violence on the health of male victims: Study of a help seeking sample. *Psychology of Men & Masculinity*, 17(1), 3–16. <https://doi.org/10.1037/a0038999>
- Hoult, J. (2018). “Parental alienation” (PA) & “parental alienation syndrome” (PAS): Science, evidence, admissibility, policy & effects on children’s constitutional and human rights. Federal Bar Association. <https://federalbarcle.org/product/parental-alienation-syndrome-pas-science-evidentiary-admissibility-policy-effects-childrens-constitutional-human-rights/>
- Johnston, J. (2007). Introducing perspectives in family law and social science research. *Family Court Review*, 45(1), 15–21. <https://doi.org/10.1111/j.1744-1617.2007.00125.x>
- Kruk, E. (2018). Parental alienation as a form of emotional child abuse: Current state of knowledge and future directions for research. *Family Science Review*, 22(4), 141–164.
- Lorandos, D. (2020). Parental alienation in U.S. courts, 1985 to 2018. *Family Court Review*, 58(2), 322–329. <https://doi.org/10.1111/fcre.12475>
- Lowenstein, L. F. (2012). Child custody disputes between parents and allegations of sex abuse: What does the research say? *Journal of Divorce & Remarriage*, 53(3), 194–203. <https://doi.org/10.1080/10502556.2012.663267>
- Meier, J. S., Dickson, S., O’Sullivan, C., Rosen, L., & Hayes, J. (2019). *Child custody outcomes in cases involving parental alienation and abuse allegations* (GWU Law School Public Law Research Paper No. 2019–56). SSRN. <https://ssrn.com/abstract=3448062>
- Murphy, K. R., & Aguinis, H. (2019). HARKing: How badly can cherry-picking and question trolling produce bias in published research? *Journal of Business and Psychology*, 34, 1–17. <https://doi.org/10.1007/s10869-017-9524-7>
- Murray-Close, D., Ostrov, J. M., Nelson, D. A., Crick, N. R., & Coccaro, E. F. (2010). Proactive, reactive, and romantic relational aggression in adulthood: Measurement, predictive validity, gender differences, and association with intermittent explosive disorder. *Journal of Psychiatric Research*, 44(6), 393–404. <https://doi.org/10.1016/j.jpsychires.2009.09.005>
- Nielsen, L. (2014). Wozzles: Their role in custody law reform, parenting plans, and family court. *Psychology, Public Policy, and Law*, 20(2), 164–180. <https://doi.org/10.1037/law0000004>
- Nielsen, L. (2015). Pop goes the wozzle: Being misled by research on child custody and parenting plans. *Journal of Divorce & Remarriage*, 56(8), 595–633. <https://doi.org/10.1080/10502556.2015.1092349>
- Pampel, F. C. (2000). *Logistic regression: A primer*. Sage Publications, Inc. <https://doi.org/10.4135/9781412984805>
- Rand, D. (2013). The history of parental alienation from early days to modern times. In D. Lorandos, W. Bernet, & S. R. Sauber (Eds.), *Parental alienation: The handbook for mental and legal health professionals* (pp. 291–321). Charles C. Thomas Publisher, Ltd.
- Redleaf, D. (2019, January 27). After the hotline call. *The Atlantic*. <https://www.theatlantic.com/ideas/archive/2019/01/problem-child-protective-services/580771/>
- Rudman, L. A., & Phelan, J. E. (2008). Backlash effects for disconfirming gender stereotypes in organizations. *Research in Organizational Behavior*, 28, 61–79. <https://doi.org/10.1016/j.riob.2008.04.003>
- Schmidt, S. (2019, July 29). A gendered trap: When mothers allege child abuse by fathers, the mothers often lose custody, study shows. *Washington Post Magazine*. https://www.washingtonpost.com/local/social-issues/a-gendered-trap-when-mothers-allege-child-abuse-by-fathers-the-mothers-often-lose-custody-study-shows/2019/07/28/8f811220-af1d-11e9-bc5c-e73b603e7f38_story.html
- Scott, E., & Emery, R. E. (1987). The adversary process and child custody disputes. In L. A. Weithorn (Ed.), *The psychologist as consultant to the court in child custody determinations* (pp. 23–56). University of Nebraska Press.
- Seelau, S. M., & Seelau, E. P. (2005). Gender-role stereotypes and perceptions of heterosexual, gay, and lesbian domestic violence. *Journal of Family Violence*, 20, Article 363. <https://doi.org/10.1007/s10896-005-7798-4>
- Silberg, J. (2013, September 30). *Crisis in family court: Lessons from turned around cases*. <http://www.protectiveparents.com/crisis-family-court-lessons-turned-around-cases.pdf>
- Silberg, J., & Dallam, S. (2019). Abusers gaining custody in family courts: A case series of over turned decisions. *Journal of Child Custody*, 16(2), 140–169. <https://doi.org/10.1080/15379418.2019.1613204>
- Trocmé, N., & Bala, N. (2005). False allegations of abuse and neglect when parents separate. *Child Abuse & Neglect*, 29(12), 1333–1345. <https://doi.org/10.1016/j.chiabu.2004.06.016>
- VanEenwyk, J. (2012, May 31). *Guidelines for using and developing rates for public health assessment*. Washington State Department of Health. <https://www.doh.wa.gov/Portals/1/Documents/1500/Rateguide.pdf>
- Vezzetti, V. C. (2016). New approaches to divorce with children: A problem of public health. *Health Psychology Open*, 3(2), 1–13. <https://doi.org/10.1177/2055102916678105>
- von Boch-Galhau, W. (2018). Parental alienation (syndrome)—A serious form of psychological child abuse. *Mental Health and Family Medicine*, 14, 725–739. <http://mhfmjournal.com/pdf/MHFM-117.pdf>
- von Boch-Galhau, W. (2020). Parental alienation—A worldwide health problem. *Journal of Case Report & Imaging*, 4(4), Article 100026. <https://www.henrypublishinggroups.com/wp-content/uploads/2020/10/parental-alienation-a-worldwide-health-problem.pdf>
- Warshak, R. A. (2003). Bringing sense to parental alienation: A look at the disputes and the evidence. *Family Law Quarterly*, 37(2), 273–292. <https://www.warshak.com/pdf/Warshak-CR27-BringingSense.pdf>
- Warshak, R. A. (2020). When evaluators get it wrong: False positive IDs and parental alienation. *Psychology, Public Policy, and Law*, 26(1), 54–68. <https://doi.org/10.1037/law0000216>

(Appendix follows)

Appendix

Codebook Descriptions

Table A1
Main Page

Case no.	Sequential number assigned to the case (pdf file name assigned).
Trial-level motion(s)	List all motions at the trial level that were heard and led to the appeal (e.g., modification of parenting time, enforcement of parenting time, emergency motions to restrict parenting time).
Appellate reason	List all bases provided for reasons of the appeal (e.g., due process concerns, misapplication of law [specify the law]).
No. of abuse allegations toward the mother cited in case	Total number of allegations made about the mother. Count allegations made to multiple agencies (CPS, police) once if related to the same offense. If same-sex couple, label this as Parent 1.
No. of abuse allegations toward the father cited in case	Total number of allegations made about the father. Count allegations made to multiple agencies (CPS, police) once if related to the same offense. If same-sex couple, label this as Parent 2.
Party or parties who alleged or found PA	List all individuals who stated or found that PA was an issue in the case (e.g., a parent, therapist, custody evaluator, court personnel).
Basis for PA opinion	List specific details about what is provided in support of believing PA is an issue for the family for each party (above).
Basis for rejection of PA opinion	If PA was clearly described in the judgment as being unfounded, give details about this. If it is not described, enter n/a.
Custody change at trial level	Was custody changed because of the trial-level ruling (if described)?
If yes:	Describe the change (e.g., joint custody to primary custody to mother or father).
Custody change at appellate level	Was custody changed because of the appellate-level ruling (if described)? If the appellate ruling upholds the change at trial level, then this answer would be "no."
If yes:	Describe the change (e.g., joint custody to primary custody to mother or father).
Did a parent lose all custody of the child(ren)?	Yes or no
If yes:	Which parent lost all custody?
Winner	Which parent "won" the case? This is different from custody. It is just whether the parent won the appeal.

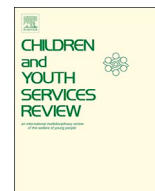
Note. CPS = Child Protective Services; PA = parental alienation; n/a = not applicable.

Table A2
Abuse Allegation Page Codes: One Page Filled Out for Each Accusation of Abuse

Allegation no.	Enter sequentially, oldest to most recent (one page made for each accusation).
Date of allegation	Date (if provided), year, or enter "no date" if not available.
Date abuse was reported to have occurred	If known, indicate when the alleged abuse actually happened. A time frame may also have been reported.
Type of allegation	Domestic violence, child abuse, child sexual abuse, neglect (only those allegations made to an authority such as CPS).
Person(s) making allegation	List people who made the allegation (e.g., parent, child, anonymous call).
Who allegation was made to	List all parties to whom the allegation was made to (e.g., police, hospital, CPS, court only, a teacher).
Accused party or parties	List the accused party (or parties if multiple; parent, stepparent, grandparent) of the abuse.
Alleged victim(s)	List all alleged victims (e.g., other parent, children, extended family).
Details of "proof" of allegation	Describe what was used to support the allegation (e.g., picture of a bruise, child's disclosure).
Protection order	Was a protection order placed on the accused party? (yes or no)
If yes:	Protection order for which "victim"? For how long?
Arrest	Was the accused party arrested for the allegation? (yes or no)
Party or parties who investigated the allegation	Describe all who investigated the abuse allegation (e.g., detective, CPS worker).
Parenting time during investigation	What contact did the accused party/parties have with the child while being investigated? E.g., supervised visits, no contact, regular parenting time
Outcome of investigation	Describe what the outcome was: substantiated, unsubstantiated, false, other
Court involvement	Was the allegation brought to court (family or criminal)? Y/N
If yes:	What was the final judgement of the court regarding the allegation? Guilty/not-guilty/no information
If guilty:	Was parenting time restricted for the guilty parent? Y/N
PA	Was the allegation used to support a diagnosis of PA?

Note. CPS = Child Protective Services.

Received October 14, 2020
Revision received November 4, 2020
Accepted November 5, 2020 ■



Empirical research on parental alienation: A descriptive literature review

T.M. Marques*, I. Narciso, L.C. Ferreira

CICPSI, Faculty of Psychology, University of Lisbon, Alameda da Universidade, 1649-013 Lisboa, Portugal



ARTICLE INFO

Keywords:

Parental alienation
Family patterns
Divorce
Systematic literature review

ABSTRACT

Scientific literature has pointed to a growing body of empirical studies that contribute to an accurate mapping of parental alienation. This descriptive literature review of empirical research on parental alienation - in peer-reviewed scientific journals between January 2000 and December 2018 - seeks to characterize the research methodologies and to provide a summary of the main research themes. Several academic databases (B-On: Online Knowledge Library-Search, Ovid, ProQuest, Web of Knowledge, PsycINFO and Google Scholar) were systematically searched and the review followed the PRISMA guidelines for reporting systematic reviews and meta-analyses. Forty-three studies were included, the majority of them following a quantitative, retrospective and cross-sectional design. Parental alienation was mainly associated with divorce and child custody dispute contexts. Results also revealed the main themes targeted by empirical research: Development and use of assessment measures for parental alienation; Parental alienation patterns; Validation of the parental alienation syndrome construct; Parental alienation impact; Parental alienation viewed as child abuse; Professionals' voices and maps on parental alienation. Limitations and recommendations for future research on parental alienation are discussed, highlighting common themes and research gaps.

1. Introduction

Parental alienation has been widely associated with the context of marital separation and divorce, continuing to generate controversies, and polarized positions regarding the validity of the construct and its use in the family justice field (Johnston & Sullivan, 2020). Commonly-used definitions of parental alienation refer to a child who has been encouraged by one parent (parent identified as alienating or preferred parent) to resist or refuse contact with the other parent (parent identified as rejected or nonpreferred parent), thus breaking down the nonpreferred parent-child relationship (Baker, 2005a, 2006; Darnall, 2011; Gardner, 2002). This definition assumes that there is a primary and unique cause (i.e., the preferred parent's negative behaviors and beliefs regarding the other parent) that lead the child to express negative beliefs and attitudes towards the nonpreferred parent, excluding a range of factors and explanations for the child's rejection of that parent. This not only may bring up a blaming view of the preferred parent, but can also lead to misidentification with a severe impact on court decisions (Johnston & Sullivan, 2020).

Gardner (1985) introduced the term parental alienation syndrome (PAS) and identified child custody disputes as the primary context for its emergence. The word "syndrome" refers to the diagnosis that would be made on the basis of eight symptoms that correspond to behavioral

manifestations in the child (Gardner, 2002): (a) the denigration campaign against the nonpreferred parent; (b) weak, poor or unrealistic rationalizations for nonpreferred parent deprecation; (c) lack of ambivalence towards the nonpreferred parent; (d) the "independent-thinker phenomenon", i.e., the child claims that his resistance derives from his own thinking; (e) child alignments with preferred parent during conflict or disagreements; (f) absence of guilt over cruelty to, and/or exploitation of the nonpreferred parent; (g) "borrowed scenarios", i.e., the child tells a preferred parent's story about the nonpreferred parent; (h) spread of the animosity to the extended family and/or friends of the nonpreferred parent. Gardner (2002) states that these symptoms should be considered according to three levels of alienation, ranging from mild to severe, but also highlighted that the phenomenon of PAS is the result of the combination of two contributing factors: first, the programming (brainwashing) parent's indoctrinations; and, second, the child's own contributions to the vilification of the nonpreferred (targeted) parent.

Although parental alienation has been described as a one-sided phenomenon (with single-factor explanations) for some time with the preferred parent in a central position regarding the child's alienation and negative behaviors towards nonpreferred parent, some authors have focused on the alienated child to understand why the child is rejecting or refusing contact with a parent (Kelly & Johnston, 2001).

* Corresponding author.

E-mail addresses: telma.moreira.marques@gmail.com (T.M. Marques), inarciso@psicologia.ulisboa.pt (I. Narciso), lcferreira@psicologia.ulisboa.pt (L.C. Ferreira).

Later, a more complex perspective proposed that multiple and inter-related factors are at play to produce a child's rejection, especially after separation (Friedlander & Walters, 2010; Kelly, 2007). It is assumed that the preferred parent's behavior is important, but not the only, nor the core, factor accounting for produce children's resistance or contact refusal (Johnston & Sullivan, 2020; Saini, Johnston, Fidler, & Bala, 2016; Warshak, 2020). In some cases, the nonpreferred parent's responses to alienating behaviors are not effective or appropriate, and further contribute to the child's rejection (Warshak, 2003), along with other psychological (i.e., parents' personality; Gordon, Stoffey, & Bottinelli, 2008) and parenting characteristics (Johnston, 2003; Johnston, Walters, & Olesen, 2005a).

It is important to note that these multi-factor models to approach parental alienation phenomenon may address some specific issues that are brought to the courtrooms. Considerable literature has defined parental alienation as being different from estrangement, which occurs when a child rejects a parent on reasonable grounds, such as in response to parental abuse or neglect (Garber, 2011; Kelly & Johnston, 2001; Reay, 2015). Hence, in a context of parental alienation, the relationship between the child and the nonpreferred parent is supposed to be satisfactory prior to parental disruption (Darnall, 2011; Friedlander & Walters, 2010), and the attempt to damage that relationship has no reasonable justification (Bernet & Baker, 2013; Reay, 2015). However, a simplistic view that questions whether it is a case of abuse or parental alienation can lead to a "false dichotomy of abuse versus parental alienation" (see Johnston & Sullivan, 2020, for a discussion, p. 273) in which these phenomena are seen as mutually exclusive and can lead to legal decision-making cases that do not consider all the factors that play a role in the child's rejection of a parent.

Some authors have also made the case for parental alienation as a form of child abuse (e.g., Kelly & Johnston, 2001; Lowenstein, 2011) or even family violence (Poustie, Matthewson, & Balmer, 2018), based on the idea that one parent uses abusive power over the other one, controlling contact with the child. It is also consistent with the assumptions of Kelly and Johnson (2008) in relation to intimate partner violence, extended to the post separation context. Both the complexity of these situations and the increased use of parental alienation in therapeutic and family court contexts place the onus on the need for more empirical and scientific validity studies to identify assessment criteria of all the factors related to children's rejection of a parent (Milchman, Geffner, & Meier, 2020; Saini et al., 2016) and, then, avoid the misuse of the parental alienation term in custody cases. It can be seen as a phenomenon of the psycho-legal community (Reay, 2015) and there is a pressing need for a more accurate map of parental alienation in the context of parent-child contact problems.

Notwithstanding the consensus in the literature that an identifiable set of behaviors forms the core structure of parental alienation (Johnston, 2003; Rueda, 2004), debates around the validity or formal recognition of parental alienation as a diagnosable syndrome (e.g., Clemente & Padilla-Racero, 2016; Lowenstein, 2013; Pepiton, Alvis, Allen, & Logid, 2012) have been fervent. There are arguments for and against the recognition of parental alienation as a mental-health diagnosis and its inclusion in the *Diagnostic and Statistical Manual of Mental Disorders* (DSM) or in the *International Classification of Diseases* (ICD). Some of the arguments against its inclusion refer to the idea that in the field of parental alienation, work is more about dynamics than diagnosis, which may be incompatible with its inclusion as a syndrome or a disorder in the DSM or ICD (Garber, 2020). Also, they point to insufficient empirical data to support the validation of parental alienation syndrome (e.g., Meier, 2009; Milchman et al., 2020; Pepiton et al., 2012; Walker, Kristi, & Rigsbee, 2004; Walker & Shapiro, 2010) and state that a formal recognition will complicate custody disputes and label children, who are already suffering from parents' divorce, with mental illness (e.g., see Houchin, Ranseen, Hash, & Bartnicki, 2012, for discussion). On the other hand, the arguments to support its inclusion as a diagnosable syndrome emphasize: (1) the continuous production of

evidence through qualitative and quantitative studies; and (2) the benefits of having a consensus in the diagnose of such situations that may be a way to prevent parental alienation from being misused by the abusive parent or his/her lawyer (e.g., Bernet & Baker, 2013).

In the last decades, a growing body of empirical evidence aiming to provide support for legal decisions and treatments has emerged and, more recently, Harman, Bernet, and Harman (2019) reinforced that the parental alienation research field is "blossoming". The concern here remains to know to what extent the evidence produced so far meets quality criteria and is robust enough to support parental alienation assertions, court decisions, or intervention orders. Empirical evidence should be the subject of analysis and critical reflection since there are no agreed-upon objective measures and protocols to identify or assess parental alienation, although some efforts are being made in this direction in this research field. Harman et al. (2019) recently underlined the impact of parental alienation on children, on the nonpreferred parent and the entire family system. In the last two decades, authors have presented evidence on its short and long-term negative impact on children's well-being (e.g., Baker, 2005b; Baker & Ben-Ami, 2011; Verrocchio, Marchetti, Carrozzino, Compare, & Fulcheri, 2019), the nonpreferred parent's mental-health (e.g., Balmer, Matthewson, & Haines, 2018) or psychological adaptation (Tavares, Crespo, & Ribeiro, 2020), and the parent-child relationship (e.g., Monè & Biringen, 2006). The first empirical studies, mostly based on retrospective reports of young adult or adult participants alienated during childhood or adolescence, have mainly addressed parental alienating behaviors (e.g., Baker, 2005a, 2005b, 2006) and the subjective experiences and perspectives of targeted children (e.g., Baker & Chambers, 2011; Godbout & Parent, 2012; Hands & Warshak, 2011; Verrocchio, Baker, & Bernet, 2016; Verrocchio, Baker, & Marchetti, 2017). Reflecting legal and mental health professionals' voices (e.g., child custody evaluators; forensic psychologists or psychiatrists; social workers), some studies have also focused on their subjective experience related to parental alienation cases within child custody dispute contexts (e.g., Bala, Hunt, & McCarney, 2010; Baker, 2007; Bow, Gould, & Flens, 2009; Braver & Lamb, 2018; Viljoen & Rensburg, 2014).

Furthermore, there is a concern that a gender bias may continue to influence professionals' decisions when there is no substantial evidence that one parent is attempting to alienate the child from the other parent (Priolo-Filho et al., 2019) and research has sought to study gender differences in parental alienation. So far, there seem to be few differences in terms of who is more likely to become alienating or rejected parent, with mothers and fathers both likely to be perpetrators (e.g., Harman, Biringen, Ratajack, Outland, & Kraus, 2016; Harman, Leder-Elder, & Biringen, 2019). However, some researchers found that mothers use more indirect forms of aggression, while fathers use more direct forms, which means they are likely to differ in the type of parental alienating behaviors used (e.g., Lopéz, Iglesias, & García, 2014; Harman, Lorandos, Biringen, & Grubb, 2020). There are important implications in determining whether there are gender differences in the use of parental alienating behaviors because this will contribute to a more comprehensive understanding of how this form of violence occurs in the family (Harman, Kruk, & Hines, 2018) and may influence the assessment and recommendations made by professionals in the context of custody disputes (Harman et al., 2020).

Challenges to the admissibility and use of parental alienation in court proceedings become a central concern, especially when the allegation of child maltreatment emerges without objective evidences in the courtroom (Priolo-Filho et al., 2019). Within this context, the preferred parent may make false allegations of abuse, neglect or lack of interest in the child against the nonpreferred parent to gain custody or obtain residence decisions that limit the nonpreferred parent-child contact (Kelly & Johnston, 2001). However, allegations of parental alienation can also be used as a weapon in response to domestic violence or child sexual abuse allegations. Professionals (e.g., custody evaluators, judges, and clinicians) should make a comprehensive

assessment of the situation and all the factors at stake, in order to distinguish what are protective parenting behaviors and alienating parenting behaviors and avoiding making assessments that result in a false conclusion of alienation when, in fact, the parent is protecting the child (Drozd & Olesen, 2004).

For all the implications that the term parental alienation has in the family court (and in the lives of families and children), as well as for the methodological weaknesses pointed out in studies in this area (Milchman, 2019; Saini et al., 2016), there is a pressing need for developing systematic literature reviews to summarize prior scientific knowledge, gaps in the literature and topics for further empirical research (Durlak, 2003; Paré, Trudel, Jana, & Kitsiou, 2015; Saini et al., 2016). To our knowledge, there are important reviews on parental alienation published in professional and legal books (e.g., Baker, 2013; Judge & Deutsch, 2017; Saini et al., 2016) and there are three literature reviews on parental alienation research published in scientific and peer-reviewed journals: two focusing on intervention programs, connecting both legal decisions and therapeutic recommendations (Templer, Matthewson, Haines, & Cox, 2017; Verrocchio & Marchetti, 2017); and another on the nonpreferred parent's experiences of parental alienation (Maturana, Matthewson, Dwan, & Norris, 2018).

1.1. The current study

The current study presents a descriptive literature review (Paré et al., 2015), characterizing the empirical research on parental alienation published in scientific journals from 2000 to 2018, and a summary of the main research themes. Accordingly, it addresses the following research questions: 1) What does the descriptive review reveal about the methodological processes (sampling processes; data collection strategy; strategies for data analysis) of parental alienation research? 2) What are the main themes focused on by researchers?

2. Method

2.1. Search strategy and data sources

Searches were conducted on several academic databases (B-On: Online Knowledge library–Search, Ovid, ProQuest, Web of Knowledge, PsycINFO and Google Scholar) through EBSCO Discovery Services (EDS–Advanced Research), between April 2018 and March 2019. The search strategy included the combination of three terms related to the main theme – parental alienation (combination 1); parental denigration (combination 2); estrangement (combination 3) – with a fixed group of terms indicating the target(s) of or the responsible individual(s) for parental alienation – Child* OR Father* OR Mother* OR Parent*. All the searches were confined to the abstract of articles.

Structured selection methods, such as evidence-based guidelines for systematic reviews established in the PRISMA statement (Liberati et al., 2009; Moher, Liberati, Tetzlaff, & Altman, 2009), and the recommendations of Paré et al. (2015) on rigor, relevance and internal consistency were taken into consideration in order to identify and select a representative sample of published scientific articles on the subject.

2.2. Selection of studies

To be eligible for this review, the articles needed to follow the ensuing inclusion criteria: (a) published between January 2000 and December 2018; (b) written in English; (c) empirical study (quantitative, qualitative, or mixed study); (d) published in peer-reviewed and academic journals; (e) focusing on psychological or legal processes related to parental alienation. Given the previous literature review by Baker (2013) and Saini et al. (2016) and to provide a recent view on the topic, studies prior 2000 were excluded from this review.

The following exclusion criteria were also defined: (a) books, literature reviews or theoretical overviews and commentaries; (b) case-

studies; (c) prevalence studies; (d) studies focusing exclusively on divorce or marital separation; (e) samples composed of judicial records; (f) samples with less than 10 participants; (g) samples including caregiver figures other than parents (e.g., grandparents); (h) studies aiming to investigate outcomes of therapy or intervention programs, or to identify intervention strategies for the restoration of family relationships in the context of parental alienation, as it was the focus of two recently published systematic reviews: one focused on best practices responses (Templer et al., 2017) and the other one on studies about effective intervention strategies regarding parental alienation (Verrocchio & Marchetti, 2017).

The initial searches yielded a total of 248 scientific articles available in English, published between January 2000 and December 2018, in peer-reviewed journals.

At a second stage, the articles were screened and duplicates were removed. The titles and abstracts were then examined by the main researcher to remove those that did not meet inclusion criterion (e). At this stage, the results were reduced to 138 articles.

A full reading of these articles was conducted and those that did not meet the other inclusion criteria were excluded. Furthermore, the reference lists of all the remaining articles were searched and six secondary sources cited by the authors were retrieved for providing additional data for this review. Only one study (Baker, 2005a) was not available on the databases, despite being frequently cited by other authors, and was obtained directly through the author, and subsequently included. In the screening phase, the three researchers interactively discussed the inclusion criteria and whether the studies should be included or excluded. Throughout this process, the risk of bias was reduced (Belur, Tompson, Thornton, & Simon, 2018) and a final set of 43 scientific articles was attained. Fig. 1 provides an overview of the study selection process at each phase.

2.3. Data extraction and management

Empirical research regarding parental alienation represented the base-field from which we tried to identify interpretable patterns related to methodological issues and main themes (Paré et al., 2015). Data from each study were extracted and coded by the main researcher using the NVIVO software –version 11, which provided the data analysis greater rigor and objectivity. The coding process was then reviewed and discussed by two members of the team (experts on qualitative methodologies) and, when necessary, included articles were re-consulted, until an agreement was reached.

Each scientific article was coded into categories and subcategories related to general and methodological characteristics, namely: *name of scientific journal*; *year of publication*; *study design* (longitudinal or cross-sectional; retrospective; methodological approach – quantitative, qualitative, mixed); *sample characteristics* (number of respondents/informants; gender and age distribution; country of residence; recruitment process; type of sample – community, clinical or law, professional); *study population* (parents, children, professionals – legal, mental-health, social workers); *data analysis* (unit of analysis – individual, dyadic, family; comparison between sample groups or control groups used for analysis). Additionally, the research purpose, study thematic-focus and results from each article were summarized in a table after the coding process using the NVivo software.

3. Results

As shown in Fig. 1, 43 studies were included in the analysis. The majority of the studies were published between 2011 and 2018 ($n = 26, 60.53\%$) and the remaining studies were published between 2003 and 2010 ($n = 17, 39.47\%$), with a clear predominance of publications in *The American Journal of Family Therapy* ($n = 12, 27.90\%$) and in the *Journal of Divorce & Remarriage* ($n = 11, 25.58\%$).

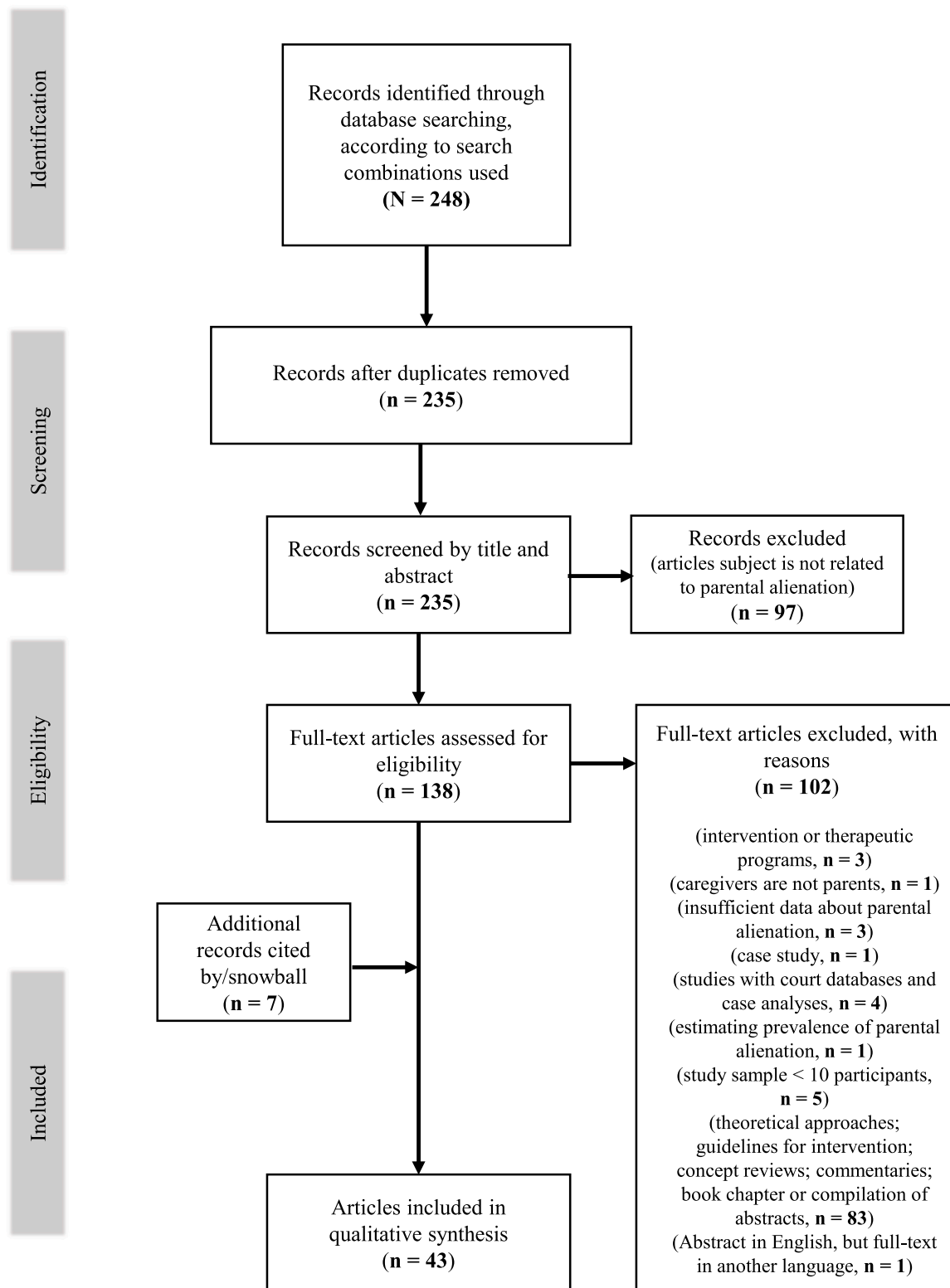


Fig. 1. Overview of the process of studies selection at each phase. Adapted from PRISMA flow diagram (Moher et al., 2009).

3.1. Methodological characteristics

All the reviewed studies used a cross-sectional design (N = 43, 100%). The majority also had a retrospective design (n = 23, 53.49%). A clear predominance of quantitative research (n = 30, 69.77%) was found, when compared to qualitative (n = 8, 16.60%) and mixed studies (n = 5, 11.63%). It should also be noted that in the mixed studies,

the data collection and data analysis were mostly quantitative.

The data collection methods used in quantitative studies were mostly surveys and questionnaires/scales, while in the qualitative studies they were mainly semi-structured interviews. The majority (n = 22, 51.16%) used convenience and snowball sampling techniques, resulting mostly in community samples, i.e., participants were recruited through local universities, online volunteering platforms, internet

posts, word-of-mouth, and flyers in public spaces. Some studies ($n = 16$, 37.21%) recruited participants through family-centered services and Family Courts: ten used clinical or law samples with court-ordered-cases for evaluation or treatment (e.g., child custody evaluations; reunification programs), support groups for divorced families, and forensic psychology evaluation cases; five studies used professional samples working with families (i.e., legal professionals, mental-health professionals, and social workers); only one study used clinical and professional samples. Finally, five studies (11.63%) used more than one of these sampling strategies.

As for sample size in the quantitative studies ($n = 30$), three used samples ranging from 21 to 50 participants (10%), three had samples ranging from 51 to 100 participants (10%), nine had a range between 101 and 200 participants (30%), ten reported samples that included between 201 and 500 (33.33%) participants, and only five studies used samples with more than 500 participants (16.67%), but under 800. As for sample size in the qualitative studies ($n = 8$), three used samples ranging from 10 to 20 participants (37.5%), three studies had samples ranging from 21 to 50 participants (37.5%), and two studies (25%) reported samples with more than 50 participants but under 200. Two of the five studies with a mixed approach had a range of 201 and 500 participants (40%), two reported samples including between 51 and 100 participants (40%), and the remaining study used a sample ranging from 21 to 50 participants (20%).

Most of the studies ($n = 26$, 60.47%) were focused on children as participants and 21 (80.77%) of these included adults responding retrospectively regarding their experience as a child (i.e., commonly described in the included articles as “adult children”). The samples of the studies with adult children included participants ranging from 18 to 79 years (although some studies only provided information on age mean and standard deviation). The remaining five studies included children under the age of 18 years, responding in relation to their current experiences, and ranging in age from two to 17 years. The majority of the articles ($n = 22$, 85.19%) that included children had both males and females in the sample, one study (3.70%) included only females and three (11.11%) did not provide information on the participants’ sex.

A total of 11 studies (25.58%) were based on samples composed of parents: six were conducted with rejected parents, self-identified as having children who were alienated from them; two included parents undergoing custody evaluations; one study had a sample specifically composed of mothers who had lost child custody; one study had a group with parents in current litigation and a control group; and the remaining study had recruited a group of community parents without specific criteria related to alienation. Nine of these studies with parents included mothers and fathers as respondents, while the remaining two focused on mothers’ experiences.

Five studies (11.63%) had samples composed of professionals – legal professionals (i.e., child custody evaluators; mediators; lawyers), mental-health professionals (i.e., psychologists; psychiatrists) and social workers. Three of these studies reported both males and females in the sample, while the remaining two did not provide information related to participants’ age and sex. Only one study (2.33%) had a sample composed of both legal professionals and parents.

Regarding participants’ country of residence, six studies (13.95%) did not report information on residence location or country. Among the remaining studies ($n = 37$), the predominant country was the USA ($n = 20$, 46.51%). Ten studies (23.26%) had been conducted with participants living in European countries (i.e., Italy, $n = 7$; UK, $n = 2$; Netherlands, $n = 1$), one study used a sample from Canada (2.33%), one study had been conducted with participants from Israel (2.33%), and four studies used samples from more than one country (9.3%).

Considering the total of the studies reviewed, it was also verified that only one used control groups, which were recruited through a research platform with a large population of volunteers (Bernet, Gregory, Reay, & Rohner, 2018). Only a few studies ($n = 13$) have made

comparative analyzes between different groups – participants from intact families vs. non-intact or divorced or separated or never married families (Baker & Chambers, 2011; Baker & Verrocchio, 2015; Hands & Warshak, 2011; Rowen & Emery, 2014; Verrocchio et al., 2016); participants with no exposure to parental alienation vs. with exposure to parental alienation or any alienation behaviors (Baker & Verrocchio, 2013; Baker & Verrocchio, 2016; Ben-Ami & Baker, 2012; Bernet, Baker, & Verrocchio, 2015; Gordon et al., 2008); participants from general community vs. involved in custody litigation disputes (Johnston, 2003; Rowen & Emery, 2018); neglected/emotionally abused children vs. children that rejected one parent without legitimate justification (Blagg & Godfrey, 2018).

3.2. Main themes addressed by parental alienation research

A qualitative analysis of the reviewed studies on parental alienation enabled the identification of main themes through the analysis of the studies’ aims, the identification of the main variables researched and the analysis of the “Results” or “Findings” section. Seven categories corresponding to the main themes emerged through the qualitative analysis: *Association with divorce and child custody disputes*; *Development and use of assessment measures for parental alienation*; *Parental alienation patterns*; *Validation of the parental alienation syndrome construct*; *Parental alienation impact*; *Parental alienation viewed as child abuse*; *Professionals’ voices and maps on parental alienation*. Categories were not mutually exclusive as most studies had more than one thematic focus.

3.2.1. Association with divorce and child custody disputes

The analysis revealed that a number of studies compare: intact with non-intact families regarding severity, type of actions, patterns and/or impact of parental alienation (Baker, 2006; Baker & Chambers, 2011; Baker & Verrocchio, 2013, 2015; Bernet et al., 2018; Hands & Warshak, 2011; Monè & Biringen, 2006) and denigration (Rowen & Emery, 2014); litigation with non-litigation families (Baker, 2006; Rowen & Emery, 2018); and alienated with non-alienated children within non-intact families (Baker, Burkhard, & Albertson-Kelly, 2012; Ben-Ami & Baker, 2012). Other studies sought to analyze contributions of the “legal system” to the parental alienation dynamic (Kruk, 2010; Poustie et al., 2018; Whitcombe, 2017) and the implications of attorneys’ knowledge and understanding of parental alienation (Baker, 2010).

3.2.2. Development and use of assessment measures for parental alienation

Several studies concerning the identification of parental alienation behaviors or strategies (e.g., Baker & Ben-Ami, 2011; Baker & Eichler, 2016; Baker & Verrocchio, 2013, 2015; Verrocchio et al., 2016) contributed to the development and validation process of a specific measure - *Baker Strategy Questionnaire (BSQ; Baker & Chambers, 2011)*. Some authors (Baker & Darnall, 2007; Spruijt, Eikelenboom, Harmeling, Stokkers, & Kormos, 2005) tried to contribute to the development of a valid assessment tool for Parental Alienation Syndrome, examining the eight symptoms identified by Gardner’s checklist. Monè and Biringen (2012), seeking to measure the extent to which an adult felt alienated from one or both parents during his childhood, developed the *RDQ – Relationship Distancing Questionnaire*.

Rowen and Emery (2014, 2018) developed the *Parental Denigration Scale* for assessing parental denigration behaviors, and found evidences of mutual denigration between parents and consequences of denigration for parent-child relationships. These results contrast with the parental alienation hypothesis (e.g., Gardner, 2002) that predicts denigration to be one-sided and to undermine the relationship between the child and the denigrated parent. Children’s contact refusal or rejection was assessed through the *Contact Refusal Scale* (Huff, Anderson, Adamsons, & Tambling, 2017), to explore the association of parental alienating behaviors with contact refusal. The *Parental Acceptance-Rejection Questionnaire* (Bernet et al., 2018) contributes to the assessment of parental alienation through the identification of children’s

perceptions on parental accepting-rejecting behaviors, i.e. the degree of splitting.

3.2.3. Parental alienation patterns

The frequency of childhood experience of parental alienation reported by adults was assessed in several studies (Baker, 2006, 2009; Baker & Chambers, 2011; Verrocchio, Baker, & Marchetti, 2017; Verrocchio, Marchetti, & Fulcheri, 2015). Some researchers also focused on adult children's perspective (Baker, 2005a; Baker & Ben-Ami, 2011; Baker & Chambers, 2011; Baker & Verrocchio, 2013; Bernet, Baker, & Verrocchio, 2015; Johnston, 2003; Verrocchio, Marchetti, & Fulcheri, 2015) and the rejected parent's perspective (Baker & Darnall, 2006; Poustie et al., 2018) of the identification, description and prevalence of parental alienation-related behaviors and strategies. Baker and Darnall (2006) took their analysis further by comparing alienating strategies identified by alienated parents to those described by adult children. The patterns of exposure to parental alienation across childhood were also explored by some authors (Verrocchio et al., 2017) seeking to pinpoint the parental alienation strategies more likely to emerge at different developmental periods.

The analysis of the reviewed studies revealed a focus on parenting domains and co-parenting dynamics and their association with children rejecting or refusing contact with one of their parents (Johnston, 2003; Johnston, Walters, & Olesen, 2005a; Rowen & Emery, 2014, 2018). Some authors specifically explored: associations of children's exposure to one parent's alienating strategies with their rejection of the other parent (Baker & Eichler, 2016); differences in severity, type of behaviors and prevalence of the phenomenon according to parents' gender (Baker & Verrocchio, 2016; Verrocchio et al., 2015); and differences in how mothers and fathers' behaviors, which support or discourage a positive relationship with the other parent, are perceived in terms of their acceptability (Harman et al., 2016). Other studies also highlighted the link between parental alienation and high-conflict divorced families (Baker & Darnall, 2006, Monè & Biringen, 2006; Kruk, 2010; Verrocchio et al., 2015) and also between parental alienation and intimate partner violence (Poustie et al., 2018). It should be noted that these studies that associate the "exposure to parental alienation" (or the "exposure to alienating behaviors") with specific outcomes (e.g., the rejection of a nonpreferred parent) do not use the observation of the preferred parent's behaviors or other standardized measures to identify parental alienation in children.

Some authors also explored children's characteristics that contribute to their vulnerability to parental alienation (Baker & Darnall, 2006; Balmer et al., 2018; Johnston, 2003; Verrocchio et al., 2017). The characteristics and personality domains of both rejected and alienating parents also emerged as a main focus in some studies (Baker, 2006; Balmer, Matthewson, & Haines, 2018; Gordon, Stoffey, & Bottinelli, 2008; Johnston, Walters, & Olesen, 2005b).

3.2.4. Validation of the parental alienation syndrome construct

Some authors (Baker & Darnall, 2007) contributed to the empirical validation of the parental alienation syndrome construct as they found that in the most severely alienated cases (according to Gardner's level of alienation), rejected parents recognized the eight symptoms (also described in Gardner's theory) in their children. Notwithstanding, it should be noticed that with respect to the validation of the construct, the fact that rejected parents said they recognized items from Gardner's list raises some methodological concerns, as it would be necessary to ensure that they identified symptoms from a broad range of items and to ensure that they were not previously familiar with Gardner's theory or symptoms list.

Spruijt et al. (2005) also conducted a study to explore whether the symptoms referred to by Gardner could be determined empirically, using a sample of divorce mediators and non-residential divorced parents.

3.2.5. Parental alienation impact

Individual level. The analysis uncovered a set of studies focusing: (1) on adult children's reports and perceptions of the long-term effects of childhood exposure to parental alienation (Baker, 2005b; Baker & Ben-Ami, 2011; Baker & Verrocchio, 2013, 2016; Ben-Ami & Baker, 2012; Bernet, Baker, & Verrocchio, 2015; Verrocchio, Baker, & Bernet, 2016; Verrocchio, Marchetti, & Fulcheri, 2015); and (2) on the rejected parents' experiences concerning the negative consequences of being exposed to alienating behaviors (Balmer et al., 2018; Finzi-Dolttan, Goldblatt, & Cohen-Masica, 2012; Poustie et al., 2018).

Family level. As regards this topic, two main research issues were observed in our analysis. Firstly, the impact of parental alienation on parent-child relationships, namely, the association between children's alienation from one parent and the state of their current relationship (as adult children) with the rejected parent (Hands & Warshak, 2011; Monè & Biringen, 2006); and reports of transgenerational patterns, i.e., alienated children becoming alienated parents and being rejected by their own children (Baker, 2005b). Secondly, Rowen and Emery (2014, 2018) explored parents' denigration behaviors (e.g., how often denigration behaviors occur; if it is practiced by one of the parents or by both) and how parental denigration is related to closeness in the child's relationship with both parents.

3.2.6. Parental alienation viewed as child abuse

A group of seven studies uses maltreatment measures combined with parental alienation measures (or other-related), in order to clarify whether parents who engage in parental alienation are perceived by their children as abusive (Baker, 2009; Baker & Ben-Ami, 2011; Baker & Eichler, 2016; Baker & Verrocchio, 2013, 2015; Verrocchio et al., 2016; Verrocchio et al., 2017). Although other articles do not use specific measures, their research findings also posit parental alienation as a form of child abuse (Kruk, 2010; Poustie et al., 2018). In a complementary line of thought, some researchers are concerned with how to distinguish parental alienation from child abuse or neglect (Bernet et al., 2018; Blagg & Godfrey, 2018).

3.2.7. Professionals' voices and maps on parental alienation

The analysis of the reviewed scientific papers highlighted two main themes focusing on studies with professional participants: parental alienation professionals' view; the *modus operandi* within the parental alienation context.

Parental alienation professionals' view. There is a heterogeneous group of professionals working with child custody cases (e.g., child custody evaluators; attorneys; mediators; parenting coordinators; court-ordered therapists; psychiatrists; psychologists) whose views have constituted the focus of researchers' interest. A closer look at the main themes revealed researchers' concern with: professionals' knowledge of the Parental Alienation Syndrome concept (Baker, 2007; Bow et al., 2009; Rueda, 2004); how professionals conceptualize parental alienation and their acceptance of it as a diagnosable "syndrome" (Baker, 2007; Bow et al., 2009; Rueda, 2004; Sanders, Geffner, Bucky, Ribner, & Patino, 2015); different statements on parental alienation syndrome inclusion in the DSM (Baker, 2007); the approval of parental alienation syndrome as a legitimate construct and as a valid criterion to use in child custody evaluations, i.e., within the family court context (Sanders et al., 2015). Professionals' perceptions regarding the prevalence of alienating mothers vs. alienating fathers, as well as alienated girls vs. alienated boys were also considered (Bow et al., 2009).

Modus operandi within the parental alienation context. Some empirical studies aimed to specifically understand professionals' evaluation process of parental alienation dynamics and behaviors (e.g., assessment tools and procedures used in the field of child custody evaluation) (Baker, 2007; Bow et al., 2009; Sanders et al., 2015). Other researchers also explored professionals' practices and decisions on parental alienation cases and their subjective experience regarding treatment/intervention options (Sanders et al., 2015). One recent study

with social workers from domestic violence shelters (Lapierre & Côté, 2016) revealed the growing concern with parental alienation accusations against women who had experienced domestic violence and highlighted the consequences for women and children's safety and well-being, and the impact on the practices and operational work of professionals in this context.

4. Discussion

The current study presents a descriptive literature review (Paré et al., 2015) of the empirical studies on parental alienation published in scientific journals from 2000 to 2018, seeking, through a qualitative analysis, to provide a methodological profile and to identify the nodal themes addressed.

Despite the growing interest in parental alienation, empirical research on this topic has been regarded as methodologically feeble (Fidler & Bala, 2010; Milchman, 2019; Saini et al., 2016). In fact, this review has identified voids and important methodological weaknesses. Current research has focused primarily on children and nonpreferred parents and little attention has been paid to the characteristics, beliefs, and experiences of preferred parents. This may be due to the increased difficulty in accessing all "parties" within high-conflict divorce and court-ordered treatment contexts. Three possible explanations may be considered: custody disputes are demanding, requiring considerable energy for court proceedings and, in consequence, family members become more vulnerable, presenting high levels of depression and anxiety (Baker, 2010), a sense of powerlessness and frustration (Vassiliou & Cartwright, 2001) and feelings of disbelief and of not being heard (Whitcombe, 2017); the preferred parent, who ends up being accused of alienating the child (even in the absence of objective evidence that s/he is encouraging the child to avoid the other parent), is exposed to emotional, legal and financial threats (Mercer, 2019), which may lead her/him to feel reluctant to cooperate with court-ordered decisions, as well as volunteering to participate in empirical studies related to this specific topic; and, also in this line, parents identified (by third parties) as alienating often do not believe that they are alienating their children, perceiving their own behavior as a form of protection. Therefore, as parental alienation research field still depends a lot on "self-identification" to obtain a sample group, for research purposes it becomes easier to have access to parents who identify themselves as victims of other parent's alienating behaviors.

Our results also evidenced a clear predominance of quantitative approaches and retrospective and cross-sectional designs. However, it should be noteworthy that some of the defined inclusion criteria – e.g., sample size; publications published in English and in peer-reviewed journals – may have limited the number of accessed qualitative studies. Qualitative and mixed research could provide a richer description and deeper understanding of a complex context (Denzin & Lincoln, 2017), and some authors have recently suggested the need to focus on subjective experience to raise awareness of parental alienation processes and experiences (e.g., Balmer et al., 2018; Maturana et al., 2018; Poustie et al., 2018). Therefore, it is suggested that more qualitative data should be published in scientific and peer-reviewed journals, ensuring that the general recommendations for quality and rigor in qualitative research (see Charmaz, 2006; Guest, Bunce, & Johnson, 2006, for review) are followed and that qualitative studies are properly represented in this research field.

Moreover, cross-sectional designs preclude any causal conclusions as to the impact of parental alienation or, conversely, to the causes of parental alienation. Notwithstanding, cross-sectional designs are relevant to further scientific knowledge and to set the stage for longitudinal research (Vernberg & Dill, 2003). Although retrospective collection data has its drawbacks, it avoids constraints that can compromise the advance of scientific knowledge in the field of parental alienation. One of the main issues that researchers face is that sometimes financial and time-related resources are unavailable for long-term

studies. Specifically in the field of parental alienation, there is the direct interference of the professional and social denial of this phenomenon in the progress of the investigation. Harman, Kruk and Hines (2018) discussed, on the one hand, how the public denial of parental alienation has somehow been the result of the societal-level denial of the existence and prevalence of other forms of violence and abuse in countries like the United States and Canada, and on the other hand, how does this denial position among some groups of individuals blocked researchers' access to funding.

From a scientific perspective, longitudinal designs seem attractive, however in practice they allude to ethical issues when collecting data on children and adolescents living with parental alienation (Vernberg & Dill, 2003). It is supposed that in research contexts, psychologists take reasonable steps to avoid harming their research participants and to minimize harm where it is foreseeable (APA, 2017). Thus, it is relevant to critically reflect on the continuity of research activities when researchers perceive families' intervention needs, in order to safeguard the welfare and rights of children or to prevent (or not allow) the case to progress to severe parental alienation. Moreover, large groups of children are often difficult to recruit into psychological research (Vernberg & Dill, 2003), which is more pronounced in parental alienation situations and, consequently, limits long-term studies. As already mentioned, high-conflict and court-ordered contexts impose specific challenges on parents, who are not likely to volunteer their children for research purposes.

In addition, the studies' recruitment methods may represent a selection bias: the large number of studies that only included participants "who self-identified as alienated child/parent" or "who reported such" (through self-rating scales) could suggest an overestimated perception and knowledge about parental alienation behaviors; additionally, in a large number of studies, the samples are exclusively composed of university students, which does not represent the specific contexts related to parental alienation (e.g., court-ordered families for therapy; current litigation families; high-conflict divorced families).

However, it also should be noted that recent studies have sought to address these limitations and describe sampling strategies that contribute to the increasing robustness of this research field. The recruitment process is no longer mainly focused on university community samples, involving more specific population groups, such as parental alienation study groups (Baker, 2020b); online groups related to parental alienation (e.g., Harman et al., 2020; Tavares et al., 2020) and related to divorced parents, co-parenting, single parents, and victims of narcissistic abuse (Harman et al., 2020); families in reunification programs specialized in the treatment of parental alienation (e.g., Bernet et al., 2018; Bernet, Gregory, Rohner, & Reay, 2020). Moreover, researchers have sought to develop and empirically validate assessment tools that can determine whether, from the parent's perspective, they had been alienated from a child (e.g., Rowlands, 2019, 2020), which could be a valuable contribution to identifying targeted parents in future studies.

Studies in this area can be viewed as including assessment measures lacking robustness, biased participants' recruitment processes, or reasoning by analogy (Milchman, 2019), however, it is important to clarify the methodological challenges facing research in this area. Researchers have sought to invest in the production of evidence that allows the field to be robust and credible within the scientific community. As Saini et al. (2016) reflected, the conclusions that emerged from parental alienation research are not definitive and may change as new and high-quality research develops.

As regards the second research question, scientific research on parental alienation was observed to focus mostly on the following themes: association with divorce and child custody disputes; development and use of assessment measures around parental alienation; parental alienation patterns; validation of the parental alienation syndrome construct; parental alienation impact; parental alienation viewed as child abuse; professionals' voices and maps on parental alienation.

The qualitative analysis revealed that parental alienation may occur within intact, non-intact, divorced and litigation families. However, child custody disputes and litigation cases emerged as the preferred contexts for parental alienation, pointing to the significant role of parental separation and co-parental conflict (e.g., Harman et al., 2019; Kelly & Johnston, 2001; Meier, 2009). In scientific literature, questions have been raised as to the possibility of insufficient gender neutrality in custody and visitation decisions and there are some authors that are beginning to document a potential gender bias that may have influenced how parental alienation has been handled in family courts. Research has reported that court professionals see mothers as more alienating than fathers when they allegedly engaged in the same parental alienation actions (Priolo-Filho et al., 2019) and that they tend to view mothers as more likely to make false allegations and alienate their children, and fathers least likely to do so (Saunders, Faller, & Tolman, 2016). Also, gender-based differences appear to play a role in court decisions and recommendations: fathers appear to be more favored when compared to mothers (e.g., fathers were more than twice as likely as mothers to win a case when claiming alienation) and had custody granted in their favor (Meier & Dickson, 2017); when the mother was the alleged alienator, professionals favored the change of custody and referred the cases to child protective services, but when the father was the alleged alienator, they were more likely to encourage reunification (Goldfarb et al., 2019). On the other hand, Harman et al. (2016) found that parental alienating behaviors were perceived by third parties as being more acceptable when mothers do them than fathers. Gender-based research raises some concerns about how parental alienation and subjective biases have been present in cases of custody disputes and court decisions, with negative consequences for family relationships.

This review also points to the need for some caution in the view of parental alienation as child abuse, due to the impact it may have in the courtrooms. There is a group of studies that combines parental alienation measures and psychological maltreatment measures, however, there are some weaknesses in the way studies demonstrate that parental alienating behaviors are associated with specific maltreating behaviors (see Milchman, 2019, for discussion). Without neglecting the relevance of these studies, it is important to highlight that without a critical analysis of these results, this evidence can support judicial decisions that harm the preferred parent by limiting his/her contact with the child or even changing the residence.

Scientific concern (e.g., Baker & Darnall, 2007; Baker & Ben-Ami, 2011; Baker & Eichler, 2016; Baker & Verrocchio, 2013, 2015; Spruijt et al., 2005; Verrocchio et al., 2016) with the assessment of parental alienation and with the identification of parental alienating behaviors and strategies strongly contributed to the development of a specific and useful measure of parental alienating behaviors – *Baker Strategy Questionnaire* (BSQ; Baker & Chambers, 2011). However, it is necessary to deepen the development of more accurate and reliable measures (Saini et al., 2016; Milchman, 2019), which requires greater clarity and less conceptual enmeshment of the concept of parental alienation (e.g., Bernet & Baker, 2013; Fidler & Bala, 2010; Meier, 2009; Walker & Shapiro, 2010). Parental alienation is commonly viewed as the outcome of parental alienating behaviors (Baker & Eichler, 2016), however, this set of behaviors and strategies cannot be decontextualized from the limitations of the empirical studies that support them. This review would like to uncover the idea that for achieve parental alienation construct validity it is essential that these behaviors be specific to parental alienation and do not overlap with behaviors that have other potential causes (e.g., the discrimination between parental alienating behaviors and protective parental behaviors is not always easy; Milchman, 2019). Furthermore, there is a need for assessment tools that really measure what they propose to measure, i.e., parental alienation, avoiding the assumptions that the alienating behaviors of the preferred parent are the cause for the outcome of parental alienation.

A critical examination of other-related concepts associated with parental alienation research, such as parental denigration (e.g., Rowen

& Emery, 2014, 2018, 2019) and contact refusal (Huff et al., 2017) enables us to reflect on this conceptual enmeshment. This review suggests that some caution is needed when examining other-related terms (and other-related studies) that may be a contribution to parental alienation, but that are not synonyms. A closer look to “parental denigration” studies (described by Rowen & Emery, 2014, 2018, 2019) allows the recognition of valuable contributions to challenge researchers to look at the complexity of the parental alienation phenomenon (whose basic assumptions were related to its one-sided nature and with the idea that the damage done is to the denigrated parent’s relationship with the child but not to the denigrator’s relationship). Parental denigration studies found that denigration was considered reciprocal and appears to be associated with children feeling less close to both parents, which can be an interesting insight into the range of factors that should be considered in understanding of parent-child closeness in the context of parental alienation, parental conflict and child custody disputes.

In fact, researchers have been working on establishing the base-line for possible causes and consequences of contact refusal or denigration to then clarify how these dynamics are associated with parental alienation patterns. However, the use of different concepts and measures, combined with the lack of consensus on parental alienation conceptualization (interaction patterns, with behavioral indicators, but following a non-pathological view vs. condition, with clinically identifiable symptoms and following a pathological view) may contribute more to enmeshment than to clarification.

Kelly and Johnston (2001) highlighted the relevance of a family-centered view when investigating parental alienation, proposing a systemic theoretical framework (subsequently reviewed by Friedlander and Walters, 2010) for assessing the multiple and interrelated factors influencing the child’s response during and after separation. This model suggests that both parents’ relationship with the child should be viewed along a continuum from positive to negative, and considers the influence of several factors (e.g., child’s cognitive capacity; parents’ personality traits; parents’ behaviors; conflict or litigation) on the child’s contact refusal.

The analysis of the reviewed studies revealed that some work has been based on this model (e.g., Johnston, 2003; Johnston, Walters, & Olesen, 2005a) and pointed to empirical interest in parental alienation patterns, particularly in individual and family characteristics and/or processes that reinforce its continuity over time (e.g., Baker & Darnall, 2006; Baker & Eichler, 2016; Gordon, Stoffey, & Bottinelli, 2008; Johnston, Walters, & Olesen, 2005b). As Mercer (2019) recently pointed out, there is an error of logic in the assumption that the child’s resistance or contact refusal is always the result of the manipulation or persuasion of the preferred parent, who influences the child to avoid the nonpreferred parent. This causal relationship focuses solely on a preferred parent’s behavior, which offers a decontextualized and reducing view of children’s rejection of the nonpreferred parent (Johnston & Sullivan, 2020). The more comprehensive the knowledge on the factors that contribute to parental alienation, the better court decisions and intervention programs will be in this context (Johnston, 2003; Saini et al., 2016).

Faced with the need to better understand the sequelae resulting from being exposed to parental alienation, the empirical evidence reported effects on all involved “parties” both at individual (e.g., Balmer et al., 2018; Poustie et al., 2018) and relational levels (e.g., Baker, 2005b; Hands & Warshak, 2011). Some retrospective studies (e.g., Baker & Ben-Ami, 2011; Baker & Verrocchio, 2013; Bernet et al., 2015) aimed to map the long-term negative consequences and sought to clarify them (e.g., severity; type). The research focusing on the association between parental alienation and the child’s perceptions of being abused should also be noted, as it sheds light on its short and long-term negative effects. In line with the concern regarding the differentiation between alienation and other types of contact refusal, the research sought to clarify the differences between justified estrangement (e.g., as

a consequence of child abuse or neglect) and alienation (Bernet et al., 2018; Blagg & Godfrey, 2018).

Finally, the results of this review revealed a group of studies concerned with professionals' views, experiences and operational work on parental alienation. The diversity of professionals included in the empirical studies - e.g., attorneys, parenting coordinators, psychologists, social workers - suggests that not only may parental alienation be found in a variety of contexts, but it may also require a reflection on "new roles" resulting from a systemic view of divorced families and child custody disputes (Emery, Rowen, & Dinescu, 2014). Family-friendly law procedures have led judges, mental-health professionals and attorneys to take on new roles, e.g., mediators and parenting coordinators, involvement in alternative dispute resolution interventions (Emery et al., 2014) and require collaborative therapeutic-court practices, especially when issues are related to parental alienation (Johnston, 2003; Templer et al., 2017; Lebow & Rekart, 2007). It should also be noted that professionals have underlined some conceptual issues and the absence of guidance that reinforce the aforementioned conceptual enmeshment. Professionals who work with high-conflict divorce and child custody disputes are not only faced with ethical dilemmas that emerge from legal-therapeutic coordination, but also need guidance and clarity regarding their role in the case (Lebow & Rekart, 2007).

The advance in the research on parental alienation may contribute to form the backbone of court decisions, mental health treatments and psychological interventions (Lowenstein, 2011), furthering a collaborative practice between clinical and law professionals (Johnston, 2003; Templer et al., 2017), offering evidence-based guidance to support decisions (Garber, 2007; Walker et al., 2004) and highlighting the (often cited) standard of "the child's best interest" (e.g., Fidler & Bala, 2010; Priolo-Filho et al., 2019; Warshak, 2003; Mercer, 2019).

4.1. Limitations and strengths

Based on the PRISMA guidelines, this review presents some limitations which should be addressed (Liberati et al., 2009; Moher et al., 2009). The search strategy was restricted to peer-reviewed journals available on online databases and to English-language publications, which may have created an inclusion bias. Some relevant research on parental alienation may have been overlooked, as other sources of information were not considered, namely grey literature. There are numerous dissertations and master theses, as well as professional books and publications from governmental agencies with relevant and robust research data on parental alienation topic - e.g., see Baker, 2013, 2020a; Saini et al., 2016 for review. Such grey literature may have positive and valuable contributions for research and for clinical practice, however, its heterogeneity makes it difficult to assess issues of quality, namely in data retrieval, analysis, and synthesis (Adams, Smart, & Huff, 2017).

The selected "search terms" may be another potential limitation, as they narrow the spectrum of accessed articles. As research regarding parental alienation might be camouflaged by other-related terms (e.g., denigration, rejection of a parent; contact refusal), the combinations of keywords used to identify or exclude records were general and the reference lists of included articles were screened for additional studies. Thus, this review includes a representative sample of empirical studies on parental alienation published in English language and in peer-reviewed journals, and the guidelines for systematic reviews (e.g., Moher et al., 2009; Paré et al., 2015) were closely followed.

Although a summary of the findings of the reviewed studies could enrich the current review, it would render it too long. Thus, our review was designed to highlight the methodological features and the research themes through a qualitative synthesis, in an attempt to contribute to a more accurate map of the parental alienation research field. The use of the NVIVO 11 software contributed to the quality and rigor.

To our knowledge, this is the first scientific review of a

representative sample of empirical studies published in scientific journals regarding parental alienation with emphasis on methodological characteristics and research themes. Hence, this review may serve to guide researchers and professionals (e.g., judges, mediators, parenting coordinators, child custody evaluators, psychologists, family therapists) through existing knowledge and key issues, as well as unexplored or controversial domains (Paré et al., 2015).

4.2. Future directions

One of the challenges of multi-factor models is that they are complex and costly to use in assessment (Johnston & Sullivan, 2020), however, this limitation should pale in comparison with the expect gain of using such models. It would be useful if researchers could establish a strongly consensual (within the scientific community) assessment protocol to identify parental alienation by professionals, considering identifiable nodal issues. First, children's contact refusal may have the contribution of specific factors other than actions of a preferred parent. Observation and assessment of the behaviors and characteristics of both parents, as well as the child's reactions to these figures - taking into account family history and relational dynamics that could influence rejection behaviors - should take place in an agreed-upon way before parental alienation is considered to be identified. An assessment protocol would make it possible to avoid confusion between what is a child protection issue and what is a parental alienation issue. As Bernet and Baker (2013) said, a misuse of parental alienation by abusive parents may be prevented if there is a scientific consensus on its identification.

Second, but still in this line, an accurate assessment protocol would contribute to professionals' training in this highly specialized area. This would allow greater objectivity in identifying cases of alienation. From a research perspective, this would avoid the problem of source reliability (e.g., samples with self-reported beliefs), since we would have clinicians or researchers with the expertise to identify a parent as alienating or a child as having been alienated. Parental alienation research field still depends a lot on "self-identification" and on "self-definition as" to obtain a sample group, which is problematic for survey's basic validity and, consequently, an obstacle to achieve construct validity (Robb, 2020). From an intervention perspective, there are two contributions. Some authors (e.g., Neilson, 2018; Warshak, 2016) have discussed one of the main risks posed to professionals: parental alienation cases usually involve claims and accusations against professionals, namely, regarding methodology to reunify the children with nonpreferred parent or faulty conclusions. In such cases, evidence-based assessments and interventions could contribute to protecting professionals and, ultimately, prevent them from driving from the field or feeling discouraged from entering the field; and it would inform legal decisions (e.g., custody and visitation arrangements) and contribute to more effective therapeutic programs. Despite this, it should be stressed that researchers have made growing efforts to develop measurement tools for parental alienation (e.g., Rowlands, 2019; 2020), which may play a role in informing empirically validated interventions and court-decisions.

Longitudinal rather than cross-sectional designs are needed to assist the complexity of parental alienation through the documentation of the emergence, course and change of parental alienation over time (Vernberg & Dill, 2003). For instance, although considering the ethical and clinical issues that longitudinal studies can place, it should be interesting to analyze, through time, change processes and trajectories of families referred to intervention programs due to parental alienation.

Moreover, large and international samples might capture the cultural complexities of parental alienation and draw further hypotheses with regard to the causes and effects at different developmental time periods.

As an important result of this review pointed to "self-identification" and "self-report" as an accuracy bias, two recommendations are suggested. First, the collection of data from multiple family informants is

widely encouraged, so that different perspectives concerning a particular problem can be considered (Vernberg & Dill, 2003). It would be interesting to gain a deeper understanding of the relational choreographies families create, practice and reproduce. A family-level analysis of the collected data might brighten the blind spots of these interactions which, ultimately, may assist family-law and family practitioners when reflecting on *what has not worked (and why)?* and *what can work?* Second, the recruitment process would benefit from using other-informants identification (e.g., professionals), rather than self-identification. On this basis, two research lines appear to be of interest: 1) researchers may call upon the identified families, using self-report measures (and contrast results with those from self-identified participants); 2) the views of both family members and professionals are considered to explore the family-practitioners agreement on alienation issues, characteristics, roles and behaviors and its association with the effectiveness of interventions.

New directions forward also include continuing to produce systematic literature reviews, as they are essential tools for summarizing data accurately (Liberati et al., 2009). In this sense, two types of reviews are suggested. First, a systematic review of prevalence studies, with the aim of examining the quality and validity of these studies. Some authors (e.g., Doughty, Maxwell, & Slater, 2020; Harman et al., 2019; Saini et al., 2016) have recognized the challenges of determining the prevalence or incidence of parental alienation, pointing out possible reasons for that, such as the lack of common definitions of alienation, the absence of samples that accurately represent a defined target population, or different assessment measures. The methodological characteristics of the prevalence studies could be rigorously analyzed through a systematic review and following the guidelines for evaluating this type of evidence (Migliavaca et al., 2020; Munn, Moola, Lisy, Riitano, & Tufanaru, 2015). From this point on, new clues would be provided to assess the global prevalence of the phenomenon and to analyze patterns cross-countries (e.g., gender differences in terms of who is more likely to become alienating or rejected parent). Second, it would be interesting to systematize the evidence collected specifically through the court databases around the world. There are already publications that examine court cases and the admissibility of parental alienation in courts over time (e.g., Bala et al., 2010; Lorandos, 2020), however, it would be extremely relevant to review publications from various countries to capture and discuss the social, cultural and legal complexities that have accompanied the evolution of the phenomenon worldwide.

5. Conclusion

The complexity of individual and family relational choreographies within parental alienation goes beyond the possibility of an individual diagnosis, under penalty of undermining courtrooms and decisions in child custody disputes contexts. What we do know is that parental alienation challenges everyone to see the complex picture of the potential factors influencing the child's negative beliefs and resistance in the context of parent-child contact problems.

This review intends to be a source of reflection on what is already known and what needs further attention. It should be noteworthy that although parental alienation research faces a lot of methodological challenges, it has been verified great efforts and investment of researchers to expand the empirical evidence within this field. The journey is long and much remains to be done, but research is progressing productively, to avoid keeping children in the middle of a war zone without evidence-based court decisions or therapeutic interventions.

Funding

This work was supported by a PhD grant, provided by the University of Lisbon, Portugal.

Declaration of Competing Interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

Appendix A. Supplementary material

Supplementary data to this article can be found online at <https://doi.org/10.1016/j.chilcyouth.2020.105572>.

References

References marked with an asterisk indicate studies included in the systematic review.

- Adams, R., Smart, P., & Huff, A. (2017). Shades of grey: Guidelines for working with the grey literature in systematic reviews for management and organizational studies. *International Journal of Management Reviews*, 19, 432–454. <https://doi.org/10.1111/ijmr.12102>.
- American Psychological Association (2017). Ethical principles of psychologists and code of conduct. Retrieved from: <https://www.apa.org/ethics/code/ethics-code-2017.pdf>.
- *Baker, A. J. (2005a). Parent alienation strategies: A qualitative study of adults who experienced parental alienation as a child. *American Journal of Forensic Psychology*, 23(4), 41–63.
- *Baker, A. J. (2005b). The long-term effects of parental alienation on adult children: A qualitative research study. *The American Journal of Family Therapy*, 33, 289–302. <https://doi.org/10.1080/01926180590962129>.
- *Baker, A. J. (2006). Patterns of parental alienation syndrome: A qualitative study of adults who were alienated from a parent as a child. *The American Journal of Family Therapy*, 34(1), 63–78. <https://doi.org/10.1080/01926180500301444>.
- *Baker, A. J. (2007). Knowledge and attitudes about the parental alienation syndrome: A survey of custody evaluators. *The American Journal of Family Therapy*, 35(1), 1–19. <https://doi.org/10.1080/01926180600698368>.
- *Baker, A. J. (2009). Adult recall of parental alienation in a community sample: Prevalence and Associations with psychological maltreatment. *Journal of Divorce & Remarriage*, 51(1), 16–35. <https://doi.org/10.1080/10502550903423206>.
- *Baker, A. J. (2010). Even when you win you lose: Targeted parents' perceptions of their attorneys. *The American Journal of Family Therapy*, 38(4), 292–309. <https://doi.org/10.1080/01926187.2010.493429>.
- Baker, A. (2013). Parental alienation research and Daubert standards. In D. Lorandos, W. Bernet, & S. R. Sauber (Eds.), *Parental Alienation: The Handbook for Mental Health and Legal Professionals* (pp. 322–347). Illinois: Charles C Thomas Publisher, Lda.
- Baker, A. (2020a). Parental alienation and empirical research. In D. Lorandos, & W. Bernet (Eds.), *Parental alienation: Science and law* (pp. 207–253). Illinois: Charles C Thomas Publisher, Lda.
- Baker, A. J. (2020b). Reliability and validity of the four-factor model of parental alienation. *Journal of Family Therapy*, 42(1), 100–118. <https://doi.org/10.1111/1467-6427.12253>.
- *Baker, A. J., & Ben-Ami, N. (2011). To turn a child against a parent is to turn a child against himself: The direct and indirect effects of exposure to parental alienation strategies on self-esteem and well-being. *Journal of Divorce & Remarriage*, 52(7), 472–489. <https://doi.org/10.1080/10502556.2011.609424>.
- *Baker, A. J., Burkhard, B., & Albertson-Kelly, J. (2012). Differentiating alienated from not alienated children: A pilot study. *Journal of Divorce & Remarriage*, 53(3), 178–193. <https://doi.org/10.1080/10502556.2012.663266>.
- *Baker, A. J., & Chambers, J. (2011). Adult recall of childhood exposure to parental conflict: Unpacking the black box of parental alienation. *Journal of Divorce & Remarriage*, 52(1), 55–76. <https://doi.org/10.1080/10502556.2011.534396>.
- *Baker, A. J., & Darnall, D. (2006). Behaviors and strategies employed in parental alienation. *Journal of Divorce & Remarriage*, 45(1–2), 97–124. https://doi.org/10.1300/J087v45n01_06.
- *Baker, A. J., & Darnall, D. (2007). A construct study of the eight symptoms of severe parental alienation syndrome. *Journal of Divorce & Remarriage*, 47(1–2), 55–75. https://doi.org/10.1300/J087v47n01_04.
- *Baker, A. J., & Eichler, A. (2016). The linkage between parental alienation behaviors and child alienation. *Journal of Divorce & Remarriage*, 57(7), 475–484. <https://doi.org/10.1080/10502556.2016.1220285>.
- *Baker, A. J., & Verrocchio, M. C. (2013). Italian college student-reported childhood exposure to parental alienation: Correlates with well-being. *Journal of Divorce & Remarriage*, 54(8), 609–628. <https://doi.org/10.1080/10502556.2013.837714>.
- *Baker, A. J., & Verrocchio, M. C. (2015). Parental bonding and parental alienation as correlates of psychological maltreatment in adults in intact and non-intact families. *Journal of Child and Family Studies*, 24, 3047–3057. <https://doi.org/10.1007/s10826-014-0108-0>.
- *Baker, A. J., & Verrocchio, M. C. (2016). Exposure to parental alienation and subsequent anxiety and depression in Italian adults. *The American Journal of Family Therapy*, 44(5), 255–271. <https://doi.org/10.1080/01926187.2016.1230480>.
- Bala, N., Hunt, S., & McCarney, C. (2010). Parental alienation: Canadian court cases 1989–2008. *Family Court Review*, 48(1), 164–179. <https://doi.org/10.1111/j.1744-1617.2009.01296.x>.

- *Balmer, S., Matthewson, M., & Haines, J. (2018). Parental alienation: Targeted parent perspective. *Australian Journal of Psychology*, 70, 91–99. <https://doi.org/10.1111/ajpy.12159>.
- Belur, J., Tompson, L., Thornton, A., & Simon, M. (2018). Interrater reliability in systematic review methodology: Exploring variations in coder decision-making. *Sociological Methods & Research*, 5(8), 1–29. <https://doi.org/10.1177/0049124118799372>.
- *Ben-Ami, N., & Baker, A. J. (2012). The long-term correlates of childhood exposure to parental alienation on adult self-sufficiency and well-being. *The American Journal of Family Therapy*, 40(2), 169–183. <https://doi.org/10.1080/01926187.2011.601206>.
- Bernet, W., & Baker, A. J. L. (2013). Parental alienation, DSM-5, and ICD-11: A response to critics. *Journal of the American Academy of Psychiatry and the Law*, 41(1), 98–104.
- *Bernet, W., Baker, A. J., & Verocchio, M. C. (2015). Symptom Checklist-90-Revised Scores in adult children exposed to alienating behaviors: An Italian sample. *Journal of Forensic Sciences*, 60(2), 357–362. <https://doi.org/10.1111/1556-4029.12681>.
- *Bernet, W., Gregory, N., Reay, K., & Rohner, R. P. (2018). An objective measure of splitting in parental alienation: The Parental Acceptance-Rejection Questionnaire. *Journal of Forensic Sciences*, 63(3), 776–783. <https://doi.org/10.1111/1556-4029.13625>.
- Bernet, W., Gregory, N., Rohner, R., & Reay, K. (2020). Measuring the difference between parental alienation and parental estrangement: The PARQ-Gap. *Psychiatry & Behavioral Science*, 65(4), 1225–1234. <https://doi.org/10.1111/1556-4029.14300>.
- *Blagg, N., & Godfrey, E. (2018). Exploring parent-child relationships in alienated versus neglected/emotionally abused children using the Bene-Anthony Family Relations Test. *Child Abuse Review*, 27(6), 486–496. <https://doi.org/10.1002/car.2537>.
- *Bow, J. N., Gould, J. W., & Flens, J. R. (2009). Examining parental alienation in child custody cases: A survey of mental health and legal professionals. *The American Journal of Family Therapy*, 37, 127–145. <https://doi.org/10.1080/01926180801960658>.
- Braver, S., & Lamb, M. (2018). Shared parenting after parental separation: The Views of 12 experts. *Journal of Divorce & Remarriage*, 59(5), 372–387. <https://doi.org/10.1080/10502556.2018.1454195>.
- Charmaz, K. (2006). *Constructing Grounded Theory*. London: SAGE.
- Clemente, M., & Padilla-Racero, D. (2016). When courts accept what science rejects: Custody issues concerning the alleged “parental alienation syndrome”. *Journal of Child Custody*, 13(2), 126–133. <https://doi.org/10.1080/15379418.2016.1219245>.
- Darnall, D. (2011). The psychosocial treatment of parental alienation. *Child and Adolescent Psychiatric Clinics of North America*, 20, 479–494. <https://doi.org/10.1016/j.jcnc.2011.03.006>.
- Denzin, N., & Lincoln, Y. (2017). *The SAGE handbook of qualitative research* (5th ed.). Thousand Oaks: SAGE Publications Inc.
- Doughty, J., Maxwell, N., & Slater, T. (2020). Professional responses to “parental alienation”: Research-informed practice. *Journal of Social Welfare and Family Law*, 42(1), 68–79. <https://doi.org/10.1080/09649069.2020.1701938>.
- Droz, L., & Olesen, N. (2004). Is it abuse, alienation, and/or estrangement?: A decision tree. *Journal of Child Custody*, 1(3), 65–106. https://doi.org/10.1300/J190v01n03_05.
- Durlak, J. A. (2003). Basic principles of meta-analysis. In M. C. Roberts, & S. S. Iardi (Eds.). *Handbook of research methods in clinical psychology* (pp. 196–209). Oxford: Wiley-Blackwell.
- Emery, R., Rowen, J., & Dinescu, D. (2014). New roles for family therapists in the courts: An overview with a focus on custody dispute resolution. *Family Process*, 53(3), 500–515. <https://doi.org/10.1111/famp.12077>.
- Fidler, B. J., & Bala, N. (2010). Children resisting postseparation contact with a parent: Concepts, controversies, and conundrums. *Family Court Review*, 48(1), 10–47. <https://doi.org/10.1111/j.1744-1617.2009.01287.x>.
- *Finzi-Doontan, R., Goldblatt, H., & Cohen-Masica, O. (2012). The experience of motherhood for alienated mothers. *Child & Family Social Work*, 17, 316–325. <https://doi.org/10.1111/j.1365-2206.2011.00782.x>.
- Friedlander, S., & Walters, M. G. (2010). When a child rejects a parent: Tailoring the intervention to fit the problem. *Family Court Review*, 48(1), 98–111. <https://doi.org/10.1111/j.1744-1617.2009.01291.x>.
- Garber, B. D. (2007). Conceptualizing visitation resistance and refusal in the context of parental conflict, separation and divorce. *Family Court Review*, 45(4), 588–599. <https://doi.org/10.1111/j.1744-1617.2007.00173.x>.
- Garber, B. D. (2011). Parental alienation and the dynamics of the enmeshed parent-child dyad: Adultification, parentification, and infantilization. *Family Court Review*, 49, 322–335. <https://doi.org/10.1111/j.1744-1617.2011.01374.x>.
- Garber, B. D. (2020). Dynamics, not diagnoses. *Family Court Review*, 58(2), 368–370. <https://doi.org/10.1111/fcre.12492>.
- Gardner, R. A. (1985). Recent trends in divorce and custody and custody litigation. *Academy Forum*, 29(2), 3–7.
- Gardner, R. A. (2002). Parental alienation syndrome vs. parental alienation: Which diagnosis should evaluators use in child-custody disputes? *The American Journal of Family Therapy*, 30, 93–115. <https://doi.org/10.1080/019261802753573821>.
- Godbout, E., & Parent, C. (2012). The life paths and lived experiences of adults who have experienced parental alienation: A retrospective study. *Journal of Divorce & Remarriage*, 53(1), 34–54. <https://doi.org/10.1080/10502556.2012.635967>.
- Goldfarb, D., Priolo-Filho, S., Sampana, J., Shestowsky, D., Wolpe, S., Williams, L., & Goodman, G. (2019). International comparison of family court professionals’ perceptions of parental alienation and child sexual abuse allegations. *International Journal of Child Maltreatment: Research, Policy, and Practice*, 2, 323–341. <https://doi.org/10.1007/s42448-019-00033-6>.
- *Gordon, R., Stoffey, R., & Bottinelli, J. (2008). MMPI-2 findings of primitive defenses in alienating parents. *The American Journal of Family Therapy*, 36, 211–228. <https://doi.org/10.1080/01926180701643313>.
- Guest, G., Bunce, A., & Johnson, L. (2006). How many interviews are enough?: An experiment with data saturation and variability. *Field Methods*, 18(1), 59–82. <https://doi.org/10.1177/1525822X05279903>.
- *Hands, A. J., & Warshak, R. A. (2011). Parental alienation among college students. *The American Journal of Family Therapy*, 39, 431–443. <https://doi.org/10.1080/01926187.2011.575336>.
- Harman, J. J., Bernet, W., & Harman, J. (2019). Parental alienation: The blossoming of a field of study. *Current Directions in Psychological Science*, 28(2), 212–217. <https://doi.org/10.1177/0963721419827271>.
- *Harman, J. J., Biringen, Z., Ratajack, E. M., Outland, P. L., & Kraus, A. (2016). Parents behaving badly: Gender Biases in the perception of parental alienating behaviors. *Journal of Family Psychology*, 30(7), 866–874. <https://doi.org/10.1037/fam0000232>.
- Harman, J., Leder-Elder, S., & Biringen, Z. (2019). Prevalence of adults who are the targets of parental alienating behaviors and their impact. *Children and Youth Services Review*, 106, 1–13. <https://doi.org/10.1016/j.childyouth.2019.104471>.
- Harman, J., Kruk, E., & Hines, D. (2018). Parental Alienation Behaviors: An unacknowledged form of family violence. *American Psychological Association*, 144(12), 1275–1299. <https://doi.org/10.1037/bul0000175>.
- Harman, J., Lorandos, D., Biringen, Z., & Grubb, C. (2020). Gender differences in the use of parental alienating behaviors. *Journal of Family Violence*, 35, 459–469. <https://doi.org/10.1007/s10896-019-00097-5>.
- Houchins, T., Ranseen, J., Hash, P., & Bartnicki, D. (2012). The parental alienation debate belongs in the courtroom, not in DSM-5. *Journal of the American Academy of Psychiatry and Law*, 40(1), 127–131.
- *Huff, S. C., Anderson, S. R., Adamsons, K. L., & Tambling, R. B. (2017). Development and validation of a scale to measure children’s contact refusal of parents following divorce. *The American Journal of Family Therapy*, 45(1), 66–77. <https://doi.org/10.1080/01926187.2016.1275066>.
- *Johnston, J. R. (2003). Parental alignments and rejection: An empirical study of alienation in children of divorce. *Journal of the American Academy of Psychiatry and the Law*, 31(2), 158–170.
- Johnston, J., & Sullivan, M. (2020). Parental Alienation: In search of common ground for a more differentiated theory. *Family Court Review*, 58(2), 270–292. <https://doi.org/10.1111/fcre.12472>.
- *Johnston, J. R., Walters, M. G., & Olesen, N. W. (2005a). Is it alienating parenting, role reversal or child abuse? A study of children’s rejection of a parent in child custody disputes. *Journal of Emotional Abuse*, 5, 191–218. https://doi.org/10.1300/J135v05n04_02.
- *Johnston, J. R., Walters, M. G., & Olesen, N. W. (2005b). Clinical ratings of parenting capacity and Rorschach protocols of custody-disputing parents: An exploratory study. *Journal of Child Custody*, 2(1–2), 159–178. https://doi.org/10.1300/J190v02n01_09.
- Judge, A., & Deutsch, R. (2017). *Overcoming parent-child contact problems: Family-based interventions for resistance, rejection, and alienation*. New York, NY: Oxford University.
- Kelly, J. B. (2007). Children’s living arrangements following separation and divorce: Insights from empirical and clinical research. *Family Process*, 46(1), 35–52. <https://doi.org/10.1111/j.1545-5300.2006.00190.x>.
- Kelly, J. B., & Johnston, J. R. (2001). The alienated child: A reformulation of parental alienation syndrome. *Family Court Review*, 39(3), 249–266. <https://doi.org/10.1111/j.174-1617.2001.tb00609.x>.
- Kelly, J. B., & Johnson, M. P. (2008). Differentiation among types of intimate partner violence: Research update and implications for interventions. *Family Court Review*, 46(3), 476–499. <https://doi.org/10.1111/j.1744-1617.2008.00215.x>.
- *Kruk, E. (2010). Collateral damage: The lived experiences of divorced mothers without custody. *Journal of Divorce & Remarriage*, 51(8), 526–543. <https://doi.org/10.1080/10502556.2010.504103>.
- *Lapierre, S., & Côté, I. (2016). Abused woman and the threat of parental alienation: Shelter workers’ perspectives. *Children and Youth Services Review*, 65, 120–126. <https://doi.org/10.1016/j.childyouth.2016.03.022>.
- Lebow, J., & Rekart, K. N. (2007). Integrative family therapy for high-conflict divorce with disputes over child custody and visitation. *Family Process*, 46(1), 79–91. <https://doi.org/10.1111/j.1545-5300.2006.00193.x>.
- Liberati, A., Altman, D. G., Tetzlaff, J., Mulrow, C., Gotzsche, P. C., Aloannidis, J. P., ... Moher, D. (2009). The PRISMA statement for reporting systematic reviews and meta-analysis of studies that evaluate healthcare interventions: Explanations and elaboration. *Journal of Clinical Epidemiology*, 62(10), 1–34. <https://doi.org/10.1016/j.jclinepi.2009.06.006>.
- López, T. J., Iglesias, V. E., & García, P. F. (2014). Parental alienation gradient: Strategies for a syndrome. *The American Journal of Family Therapy*, 42(3), 217–231. <https://doi.org/10.1080/01926187.2013.820116>.
- Lorandos, D. (2020). Parental alienation in U.S. Courts, 1985 to 2018. *Family Court Review*, 58(2), 322–339. <https://doi.org/10.1111/fcre.12475>.
- Lowenstein, L. F. (2011). What if custodial parent refuses to cooperate with child contact decisions? *Journal of Divorce & Remarriage*, 52(5), 322–325. <https://doi.org/10.1080/10502556.2011.585088>.
- Lowenstein, L. F. (2013). Is the concept of parental alienation a meaningful one? *Journal of Divorce & Remarriage*, 54, 658–667. <https://doi.org/10.1080/10502556.2013.810980>.
- Maturana, S., Matthewson, M., Dwan, C., & Norris, K. (2018). Characteristics and experiences of targeted parents of parental alienation from their own perspective: A systematic literature review. *Australian Journal of Psychology*, 71(2), 83–91. <https://doi.org/10.1111/ajpy.12226>.
- Meier, J. S. (2009). A historical perspective on parental alienation syndrome and parental alienation. *Journal of Child Custody*, 6, 232–257. <https://doi.org/10.1080/153710903084681>.
- Meier, J., & Dickson, S. (2017). Mapping gender: Shedding empirical light on family courts’ treatment of cases involving abuse and alienation. *Law & Inequality: A Journal*

- of Theory and Practice, 35(2), 311–334. <https://doi.org/10.2139/ssrn.2999906>.
- Mercer, J. (2019). Examining parental alienation treatments: Problems of principles and practices. *Child and Adolescent Social Work Journal*, 36, 351–363. <https://doi.org/10.1007/s10560-019-00625-8>.
- Migliavaca, C., Stein, C., Colpani, V., Munn, Z., & Falavigna, M. (2020). Qualitative assessment of prevalence studies: A systematic review (Prevalence Estimates Reviews – Systematic Review Methodology Group). *Journal of Clinical Epidemiology*, 127, 59–68. <https://doi.org/10.1016/j.jclinepi.2020.06.039>.
- Milchman, M. (2019). How far has parental alienation research progressed toward achieving scientific validity? *Journal of Child Custody*, 16(2), 115–139. <https://doi.org/10.1080/15379418.2019.1614511>.
- Milchman, M., Geffner, R., & Meier, J. (2020). Ideology and rhetoric replace science and reason in some parental alienation literature and advocacy: A critique. *Family Court Review*, 58(2), 340–361. <https://doi.org/10.1111/fcre.12476>.
- Moher, D. M., Liberati, A., Tetzlaff, J., & Altman, D. G. (2009). Preferred reporting items for systematic reviews and meta-analyses: The PRISMA statement. *Journal of Clinical Epidemiology*, 62(10), 1006–1012. <https://doi.org/10.1016/j.jclinepi.2009.06.005>.
- *Monè, J. G., & Biringen, Z. (2006). Perceived parent-child alienation. *Journal of Divorce & Remarriage*, 45(3), 131–156. https://doi.org/10.1300/J087v45n03_07.
- *Monè, J. G., & Biringen, Z. (2012). Assessing parental alienation: Empirical assessment of college students' recollections of parental alienation during their childhoods. *Journal of Divorce & Remarriage*, 53(3), 157–177. <https://doi.org/10.1080/10502556.2012.663265>.
- Munn, Z., Moola, S., Lisy, K., Riitano, D., & Tufanaru, C. (2015). Methodological guidance for systematic reviews of observational epidemiological studies reporting prevalence and cumulative incidence data. *International Journal of Evidence-Based Healthcare*, 13(3), 147–153. <https://doi.org/10.1097/XEB.0000000000000054>.
- Neilson, L. (2018). Parental alienation empirical analysis: Child best interests on parental rights? Fredericton: Muriel McQueen Ferguson Centre for Family Violence Research and Vancouver: FREDA Centre for Research on Violence Against Women and Children.
- Paré, G., Trudel, M., Jaana, M., & Kitsiou, S. (2015). Synthesizing information systems knowledge: A typology of literature reviews. *Information & Management*, 52(2), 183–199. <https://doi.org/10.1016/j.im.2014.08.008>.
- Pepiton, M. B., Alvis, L. J., Allen, K., & Logid, G. (2012). Is parental alienation disorder a valid concept? Not according to scientific evidence: A review of parental alienation, DSM-5, and ICD-11 by William Bernet. *Journal of Child Sexual Abuse*, 21, 244–253. <https://doi.org/10.1080/10538712.2011.628272>.
- *Poustie, C., Matthewson, M., & Balmer, S. (2018). The forgotten parent: The targeted parent perspective of parental alienation. *Journal of Family Issues*, 39, 3298–3323.
- Priolo-Filho, S. R., Goldfarb, D. A., Shestowsky, D., Sampana, J., Williams, L. C. A., & Goodman, G. S. (2019). Judgements regarding parental alienation when parental hostility or child sexual abuse is alleged. *Journal of Child Custody*, 15(4), 302–329. <https://doi.org/10.1080/15379418.2018.1544531>.
- Reay, K. M. (2015). Family reflections: A promising therapeutic program designed to treat severely alienated children and their family system. *The American Journal of Family Therapy*, 43, 197–207. <https://doi.org/10.1080/01926187.2015.1007769>.
- Robb, A. (2020). Methodological challenges in social science: Making sense of polarized and competing research claims. *Family Court Review*, 58(2), 308–321. <https://doi.org/10.1111/fcre.12474>.
- *Rowen, J., & Emery, R. (2014). Examining parental denigration behaviors of co-parents as reported by young adults and their association with parent-child closeness. *Couple and Family Psychology: Research and Practice*, 3(3), 165–177. <https://doi.org/10.1037/cfp0000026>.
- *Rowen, J., & Emery, R. (2018). Parental denigration: A form of conflict that typically backfires. *Family Court Review*, 56(2), 258–268. <https://doi.org/10.1111/fcre.12339>.
- Rowen, J., & Emery, R. (2019). Parental denigration boomerangs versus alienates: Parent-child closeness, reciprocity, and well-being using multiple informants. *Family Relations: Interdisciplinary Journal of Applied Science*, 68(1), 119–134. <https://doi.org/10.1111/fare.12324>.
- Rowlands, G. (2019). Parental alienation: A measurement tool. *Journal of Divorce & Remarriage*, 60(4), 316–331. <https://doi.org/10.1080/10502556.2018.1546031>.
- Rowlands, G. (2020). Parental alienation: A measurement tool Confirmatory factor analysis validation study. *Journal of Divorce & Remarriage*, 61(2), 127–147. <https://doi.org/10.1080/10502556.2019.1627162>.
- *Rueda, C. (2004). An inter-rater reliability study of parental alienation syndrome. *The American Journal of Family Therapy*, 32, 391–403. <https://doi.org/10.1080/01926180490499864>.
- Saini, M., Jonhston, J. R., Fidler, B. J., & Bala, N. (2016). Empirical studies of alienation. In L. Drodz, M. Saini, & N. Olsen (Eds.). *Parenting plan evaluations* (pp. 374–430). New York, NY: Oxford University Press.
- *Sanders, L., Geffner, R., Bucky, S., Ribner, N., & Patino, A. J. (2015). A qualitative study of child custody evaluators' beliefs and opinions. *Journal of Child Custody*, 12(3–4), 205–230. <https://doi.org/10.1080/15379418.2015.1120476>.
- Saunders, D., Faller, K., & Tolman, R. (2016). Beliefs and recommendations regarding child custody and visitation in cases involving domestic violence: A comparison of professionals in different roles. *Violence against Women*, 22(6), 722–744. <https://doi.org/10.1177/1077801215608845>.
- *Spruijt, E., Eikelenboom, B., Harmeling, J., Stokkers, R., & Kormos, H. (2005). Parental alienation syndrome (PAS) in the Netherlands. *The American Journal of Family Therapy*, 33, 303–317. <https://doi.org/10.1080/01926180590962110>.
- Tavares, A., Crespo, C., & Ribeiro, M. T. (2020). Psychological adaptation and beliefs in targeted parents: A study in the context of parental alienation. *Journal of Child and Family Studies*, 29, 2281–2289. <https://doi.org/10.1007/s10826-020-01742-0>.
- Templer, K., Matthewson, M., Haines, J., & Cox, G. (2017). Recommendations for best practice in response to parental alienation: Findings from a systematic review. *Journal of Family Therapy*, 39(1), 103–122. <https://doi.org/10.1111/1467-6427.12137>.
- Vassiliou, D., & Cartwright, G. F. (2001). The lost parents' perspective on parental alienation syndrome. *The American Journal of Family Therapy*, 29, 181–191. <https://doi.org/10.1080/019261801750424307>.
- Vernberg, E. M., & Dill, E. J. (2003). Research methods for developmental psychopathology. In M. C. Roberts, & S. S. Iardi (Eds.). *Handbook of research methods in clinical psychology* (pp. 213–231). Oxford: Wiley-Blackwell.
- *Verrocchio, M. C., Baker, A. J., & Bernet, W. (2016). Associations between exposure to alienating behaviors, anxiety, and depression in an Italian sample of adults. *Journal of Forensic Sciences*, 61(3), 692–698. <https://doi.org/10.1111/1556-4029.13046>.
- *Verrocchio, M. C., Baker, A. J., & Marchetti, D. (2017). Adult report of childhood exposure to parental alienation at different developmental time periods. *Journal of Family Therapy*, 40(4), 602–618. <https://doi.org/10.1111/1467-6427.12192>.
- Verrocchio, M. C., & Marchetti, D. (2017). L'intervento nei casi di alienazione genitoriale: Una rassegna sistematica della letteratura. *Maltrattamento e Abuso All'Infanzia: Rivista Interdisciplinare*, 19(1), 67–83. <https://doi.org/10.3280/MAL2017-001005>.
- Verrocchio, M., Marchetti, D., Carrozzino, D., Compare, A., & Fulcheri, M. (2019). Depression and quality of life in adults perceiving exposure to parental alienation behaviors. *Health and Quality of Life Outcomes*, 17(14), 1–9. <https://doi.org/10.1186/s12955-019-1080-6>.
- *Verrocchio, M. C., Marchetti, D., & Fulcheri, M. (2015). Perceived parental functioning, self-esteem, and psychological distress in adults whose parents are separated/divorced. *Frontiers in Psychology*, 6(1760), 1–9. <https://doi.org/10.3389/fpsyg.2015.01760>.
- Viljoen, M., & Rensburg, E. (2014). Exploring the lived experiences of psychologists working with parental alienation syndrome. *Journal of Divorce & Remarriage*, 55(4), 253–275. <https://doi.org/10.1080/10502556.2014.901833>.
- Walker, L., Kristi, B., & Rigsbee, J. (2004). A critical analysis of parental alienation syndrome and its admissibility in the family court. *Journal of Child Custody*, 1(2), 47–74. https://doi.org/10.1300/j190v01n02_03.
- Walker, L. E., & Shapiro, D. L. (2010). Parental alienation disorder: Why label children with a mental diagnosis? *Journal of Child Custody*, 7, 266–286. <https://doi.org/10.1080/15379418.2010.521041>.
- Warshak, R. (2003). Bringing sense to parental alienation: A look at the disputes and the evidence. *Family Law Quarterly*, 37(2), 273–301.
- Warshak, R. (2016). Risks to professionals who work with troubled and alienated parent-child relationships. *The American Journal of Family Therapy*, 44(3), 111–128. <https://doi.org/10.1080/01926187.2016.1145084>.
- Warshak, R. (2020). When evaluators get it wrong: False positive IDs and parental alienation. *American Psychological Association*, 26(1), 54–68. <https://doi.org/10.1037/law0000216>.
- *Whitcombe, S. (2017). Powerless to parent; powerless to protect: The experiences of alienated parents in the UK. *Maltrattamento e abuso all'infanzia*, 19(1), 47–66. <https://doi.org/10.3280/MAL2017-001004>.

Parental Alienation: Overview, Management, Intervention, and Practice Tips

by
Richard Warshak*

Contents

- I. Introduction 182
- II. Behavior and Characteristics of Severely Alienated Children 189
 - A. Behavioral Impairments 189
 - B. Emotional Impairments 189
 - C. Cognitive Impairments 190
- III. Rationale for Interventions with Alienated Children 193
 - A. Hidden Dysfunction 193
 - B. Current Impairments 195
 - C. Risks to Future Development 197
- IV. Prevention of Severe Alienation 200
 - A. Parent and Child Education Programs 200
 - B. Psychotherapy 202
 - C. Detailed and Unambiguous Court Orders 207
 - D. Rapid and Effective Enforcement of Court Orders 208
- V. Disposition of Severe Alienation Cases 210
 - A. Custody with the Favored Parent Along with Efforts to Remedy Alienation 211
 - 1. Collusion to Discourage Interventions and Placement with the Rejected Parent 212

* Dr. Warshak is a Clinical Professor of Psychiatry at the University of Texas Southwestern Medical Center, Dallas, Texas, and a clinical, consulting, and research psychologist in private practice. www.warshak.com. Correspondence concerning this article should be addressed to Richard A. Warshak, Ph. D., at doc@warshak.com

2.	Potential Drawbacks of Leaving Children with Their Favored Parent	214
B.	Custody with the Rejected Parent	217
1.	Temporary Suspension of Children’s Contact with Their Favored Parent	218
2.	Potential Drawbacks of Placing Children with Their Rejected Parent	222
C.	Placement Apart from Both Parents	225
D.	Custody with the Favored Parent, No Scheduled Contacts with the Rejected Parent, and No Court-ordered Intervention.....	227
VI.	Mental Health Evidence and Interventions in Alienation Cases	230
A.	Some Concerns About Mental Health Evidence	230
B.	Risks of Intervening Versus Risks of Maintaining the Status Quo.....	233
C.	Family Bridges	235
VII.	Practice Tips for Lawyers and Judges in Cases with Parental Alienation Issues	240
A.	Tips for Lawyers Representing a Parent Who Is Alienated or at Risk for Becoming Alienated	240
B.	Tips for Lawyers Representing a Parent Who Is Alleged to Be Alienating the Children from the Other Parent.....	244
C.	Tips for Judges with a Case that Raises Parental Alienation Issues	245
VIII.	Conclusion	247

I. Introduction

“The children do not want to see their mother.” Or in another family, “They refuse to leave the house and get in his car when Dad shows up for his weekend.” Such protests, when chronic, firm, without adequate justification, and usually in the context of the children sharing their other parent’s negative attitudes, challenge those who try to alleviate the problem. Judges, lawyers, amicus attorneys and other child representatives, mediators, child custody evaluators, parenting coordinators, psychotherapists, and parents often report being stymied by chil-

dren's refusals to cooperate with the court-ordered parenting time schedule. This is especially true when the children are adolescents.

Parents whom the children reject and parents whom the children favor each argue that the children's behavior merits weight in the court's decisions about custody and access. Rejected parents ask the court to enforce or increase their possession time or to award them sole managing conservatorship. They blame the children's negative attitudes on the other parent's behavior and influence.

Parents whom the children favor ask the court to grant them nearly exclusive parenting time in accordance with the children's stated wishes. These parents also cite the children's wishes when the parents defend themselves against the charge of interfering with custodial access or of violating the court-ordered parenting plan. When they fail to deliver the children in accordance with the parenting time schedule, they plead, "I couldn't get them to go." Just as rejected parents blame the favored parents for the children's negative attitudes, favored parents hold the rejected parents responsible. They argue that the rejected parents are inadequate parents and thus do not deserve their children's respect and affection.

Favored parents' disavowal of responsibility for their children's rejection of the other parent finds support among advocates who claim that the concept of unjustified parental alienation is bogus.¹ They maintain that the concept of parental alienation is merely a legal strategy used by abusive men to deflect blame for their children's fear and hatred of them. In this view, children who reject parents almost always have valid reasons and most hated parents have no one to blame for their suffering but themselves. Such advocates deny any possibility that children's rejection of their parents could have predominantly irrational roots.

In contrast to skeptics who deny the problem's existence are leading authorities who regard favored parents' behavior as psychological abuse when they manipulate and influence children to participate in depriving themselves of love, nurturance, and in-

¹ See NOW Foundation, *NOW Foundation Opposes Phony Parental Alienation Disorder*, Apr. 24, 2010, available at <https://pasisascam.wordpress.com/2010/04/24/now-foundation-opposes-phony-parental-alienation-disorder>.

volvement with their other parent.² Denial of this form of abuse of children is reminiscent of society's denial in the early twentieth century of the widespread prevalence of physical and sexual abuse of children. The prevalence of such denial has prompted surveys addressing the issues of whether children can reject a parent whose behavior does not warrant such rejection, and whether the rejection can be due in part to the influence of the favored parent. A survey taken at the Association of Family and Conciliation Courts' annual International Conference reported 98% agreement "in support of the basic tenet of parental alienation: children can be manipulated by one parent to reject the other parent who does not deserve to be rejected."³

The Diagnostic and Statistical Manual of the American Psychiatric Association 5th edition (DSM-5) has no specific diagnosis named *parental alienation*. But the DSM-5 includes, under the heading "Relational Problems" and the sub-heading "Problems Related to Family Upbringing," two diagnostic categories that describe children who are irrationally alienated from a parent. The first is "V61.20: Parent-Child Relational Problem."⁴ Part of the description reads, "Typically, the parent-child relational problem is associated with impaired functioning in behavioral, cognitive, or affective domains." The examples of impaired cog-

² See STANLEY CLAWAR & BRYNNE RIVLIN, CHILDREN HELD HOSTAGE: IDENTIFYING BRAINWASHED CHILDREN, PRESENTING A CASE, AND CRAFTING SOLUTIONS (2014); RICHARD A. GARDNER, M.D., THE PARENTAL ALIENATION SYNDROME: A GUIDE FOR MENTAL HEALTH AND LEGAL PROFESSIONALS (2nd ed. 1998); Janet R. Johnston & Joan B. Kelly, *Rejoinder to Gardner's "Commentary on Kelly and Johnston's 'The Alienated Child: A Reformulation of Parental Alienation Syndrome,'"* 42 FAM. CT. REV. 622, 626 (2004) (referring to parental alienation as "an insidious form of emotional abuse of children that can be inflicted by divorced parents."); Joan B. Kelly & Janet R. Johnston, *The Alienated Child: A Reformulation of Parental Alienation Syndrome*, 39 FAM. CT. REV. 249, 257 (2001) ("Whether such parents are aware of the negative impact on the child, these behaviors of the aligned parent (and his or her supporters) constitute emotional abuse of the child.").

³ PARENTAL ALIENATION: THE HANDBOOK FOR MENTAL HEALTH AND LEGAL PROFESSIONALS 130 (Demosthenes Lorandos, William Bernet & Richard Sauber eds., 2013); Amy Baker, Peter Jaffe, William Bernet & Janet Johnston, *Brief Report on Parental Alienation Survey* (2011), <http://afccnet.org/members/2011-05-MAY-survey.asp> (last visited Oct. 11, 2011).

⁴ AMERICAN PSYCHIATRIC ASSOCIATION, DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS 715 (5th ed. 2013).

nitive functioning describe the alienated child's relationship to the rejected parent: "negative attributions of the other's intentions, hostility toward or scapegoating of the other, and *unwarranted feelings of estrangement*."⁵

The second DSM-5 category descriptive of alienated children is "V61.29: Child Affected by Parental Relationship Distress."⁶ This category is used "when the focus of clinical attention is the negative effects of parental relationship discord (e.g., high levels of conflict, distress, or disparagement) on a child in the family."⁷ The descriptions below of the cognitive, emotional, and behavioral problems of children who unreasonably reject a parent in the shadow of that parent's disparagement by the other parent clearly fit in this category. The general acceptance of the concept of unreasonable rejection of a parent as indicated in surveys and in the DSM-5 makes it difficult for professionals to maintain credibility while denying the existence of the phenomenon.⁸

More than 2,700 cases involving claims of children's alienation from a parent were identified in a survey of North American cases published between 1985 and 2011.⁹ Yet the published case law fails to reflect the true incidence of the problem.¹⁰ Case law does not include cases that settle without a trial after litigation commences, cases in which rejected parents lack the emotional

⁵ *Id.* at 715 (emphasis added).

⁶ *Id.* at 716.

⁷ *Id.*

⁸ See Joan B. Kelly, *Commentary on "Family Bridges: Using Insights from Social Science to Reconnect Parents and Alienated Children"* (Warshak, 2010), 48 FAM. CT. REV. 81, 82 (2010) ("A few feminists and legal scholars continue to contest the very existence of child alienation; minimize its severity, impact, and duration; and strongly object to any court-ordered educational or therapeutic interventions. However, there is broad consensus among the mental health and family law community that some older children and adolescents do become pathologically alienated from a parent following separation (footnote omitted) and that the risk of child alienation is increased in highly conflicted separations accompanied by protracted adversarial child custody disputes.").

⁹ PARENTAL ALIENATION: THE HANDBOOK FOR MENTAL HEALTH AND LEGAL PROFESSIONALS, *supra* note 3, at 348; Demosthenes Lorandos, *Parental Alienation and North American Law*, in PARENTAL ALIENATION: THE HANDBOOK FOR MENTAL HEALTH AND LEGAL PROFESSIONALS, *supra* note 3, at 348.

¹⁰ *E.g.*, Nicholas Bala, Suzanne Hunt & Carolyn McCarney, *Parental Alienation: Canadian Court Cases 1989-2008*, 48 FAM. CT. REV. 164(2010).

and financial resources to pursue what is often a lengthy struggle for meaningful contact with their children, and cases in which rejected parents decide for other reasons not to pursue litigation (such as fear of violence or concern that the children will suffer additional harm during the litigation process).

Extrapolations from various studies conservatively estimate the incidence of alienated children at between two and four percent of those whose parents divorce.¹¹ With more than one million U.S. children experiencing their parents' divorce each year since 1972¹²—not including children who reject parents who were never married to the favored parent—this means each year 20,000-40,000 children, and their rejected parents and often grandparents and other relatives, join the ranks of those who suffer from this problem.

The high incidence of alienated parent-child relationships after divorce leads some commentators to argue that alienation from a parent is a normal by-product of growing up with divorced parents, expected collateral damage. Those who hold this

¹¹ See generally JANET R. JOHNSTON & LINDA E.G. CAMPBELL, *IMPASSES OF DIVORCE: THE DYNAMICS AND RESOLUTION OF FAMILY CONFLICT* (1988); JUDITH S. WALLERSTEIN & JOAN BERLIN KELLY, *SURVIVING THE BREAKUP: HOW CHILDREN AND PARENTS COPE WITH DIVORCE* (1980); Sandra S. Berns, *Parents Behaving Badly: Parental Alienation Syndrome in the Family Court - Magic Bullet or Poisoned Chalice*, 15 (3) AUSTRALIAN J. FAM. L. 191 (2001); Janet R. Johnston, *Children of Divorce Who Refuse Visitation*, in *NONRESIDENTIAL PARENTING: NEW VISTAS IN FAMILY LIVING* 109 (Charlene E. Depner & James H. Bray eds., 1993); Janet R. Johnston, *Parental Alignments and Rejection: An Empirical Study of Alienation in Children of Divorce*, 31 J. AM. ACAD. PSYCHIATRY & L. 158 (2003); Leona M. Kopetski, *Identifying Cases of Parent Alienation Syndrome: Part I*, 27 COLO. LAW. 65 (Feb. 1998); Leona M. Kopetski, *Identifying Cases of Parent Alienation Syndrome: Part II*, 27 COLO. LAW. 61 (Mar. 1998); Leona M. Kopetski, Deirdre Conway Rand & Randy Rand, *Incidence, Gender, and False Allegations of Child Abuse: Data on 84 Parental Alienation Syndrome Cases*, in *THE INTERNATIONAL HANDBOOK OF PARENTAL ALIENATION SYNDROME: CONCEPTUAL, CLINICAL AND LEGAL CONSIDERATIONS* 65, 67 (Richard A. Gardner, S. Richard Sauber & Demosthenes Lorandos eds., 2006); Anita K. Lampel, *Children's Alignment with Parents in Highly Conflicted Custody Cases*, 34 FAM. & CONCILIATION CTS. REV. 229, 232 (1996); Robert J. Racusin & Stuart A. Copans, *Characteristics of Families of Children Who Refuse Post-Divorce Visits*, 50 J. CLINICAL PSYCHOL. 792 (1994).

¹² National Center for Health Statistics, *Monthly Vital Statistics Report*, 39 (12), Supplement 2. U. S. Department of Health and Human Services. (May 1991), http://www.cdc.gov/nchs/data/mvsr/supp/mv39_12s2.pdf.

view believe that courts should adopt a hands-off policy and allow the relationships to take their course without intervention. Social science evidence supports the opposite view that alienated parent-child relationships are departures from the norm.

Only a very small percent of teenagers are estranged from a parent.¹³ Most children whose parents live apart from each other long for good relationships with both parents and want to be raised by both. In my own studies, and those of other researchers, children say that the worst part of divorce is that they do not get to spend enough time with their parents.¹⁴ The majority of children want contact with both parents on a regular basis, and the most common preference among children, and among adults looking back on their parents' divorce, is for parenting plans that more evenly balance their time between homes.¹⁵

This article is about children who do not crave more time with an absent parent. Instead, these children reject one parent,

¹³ ROBERT BEZILLA, *THE GALLUP STUDY ON AMERICA'S YOUTH: 1977-1988*, 18 (1988) (finding that only five percent of U.S. adolescents reported not getting along with their parents at all); Reginald W. Bibby, *Teens' Enjoyment of Moms . . . and Dads*, Project Teen Canada Press Release #1, University of Lethbridge (2009), http://www.reginaldbibby.com/images/PTC_1_TEENS_ENJOYMENT_OF_PARENTS_May_12_09.pdf; D. OFFER ET AL., *THE TEENAGE WORLD: ADOLESCENTS' SELF-IMAGE IN TEN COUNTRIES* (1988) (study of 6000 teenagers in ten countries finding that most liked their parents).

¹⁴ E. MAVIS HETHERINGTON & JOHN KELLY, *FOR BETTER OR FOR WORSE: DIVORCE RECONSIDERED* (2002); WALLERSTEIN & KELLY, *supra* note 11; Richard A. Warshak & John W. Santrock, *The Impact of Divorce in Father-Custody and Mother-Custody Homes: The Child's Perspective*, in *CHILDREN & DIVORCE* 29, 38, 42-43 (Lawrence A. Kurdek ed. 1983).

¹⁵ DEBORAH A. LUEPNITZ, *CHILD CUSTODY: A STUDY OF FAMILIES AFTER DIVORCE* 53 (1982); William V. Fabricius, *Listening to Children of Divorce: New Findings That Diverge from Wallerstein, Lewis, & Blakeslee*, 52 *FAM. REL.* 385 (2003); William V. Fabricius & Jeff A. Hall, *Young Adults' Perspectives on Divorce: Living Arrangements*, 38 *FAM. CT. REV.* 446 (2000); E. E. Maccoby et al., *Postdivorce Roles of Mothers and Fathers in the Lives of Their Children*, 7 *J. FAM. PSYCHOL.* 24 (1993); Patrick Parkinson, Judy Cashmore & Judi Single, *Adolescents' Views on the Fairness of Parenting and Financial Arrangements After Separation*, 43 *FAM. CT. REV.* 429 (2005); Seth J. Schwartz & Gordon E. Finley, *Mothering, Fathering, and Divorce: The Influence of Divorce on Reports of and Desires for Maternal and Paternal Involvement*, 47 *FAM. CT. REV.* 506 (2009); Virginia M. Shiller, *Joint Versus Maternal Custody for Families with Latency Age Boys: Parent Characteristics and Child Adjustment*, 56 *AM. J. ORTHO-PSYCHIATRY* 486 (1986).

resist contact, or show extreme reluctance to be in that parent's presence. These children are alienated. Some children have good reasons to reject parents who are grossly deficient. Others reject parents with whom they previously had good relationships, usually paralleling their other parent's negative attitudes. The children's treatment of the rejected parents is disproportionate to those parents' behavior and is inconsistent with the prior history of their affectionate and close relationships.

Children's alienation falls on a continuum from reasonable to unreasonable justification. The situations addressed in this article are those in which the evidence supports the findings that the children's rejection of a parent is not reasonably justified and that it is not in the children's best interests to remain alienated from the parent. Proper management of these cases can spare families severe disruptions in parent-child relationships, and restore positive relationships when prevention efforts fail. Inadequate handling of these cases by attorneys who represent alienated parents can leave clients not only disappointed in their attorneys' work but also deeply bereaved at the loss of their children.

Part II of this article begins with descriptions of common behaviors and characteristics displayed by severely alienated children and the harmful impacts of parent alienation on children's current and future psychological development. These impacts provide the rationale, discussed in Part III, for interventions to remedy the problem. Part IV discusses the contributions of education, psychotherapy, and court orders to preventing alienation from developing or from becoming more severe. Part V describes the potential benefits and drawbacks of the four main options for courts in cases with alienated children. Part VI addresses some concerns about mental health evidence, discusses risks of intervening versus maintaining the status quo in families with alienated children, and describes an innovative program to help alienated children successfully reunite with their rejected parents. Part VII presents practice tips for lawyers and judges.

II. Behavior and Characteristics of Severely Alienated Children

Severely alienated children express extremely polarized views of their parents; they have little if anything positive to say about the rejected parent and often rewrite the history of their relationship to obscure positive elements. They seem content to avoid all contact with the parent, may reject an entire branch of their extended family, and often threaten to defy court orders for contacts with the rejected parent. Severe alienation includes behavioral, emotional, and cognitive dimensions.¹⁶

A. Behavioral Impairments

Severely alienated children treat the rejected parent with extreme hostility, disobedience, defiance, scorn, and withdrawal. They may resist or refuse contact, vandalize and steal property, threaten and perpetrate violence. One boy physically assaulted his mother during a supervised contact. Many alienated children send letters and texts expressing death wishes toward the parent. They defecate on birthday and holiday cards they receive from the rejected parent, under the watch and with the approval of their other parent. Children at the severe end of the parental alienation continuum typically display such venom. Often these children behave well with all other adults except the rejected parent and people associated with that parent.

B. Emotional Impairments

When not treating the alienated parent with open contempt, severely alienated children remain aloof and express no genuine love, affection, or appreciation. They fail to give Mother's and Father's Day cards. Rather than express contrition for behavior that far exceeds the bounds of decency and normal behavior, alienated children show no apparent shame or guilt for mistreating a parent. Severe alienation is not a situation, as one attorney lamely argued, where children merely love one parent a lot more than the other parent. These children harbor strong and irrational aversion toward a parent with whom they formerly en-

¹⁶ Gardner, *supra* note 2; Kelly, *supra* note 8, at 87; Richard A. Warshak, *Severe Cases of Parental Alienation*, in PARENTAL ALIENATION: THE HANDBOOK FOR MENTAL HEALTH AND LEGAL PROFESSIONALS, *supra* note 3, at 125.

joyed a close relationship. The aversion may take the form of fear, hatred, or both.

On the way to a reunification workshop one night, a child, accompanied by two older siblings, was scared to death about seeing his father. He kept repeating, "He'll kill us," and it was clear that he really believed this. By late next morning, half a day into the Family Bridges™ workshop, the child was playing with the man he had thought would murder him in his sleep. This boy's mother expected the court to respond to the child's expressed fears by allowing him to continue to avoid his father. Instead the court judged her behavior as unspeakably cruel for unnecessarily scaring her child. In most cases of severe alienation, though, children are less filled with fear than with hatred.

C. Cognitive Impairments

The child's thoughts and statements about the rejected parent usually reflect trivial, shallow, and inauthentic complaints, often in words that echo the favored parent, despite the child's claim that the words are his or her own. In some cases, when trivial complaints fail to accomplish the goal of severing contact with a parent, favored parents and children lodge spurious accusations of abuse. A week before the court was scheduled to hear a mother's motion for enforcement of the parenting plan, her son "remembered" that when he was younger, his mother touched his penis when she was tucking him in bed.

Alienated children seem unwilling or unable to exercise critical and logical thinking about their parents. They express greatly exaggerated, polarized, and rigid views about both parents. They claim to have no positive memories or perceptions about the rejected parents, whom they regard as all bad, and obsessively fixate on their hatred or fear of these parents. Many alienated parents hold prominent positions in their fields. In some cases they earn their living saving lives or placing their own lives at risk for their country. (I worked on a case in which the alienated mother was a military doctor deployed in a high conflict war zone.) The rest of the world celebrates their accomplishments in medicine, business, the military, and the arts. But their own children have nothing good to say about these rejected parents.

These children express polar opposite views of the favored parents. Alienated children feel sympathy for their favored par-

ents whom they regard as the rejected parents' victims. The children have difficulty reporting any negative aspects of or experiences with their favored parents. They describe their favored parents as almost without fault.

Alienated children rigidly avoid any information that might modify their fixed negative views of their rejected parents. They rewrite the history of their relationship with the rejected parent to erase pleasant moments. When confronted with evidence of an affectionate relationship, such as greeting cards, photographs, and family videos, they dismiss the evidence with the claim that they were only pretending or that they were coerced into acting happy.

A guardian ad litem showed an alienated teen a photograph of the boy, his younger brother, and mother huddled together and grinning. The mom's right arm extended around the boy's back with her hand resting in plain view on his shoulder. Her left forearm and hand were across the younger boy's chest. Despite both of his mother's hands being plainly visible in the photo, the boy insisted that the reason he was smiling was that he was being pinched.

Distorted memories and perceptions sometimes reach bizarre proportions, as in the case of children who came to believe that their mother was not their mother and that their stepmother and her family were their only true biological maternal relatives. Uncritical acceptance of the favored parent's representations about the other parent resembles the behavior of cult victims and their dependence on the cult leader.¹⁷

In place of critical thinking, alienated children demonstrate knee-jerk support of the favored parent's position in any situation where the parents disagree. Some children ask to testify against a parent in court, or to speak with the judge to lobby for their favored parent's position in the litigation. One of the most pernicious signs of unreasonable alienation is *hatred by association*—the spread of hatred to people and even objects associated with the rejected parent, such as members of the extended fam-

¹⁷ See Amy J. L. Baker, ADULT CHILDREN OF PARENTAL ALIENATION SYNDROME: BREAKING THE TIES THAT BIND 46-47 (2007); CLAWAR & RIVLIN, *supra* note 2 ; RICHARD A. WARSHAK, DIVORCE POISON: HOW TO PROTECT YOUR FAMILY FROM BAD-MOUTHING AND BRAINWASHING 24 (2010).

ily, therapists, and pets.¹⁸ Sometimes in the absence of any intervening contact, children's thoughts about formerly beloved relatives transform from highly positive to complete devaluing.

Children in these situations learn to curry favor with one parent by echoing that parent's complaints about the other parent. They learn that one parent will be displeased if the children show signs of connection and affection with the other parent. Many alienated children stop addressing the parent with terms of affection like Mom, Mommy, Dad, or Daddy.¹⁹ Instead they refer to the rejected parent by first name or formally as Mother or Father. Many alienated children will use the favored parent's pejorative term for the rejected parent and his or her new partner. Despite using the favored parent's words, alienated children insist that their complaints are self-generated, independent, and completely unrelated to the favored parent's attitudes and influence.

Even when children sign their name to letters dictated by their favored parent and addressed to the rejected parent, the judge, or the judge's appointee (e.g., evaluator or amicus attorney), the children deny the favored parent's role. The letters often include inadequate attempts to appear generated by the child, such as obvious spelling errors, but tip their hands with adult phrasing and sentence structure, sometimes including legal jargon and information related to the litigation from which children should be shielded. In an interview with the judge, a girl tried to repeat her mother's arrogantly phrased analysis of the court-appointed counselor's incompetence. She garbled her prepared script and meekly told the judge that it was in the letter she had previously sent to the judge. The judge corrected the girl's mistake and the girl replied, "Yeah, that's what I meant."

Although others see clearly that a child's negative attitude toward one parent developed in the shadow of the other parent's hostility, the alienated child disavows any such influence. Instead the child blames the rejected parent and relatives for provoking the child's hatred, but the child often gives vague reasons for the rejection.

¹⁸ WARSHAK, *supra* note 17, at 49.

¹⁹ *Id.* at 145.

III. Rationale for Interventions with Alienated Children

Some custody evaluators, parents, and attorneys oppose interventions for alienated children if the parent-child conflict is an exception to a child's apparent good adjustment in other spheres, such as in school and with peers. Particularly with adolescents, some professionals believe that if the child is doing well in other aspects of life, the child should be empowered to make decisions regarding contact with a parent. Some professionals argue against court-ordered counseling for resistant youth because it is unsuccessful and leaves them feeling angry toward the court or the rejected parent.²⁰ Other professionals counsel a hands-off policy toward these children until more studies surface that document long-term damage of growing up irrationally alienated from a parent.

Those who work directly with families in which children's affections have been poisoned against a parent and other relatives do not believe that apparent good adjustment in other areas trumps the need to relieve children and their parents from unreasonable alienation. Three rationales support efforts to intervene on behalf of alienated children. First, children's apparent good adjustment may be superficial. Second, regardless of adjustment in other spheres, the state of being alienated from a loving parent is accompanied by significant psychological impairment. Third, growing up apart from and in severe conflict with an able parent risks compromising children's future psychological development and interpersonal relationships.

A. *Hidden Dysfunction*

Parents and courts, and those who assist them in determining children's best interests, should consider the likelihood that alienated children who appear to be thriving may suffer psycho-

²⁰ Janet R. Johnston & Judith Roth Goldman, *Outcomes of Family Counseling Interventions with Children Who Resist Visitation: An Addendum to Friedlander and Walters (2010)*, 48 FAM. CT. REV. 112, 113 (2010). *But see*, Richard A. Warshak, *Ten Parental Alienation Fallacies that Compromise Decisions in Court and in Therapy*, 46 PROF'L PSYCHOL: RESEARCH AND PRACTICE, 235, 241 (2015) ("It is an error to assume that [adolescents] do not benefit from an assertion of authority on the part of the court and their parents.")

logical difficulties evident on closer examination.²¹ Good grades in school, excellent performance in sports and performing arts, and polite, compliant behavior in settings apart from the rejected parent comprise only some aspects of healthy psychological functioning. Children who suspend critical thinking and judge parents as either all good or all bad are prone to transfer such cognitive practices to peer relationships, resulting in the rupture of friendships at the first sign of conflict.

Alienated children's relationships with their favored parents may appear ideal because of the absence of conflict and frustration. In some cases, though, children pay for such harmony by neglecting their own needs.²² Often these children feel responsible for their favored parent's emotional well-being. They comfort distressed parents, serve as confidantes, and assure parents of their allegiance. Alienated children often sacrifice age-appropriate independent functioning in order to gratify favored parents' needs to keep the children close at hand and dependent. Mental health professionals describe such parents as infantilizing their children, and refer to the overly close parent-child relationships that emerge from such parenting as enmeshed.²³ The extent to which a parent infantilizes a child is less evident in the child's early years. As the child gets older, the failure to achieve normal degrees of separation and independence becomes more obvious, as in the case of a teenager who continues to sleep with a parent.

Another impairment that may be less evident is the alienated children's growing sense of entitlement to dictate the terms of their relationships with their parents. This may remain hidden unless and until adults attempt to assert their expectation that the children will have contact with rejected parents and work on healing ruptured relationships. Evaluators, therapists, child representatives, and judges are interested in children's thoughts and feelings regarding custody. But alienated children feel entitled to

²¹ Kelly & Johnston, *supra* note 2, at 263.

²² RICHARD A. WARSHAK, *THE CUSTODY REVOLUTION: THE FATHER FACTOR AND THE MOTHERHOOD MYSTIQUE* 154 (1992); Benjamin D. Garber, *Parental Alienation and the Dynamics of the Enmeshed Parent-Child Dyad: Adultification, Parentification, and Infantilization*, 49 *FAM. CT. REV.* 322, 324 (2011).

²³ Steven Friedlander & Marjorie Gans Walters, *When a Child Rejects a Parent: Tailoring the Intervention to Fit the Problem*, 48 *FAM. CT. REV.* 98, 104-05 (2010).

have their demands met by those in authority. When the adults determine that what the children say they want is not in their best interests, the children complain that no one is listening to them. What children mean is that people will not do their bidding when it comes to disowning their rejected parents.

The underlying corruption of alienated children's character becomes evident in their defiance toward the judge and their failure to cooperate with court-ordered parenting time schedules. While models of comportment and compliance in school and in their community, many severely alienated children openly defy the court's authority and speak and act as if they were above the law and immune from external controls on their behavior. The children believe that they have their favored parents' approval to suspend the usual rules of morality when dealing with the targets of their enmity.

B. *Current Impairments*

Apart from what may be covert or subtle corruption of character and respect for authority, alienated children suffer overt irrational anxiety or hatred of a parent and declare their wish to completely erase good parents from their lives. Such irrational feelings represent significant psychological disturbances, regardless of how well these children function in other domains.²⁴ At the very least, unreasonably rejecting a parent is as serious a problem as are other irrational aversions and anxieties, such as avoidance of school, peers, or open spaces. Their obsessive hatred of rejected parents is at least as worrisome as fixed negative stereotypes and irrational prejudice toward members of religious or ethnic minorities.

Severely alienated children suffer significant impairments in their cognitive, emotional, and behavioral development.²⁵ They maintain a highly distorted view of a parent. They are unable to give and receive love from a good parent. They behave in an extremely negative, defiant, disobedient, aggressive, and hostile

²⁴ Richard A. Warshak, *Alienating Audiences from Innovation: The Perils of Polemics, Ideology, and Innuendo*, 48 FAM. CT. REV. 153, (2010).

²⁵ Janet R. Johnston, Marjorie G. Walters & Nancy W. Olesen, *The Psychological Functioning of Alienated Children in Custody Disputing Families: An Exploratory Study*, 23 AM. J. FORENSIC PSYCHOL. 39, 41-42 (2005); Kelly, *supra* note 8, at 87; Warshak, *supra* note 16, at 125.

manner. If these children were living in an intact family, professionals would not doubt the wisdom of addressing rather than ignoring the problems. A family therapist, facing a parent-child conflict in a two-parent home, might advise a parent to temporarily withdraw to her room when conflict is escalating. The therapist, though, would never advise the rejected parent to move out of the home and grant the child's stated wish to have no contact with the parent.

It is not necessary to cite the long-term consequences of parental alienation to justify the importance of addressing the problem. The family's dysfunction in the present is sufficient justification for intervention.²⁶ In addition to alleviating the child's obvious impairments, interventions are needed to improve the functioning of both parents. Some mental health professionals and lawyers too readily counsel rejected parents to accept the situation and wait passively for the child's return. Those who make recommendations and decisions for these families should understand that the family is suffering and should be aware of the immense tragedy for a child to lose a parent and for a parent to lose a child.

It is easier to appreciate what is at stake when parental alienation is seen through the eyes of a parent who is the victim. One mother puts it this way:

It is like your child has died, but you can't go through the normal grieving process. Instead you are stuck in this Twilight Zone-like nightmare with no end in sight. You know your child is being abused, and this *is* child abuse pure and simple, but no one will help you save their hijacked souls and you are forced to stand and watch, with your hands tied behind your back.

She describes what mental health professionals term *ambiguous loss* or *complicated loss*, more difficult to resolve than grief over the death of a child because it defies closure.²⁷ She also identifies the pain of standing by helplessly while her child's character is corrupted.

²⁶ Christy M. Buchanan, Eleanor E. Maccoby & Sanford M. Dornbusch, *Caught Between Parents: Adolescents' Experience in Divorced Homes*, 62 *CHILD DEV.* 1008 (1991); Johnston et al., *supra* note 25; Lampel, *supra* note 11; Warshak, *supra* note 16, at 132.

²⁷ See generally, PAULINE BOSS, *LOSS, TRAUMA, AND RESILIENCE: THERAPEUTIC WORK WITH AMBIGUOUS LOSS* (2006).

In addition to the emotional impact on families, parental alienation is implicated in violence, suicides, and homicides. An example is a father who alienated his children and then conspired with them to kill their mother. Explicitly recognizing the power of the father's influence, the district attorney charged the man with having "coerced, persuaded and enticed his children to commit this atrocious crime upon their mother."²⁸

C. Risks to Future Development

Research on the long-term outcome for families with alienated children is still in its early stages.²⁹ Non-random samples of convenience and the limitations of qualitative research and clinical observations limit the strength of the conclusions that can be generalized from available results. Researchers can extrapolate long-term outcomes, though, from several well-developed lines of investigation. These include: the impact of exposure to poorly-managed parental conflict, the consequences of intrusive parenting, and the risks to future development associated with parental absence and unresolved conflicts with parents.³⁰

²⁸ Jesse Fray, *Arthur Davis III Gets 25 Years for Baseball Attack on Ex-Wife*, LJWORLD.COM. (Jan. 25, 2010), <http://www2.ljworld.com/news/2010/jan/25/arthur-davis-iii-gets-25-years-baseball-attack-ex-/>. The father was found guilty of attempted first-degree murder, aggravated kidnapping and contributing to a child's misconduct.

²⁹ See generally BAKER, *supra* note 17; JUDITH S. WALLERSTEIN & SANDRA BLAKESLEE, *SECOND CHANCES: MEN, WOMEN, AND CHILDREN A DECADE AFTER DIVORCE* (1989); Robert M. Gordon, *The Medea Complex and the Parental Alienation Syndrome: When Mothers Damage Their Daughters' Ability to Love a Man*, in *THE MOTHER-DAUGHTER RELATIONSHIP: ECHOES THROUGH TIME* 207 (Gerd H. Fenchel ed., 1998); Aaron J. Hands & Richard A. Warshak, *Parental Alienation Among College Students*, 39 AM. J. FAM. THERAPY 431 (2011); Deirdre C. Rand & Randy Rand, *Factors Affecting Reconciliation Between the Child and the Target Parent*, in *THE INTERNATIONAL HANDBOOK OF PARENTAL ALIENATION SYNDROME: CONCEPTUAL, CLINICAL AND LEGAL CONSIDERATIONS* 163 (Richard A. Gardner, S. Richard Sauber & Demosthenes Lorandos eds., 2006).

³⁰ See generally Kelly, *supra* note 8, at 82 (tying "the angry defiance, contempt for the rejected parent, enmeshed and overly dependent relationships with the favored parent in some cases, black/white thinking, and aggressive behaviors seen in these youngsters" to "bleak prospects for the children's own future psychological well-being including balanced and healthy intimate relationships.").

One of the most robust findings in the child development literature on high-conflict homes and children whose parents are divorced is the negative link between child adjustment and exposure to poorly managed inter-parental conflict.³¹ Children whose parents ask them to carry hostile messages to the other parent, or whose parents denigrate each other, show more negative sequelae.³²

The literature on parenting most relevant to understanding the consequences of parental alienating behavior are studies on parental psychological control, also called intrusive parenting. This is defined as parenting behavior that “constrains, invalidates, and manipulates children’s psychological and emotional experience and expression.”³³ Examples of psychological control include: “If I have hurt her feelings, she stops talking to me until I please her again.” “Is less friendly to me if I don’t see things his way.” The concept of intrusive parenting was not created with alienated children in mind. But “manipulating children’s psychological and emotional experience and expression” is precisely how authorities on the psychology of alienated children describe the negative influence of the favored parent.³⁴ This type of ma-

³¹ See E. MARK CUMMINGS & PATRICK T. DAVIES, *CHILDREN AND MARITAL CONFLICT: THE IMPACT OF FAMILY DISPUTE AND RESOLUTION* (1994); Patrick Davies & Meredith J. Martin, *Children’s Coping and Adjustment in High-Conflict Homes: The Reformulation of Emotional Security Theory*, 8 *CHILD DEV. PERSP.* 242, (2014); E. Mavis Hetherington, Margaret Bridges, & Glendessa M. Insabella, *What Matters? What Does Not? Five Perspectives on the Association Between Marital Transitions and Children’s Adjustment*, 53 *AM. PSYCHOL.* 167 (1998); Joan B. Kelly, *Developing Beneficial Parenting Plan Models for Children Following Separation and Divorce*, 19 *J. AM. ACAD. MATRIM. LAW.* 237 (2005).

³² Buchanan et al., *supra* note 26; Susan Silverberg Koerner, Sara Wallace, Stephanie Jacobs Lehman, Sun-A Lee, & Kristine A. Escalante, *Sensitive Mother-to-Adolescent Disclosures After Divorce: Is the Experience of Sons Different from That of Daughters?*, 18 *J. FAM PSYCHOL.* 46 (2004), at 50 (reporting statistically significant links between a mother’s talking with her adolescent about her anger and complaints about the father and the adolescent’s psychological distress and disobedience of parents).

³³ Brian K. Barber, *Parental Psychological Control: Revisiting a Neglected Construct*, 67 *CHILD DEV.* 3296, 3296, (1996). *Id.* at 3316 (providing examples of psychological control).

³⁴ CLAWAR & RIVLIN, *supra* note 2; Richard A. Warshak, *Family Bridges: Using Insights from Social Science to Reconnect Parents and Alienated Children*, 48 *FAM. CT. REV.* 48 (2010).

nipulative parenting is linked to subsequent higher levels of depression and antisocial behavior.³⁵

Higher risk for depression is also one of the known long-term hazards of parental absence during childhood.³⁶ The risk is found regardless of the reason for parental absence. Some of the dynamics of this elevated risk may not apply to situations where parental absence is caused by the child's rejection, but most of the identified reasons for the negative impact of parental absence are relevant to the risks faced by an estranged child growing up apart from a parent and without that parent's psychological contributions to development. The greater the discrepancy between the amount of nurturing and involvement children received from each parent—and for severely alienated children it is the most extreme—the lower their subsequent self-esteem, life satisfaction, and quality and satisfaction with friendships, and the greater distress, romantic relationship problems, and troubled ruminations about parents these children experience when they are young adults.³⁷

In addition, children who hold a parent in contempt risk feeling contempt for the aspects of their own personalities that reflect identifications with the rejected parents. The resulting diminished self-esteem may contribute to depression. Children cannot escape the knowledge that each parent is part of them. It is difficult to harbor great contempt for a parent without, at some level, feeling terribly impaired. In subsequent years many of these children regret missing out on the relationship with the rejected parent. As they mature, many feel ashamed and guilty for having caused so much pain to a loving parent.

In addition to research on the effects of divorce, on child involvement in parental conflicts, and on parental absence, there are vast literatures on theories, research, and experience in the fields of child development and psychotherapy that demonstrate

³⁵ Brian K. Barber, Heidi E. Stolz & Joseph A. Olsen, W. Andrew Collins, & Margaret Burchinal, *Parental Support, Psychological Control, and Behavioral Control: Assessing Relevance Across Time, Culture, and Method*, 70 *MONOGRAPHS SOC'Y FOR RES. IN CHILD DEV.* 1, 114 (2005).

³⁶ E.g., Paul Amato, *Parental Absence During Childhood and Depression in Later Life*, 32 *SOC. Q.* 543 (1991).

³⁷ Gordon E. Finley & Seth J. Schwartz, *The Divided World of the Child: Divorce and Long-Term Psychosocial Adjustment*, 48 *FAM. CT. REV.* 516, 522-24 (2010).

the handicapping effects of damaged and conflicted parent-child relationships on future psychological adjustment. The principle that family-of-origin relationships influence the trajectory of future relationships and life adjustment is not only the foundation of many different schools of psychotherapy and developmental psychology, it has reached the status of a truism in contemporary culture.³⁸ The loss is multiplied when the child is unable to receive and share love with an entire extended family.³⁹

IV. Prevention of Severe Alienation

Overcoming severe alienation usually involves extensive litigation, multiple failed attempts to modify the behaviors of the alienating parent and child, and sometimes an intensive intervention, all of which take a lot of money and time. The longer the process takes, the more the losses accumulate. The longer the absence of contact between parent and child, the more lost opportunities mount for the creation of family memories. School performances, music and dance recitals, scouting trips, science fair projects, sports events, proms, and graduation ceremonies all create memories marred in future years by the parent missing from the photographs.

A. Parent and Child Education Programs

The emotional and financial costs of severe alienation, and the obstacles to its alleviation, underscore the importance of directing resources and efforts to the goal of prevention and early identification of children at risk.⁴⁰ Parent education programs are

³⁸ *E.g.*, MURRAY BOWEN, *FAMILY THERAPY IN CLINICAL PRACTICE* (1978); JAMES L. FRAMO, *FAMILY-OF-ORIGIN THERAPY: AN INTERGENERATIONAL APPROACH* (1992); Ronald M. Sabatelli & Suzanne Bartle-Haring, *Family-of-Origin Experiences and Adjustment in Married Couples*, 65 *J. MARRIAGE & FAM.* 159 (2003).

³⁹ *See* Mary J. Levitt, *Social Relations in Childhood and Adolescence*, 48 *HUM. DEV.* 28, 28 (2005) (indicating that a convergence of research demonstrates that “children benefit from the presence of multiple relations that play diverse roles in their lives . . .” and that “A broader conceptualization of social relations is needed to address the place of attachment figures within a larger network of developmentally significant relations.”).

⁴⁰ *See* Warshak, *supra* note 24, at 154; Richard A. Warshak, *Divorce Court: Mopping up the Mess*, *HUFFINGTON POST*, Aug. 16, 2011, http://www.huffingtonpost.com/richard-warshak/divorce-court-mopping-up-_b_924195.html.

one promising avenue toward this goal. Strong evidence exists that many parents going through a divorce can be taught to improve the quality of their parenting and co-parenting and that this leads to better outcomes for children.⁴¹ The effectiveness of court-connected education programs for divorcing parents has yet to be rigorously evaluated. With one significant exception, though, parents report being very satisfied with the program they attended. The exception is the complaint from parents throughout the country that the program failed to prevent a child from aligning with one parent against the other.

Reviews of face-to-face and online divorce education programs provide descriptions of their content and goals.⁴² An analysis of this content reveals a key omission that accounts for the dissatisfaction expressed by alienated parents. The programs teach about the impact of parental conflict on children and the importance of avoiding bad-mouthing and alienating behavior. They offer no guidance, though, on how to respond when the other parent engages in alienating behavior that places the children at risk for joining in a campaign of denigration and rejection. The programs exhort parents to refrain from behaviors that encourage alienation, but they make no suggestions to proactively protect children from succumbing to a parent's alienating behavior or to stem the tide of alienation before it becomes severe.

In short, parents receive no advice on how to respond effectively to the challenges posed by their children's rejection and provocative, contemptuous behavior. As a result, alienated parents typically make mistakes that compound the problem.⁴³ These mistakes make it more difficult for the custody evaluator

⁴¹ *E.g.*, Amanda Sigal, Irwin Sandler, Sharlene Wolchik & Sanford Braver, *Do Parent Education Programs Promote Healthy Postdivorce Parenting? Critical Distinctions and a Review of the Evidence*, 49 FAM. CT. REV. 120 (2011); Melissa LaCraff, Heidi Stolz & Denise Brandon, *Longitudinal Program Evaluation of Parenting Apart: Effective Co-Parenting*, 56 DIV. & REMARRIAGE 56, 117-136 (2015).

⁴² *Id.*; see also Jill R. Bowers, Elissa Thomann Mitchell, Jennifer L. Hardesty & Robert Hughes, Jr., *A Review of Online Divorce Education Programs*, 49 FAM. CT. REV. 776 (2011); Shelley Kierstead, *Parent Education Programs in Family Courts: Balancing Autonomy and State Intervention*, 49 FAM. CT. REV. 140 (2011).

⁴³ WARSHAK, *supra* note 17.

and court to understand the roots of the problem. When litigation raises issues of parental alienation, some courts require parents to read material on the topic and demonstrate compliance by writing a report on the material.

Parent education programs with modules on alienation are only one part of a comprehensive prevention formula. Programs for children who are at risk for becoming alienated may help them develop the skills and mindset to resist efforts by one parent to turn them against the other. Child education programs can include videos specifically designed to motivate children to avoid aligning with one parent against the other.⁴⁴ Although the effectiveness of such videos have not yet been systematically evaluated, a review in a professional journal,⁴⁵ anecdotal reports, viewers' comments posted on the Internet,⁴⁶ and reviews by children, parents, attorneys, mental health professionals, and judges are encouraging.⁴⁷ These sources attest to the potential of a single video program to produce an immediate positive impact on children, adolescents, and young adults who are or were subjected to a parent's alienating behavior.

B. *Psychotherapy*

Courts will often appoint a psychotherapist or counselor to work with families in which a child is exposed to alienating influences or is beginning to resist contact with a parent. In the early stages of alienation such treatment may help a child avoid aligning with one parent against the other. The therapist should have the option to meet with parents and children in various combinations as deemed helpful to the process. Interventions with alienating parents strive to reduce alienating behaviors by helping

⁴⁴ *E.g.*, WELCOME BACK, PLUTO: UNDERSTANDING, PREVENTING, AND OVERCOMING PARENTAL ALIENATION (WBP Media 2010), available at <http://www.warshak.com/pluto/index.html>.

⁴⁵ David L. Levy & S. Richard Sauber, *Review of the DVD Welcome Back, Pluto: Understanding, Preventing, and Overcoming Parental Alienation*, 39 AM. J. FAM. THERAPY 77 (2011).

⁴⁶ Amazon.com, *Customer Reviews: Welcome Back, Pluto: Understanding, Preventing and Overcoming Parental Alienation*, http://www.amazon.com/Welcome-Back-Pluto-Understanding-Preventing/product-reviews/B0042QDAQ4/ref=dp_top_cm_cr_acr_txt?ie=UTF8&showViewpoints=1

⁴⁷ Richard Warshak, *What Viewers Say About "Pluto,"* <http://www.warshak.com/pluto/viewers-say.html> (last visited Apr. 22, 2014).

parents appreciate the importance of shielding their children from such messages, understand the harmful impact of bad-mouthing the other parent to the children, and find healthier ways, without using the children, to express their negative feelings about their former partner. Work with parents who are the target of bad-mouthing helps them respond in a sensitive and effective manner to their children's behavior and avoid errors that, while common among rejected parents, may exacerbate parent-child conflicts. Work with children affirms their right to give and receive love from both parents and helps them avoid getting involved in their parents' disputes. The literature presents several models and strategies for working with families in which school-age children are alienated, but lacks rigorous outcome data.⁴⁸

The need for intervention may sometimes be less apparent in families with young children who live with a parent who teaches them to fear or hate the other parent. Toddlers and preschoolers may fulfill a parent's expectations by acting fearful and resistant during scheduled transfers to the other parent's care. If the child's overt, albeit temporary, feelings are indulged, and the child's protests allowed to abort the planned exchange, the protests are likely to emerge and become more intense at each subsequent attempt to implement the parenting time plan. If instead the child is given the opportunity to spend time with the denigrated parent outside the orbit of the alienating parent, the fearful and angry behavior quickly evaporates.⁴⁹ When meeting with a custody evaluator, young children may try to repeat a script written by the alienating parent. But they forget what they

⁴⁸ See STEPHEN CARTER, *FAMILY RESTRUCTURING THERAPY: INTERVENTIONS WITH HIGH CONFLICT SEPARATIONS AND DIVORCES* (2011); BILL EDDY, *NEW WAYS FOR FAMILIES: PROFESSIONAL GUIDEBOOK FOR JUDICIAL OFFICERS, LAWYERS AND THERAPISTS* (2010); Rhonda Freeman, David Abel, Mary Cowper-Smith, & Laurie Stein, *Reconnecting Children with Absent Parents: A Model for Intervention*, 42 FAM. CT. REV. 439 (2004); Friedlander & Walters, *supra* note 23, at 106; Johnston & Goldman, *supra* note 20; Matthew J. Sullivan, Peggie A. Ward & Robin M. Deutsch, *Overcoming Barriers Family Camp: A Program for High-Conflict Divorced Families Where a Child Is Resisting Contact with a Parent*, 48 FAM. CT. REV. 116 (2010).

⁴⁹ See Kelly & Johnston, *supra* note 2, at 260; Warshak, *supra* note 17, at 211; Kirk Weir, *High-Conflict Contact Disputes: Evidence of the Extreme Unreliability of Some Children's Ascertainable Wishes and Feelings*, 49 FAM. CT. REV. 788, 795 (2011).

are supposed to say and cannot answer questions for which they were not rehearsed.⁵⁰

Because the young child loses the negative reaction to the denigrated parent during contacts with the parent, and does not show stable and chronic alienation, a common mistake is to overlook the need for intervention. Therapists have noted children's confusion and anger resulting from exposure to alienating processes regardless of the very young child's apparent resilience.⁵¹ Without help to change, the family environment places these children at risk to develop the characteristics and consequences of irrational alienation and parental absence discussed above.

In a comprehensive overview of the literature, Barbara Jo Fidler and Nicholas Bala conclude that "counseling or psychotherapy tend to be suitable for mild and some moderate cases."⁵² Psychotherapy is unlikely to prevent the entrenchment of alienation in cases that involve a favored parent who is determined to erase the other parent from the child's life, and who suffers a personality disorder or otherwise has little chance of gaining insight about the children's need to maintain a good relationship with the other parent. Favored parents will commonly either demean the entire enterprise of mental health treatment, or undermine the treatment at the first sign that the therapist believes the alienation is unreasonable and that the child should be required to spend time with the rejected parent. The money, time, and emotional investment in unsuccessful treatment, and the subsequent costs of returning to court to seek an effective remedy, drains the family's resources, prolongs their suffering, and may unnecessarily delay the onset of interventions that promise a greater chance of success. If too much time elapses from the start of a failed course of treatment to the time the court reconsiders the case, it may be too late to help children, particularly if they are close to being eighteen years old and their contacts with parents are no longer governed by court orders for parenting time.

⁵⁰ E.g., Pamela S. Ludolph & James N. Bow, *Complex Alienation Dynamics and Very Young Children*, 9 J. CHILD CUSTODY 153, 172 (2012).

⁵¹ *Id.*

⁵² Barbara Jo Fidler & Nicholas Bala, *Children Resisting Postseparation Contact with a Parent: Concepts, Controversies, and Conundrums*, 48 FAM. CT. REV. 10, 24 (2010).

Counseling is not only ineffective in many cases of moderate and severe alienation. Often it makes things worse. Counselors who lack adequate understanding and competence in dealing with parental alienation may be too quick to accept at face value the favored parent and child's representations of events.⁵³ This can result in misdiagnosis and misguided treatment.

In one case, representative of many I have seen, the counselor's unfamiliarity with the professional literature on parental alienation was revealed during cross-examination. Despite the court-appointed evaluator's conclusions and the court's findings that the adolescent was unreasonably alienated from his mother, this counselor treated the boy's avoidance of his mother as a sign of post-traumatic stress disorder. The alleged traumatic event: when the boy suddenly refused to return to his mother's home after spending a week with his father, his bewildered mother and grandmother went to the boy's school and met with him in the principal's office. At the time the boy offered no protest, but robotically repeated that he needed to speak with his father. Subsequently the boy and his father distorted the event beyond recognition. The therapist uncritically adopted their view that the women's gentle attempt to speak with the boy in the principal's office at school was actually a traumatic abduction. In so doing, the therapist made no attempt to verify the alleged trauma with the principal or others at the school who allegedly sat by idly while the two women, in full sight and hearing of school staff, allegedly physically restrained and traumatized a teen who was physically larger than his mother and his elderly, frail grandmother.

Therapists who overly identify with their alienated patients' perspectives and assume that children's accounts of interactions are accurate contribute to the entrenchment of gross distortions of memory and perception. They miss opportunities to help their patients get a better hold on reality. Recall the boy who attributed his smile in a photograph with his mother to being pinched. In testimony that captures the extent to which other adults en-

⁵³ See Lyn R. Greenberg, Jonathan W. Gould, Dianna J. Gould-Saltman & Philip M. Stahl, *Is the Child's Therapist Part of the Problem? What Judges, Attorneys, and Mental Health Professionals Need to Know About Court-Related Treatment for Children*, 37 FAM. L.Q. 39, 45 (2003); Ludolph & Bow, *supra* note 50.

able and encourage the alienated child's distortions of reality, on the stand the father and the boy's therapist maintained that if the boy said his smile was the result of being pinched when the photograph was taken, it is possible that he was being pinched. When the attorney directed their attention to the mother's two hands in the photograph, the father and the therapist, rather than acknowledge the obvious, testified that it is possible that a split second before the shutter snapped the mother pinched her son and then instantly placed her hand on his shoulder.

When the attorney asked me if it was possible that the boy was being pinched when the photo was snapped, I testified that one would have to assume that the mother has three hands or that a very tiny person, concealed behind the family, was pinching the boy. Even then, we would expect a grimace in response to a pinch, not the broad smile evident in the photo. I thought that the idea that he was being pinched was ridiculous, and that the court should be concerned that the therapist and the father not only believed that the story was plausible but expected the judge to believe the same.

Admittedly therapists working with irrationally alienated children walk a thin line. If their patients perceive them as unsympathetic to their complaints about the rejected parents, the patients may become alienated from the therapist and fail to benefit from therapeutic interventions. Yet if they agree with alienated children that their rejection of parents is justified, they lose the opportunity to promote healing in the relationship. They may also lose credibility with their patients who, at some level, appreciate that the alienation is unreasonable and not in their best interests.

It is beyond this paper's scope to present specific principles and strategies of effective interventions. Some of these can be found in my earlier work.⁵⁴ In general, interventions that are most effective with severely alienated children bypass challenges to the children's negative perceptions, memories, and complaints about the rejected parents. Instead the professional teaches children about the human propensity to develop false negative views and memories of others and about the importance and methods

⁵⁴ Warshak, *supra* note 34, at 58-66.

of applying critical thinking to understanding relationship conflicts.

C. *Detailed and Unambiguous Court Orders*

Parenting coordinators and therapists who work with high conflict cases emphasize the importance of the court issuing detailed and clear orders. A parent who is intent on obstructing the child's contact with the other parent will exploit every loophole and ambiguity in the orders to accomplish this goal. For instance, the parent may claim that the child is coming down with a cold and can't make the shift between homes. Or the parent will sabotage court-ordered treatment because the orders failed to specify which parent is responsible for getting the child to the therapist. Attorneys who represent rejected parents should anticipate every conceivable excuse to keep children from their clients and then ensure that the orders protect against these contingencies. If this is done at the stage of the initial temporary orders, it could help prevent alienation from taking root and becoming more severe.

Attempts to corrupt a child's view of a parent most effectively crowd out the child's positive feelings and memories when the child has no reminders of the parent's love and no time to enjoy that parent.⁵⁵ The child becomes more dependent on the favored parent and more likely to see the absent parent through the distorting lens of the parent doing the bad-mouthing.

When their parents separate, children have no norms about what to expect. If they have regular contact with both parents from the outset, this becomes the status quo and the norm. If they lose contact with a parent, they come to regard this as normal. The longer children are apart from a parent, the stronger the negative attitudes, the more resistant to change, and the more difficult it is to reunite children with their rejected parent. The longer the children's will dominates the behavior of adults, the more difficult it will be for the children to appreciate and accept that decisions about contact are not theirs to make.

One provision of many court orders, designed to safeguard children's welfare, may have undesirable consequences. Parents are admonished to not speak negatively about each other to the

⁵⁵ See GARDNER, *supra* note 2; WARSHAK, *supra* note 17.

children, not involve the children in parental conflicts, and not discuss the litigation with the children. The problem is that alienating parents, either intentionally or inadvertently, regularly violate this provision. This places parents who are targets of bad-mouthing and smear campaigns in a bind. If they do not speak to their children and correct misinformation that persuades the children to see them in a bad light, they give their children no help to cope with the bad-mouthing, and may stand idly by as their relationship with their children gradually deteriorates.⁵⁶ But if they do speak to their children, they risk being seen as criticizing the other parent, involving their children in the parents' conflicts, or inappropriately exposing the children to litigation matters.

Lawyers and judges should recognize some limitations of court orders that attempt to regulate parent-child communications about the divorce. For example, parents should shield children from most adult-adult issues and not undermine the other parent's relationship with the child—that is the true intent of such court orders. But a parent who is the target of bad-mouthing may need to defend his or her parent-child relationship by sensitively providing information to counter accusations the child hears from the other parent.

D. Rapid and Effective Enforcement of Court Orders

Even the most unambiguous and detailed orders will not help if they are not enforced. A parent who obstructs the children's contact with the other parent may benefit from the status quo. In *In re Miller and Todd*, a New Hampshire court awarded custody to a mother who successfully interfered with the father-child relationship.⁵⁷ The court found that the mother alienated the children from their father, but reasoned that the children had spent the majority of their lives with her and that is where they felt most comfortable. This is typical for such cases. The absence of contact establishes a status quo that the court honors in order to spare the children drastic changes.

The New Hampshire Supreme Court vacated the award.⁵⁸ It recognized that the father was denied contact with his children

⁵⁶ See WARSHAK, *supra* note 17.

⁵⁷ *In re Miller & Todd*, N.H. S. Ct., Portsmouth Fam. Div. No. 2009-806. Argued Nov. 17, 2010; opinion issued Mar. 31, 2011.

⁵⁸ *In re Miller & Todd*, 20 A.3d 854 (N.H. 2011).

for more than two years, and that awarding custody to the mother because of the lack of father-child contacts rewards the mother for violating court orders. The decision quoted the Vermont Supreme Court:

Although obviously well intended, the court's decision effectively condoned a parent's willful alienation of a child from the other parent. Its ruling sends the unacceptable message that others might, with impunity, engage in similar misconduct. Left undisturbed, the court's decision would nullify the principle that the best interests of the child are furthered through a healthy and loving relationship with both parents.⁵⁹

This reasoning gives voice to the most frequent complaint parents make regarding their custody litigation: Repeated violations of orders go unpunished, with some parents making a mockery of the court's authority. Experts agree. Dr. Joan Kelly notes, "[A] significant number of these parents have come to believe . . . that noncompliance with court orders, whether for facilitating contact between the child and rejected parent or attending divorce education classes or therapy, brings no negative consequences."⁶⁰

In some cases a child runs away from the rejected parent's home into the welcoming arms of a parent intent on driving a wedge between the child and the other parent. Law enforcement authorities can be effective in such situations by retrieving the children, giving them stern lectures, and returning them to the parent from whom they ran away. The police are more likely to do so if the court orders anticipate such an event and direct law enforcement personnel to enforce the parenting plan. Unfortunately often the police dismiss such incidents as family matters that need to be settled in court and not by police intervention. A parent is less likely to harbor a runaway child if he or she expects swift sanction from the court for violating orders. Instead what often occurs is that the children remain out of touch with their rejected parent as the litigation slogs through a quicksand of legal maneuvering and failed psychotherapeutic attempts to remedy the problem.

When asked about the years apart from his mother in the aftermath of his running away, one teen said that when he ran

⁵⁹ *Id* at 643.

⁶⁰ Kelly, *supra* note 8, at 85.

away from his mother he never expected to remain with his father. He knew that “the rules” called for him living part-time with each parent. In the past, when he got mad at a parent, he would go to his room until he calmed down. He assumed that he would return later the same day to his mother. He didn’t know that things would work differently after divorce. Like many children in his situation, he said that he never really stopped loving his mom and was surprised that the adults, and the court for a long time, allowed him to stay apart from her and essentially take family law into his own hands.

Scholars who study compliance with court orders have found that the threat of a mild punishment imposed reliably and immediately is more effective than the threat of a severe punishment that is delayed and uncertain.⁶¹ People are more sensitive to the immediate future and focus more on how likely an outcome is than how bad it is. Thus litigants who may breach court orders need to have a firm sense of what to expect from the court, and the certainty that the court will follow through on its threats. Swift, certain, uniform, and moderate consequences are most likely to be effective. A legal scholar who studies parental alienation cases, although regarding contempt as a blunt instrument, found that in Canada the threat of a sentence can be effective in eliciting compliance with family court orders.⁶²

The lessons for attorneys who represent clients at risk for becoming alienated from their children are: 1) encourage your client’s regular contact with the children, 2) secure orders that have teeth in them for noncompliance, and 3) move quickly for sanctions when the orders are violated.

V. Disposition of Severe Alienation Cases

When prevention efforts fail or are unavailable, and severe alienation cases reach the courtroom, their disposition falls into

⁶¹ DAVID M. KENNEDY, DETERRENCE AND CRIME PREVENTION: RECONSIDERING THE PROSPECT OF SANCTION (2009); Mark Kleiman, Beau Kilmer & Thomas C. Schelling, *The Dynamics of Deterrence*, 106 PROC. NAT’L ACAD. SCI. 14230 (2009).

⁶² Nicholas Bala, Parental Alienation, Contact Problems, and the Family Justice System. Presentation at Australian Institute of Family Studies, Melbourne, Australia (Feb. 2012).

four general categories.⁶³ These four options include variations on two dimensions: first, the custody and access schedule, and second, the degree to which the court relies on interventions to build healthier family relationships. The four options for primary custodial placement of alienated children are with:

1. the favored parent accompanied by court-ordered efforts to remedy the problems,
2. the rejected parent, in some cases temporarily suspending contact with the favored parent,
3. neither parent, and
4. the favored parent with no scheduled contacts with the rejected parent.

A. *Custody with the Favored Parent Along with Efforts to Remedy Alienation*

The first option places the child with the favored parent and relies on parent education, counseling, and parenting coordination to promote healing in the family. Variations of this option either accept the child's refusal of contact pending the outcome of counseling, increase the child's scheduled time with the rejected parent sometimes by as much as half time, or gradually increase the amount of time the child spends under the care of the rejected parent. In some cases, initial contacts take place with oversight by the counselor or other party.

Many children who participate in court-ordered therapy do so with overt resistance and reluctance. Parents who support or accept their children's rejection of the other parent often lack motivation to participate in therapy aimed at healing the damaged parent-child relationship. Thus, an element of coercion accompanies court-mandated therapy with sanctions for noncompliance.⁶⁴ Children who want no contact with a parent are essentially forced against their will to have such contact in and sometimes out of therapy sessions. Therapists who expect voluntary participation by favored parents and severely alienated children who live with the favored parent soon learn that such cooperation is unlikely without a court order.⁶⁵

⁶³ See Warshak, *supra* note 34.

⁶⁴ See *id.* at 50.

⁶⁵ Sullivan et al., *supra* note 48, at 131.

Restricting communication between the children and the favored parent while they are spending time with the other parent can enhance the effectiveness of plans for children who live primarily with their favored parent. Favored parents often use communications to intrude on the children's time with the rejected parent and to reinforce their alienation. In phone calls and texts favored parents suggest to the children that they are not having a good time with the rejected parent, instruct them to ask or demand to be returned before the scheduled end of the contact, and encourage them to withdraw from the rejected parent. Rejected parents commonly complain that as soon as the children arrive they receive text messages asking them if they are ready to return home.

Attempts to remedy alienation while the child lives with the favored parent are most likely to succeed when alienation is in its earlier stages, when counseling has not yet been attempted, when the favored parent is apt to comply with court orders, and when the favored parent is able and willing to get the children to comply with treatment and with a schedule of contact with the rejected parent. The latter condition can be difficult to assess accurately in cases that return to court after a failed course of psychotherapy. In some cases clear evidence exists of the favored parent's failure to support and encourage the children's relationship with their other parent. For instance, the children receive no negative consequences following their refusals to comply with scheduled contacts with their other parent and instead spend the time in rewarding activities. The favored parent and child may be more motivated to comply with court orders if the court makes it clear that failure to comply, or unsuccessful repair of the damaged relationship, will most likely lead to an increase in the parenting time awarded to the rejected parent, and perhaps supervised, monitored, or suspended contact between the child and the favored parent.

1. *Collusion to Discourage Interventions and Placement with the Rejected Parent*

When the favored parent worries that an evaluator, guardian ad litem, or the court are likely to hold the favored parent in large measure responsible for the children's alienation, and may place the children primarily with the rejected parent, often the

favored parent encourages the children to pretend that they have overcome their alienation. Cooperative and superficial polite behavior replaces the former avoidance and disrespect. After months and sometimes years of no contact and scornful rejection, the children begin to comply willingly with orders for contact. In an attempt to obscure the fact that the children had ever been alienated, the favored parent and children rewrite history. In one case, after the court heard evidence about a child's animosity toward his mother's extended family, one boy falsely claimed that he had been having weekly phone contact with his maternal uncle.

Through texts and emails requesting to meet, greeting cards signed with love, and surreptitious voice recordings, the children fulfill their assignment to create a record that the favored parent subsequently uses to argue in favor of maintaining the status quo. Toward the end of a trial, a teen contacted her mother after months of avoidance to ask to meet for dinner. The mother was aware that the offer was a ruse. If she refused the invitation the father would claim that the mother was not doing her part toward reconciliation. If she accepted the invitation, the judge would hear that the mother-daughter relationship was on the mend and no additional intervention or custody modification was needed. After hearing the details of the children's communications during the contact, I advised the mother to be aware that her daughter likely was recording the entire interaction. The mother replied, "Come to think of it, she left her cell phone in the center of the dining room table during the entire meal."

Evaluators and the court may be taken in by this ploy. As soon as the current round of litigation ends, the children revert to their former disrespectful, resentful, and avoidant behavior. By the time this becomes evident, and the rejected parent can get the case back before the judge, it may be too late. The child may reach her eighteenth birthday and no longer is subject to family court decisions, or she may reach mid-adolescence at which time some courts reduce expectations for compliance with a court-ordered residential schedule.

In other instances, the rapid shift in behavior on the eve of litigation accomplishes the opposite result. It exposes the power that the favored parent has wielded all along to remedy the problem and underscores that parent's role in fomenting, strengthen-

ing, and supporting the children's suffering. At the same time, it reveals a previously unseen malleability in the behavior of the favored parent and children when sufficiently motivated by the court's authority.

The sham, intended to convince the court to take a hands-off approach, instead helps the evaluator and the court appreciate that the successful resolution of alienation requires the court's firm expectations, oversight, and enforcement. When the children believe that, as far as the court is concerned, failure is not an option, they are more likely to engage meaningfully in efforts to repair the damaged relationship. The fear of getting the favored parent in trouble with the court provides children with a face-saving excuse to "follow the rules" and return to a normal relationship with the other parent. The children then feel relieved to shed the burden of having to disrespect one parent for fear of disappointing the other.

2. Potential Drawbacks of Leaving Children with Their Favored Parent

Leaving the children with their favored parent may be less stressful for some children in the short run, and may be a default option if the court determines that the rejected parent lacks the capacity to assume full-time care of the children. In terms of alleviating alienation, though, this option has significant drawbacks. It is not recommended when the favored parent has a history of sabotaging treatment (e.g., repeatedly failing to bring children to appointments, or repeatedly terminating treatment until locating a therapist who supports the favored parent's position in the litigation). It is also not recommended when there is a high risk of child abduction, or the favored parent exposes the children to an emotionally toxic environment, such as intimidating the children into rejecting the other parent. The literature on domestic violence describes the manner in which efforts to turn children against a parent sometimes represent a continuation and extension of behaviors by the other parent intended to harass, control, and punish a former spouse or partner.⁶⁶

⁶⁶ E.g., Marisa L. Beeble, Deborah Bybee, & Cris M. Sullivan, *Abusive Men's Use of Children to Control Their Partners and Ex-Partners*, 12 EUR. PSYCHOLOGIST 54 (2007); Leslie M. Drozd & Nancy W. Olesen, *Is It Abuse, Alienation, and/or Estrangement? A Decision Tree*, 1(3) J. CHILD CUSTODY 65 (2004);

According to a consensus of studies, treatment of severely alienated children while they remain apart from the rejected parent and with the favored parent is more likely to fail than to succeed and it may make matters worse by further entrenching the child's distorted perceptions of the rejected parent.⁶⁷ This is true for all models of treatment of irrationally alienated children proposed in the literature. Extending unsuccessful treatment while the child remains with the favored parent carries the hazards of delaying, and in some cases preventing, the eventual delivery of effective help.

Custody evaluators and guardians ad litem often prefer this option because they believe it is less intrusive and requires less of an adjustment on the children's part than removing the children from the primary care of the favored parent. Typically, court orders for treatment under this option are open-ended with vague and non-specific treatment goals (e.g., to reunify the parent and child, or to improve the parent-child relationship). If treatment fails (which is more likely than not with severely alienated children who have no contact with the rejected parent outside of therapy sessions), the rejected parent wants to return to court as

Peter G. Jaffe, Janet R. Johnston, Claire V. Crooks, & Nicholas Bala, *Custody Disputes Involving Allegations of Domestic Violence: Toward a Differentiated Approach to Parenting Plans*, 46 FAM. CT. REV. 500, 504 (2008).

⁶⁷ See Fidler & Bala, *supra* note 52, at 33 ("Moreover, therapy may even make matters worse to the extent that the alienated child and favored parent choose to dig in their heels and prove their point, thereby further entrenching their distorted views."). See also John Dunne & Marsha Hedrick, *The Parental Alienation Syndrome: An Analysis of Sixteen Selected Cases*, 21J. DIV. & REMARRIAGE 21 (1994); Richard A. Gardner, *Should Courts Order PAS Children to Visit/Reside with the Alienated Parent? A Follow-up Study*, 19 AM. J. FORENSIC PSYCHOL. 61 (2001); Anita K. Lampel, *Post-Divorce Therapy with Highly Conflicted Families*, 6 INDEP. PRACTITIONER 1 (1986); Ludwig F. Lowenstein, *The Psychological Effects and Treatment of the Parental Alienation Syndrome*, in THE INTERNATIONAL HANDBOOK OF PARENTAL ALIENATION SYNDROME: CONCEPTUAL, CLINICAL AND LEGAL CONSIDERATIONS, *supra* note 11, at 292; Deirdre Conway Rand, *The Spectrum of Parental Alienation Syndrome (Part I)*, 15 AM. J. FORENSIC PSYCHOL. 23 (1997); Deirdre Rand, Randy Rand, & Leona Kopetski, *The Spectrum of Parental Alienation Syndrome Part III: The Kopetski Follow-up Study*, 23 AM. J. FORENSIC PSYCHOL. 15, 39 (2005); Richard A. Warshak, *Bringing Sense to Parental Alienation: A Look at the Disputes and the Evidence*, 37 FAM. L.Q. 273 (2003); Kirk Weir & Claire Sturge, *Clinical Advice to Courts on Children's Contact with their Parents Following Parental Separation*, 11 CHILD & ADOLESCENT MENTAL HEALTH 40 (2006).

soon as possible (assuming finances allow), while the favored parent delays the process as long as possible. When the case is back before the court, the judge is likely to order an updated evaluation by the original evaluator. The timing of the re-evaluation is subject to the evaluator's schedule and is usually prolonged by the favored parent's obstructive and delay tactics.

The longer the delay, the older the children, the more accustomed they become to living estranged from a parent, and the less likely the court will be to overturn the status quo. For these reasons, recommendations and court orders for treatment while the children remain primarily with their favored parent should have the following three provisions:

1. a time frame, such as three to four months, after which the impact of treatment will be assessed;
2. explicit criteria for evaluating progress and success of treatment;
3. contingency plans in the event that the treatment is ineffective.

In evaluating the impact of interventions accompanying any of the four options, it is essential to determine whether results go beyond superficial or short-lived responses.⁶⁸ Intervention outcome studies should distinguish between children's cooperation and enjoyment of a program in its early stages, their understanding of concepts that may facilitate reconciliation, their successful modification of thoughts, emotions, and behaviors associated with the repair of damaged relationships upon completion of a program, and their maintenance of the gains over the long-term. Some therapists consider treatment to be progressing adequately if they succeed in having alienated children in the same room as rejected parents, even if the children verbally abuse parents during sessions and show no signs of alleviation of negative and distorted attitudes. Some intervention programs measure success by the participants' reports of satisfaction, regardless of whether attitudes and behavior change. In such cases, favored parents and children report satisfaction when the treatment structure supports the status quo of the children remaining alienated. More meaningful criteria of treatment effectiveness include explicit ev-

⁶⁸ Freeman et al., *supra* note 48, at 441; Kelly, *supra* note 8, at 86-87; Warshak, *supra* note 34; Warshak, *supra* note 16, at 143.

idence of genuine and stable change in children's thoughts, feelings, and behavior toward the rejected parent.⁶⁹ In some cases the children have contact with their rejected parents only during therapy sessions or during the intervention program and the children regress to an alienated stance upon returning home. In other cases the intervention concludes before bringing the children closer to a positive relationship with the rejected parent. Such programs may not hold much hope for these injured families unless the contacts during the intervention facilitate subsequent successful therapeutic efforts.

When the court orders counseling for alienated children while they live with their favored parent, the participants should be put on notice of what is likely to happen if the counseling fails. If the judge mentions the likelihood that a failed course of counseling may result in an increase in the children's time with the rejected parent or in a reversal of custody, this may help motivate the favored parent and children to engage meaningfully in treatment and modify their behavior.

B. *Custody with the Rejected Parent*

The second option places the child with the rejected parent either with temporary or permanent orders. This option may keep contact between the child and the favored parent, or may temporarily suspend contact until certain conditions are met. In some cases children spend the entire summer with the rejected parent. This gives uninterrupted time to repair the relationship, but is less of an adjustment for the children, some of whom are used to spending summers on a teen tour or in sleep-away camp apart from both parents. The court may or may not order interventions for the family when children are placed with the rejected parent.

In *In Re Miller and Todd*, the New Hampshire Supreme Court cited favorably an opinion from a Vermont case: "Across the country, the great weight of authority holds that conduct by one parent that tends to alienate the child's affections from the other is so inimical to the child's welfare as to be grounds for a denial of custody to, or a change of custody from, the parent

⁶⁹ Kelly, *supra* note 8, at 87.

guilty of such conduct.”⁷⁰ An analysis of 175 Canadian cases found this option to be the most common response when the court determined that alienation had occurred.⁷¹ Canadian appellate decisions have generally affirmed transfer of custody to the alienated parent.⁷² In Australia, the court granted custody to the rejected parent in 53% of cases in which alienation was substantiated.⁷³

Research on this option shows this to be effective in overcoming severe alienation.⁷⁴ A study of 1,000 cases, published by the American Bar Association, reports positive change in 90% of the relationships between children and their rejected parents when contact between them was increased.⁷⁵ A meta-analysis of 515 studies confirms the core assumption of intergroup contact theory that, under the right conditions, contact between opposing groups lessens hostility and prejudice.⁷⁶ These findings help to explain the benefits of placing children with their rejected parents when the children harbor unwarranted hostility fueled by negative stereotypes.

1. *Temporary Suspension of Children’s Contact with Their Favored Parent*

Placing children with their rejected parent may be a more effective remedy for severe alienation if, immediately after placement, the family secures professional help to adjust to the transition put in place by court orders. In some cases, to assist with the process the court temporarily suspends the children’s contact with the favored parent.⁷⁷ A no-contact order between children

⁷⁰ *Renaud v. Renaud*, 721 A.2d 463, 465-66 (Vt. 1988), as cited in *Miller & Todd*, 20 A.3d 854).

⁷¹ Bala et al., *supra* note 10, at 172.

⁷² *Id.*

⁷³ Bala, *supra* note 62.

⁷⁴ Warshak, *supra* note 67.

⁷⁵ CLAWAR & RIVLIN, *supra* note 2.

⁷⁶ E.g., Rupert Brown & Miles Hewstone, *An Integrative Theory of Intergroup Contact*, in *ADVANCES IN EXPERIMENTAL SOCIAL PSYCHOLOGY*, VOL. 37 255 (Mark P. Zanna ed., 2005); Thomas F. Pettigrew & Linda R. Tropp, *A Meta-analytic Test of Intergroup Contact Theory*, 90 *J. PERSONALITY & SOC. PSYCHOL.* 751 (2006).

⁷⁷ See Warshak, *supra* note 34, at 51.

and their favored parent can serve several aims consistent with children's best interests.

1. It is easier for children to focus on rebuilding a stable, positive relationship with their rejected parent and invest more fully in the process if this is the only parent with whom they are relating during the initial months of reunification. Just as teens can learn a foreign language easier when they are immersed in the foreign country and speak only that country's language, so they find it easier to reconnect with a parent when parent-child interactions are restricted to one parent on whom the children must rely to meet their needs. In a sense the children become immersed in a culture that supports their healthy reintegration with their rejected parent. Many residential programs designed to help children overcome destructive behavior, such as rehabilitation programs for substance abusers, restrict contact with both parents in order to encourage the child's investment in the program.
2. If the court determines that the favored parent's behavior constitutes psychological abuse of the children or creates an extremely unhealthy environment, a no-contact order protects children from further mistreatment.
3. Even when the favored parent's behavior falls short of mistreatment from which the children require protection, the favored parent's environment presents constant cues, communications, attitudes, and influence that undermine the children's relationship with their other parent. The children hold a fixed negative stereotype of the rejected parent that they regard as conforming to the views of their favored parent and that parent's friends and relatives. Just as children are less likely to overcome a negative stereotype of ethnic minorities while living in a home that constantly exposes them to pernicious attitudes about people of the denigrated race or religion and feeds information that presents the race or religion in an exclusively negative light, so they are unlikely to overcome a rigid prejudice against the rejected parent without some interruption and insulation from the negative influences.

4. If the court conveys that the duration of the no-contact order is in part tied to the quality and rate of progress in repairing the damaged relationship with the rejected parent, this gives the children incentive to invest in the process of healing. The children understand that the sooner their relationship with the rejected parent is on the mend, the sooner they return to a more normal schedule of contact with both parents.
5. When renewed contact with the favored parent is contingent upon re-establishing a good relationship with the other parent, the court lifts the burden on the children of having to demonstrate loyalty to the favored parent by rejecting the other. Instead the court orders set up a contingency so that the children can fulfill the favored parent's desire for renewed contact with them by overcoming their alienation rather than remaining mired in it. This gives children a face-saving way to renew a positive relationship with the rejected parent without appearing disloyal to their other parent.
6. Suspension of contact between the children and their favored parent emphasizes the court's view of the gravity of the problem and the court's strong conviction that the children's best interests are served by repairing the damaged relationship with their rejected parent. The message the children receive is that after reviewing all the evidence the court believes that the children's rejection of their parent is unjustified, the problem is serious, and their behavior needs to change.
7. The no-contact order underscores the court's authority and commitment to go to great lengths to create an environment that accomplishes the goal of relationship repair. This is especially important in the many cases where the court's decision follows a prolonged period of time in which court orders were violated with impunity and the favored parent and children came to believe that they were beyond the reach of the court with respect to the division of parenting time.⁷⁸ The no-contact order proclaims a clear break from the status quo.

⁷⁸ See Kelly, *supra* note 8.

8. Suspension of contact usually occurs in the context of multiple failed attempts to remedy the alienation. The children have come to expect that they can defeat efforts to alleviate the problem and that the benefits of resisting the process outweigh the costs to them. In such cases, a striking event delivered by the court can help the parties move beyond their impasse. The no-contact order dramatically alters the perspective of the favored parent and the children that their resistance will succeed in defeating the court's intentions.⁷⁹
9. The parent with whom the children are aligned has carried on a lengthy campaign to support the status quo of no contact between the children and their other parent. It is unlikely that the aligned parent will be inclined to relinquish the campaign in the immediate aftermath of the court's decision. Instead parents whose position was not supported by the court tend to focus on the presumed flaws of the rejected parent, of the witnesses who supported the rejected parent, and of the court and its representatives (e.g., court-appointed evaluator or guardian ad litem). The period of no contact insulates the children at a time when their aligned parent's hostility peaks. At the same time, it gives that parent time and motivation to shift from the focus on the alleged flaws of others to understanding his or her own contributions to the problems and learning ways in which to support the children's need for both parents.
10. An order that provides for an extended period of contact exclusively with the alienated parent is sometimes seen as providing make-up time for what often has been

⁷⁹ See DEAN G. PRUITT & SUNG HEE KIM, *SOCIAL CONFLICT: ESCALATION, STALEMATE, AND SETTLEMENT* 175 (2004). (discussing stalemates between parties in conflict: "They may be cognitively entrapped in the conflict—too close to the details to see the unpromising broader picture or committed to continue [conflict] by prior statements. . . . In such circumstances, some sort of *shock* may be needed to bring them to their senses— a striking event that dramatizes the hopelessness of their campaign or the costs and risks involved in pursuing it."); *Id.* at 172 (discussing a path to replacing escalating conflict with de-escalation when "a powerful third party (or parties) enters the scene and *imposes a settlement.*" In alienation cases, the no-contact order can be the striking event delivered by a third party.").

months or years of exclusive contact with the favored parent often in violation of court ordered schedules of contact with both parents. The length of time of the no contact order usually is a fraction of the amount of time that the children have been apart from the rejected parent. Often the period of no contact is comparable to the length of time children are apart from parents during attendance at summer camps, boarding schools, and foreign study programs.

2. *Potential Drawbacks of Placing Children with Their Rejected Parent*

A drawback of placing children against their will with the rejected parent is that the children may, *but do not invariably*, experience more stress in the short run, particularly if the family receives no help to adjust during the transition period. An intensive educational workshop, Family Bridges, can assist the children in making the transition.⁸⁰ To date, this workshop is the only intervention that has documented a high rate of success in overcoming severe alienation.

Another potential drawback of placement with the rejected parent is that in cases where the parents live a considerable distance apart from each other, this option may require a change of schools and communities. The court may determine that the risks to the children of losing part of their family far outweigh the risks of adjusting to a change of schools or a geographical change.

In many litigated cases, severely alienated children have long felt empowered and entitled to make their own decisions about whether and under what circumstances they will have contact with the rejected parent. When the court issues an order for placement with the rejected parent, some children threaten to defy court orders, run away, or do violence to themselves or others. Threats to act in dangerous and destructive ways must receive serious attention. Some alienated children are at risk for

⁸⁰ Warshak, *supra* note 24; Warshak, *supra* note 34; Richard A. Warshak, *Family Bridges: A Workshop for Troubled and Alienated Parent-Child Relationships*, <http://www.warshak.com/services/family-bridges.html> (last visited Apr. 22, 2014); Richard A. Warshak & Mark R. Otis, *Helping Alienated Children with Family Bridges: Practice, Research, and the Pursuit of "Humbition,"* 48 FAM. CT. REV. 91 (2010).

acting out against the parent they profess to hate especially with their aligned parent's encouragement.⁸¹ The potential risks must be weighed against the potential benefits and should be taken into account in structuring family transitions. In some cases the parent receiving the children hires therapeutic escorts to safely transport children to an intervention that assists the family to reunite safely and effectively. The risks must also be evaluated in the context of reports that children often make empty threats that evaporate when they realize that the court will not acquiesce to their demands.⁸²

Two high profile cases illustrated how rapidly alienated children's behavior can shift from vehement protest to affectionate reunion even when transfers are emotionally intense and disturbing events. In 2000, six-year-old Elián González was videotaped by his relatives in Florida claiming that he wanted to stay in the United States and not return to his father in Cuba. In a pre-dawn raid, armed federal agents seized the terrified boy and returned him to his father. A photograph taken a few hours later shows Elián smiling in his father's arms.

The second example occurred in 2009. After a panel of psychologists concluded that Sean Goldman was a victim of parental alienation, and a Brazilian court ordered Sean's return to his father after a five-year separation, Sean's stepfather released a videotape in which the nine-year-old claimed that he wanted to

⁸¹ *E.g.*, Fray, *supra* note 28 (A Kansas father who alienated his children conspired with the children to kill their mother after the custody evaluator recommended custody for her. The younger sister let her brother in the home at 2 A.M. and, armed with a baseball bat, and he brutally attacked his sleeping mother.).

⁸² *E.g.*, CLAWAR & RIVLIN, *supra* note 2, at 144 (discussing the effectiveness of changes in living arrangements and reporting, "Children may say, 'I hate her. I'll never speak with her if you make me go see her,' 'I'll run away,' or 'I'll kill myself if he comes to see me.' However, in some cases, children were told to say these things by the programming and brainwashing parent It is not uncommon to see these threats disintegrate after court orders change."); Warshak, *supra* note 34, at 61 ("Repeatedly we have seen children (even those who had been out of contact with a parent for several years) back down from their threats and within 24 hours appear relieved, relaxed, communicative, and sometimes affectionate with the rejected parent."); Richard A. Warshak, *Plutoed Parents: Preventing and Overcoming Parental Alienation*. 11th Annual Family Law on the Front Lines Conference, University of Texas School of Law, Austin, TX (June 2011).

remain in Brazil and have no contact with his father. To protest the Brazilian court's order to release Sean to his father, the family turned down the opportunity for a private handover and instead led the crying, frightened boy through a crowded street in front of reporters and cameramen. According to the Congressman who accompanied Sean's father, once reunited inside the U.S. Embassy, father and son were smiling with their arms around each other.

Children's resistance to returning to an alienated parent is likely to be more intense and prolonged if the court announces its decision while the children are still in the care of their favored parent. In such cases, during the interval between the court's decision and the physical transfer of the children, some favored parents convey to children, in effect, "I've exhausted my options. If you want to live with me it is up to you to convince everyone that the court's plan will not work." The children develop the idea that vehement protests, refusals to comply, and threats to run away will defeat the court's intentions as they have in the months and years that preceded the current round of litigation. To spare children this additional pressure, courts can order the parent in possession of the children to bring them to the courthouse on the day the decision will be announced. For some children in these situations, advance notice of a custody change, rather than help manage anxiety, escalates it to levels that are more difficult to manage.

Courts may hear expert opinions predicting dire consequences to children if the court fails to endorse the children's strong preferences to avoid a parent. Usually such opinions are vulnerable to reliability challenges because they cite undocumented anecdotes, irrelevant research, and discredited interpretations of attachment theory. No peer-reviewed study has documented harm to severely alienated children from the reversal of custody. No study has reported that adults, who as children complied with expectations to repair a damaged relationship with a parent, later regretted having been obliged to do so. On the other hand, studies of adults who were allowed to disown a parent find that they regretted that decision and reported long-term

problems with guilt and depression that they attributed to having been allowed to reject one of their parents.⁸³

On close examination research studies that experts cite to support predictions of damage to children who are separated from aligned parents lack relevance and generalizability to parental alienation situations. The studies focused on children who were orphaned, or evacuated from war zones, or hospitalized in decades when the parents were barred from spending the night with their ill children.⁸⁴ These situations are irrelevant to children who will be apart from one parent and with their other parent with whom they previously had a good relationship. Experts also base dire predictions about the traumatic impact of separating children from one parent ostensibly on attachment theory. However, a consensus of top authorities on attachment and divorce holds that contemporary attachment theory and research do not predict harm to children who are separated from one parent and placed with the other parent.⁸⁵

C. Placement Apart from Both Parents

The third option places the child apart from both parents. This could be with a relative, boarding school, therapeutic residential school, college preparatory school, military academy, or foster home.⁸⁶ It is important to avoid placement with a person whose behavior contributes to or supports the child's irrational alienation. This option may be desirable in cases where the court wants to reduce the children's contact with the favored parent but the rejected parent is unable to assume the full-time care of the children. It is also an option when the child needs to be removed from the favored parent's care but cannot safely live with the rejected parent.

In some cases the placement is temporary or designed to facilitate a subsequent and perhaps gradual transition to the cus-

⁸³ E.g., BAKER, *supra* note 17.

⁸⁴ WARSHAK, *supra* note 22, at 35-36.

⁸⁵ Richard A. Warshak, with the endorsement of the researchers and practitioners listed in the Appendix, *Social Science and Parenting Plans for Young Children: A Consensus Report*, 20 PSYCHOL. PUB. POL'Y & L. 46 (2014).

⁸⁶ Elizabeth M. Ellis, *Help for the Alienated Parent*, 33 AM. J. FAM. THERAPY 415 (2005); Matthew J. Sullivan & Joan B. Kelly, *Legal and Psychological Management of Cases with an Alienated Child*, 39 FAM. CT. REV. 299 (2001).

tody of the rejected parent.⁸⁷ Rather than immediately transfer the children's primary residence from the favored parent to the rejected parent, the court may determine that the transfer will be easier to implement in a two-stage process. First the children leave the immediate orbit of their favored parent and live with a third party or in a facility. Subsequently the children move in with their rejected parent. Some support for the benefits of being apart from both parents may be extrapolated from reports of college students who are able to reconnect with an alienated parent after leaving the favored parent's home to attend college.⁸⁸

The cases of third party placement with which this author is most familiar are those in which the court grants custody to the rejected parent, including the authority to make decisions regarding the children's health care and education, and the parent uses this authority to admit children to a residential treatment program, therapeutic wilderness program, or boarding school. In some cases parents elect this option when their children suffer psychological disturbances, or substance abuse problems, that are independent of their irrational alienation and require treatment in a protecting setting. In other cases parents place children in a facility or residential therapeutic program when the children's hostility is so high and self-control so poor that the children are neither ready to move in with the parent nor willing to participate in an intervention to assist them in adjusting to the court orders. When their emotional status stabilizes, the children are ready to participate in a program such as Family Bridges to facilitate their reunification with the rejected parent.

A benefit of placing children apart from both parents is that it removes children from direct exposure to family tensions and allows them to concentrate on their own development. Psychotherapy conducted with children when they are away from their parents and associated pressures may have greater success in assisting them to develop more balanced views of each parent. Some clinicians see this option as possibly the least detrimental

⁸⁷ RICHARD A. GARDNER, *THERAPEUTIC INTERVENTIONS FOR CHILDREN WITH PARENTAL ALIENATION SYNDROME* (2001).

⁸⁸ See Johnston & Goldman, *supra* note 20, at 113; Richard Warshak, *College Helps Renew Parent-Child Ties*, HUFFINGTON POST, Sept. 5, 2011, http://www.huffingtonpost.com/richard-warshak/college-helps-renew-paren_b_943542.html.

alternative for adolescents who are functioning poorly, are subject to parental pressures to align with one against the other, are exposed to chronic conflict between the parents, and have been unable to find relief from prior interventions.⁸⁹

A drawback of this option is that the child forgoes regular face-to-face contact with both parents, yet may not be spared alienating influences through other means of communication. Also, the expense of residential schools is outside the reach of most families. We have no empirical studies about the efficacy of third-party placements in overcoming children's severe alienation. This author's experience with families who have exercised this option is that it can bring the anticipated benefits. One mother said:

I have had more contact with my son in the past month that he has been away at school than in the past three years that my children have been alienated from me. The environment at the school has allowed him to be a "normal" 16-year-old boy and not have to live in the day-to-day adult conflict. While I do not see him as often, we have more frequent and better communication.

An additional benefit is that the school keeps the rejected parent informed about the child's schedule, activities, and academic, emotional, and social adjustment. In severe alienation cases, the favored parent often strives to conceal from the rejected parent any information about the children and their activities.

D. Custody with the Favored Parent, No Scheduled Contacts with the Rejected Parent, and No Court-ordered Intervention

The fourth option places children with their favored parents and suspends contact with the rejected parents unless and until the children elect to make contact. In essence this option surrenders attempts to remedy severe alienation. Instead, the court acquiesces to the children's demands to remove all expectations for contact with their rejected parents and empowers the children to make these decisions. This option is usually seen as a last resort exercised for reasons such as:

1. The court concludes that time itself will heal the problem and relieve the children's suffering.

⁸⁹ E.g., Sullivan & Kelly, *supra* note 86.

2. The court concludes that no resolution is possible or feasible without doing greater damage.
3. The court determines that it is beyond its power or authority to force children to have contact with a rejected parent.
4. The court concludes that it is helpless to prevent the favored parent and children from sabotaging scheduled contacts with the rejected parent.
5. The court determines that the children have sufficient maturity, long-term perspective, and independence of judgment to be competent to make a decision.
6. The children will need effective professional assistance to adjust to living with the rejected parent and such help either is unavailable or unaffordable.
7. The rejected parent is unable or unwilling to invest the time and money in litigation, or unwilling to expect resistant children to participate in an intervention designed to alleviate the problems.

The main benefits of this option are that it may provide short-term relief for the children, avoids potential adjustment problems in overturning the status quo, and may allow the children to function well in the short term in areas not directly related to the parent-child relationship such as school and relationships with peers and other adults.

The drawbacks of this approach, particularly when the children have refused to cooperate with the court-ordered residential schedule, are considerable. They include:

1. The children and the favored parent may interpret this as parental abandonment, despite the history of the rejected parent attempting to re-establish contact.
2. The children are encouraged to avoid rather than manage conflict.
3. The children's irrational beliefs about the rejected parent could be reinforced.
4. If the favored parent's behavior is considered to be a form of psychological abuse, the court facilitates the children's continued exposure to toxic parenting rather than protecting them from further abuse.
5. The children receive no help to better understand their relationship with each parent which might reduce the

likelihood of future problems related to a loss of such magnitude.

6. Children who have repeatedly flouted court orders for contact and threatened to misbehave if the court did not endorse their preferences, if allowed to trump the court's authority, may continue to believe that they are entitled to dictate the terms of their relationship with their parents. They may come to believe that disrespect and demands are effective means to gain compliance from adults, and may generalize this experience to conclude that the law can be ignored with impunity.
7. The children lose the benefits of the rejected parent's contributions, involvement, and expressions of love. Research identifies the importance of children's healthy relationship with two parents;⁹⁰ in many cases of severe alienation, the children are losing the healthier of the two parents.
8. Children run the risk of suffering lifelong estrangement from their rejected parents, with all the psychological consequences of such a loss including the intergenerational loss that the children's future children (the grandchildren of the rejected parent) may suffer by being deprived of a relationship with their grandparents.
9. Even if the children and rejected parent eventually reconcile, they have lost years of involvement, a loss that often includes the extended family. In some cases, by the time the children try to reconnect, rejected family members are no longer living.
10. In the future the children may suffer regret, shame and guilt for having rejected the parent.⁹¹ This is compounded when the children are mature enough to realize the magnitude of grief suffered by a parent who loses a child.

⁹⁰ E.g., Joan B. Kelly & Robert E. Emery, *Children's Adjustment Following Divorce: Risk and Resilience Perspectives*, 52 FAM. REL. 352 (2003).

⁹¹ E.g., Richard A. Warshak, *Payoffs and Pitfalls of Listening to Children*, 52 FAM. REL. 373 (2003).

VI. Mental Health Evidence and Interventions in Alienation Cases

Cases with severely alienated children present unique challenges in family law. Their disposition requires a multi-factored best-interests analysis rather than a uniform solution.⁹² Testimony by mental health experts in severe alienation cases is most helpful to the court and more likely to be judged as reliable when the witness has the training, credentials, and experience to understand and communicate the nuances of a competent evaluation of alienation allegations.

A. Some Concerns About Mental Health Evidence

Some experts proffer opinions on issues related to custody evaluations, such as how to evaluate the relative contributions of each parent to a child's alienation, despite their lack of knowledge, training, or experience in conducting clinical and forensic evaluations. This leaves their testimony open to reliability challenges and impeachment on the grounds of the witness' inadequate qualifications.⁹³

Zealous advocates with extreme positions about certain issues (e.g., parental alienation, child abuse, or domestic violence) may see all cases through a single lens. They quickly reach conclusions about the nature and roots of children's alienation with inadequate attention to alternative interpretations of the data. They may selectively and heavily rely on a few studies, often their own, without citing studies that reach different conclusions and without assisting the court in understanding the limitations of their own research. The result is biased testimony that lacks trustworthiness.⁹⁴ Their recommendations may lack a docu-

⁹² See Richard A. Warshak, *Parenting by the Clock: The Best Interests of the Child Standard, Judicial Discretion, and the American Law Institute's "Approximation Rule,"* 41 U. BALT. L. REV. 83 (2011).

⁹³ JOHN A. ZERVOPOULOS, HOW TO EXAMINE MENTAL HEALTH EXPERTS: A FAMILY LAWYER'S HANDBOOK OF ISSUES AND STRATEGIES 3 (2014).

⁹⁴ See TERENCE W. CAMPBELL & DEMOSTHENES LORANDOS, CROSS EXAMINING EXPERTS IN THE BEHAVIORAL SCIENCES (2001); JOHN A. ZERVOPOULOS, CONFRONTING MENTAL HEALTH EVIDENCE: A PRACTICAL GUIDE TO RELIABILITY AND EXPERTS IN FAMILY LAW (2009); *Daubert v. Merrill Dow Pharm., Inc.*, 509 U.S. 579, 593 (1993).

mented record of effectiveness and may be contrary to accepted learned treatises in the field.

In some cases, the court relies heavily on mental health expert evidence and testimony in reaching the decision to place a severely alienated child with the favored parent and suspend contact with the rejected parent either with or without ongoing treatment (options one and four discussed above). Effective cross-examination of mental health experts often uncovers the absence or paucity of their experience in overcoming severe alienation. With very few exceptions, the expert's experience is limited to working on cases with children who remain primarily in the care of the favored parent, or whom the court places with the rejected parent but who receive no effective help to adjust to the court orders. The expert has no long-term experience with children who present as severely alienated and who, in a reasonable length of time, recover affectionate feelings, correct cognitive distortions, and resume normal behavior with the parent who had been rejected.

One custody evaluator recommended custody to the alienating father and suspension of scheduled contacts with the rejected mother despite his opinion that the adolescent's psychological welfare was jeopardized in his father's home. Rejecting the evaluator's recommendation, the judge followed the guardian ad litem's recommendation and ordered the teen returned to his mother and both to attend a Family Bridges workshop. Following the boy's participation in a Family Bridges workshop, and the rapid and successful resolution of his alienation, the custody evaluator admitted that the primary reason for his recommendation was that he could not envision the boy overcoming his animosity and safely adjusting to living with his mother. Despite being a seasoned custody evaluator, he had no experience with an effective intervention like Family Bridges and little confidence that an angry adolescent would come to see his mother in a more realistic and benign light. He simply concluded that this teen and his mother were beyond help.

Older and smarter children can be very convincing in their accounts of poor treatment at the hands of the rejected parent as well as the absence of warmth, affection, and good experiences with that parent. They make trenchant criticisms of a parent that appear mature, reasonable, and based on their own experience of

the parent. They may convince evaluators and therapists that they are unwilling or incapable of modifying their negative behavior and attitudes about the rejected parent. An expert may believe that because a child apparently feels so strongly about avoiding a parent, the court has no viable option other than to give children what they demand. Such an expert may offer an opinion that is shaped primarily by the degree of the child's expressed resistance to reunification. The expert may believe, without reliable basis, that attempting reunification necessarily entails considerable risk to the child's well-being with little expectation of accomplishing the goal of normalizing the relationship. Such opinions, if not grounded in case-specific facts but instead representing general opinions about management of severely alienated children, cannot be defended as reliable in the legal sense of being trustworthy.⁹⁵

Mental health professionals who work with abused children in child protection settings understand that children may protest being removing from a harmful environment yet demonstrate rapid relief once this occurs.⁹⁶ Experts with sufficient experience in helping children adjust to court orders that place them with the rejected parent and suspend contact with the favored parent for an extended period of time have the opportunity to witness the speed with which children and adolescents recover their submerged desire and ability to relate affectionately to the parent. Experts with this background are less apt to be persuaded by children's strong protests and more likely to have confidence in the prospects of a better future for the parent-child relationship.

In cases with alienated adolescents, expert testimony can educate the court about the suggestibility of adolescents, their vulnerability to external influence, and their susceptibility to

⁹⁵ See *Daubert*, 509 U.S. at 593.

⁹⁶ See Stephanie D. Block et al., *Abused and Neglected Children in Court: Knowledge and Attitudes*, 34 *CHILD ABUSE & NEGLECT* 659, 659 (2010) (“[M]ost children wanted to return home.”); Douglas F. Goldsmith et al., *Separation and Reunification: Using Attachment Theory and Research to Inform Decisions Affecting the Placements of Children in Foster Care*, 55 *JUV. & FAM. CT. J.* 1, 1 (2004) (“[C]hildren find themselves torn between forming an attachment to their foster parents while simultaneously longing to return to their parents. It may be surprising to some that this longing develops even when there has been a documented history of maltreatment.”).

immature judgment and behavior.⁹⁷ These limitations are well known in the fields of adolescent development and neuropsychology, and account in part for the consensus view of psychologists that juveniles merit different treatment by the legal system than adults receive.⁹⁸

Professionals who rely on untested speculations, and lack relevant experience with severely alienated children, proffer conclusions and predictions that may reflect biases more than reliable opinions: 1) They tend to underestimate the difficulty that severely alienated children face when trying to overcome alienation while living with the favored parent; 2) they fail to appreciate the extent to which the preferences that children state may not reflect the full range of the children's genuine feelings about their parents; 3) they assume that courts will be unable to enforce compliance with orders that place children with their rejected parents; and 4) they overemphasize the risks of separating the children from their favored parents relative to the risk and tragedy of the children remaining alienated from their rejected parents, missing out on those parents' input, and being unable to give to and receive love from those parents.

B. *Risks of Intervening Versus Risks of Maintaining the Status Quo*

Despite the propensity of inexperienced professionals to overestimate the risks incurred by placing children with their rejected parent as described above, each option for dealing with severely alienated children carries potential benefits and risks. The potential risks should be weighed against the potential benefits and taken into account in structuring family transitions.

⁹⁷ E.g., Elizabeth F. Loftus, *Make-Believe Memories*, 58 AM. PSYCHOL. 867 (2003); Laurence Steinberg et al., *Are Adolescents Less Mature Than Adults? Minors' Access to Abortion, the Juvenile Death Penalty, and the Alleged APA "Flip-Flop"*, 64 AM. PSYCHOL. 583 (2009); Laurence Steinberg & Elizabeth S. Scott, *Less Guilty by Reason of Adolescence: Developmental Immaturity, Diminished Responsibility, and the Juvenile Death Penalty*, 58 AM. PSYCHOL. 1009 (2003).

⁹⁸ Brief for the American Psychological Association, and the Missouri Psychological Association as Amici Curiae Supporting Respondent, *In re Roper v. Simmons*, 543 U.S. 551 (2005)(No. 03-633), available at <http://www.apa.org/about/offices/ogc/amicus/roper.pdf>.

The main concerns about overriding children's stated wishes are that the children may defy the court's expectations, may commit destructive acts against themselves (e.g., running away or physical harm) or towards the rejected parent, and may falsely accuse the rejected parent of abuse in order to be removed from that home. No systematic large-scale research compares the risks versus benefits of the four options discussed above. In earlier works, I have described the power of the court's firm authority to elicit a recalcitrant child's compliance and reduce the risks of acting out by making it clear to the child that such behavior will not result in the court appeasing demands to return to the favored parent and may in fact delay the reunification with that parent.⁹⁹

It is impossible to predict with certainty how any child will react to firm attempts to repair a damaged relationship with a parent. Based on their large-scale study, Stanley Clawar and Brynne Rivlin conclude:

There are risks incumbent in any process; however, *a decision has to be made as to what is the greater risk*. It is usually more damaging socially, psychologically, educationally, and/or physically for children to maintain beliefs, values, thoughts, and behaviors that disconnect them from one of their parents (or from telling the truth, as in a criminal case) compared to getting rid of the distortions or false statements.¹⁰⁰

The potential damage in maintaining the status quo for a severely alienated child is described in detail in the earlier discussion of the drawbacks of suspending required contact between the child and rejected parent and delegating the authority to the child to determine whether and when contacts resume.

When the court determines that a child's interests are best served by reuniting with a rejected parent, and that the child's alienation arises in the shadow of, or reflects an identification with, the favored parent's negative attitudes, research and experience suggest the importance of several conditions that favor a successful reunification. These include giving children sufficient time with the rejected parent and reduced contact with people whose negative attitudes have influence over the children (including relatives and friends of the favored parent). Renewed contact with the favored parent can be titrated in frequency and structure, ranging from relatively brief contacts with onsite moni-

⁹⁹ Warshak, *supra* note 34.

¹⁰⁰ CLAWAR & RIVLIN, *supra* note 2, at 141 (emphasis in original).

toring to more frequent contacts outside the physical presence of a monitor but with oversight, to the resumption of regular, unmonitored contacts. The children's progress in healing their relationship with the custodial parent whom they had formerly rejected should inform the schedule and speed of incremental changes in their contact with the noncustodial parent. Briefer contacts with the noncustodial parent can be expanded when the parent has demonstrated a willingness and capability of supporting the children's progress and the contacts do not undermine this progress. Progress can be facilitated through skilled intervention for the family along with a strong message from the court about the consequences for violating court orders. Based on their analysis of the relevant literature, Fidler and Bala conclude "All severe and some moderate cases of alienation . . . are likely to require a different and more intrusive approach if the relationship with the rejected parent is not to be abandoned and the alienation is to be successfully corrected."¹⁰¹

The social science literature emphasizes the importance of contact between children and the rejected parent, but in some instances contact alone is insufficient to promote adequate healing. Especially when children expect the status quo to continue, court orders that place them with the rejected parent, and suspend their contact with the favored parent, can be quite a shock. In such cases, appropriate interventions with the family can help children adjust to the court orders, recover a positive relationship with the rejected parent, and prepare for the resumption of contact with the noncustodial (formerly favored) parent.

C. *Family Bridges*

Family Bridges: A Workshop for Troubled and Alienated Parent-Child RelationshipsTM (Family Bridges) is a structured, four-day, educational and experiential program that helps families make a safe transition and adjust to court orders that bring children and their rejected parent together and suspend contact with the favored parent for an extended period.¹⁰² Christine Lynn Norton draws on developmental psychology and neurobi-

¹⁰¹ Fidler & Bala, *supra* note 52, at 25.

¹⁰² See generally Warshak, *supra* note 24; Warshak, *supra* note 34; Warshak, *supra* note 80; Warshak & Otis, *supra* note 80.

ology to emphasize the importance of providing children and adolescents with experiences that facilitate empathy, connection, and wellness: “These experiences can help them to create a new narrative about their lives, one that is more cohesive, more hopeful, and allows them to begin to see themselves in a new place and begin to ‘let the future in.’”¹⁰³ Along these lines, Family Bridges helps children re-create their identity as persons who can give and receive love from two parents, gives them the experience of relating benevolently to the formerly rejected parent, gives them a face-saving way to correct cognitive distortions, and shows them how to move beyond the past to more rewarding relationships with both parents.

The Family Bridges workshop has helped families with alienated children throughout the United States and in other countries for the past 23 years and is the only U.S. program for severely alienated children whose success has been documented in a refereed article with follow-up data. A comprehensive account of the program’s goals, principles, structure, procedures, syllabus, limitations, and preliminary outcomes is available in previous publications.¹⁰⁴

The Family Bridges workshop replaces the structure of traditional weekly 45-minute office sessions with an intensive private four-day workshop intervention usually conducted in a resort setting. In addition to structural changes, the program uses content and procedures that are fundamentally different from psychotherapists’ usual materials and approaches. The children’s reintegration with the rejected parent is accomplished both through the process and the content of the workshop. In line with intergroup contact theory, bringing parent and child together, with the support of the court, to work cooperatively on common goals helps lessen hostility and prejudice.¹⁰⁵ The syllabus covers the underlying processes that contribute to parental alienation. Carefully chosen, engaging, entertaining, evocative, and educational audio-visual materials and exercises teach how distortions in

¹⁰³ Christine Lynn Norton, *Reinventing the Wheel: From Talk Therapy to Innovative Interventions*, in *INNOVATIVE INTERVENTIONS IN CHILD AND ADOLESCENT MENTAL HEALTH 2* (Christine Lynn Norton ed., 2011).

¹⁰⁴ Warshak, *supra* note 24; Warshak, *supra* note 34. For a briefer overview and answers to frequently asked questions, see Warshak, *supra* note 80.

¹⁰⁵ Brown & Hewstone, *supra* note 76.

memory, perception, and thinking occur. The materials also teach how negative stereotypes form under the influence of suggestion and authority figures, how parental conflict harms children, how to think critically, how children can stay out of the middle of their parents' conflicts, and how the children and parent can better communicate and manage conflict. Children learn how to maintain balanced, realistic, and compassionate views of both parents. The program also offers a subsequent workshop for favored parents who attend voluntarily, but does not accept referrals of favored parents whose attendance is mandated by the court.

Joan Kelly, a leading authority on divorce, notes the scientific basis for Family Bridges:

In the overall development of Family Bridges, its goals and principles, and particularly the varied and relevant materials selected for use with parents and children, the incorporation of relevant social science research was evident. Further, the daily structure and manner of presentation of the Family Bridges Workshop were guided by well-established evidence-based instruction principles and incorporated multi-media learning, a positive learning environment, focused lessons addressing relevant concepts, and learning materials providing assistance with integration of materials. The most striking feature of the Family Bridges workshop was the empirical research foundation underlying the specific content of the 4-day educational program. The lessons and materials were drawn from universally accepted research in social, cognitive, and child developmental psychology, sociology, and social neuroscience.¹⁰⁶

Most of the children who attend Family Bridges have led custody evaluators, parents, and the court to expect no cooperation when it comes to accepting placement with the rejected parent. All the children have had failed experiences with counseling prior to enrollment. Some have threatened to act out, insist that they will not comply with court orders, and act as though they are above the law. Nevertheless, in line with Clawar and Rivlin's observations, when the court issues its orders, most of the threats give way to muted disappointment in the court and anxiety about the future.¹⁰⁷

Although at first children are overtly unhappy with the court orders, the workshop begins with videos that are immediately en-

¹⁰⁶ Kelly, *supra* note 8, at 83.

¹⁰⁷ CLAWAR & RIVLIN, *supra* note 2, at 144.

gaging, entertaining, and nonthreatening, and the children settle down to the task of learning how to live as a family with the parent whom they have been rejecting. Early in the workshop, usually during the first day, the children begin communicating directly and somewhat positively with the rejected parent and appear relieved to be offered a face-saving way to reconnect. In a study of a sample of 23 children who participated in the workshop, 22 restored a positive relationship with the rejected parent by the workshop's conclusion.¹⁰⁸ At follow-up, 18 of the 22 children maintained their gains; those who relapsed had premature contact with the alienating parent.

A study of a larger sample is in progress analyzing data on 88 children who enrolled in the Family Bridges workshop. Thirty-nine of the 88 participants were 14 or older; 26 were 12-13 years old. There were 55 boys and 33 girls. Nearly half of the group of rejected parents are mothers. The preliminary results parallel those found with the smaller sample.

At the workshop's conclusion, 95% of the child participants recovered a positive relationship with the rejected parent (Sign and Binomial Test, $p < .0001$). Most of these children previously frustrated the court-ordered parenting plan and threatened to continue to do so if the court did not endorse their stated preferences. With the help of the four-day workshop they were able to accomplish the goal of adjusting to the transition put in place by the court orders. They complied with the court's custody decision, and were prepared to return home with their formerly rejected parent, live with that parent safely and in relative harmony, manage conflicts with newly learned skills, and avoid any of the dangerous and noncompliant behaviors that they previously threatened. On follow-up, 83% of the sample enjoyed good relationships with the parents they had formerly rejected (Sign and Binomial Test, $p < .0001$).¹⁰⁹ The most prevalent factor

¹⁰⁸ Warshak, *supra* note 34. The one child who did not successfully complete the workshop was a girl just shy of her eighteenth birthday. She knew that she would soon fall outside the jurisdiction of the Family Court and not be subject to the order for suspended contact with the favored parent and she made it clear at the outset that she would remain at the workshop to support her younger siblings but had no intention of actively participating.

¹⁰⁹ Richard A. Warshak, Family Bridges Outcome Study #2 (in preparation).

associated with a child's relapse into rejecting the parent was the child's premature contact (usually clandestine and in violation of the court orders) with the other parent whose negative influence was formidable and rendered the child unable to resist.

Often a parent, attorney, or judge hopes that the workshop can resolve a custody dispute by repairing a damaged parent-child relationship in a context that fails to meet the enrollment prerequisites or when the favored parent maintains custody and significant residential time with the child or will resume custody upon completion of the workshop. Unfortunately, this program is not designed for any of these circumstances and is usually not offered in such cases. One judge opined that the workshop, coupled with a change in custody, was the only potential remedy for a seventeen-year-old boy who, the court found, was the victim of his father's deliberate behavior to alienate the child from his mother.¹¹⁰ In her decision Justice Mesbur ruled, "The Workshop is a last resort. Obviously it would have been better had these problems been identified and corrected early on. . . . Unfortunately, they were not. This leaves the Workshop as [the child's] best last hope."¹¹¹ The boy and his mother did accomplish a successful reunification with the help of Family Bridges.

The impact of Family Bridges workshops continues to be studied using independent and multi-measure pre- and post-workshop assessments of parent-child relationships. Follow-up studies compare changes in children who participated in Family Bridges with alienated children who did not participate. These studies are eliciting data that help understand how participants view specific aspects and components of the workshop as well as the overall experience. The workshop's impact on children's attitudes and behavior is assessed through observations and ratings by clinicians, parents, and children. Preliminary review of anonymous ratings by parents and children give the program high marks. The children acknowledge that when they first learned of the workshop they felt very negative about having to attend, but that upon its completion their attitudes about the experience are positive and they believe that other families in similar situations would benefit from the program. Their ratings indicate that the

¹¹⁰ S. B. B. v. S. J. L. [Indexed as: B. (S. G.) v. L. (S. J.)]. 2010 ONSC 3717 Superior Court of Justice, Justice Mesbur (June 30, 2010).

¹¹¹ *Id.* at 14, ¶ 71.

workshop successfully accomplished its goals and most participants experienced it as an educational program in contrast with their previous experiences in counseling. The children report that the workshop leaders treated them with respect and kindness.

An example is one young man who looked back on his experiences with Family Bridges. He said that throughout the litigation when he was insisting to the custody evaluator and the guardian ad litem that he hated his mother and never wanted to see her again, he never expected the court to take him seriously. He is grateful that the court did not appease his demands and that the court protected him from the tragic loss of his mother and his extended family. This teen's experience with Family Bridges influenced him to pursue the study of critical thinking at a prestigious college.

VII. Practice Tips for Lawyers and Judges in Cases with Parental Alienation Issues

The following tips are for situations where children are irrationally alienated from a parent or at risk for becoming so. They do not apply to litigants whose children's rejection is a reasonable response to the rejected parent's behavior and whose children's best interests are served by avoiding contact with the parent, as for instance, when there has been a finding of abuse by the court.

A. Tips for Lawyers Representing a Parent Who Is Alienated or at Risk for Becoming Alienated

1. Prioritize getting the case before the court quickly. Swift action is key to successful outcomes. The effects of toxic parenting spread rapidly yet these cases slog through a quagmire of legal maneuvering, failed attempts to modify the behavior of alienating parents, and court orders that repeatedly go unheeded without consequence. Your clients want their case treated with the urgency given to cases with missing children because, for them, their children are missing.
2. Encourage clients to do their best to maintain contact with their children despite obstructions they encounter and despite the children's aggression and scorn. The ab-

sence of regular contact leaves children more vulnerable to seeing your client through the eyes of their other parent and deprives the children of experiences that may challenge their negative views of your client. Also, the more time parents and children are apart, the more difficult it is to overcome the status quo and reunify them.

3. Refer clients to resources that can help them better manage the situation. Suggest books, DVDs, and other material to help them better understand and cope with what is happening in their family. Alienated children, and their favored parent, often provoke maladaptive reactions. Clients who respond ineffectively to their children's contemptuous behavior may subsequently be held responsible for their children's rejection. Ineffective responses, such as counter-rejecting the children or yelling at them, play into the hands of the alienating parent, reinforce the campaign against your client, and make it more difficult for the custody evaluator and the court to understand the roots of the problem. The alienated parent's desperate, but unhelpful behavior is sometimes interpreted as the reason the children avoid contact. It is best to be proactive rather than react after complications develop. Do not assume that your clients will respond well to the challenging behavior of their former partners and their children. Refer them to professionals who can help alienated parents avoid the most common errors and help them cope with grief over the loss of their children's affection and contact.
4. Secure detailed orders for parent-child contacts with penalties for noncompliance and move quickly for sanctions when the orders are violated. On a *pendente lite* basis, ask the court to order consistent contact between your client and the children. Try to avoid a situation where such contact is suspended or eliminated.
5. If there are allegations of undue influence by a parent during the other's parenting time, ask the court to provide for "no contact" during the rejected parent's designated time with strong sanctions for noncompliance. If granted, this could prevent an enforcement application down the road.

6. Propose custody evaluators and therapists who are familiar with the literature on parental alienation and have experience with such cases. Evaluations in cases raising issues of parental alienation are not routine. The American Psychological Association *Guidelines for Child Custody Evaluations in Family Law Proceedings* state: “psychologists strive to gain and maintain specialized competence.”¹¹²
7. Hire a mental health expert early in the case to direct the court’s attention to learned treatises on parental alienation, and to educate the court about the characteristics of alienated children and the benefits and drawbacks of various remedies. This expert should not recommend custody for the family in question and should not later evaluate the family.
8. If the children have been meeting with a psychotherapist selected by the other parent and without your client’s knowledge, be cautious about advising your client to participate in sessions with that therapist. Although therapists should not opine on custody, frequently they do, and their testimony can be bolstered with the claim that it is based on input from both parents rather than hearing from only one side in the litigation.
9. Establish that the children’s rejection is unjustified by examining the basis of the children’s complaints about your client and documenting that a better parent-child relationship existed in the past. Consider whether the complaints are exaggerated, whether they are disproportionate to the degree of the children’s animosity or fear, and whether your client’s behavior would be considered detrimental to the children if the parents were still living together. Although some alienated children have grown up in dysfunctional families where for years they were encouraged to align with one parent against the other one, it is easier to prove the unreasonableness of children’s alienation if the rejected parent previously enjoyed positive relationships with the children. This can

¹¹² American Psychological Association, *Guidelines for Child Custody Evaluations in Family Law Proceedings*, 65 AM. PSYCHOL. 863, 864 (2010) (Guideline 4).

be documented with evidence from people who have witnessed the change in the children's behavior and attitudes, such as relatives, friends, teachers, coaches, neighbors, and clergy, and with documents such as photographs, family videotapes, loving notes and cards from the children to their parents.

10. Develop effective cross-examinations of expert witnesses who offer recommendations that are unlikely to alleviate the children's alienation. A trial consultant can be a useful resource for this task.
 - a. Mental health professionals sometimes recommend traditional psychotherapy that has no documented record of effectiveness if the children remain in regular contact with an alienating parent. The professional literature does not support such a therapy approach.
 - b. Expose the lack of research and professional experience behind evaluators' recommendations that do not include the children's placement with their rejected parents. Most evaluators lack experience with children who rapidly recover their affection for a parent in the aftermath of being placed in the rejected parent's custody.
 - c. Be alert to a common error by evaluators who attempt to appear neutral by placing undue weight on the rejected parent's mistakes and flaws as contributing factors to the children's alienation. Although some children reject a parent based on strong realistic complaints combined with strong unreasonable complaints, in many cases the favored parent eagerly fans the flames of negative feelings. Just as we have to be careful before concluding that a favored parent has engineered the children's rejection, we need to be careful before concluding that the rejected parent's behavior is significant in the genesis of the children's negative attitudes. A key question to explore is whether your client was able to enjoy a loving relationship with the children in the past despite your client's alleged flaws.

B. Tips for Lawyers Representing a Parent Who Is Alleged to Be Alienating the Children from the Other Parent

1. If your clients are aware that they are undermining their children's relationships with their other parent, impress upon them the damage this is likely to cause the children in the near-term and in the future.
2. Motivate your clients to do a better job of encouraging and supporting their children's relationship with their other parent by explaining the potential negative consequences to your client of their alienating behaviors. These include: 1) the possibility that their children will resent their bad-mouthing of their other parent and gravitate to an alignment with that parent, and 2) their alienating behaviors will create an unfavorable impression with a custody evaluator, child representative (e.g., amicus attorney, guardian ad litem), parenting coordinator or facilitator, and the judge. Evidence of clients' alienating behavior could contribute to their loss of custody, reduced or temporarily suspended contact with their children, or a requirement that their contacts be supervised.
3. If your clients endorse the idea that their children should be spending time with their other parent, but claim that they cannot prevail over the children's protests, ask them to consider how they would secure their children's compliance if they refused to attend school or visit a doctor when ill. If the children receive no negative consequences for refusing to see their other parent, and instead spend the scheduled contact time in rewarding activities, this may suggest that your client is not genuinely interested in supporting the children's contact with their other parent.
4. Ensure that your clients understand the possible legal consequences for interference with custodial contact and for violating court orders.
5. If psychotherapy is suggested or ordered for the family, explain the importance of cooperating with scheduling and keeping appointments, participating meaningfully in sessions, and implementing the therapist's recommendations. This provides evidence of your client's good-faith efforts to resolve alienation problems. To preempt premature terminations of treatment, tell your clients in ad-

vance that there will probably be things the therapist says and does with which they will disagree. Rather than end treatment because of this disagreement, they should discuss the issue with the therapist. When parents pull their children out of court-ordered treatment, they not only violate the court orders, they provide evidence of less than optimal parenting and weak commitment to helping children stay out of the middle of their parents' conflicts. This is particularly true if your clients have a history of terminating treatment when the therapist does not see things exactly their way.

6. Encourage clients to seek professional help to develop healthier ways to manage their disappointment and anger about the failure of the marriage. At the very least, clients should reserve their complaints and putdowns of their former partner for conversations with friends and relatives away from their children's earshot.
7. Advise clients to refrain from excessive or lengthy communications with children when they are with their other parent. Such communications may inhibit the children's ability and motivation to favorably adjust to contacts with the other parent and may create a record that can be used to demonstrate your client's alienating behavior.
8. Encourage clients to schedule rewarding activities for themselves when their children are away from home. This may reduce the sense of loss when the children are gone and reduce temptations to intrude on the children's time with their other parent through excessive communications.

C. Tips for Judges with a Case that Raises Parental Alienation Issues

1. Familiarize yourself with the current learned treatises concerning parental alienation.
2. If appointing a child representative such as an amicus attorney or guardian ad litem, choose someone who is familiar with the literature on parental alienation and has had experience with such cases.
3. If meeting with the children in chambers, be aware that alienated children can present convincing, yet false, com-

plaints about the rejected parent. Impress upon the children that the court makes the decisions, that children are generally better off being raised by both parents, that you expect your orders to be obeyed, and that their parents will suffer consequences for noncompliance with court orders. If you have determined that the children's best interests are served by healing their relationship with their rejected parent, communicate to the children that failure in doing so is not a reasonable option and will not result in the court acquiescing to their demands to avoid a parent.

4. Be cautious when ordering psychotherapy and counseling. Naïve therapists who lack specialized knowledge and experience with alienation cases may inadvertently reinforce the children's alienation by accepting their patients' representations as accurate without adequately considering alternative plausible explanations.
5. Psychotherapists and counselors of family members in the case should not be permitted to offer custody recommendations, and the court should not rely on them even when it seems to be the most efficient way to address these issues.
6. When considering a decision to remove children from their favored parent's full-time care and place them with their rejected parent, be prepared to hear testimony from therapists and experts that predict great psychological trauma, harmful consequences, and destructive behavior. Often such predictions have no reliable basis and are made by professionals who lack adequate experience and are unfamiliar with the relevant family dynamics in the case.
7. Removing children from the favored parent's custody, and placing them with their rejected parent, should be considered when other options have met with failure. Consider the ten ways in which no-contact orders can benefit children's successful reunification with their rejected parent.
8. In cases where the children are to be placed against their objections with the rejected parent, consider ordering that the children be brought to the courthouse on the day

you announce your decision and kept in a location apart from their parents and with adult supervision while you announce the decision to the litigants.

9. Enforce your orders swiftly and unequivocally. When parents and children learn that the court does not enforce its own orders, they lose respect for the court and the law.

VIII. Conclusion

“All the therapists told me to sign over custody to Dad and just let it go,” said an alienated mother who works for a family law attorney. “They said there is nothing I can do to reverse the alienation.” Fortunately, the therapists are wrong—every successful case in Family Bridges began with the same pessimism.

Severe cases of parental alienation present unique challenges and have long frustrated professionals who try to assist families with this difficult and tragic problem. Fortunately, the availability of books and articles on alienation, educational videos for children, and interventions like Family Bridges is helping to provide an antidote to the discouragement and pessimism that permeates discussions about repairing severely damaged parent-child relationships.

The development of preventive programs that teach parents and children about parental alienation will reduce the number of cases needing more intensive and expensive help. Early identification of children at risk for alienation, and appreciation that divorce poison works swiftly to transform expressions of love into claims of fear and hatred, will help the legal system respond rapidly to protect children from the intensification of alienation.

Severely alienated children plead with custody evaluators, therapists, attorneys, and judges to allow them to excise from their lives one of the two people on the face of the planet responsible for their care. Despite weathering cruel treatment and untempered hatred that would drive most people away, many rejected parents maintain a steadfast commitment to their children’s welfare and invest considerable resources trying to restore positive relationships. Very often the tragedy extends to an entire half of the children’s family who remain astounded and deeply hurt at the formerly loving children’s complete estrangement.

The outcome of most divorce cases affects each parent’s financial situation and the amount and schedule of time they

spend with their children. The outcome of cases with severely alienated children spells the difference between elated parents who recapture their identities as parents versus bereft parents who mourn the loss of their children and whose children grow up with parents who may be perpetrators of emotional abuse, who force them to make a child's version of Sophie's Choice, and fail to honor their right to love and be loved by two parents. If they don't find their way back to their rejected parents when these children grow up and have their own children, the next generation is deprived of a legacy. Helping these families is challenging and a heavy responsibility. It is not often that legal and mental health professionals get the chance to alter the course of generations.

Ten Parental Alienation Fallacies That Compromise Decisions in Court and in Therapy

Richard A. Warshak

University of Texas Southwestern Medical Center at Dallas

False beliefs about the genesis of parental alienation and about appropriate remedies shape opinions and decisions that fail to meet children's needs. This article examines 10 mistaken assumptions: (a) children never unreasonably reject the parent with whom they spend the most time, (b) children never unreasonably reject mothers, (c) each parent contributes equally to a child's alienation, (d) alienation is a child's transient, short-lived response to the parents' separation, (e) rejecting a parent is a short-term healthy coping mechanism, (f) young children living with an alienating parent need no intervention, (g) alienated adolescents' stated preferences should dominate custody decisions, (h) children who appear to function well outside the family need no intervention, (i) severely alienated children are best treated with traditional therapy techniques while living primarily with their favored parent, and (j) separating children from an alienating parent is traumatic. Reliance on false beliefs compromises investigations and undermines adequate consideration of alternative explanations for the causes of a child's alienation. Most critical, fallacies about parental alienation shortchange children and parents by supporting outcomes that fail to provide effective relief to those who experience this problem.

Keywords: alienation, custody reversal, high-conflict divorce, parental alienation, reunification

Common false beliefs about parental alienation lead therapists and lawyers to give bad advice to their clients, evaluators to give inadequate recommendations to courts, and judges to reach injudicious decisions. The increasing recognition of the phenomenon of children's pathological alienation from parents brings with it a proliferation of mistaken assumptions about the problem's roots and remedies. These assumptions fail to hold up in the light of research, case law, or experience.

In some instances, a professional may not have thought to question the belief, or may lack sufficient experience and familiarity with research literature to test the accuracy of the assumption. The more often the fallacy is mentioned in professional presentations and publications, the more likely it becomes a *woozle*—a commonly accepted idea that lacks grounding in persuasive evidence yet gains traction through repetition to the point where people assume that it is true (Nielsen, 2014). In other cases evaluators, therapists, and lawyers make unreliable predictions based on the relatively small sample of their practices. Some professionals hold rigid ideological positions that inhibit receptivity to disconfirming facts or lead to intentional

evasion of data that conflict with desired conclusions (Lundgren & Prislín, 1998; Martindale, 2005). Even those with no strong ideological motivation to advocate a particular position are susceptible to confirmation biases that predispose them to search for and focus on information that supports previously held beliefs and expectations, while overlooking, ignoring, or discounting facts that fail to conform to their preconceived views (Greenberg, Gould-Saltman, & Gottlieb, 2008; Jonas, Schulz-Hardt, Frey, & Thelen, 2001; Rogerson, Gottlieb, Handelsman, Knapp, & Younggren, 2011). An untested assumption about the significance of one factor, such as a generalization based on a child's age, may lead family law professionals to place undue weight on that factor when making recommendations or decisions.

This article identifies 10 prevalent and strongly held assumptions and myths about parental alienation found in reports by therapists, custody evaluators, and child representatives (such as guardians ad litem), in case law, and in professional articles. Ideas were determined to be fallacies if they are contradicted by the weight of empirical research, by specific case outcomes, or by the author's more than three decades of experience evaluating, treating, and consulting on cases with parental alienation claims. The following discussion pertains to the pathological variant of parental alienation and not to situations in which a child's rejection of a parent is proportional to the parent's treatment of the child. The 10 fallacies about parental alienation fall into two categories: those that predominantly relate to the genesis of parental alienation and those concerned with remedies for the problem.

Fallacies About the Genesis of Parental Alienation

1. Children Never Unreasonably Reject the Parent With Whom They Spend the Most Time

It is generally assumed that children will identify most closely with the parent whom they see the most. When children live

RICHARD A. WARSHAK received his PhD in clinical psychology from the University of Texas Health Science Center. He is a Clinical Professor of Psychiatry at the UT Southwestern Medical Center and consults and testifies internationally in child custody proceedings. He studies the psychology of alienated children; children's involvement in custody disputes; and outcomes of divorce, child custody decisions, stepfamilies, relocations, and parenting plans for young children. Also he develops educational materials and interventions to help understand, prevent, and overcome damaged parent-child relationships.

CORRESPONDENCE CONCERNING THIS ARTICLE should be addressed to Richard A. Warshak, 16970 Dallas Parkway, Suite 202, Dallas, TX 75248. E-mail: doc@warshak.com

exclusively under one parent's care, naturally this increases that parent's influence on the children, including shaping their view of the absent parent (Clawar & Rivlin, 2013; Warshak, 2010a). The most extreme example of this occurs with abducted children who depend on their abducting parent for any information about their other parent. Spending more time with a parent who is the target of denigration often helps children resist becoming alienated or facilitates their recovery of a positive relationship. It is mistake, though, to assume that children are immune to becoming alienated from the parent with whom they spend the most time. One survey found that in 16% of cases the alienated parent had either primary or joint physical custody (Bala, Hunt, McCarney, 2010). In some families the children's rejection of their custodial parent results in a de facto change of custody without litigation; thus, case law surveys probably underestimate the proportion of children who become alienated from the parent who had primary residential custody.

This author has consulted on more than 50 cases in which a father who had contact with his children primarily when school was out of session effectively influenced his children to reject their mother. In several of these cases the father retained the children at the end of an extended school holiday period at which time the children claimed that they wanted to live with him and never see their mother again. The children's motives varied. Some children wanted to please an intimidating father to avoid his anger (Drozdz & Olesen, 2004). Others became convinced that their father's emotional survival depended on having his children live with him and that their mother was responsible for his suffering. In other cases a court allowed a mother to relocate with her children far away from the father, and the father retaliated by exploiting the children's discomfort about the move and manipulating them to reject their mother.

Operating under fallacy #1 some evaluators have stated unequivocally that the children's rejection of their primary residential parent (usually the mother) could not possibly constitute pathological alienation. These evaluators assume that a child who spends a lot of time with a parent is sufficiently familiar with the parent to be invulnerable to cognitive distortions about the parent. Thus if a child rejects a parent who has primary custody, the child must have a valid reason. This mistaken assumption predisposes evaluators to search for flaws in the rejected parent to explain the children's rejection while failing to investigate and sufficiently weigh the other parent's contributions to the children's negative attitudes.

Knowing that children's rejection of the parent with whom they spend the most time can be unreasonable and reflect the noncustodial parent's influence, custody evaluators, therapists, and judges should view the available data and evidence without any preconceived assumptions about the extent to which the child's rejection is justified versus unjustified. When gathering and considering data, child custody evaluators should consider alternative explanations for a child's negative attitudes regardless of which parent spends the most time with the child. Therapists should remain alert to the possibility that a child's complaints about the parent with whom the child predominantly lives may be unduly influenced by the other parent and may not reflect the child's true experiences or be an accurate account of the alienated parent's behavior.

Consulting and testifying experts who review custody evaluations that attribute children's rejection of the parent with whom

they spend the most time solely to the rejected parent's behavior should be alert to the possibility that a confirmation bias skewed the data gathering and interpretation (Martindale, 2005) and perhaps gave inadequate attention to the influence of the favored parent. Experts retained to educate the court about general issues in a case that raises parental alienation issues should be prepared to explain how this fallacy may have led to poorly reasoned opinions and recommendations reached by professionals such as evaluators, parenting coordinators, guardians ad litem, and attorneys appointed to represent the children's best interests. Judges who reject this fallacy will be more inclined to give proper weight to evidence of the noncustodial parent's influence on the children's negative attitudes toward the custodial parent when such evidence exists.

2. Children Never Unreasonably Reject Mothers

The fallacy presented above holds that a class of parents—those with primary custody—are immune from pathological alienation. Another fallacy is related to the previous one in that it also holds that a class of parents—in this case, mothers—are immune from their children's irrational rejection. A corollary fallacy is that only mothers are accused of fostering parental alienation and that this means that the concept of irrational parental alienation is bogus and simply a litigation tool for fathers (NOW Foundation, n.d.). Both fallacies are disproved by case law and empirical studies that document the existence of alienated mothers and alienating fathers in one third to one half of cases.

A Canadian survey reported that courts identified the father as the alienating parent in about one third of cases (Bala et al., 2010). Kopetski, Rand, and Rand (2006) reported that the alienating parent was the father in more than one third of cases. An analysis of unreported judgments in Australia over a 5-year period found approximately equal numbers of male and female alienators (Berns, 2001). Similarly, Gardner (2002) reported equal distributions of male and female alienators. In a small but nonrandom sample of parents who participated in an intervention to overcome children's alienation, 58% of the rejected parents were mothers (Warshak, 2010b). Also, several mothers who identify themselves as alienated have written books about their experience for the general public (Black, 1980; Cross, 2000; Egizii, 2010; Meyer & Quinn, 1999; Richardson & Broweleit, 2006; Roche & Allen, 2014).

Those who believe that mothers cannot be the victims of their children's irrational rejection are predisposed to believe that children who reject their mothers have good reasons for doing so. This belief leads evaluators to overweigh a mother's contributions to her children's rejection of her while failing to recognize the influence of the father's manipulations on the children's negativity toward their mother.

Evaluators who hold an ideological position against the concept of pathological parental alienation reflexively dismiss the possibility that a child's negative behavior toward a parent is unwarranted or is influenced by the favored parent. Such evaluators fail to adequately explore plausible rival explanations for case facts and data that relate to children's alienation and instead they prejudge the children's alienation as justified by mistreatment from the rejected parent. In so doing they fall short of practice guidelines such as the American Psychological Association's (2013)

Specialty Guidelines for Forensic Psychology. An example of the lack of critical thinking in a custody evaluation and in testimony is the failure to consider alternative explanations for a child's negative thoughts, feelings, and behavior toward the rejected parent (Warshak, 2003b).

Evaluators operating under an anchoring bias rely on accusations about the rejected parent's behavior as a point of reference for subsequent data gathering and interpretation (Martindale, 2005). This reference point leads to selective attention to evidence that confirms initial impressions, and inattention to disconfirming evidence. Confirmation bias operates when evaluators prejudice concerns about irrational parental alienation as unlikely and then seek, attend, and heavily weigh evidence of the rejected parent's contributions, while they avoid and discount evidence of the favored parent's contributions. Zervopoulos (2013) provides specific questions that attorneys can use to uncover such biases in mental health evaluations and testimony. He shows how to tie an expert witness's lack of critical thinking to the admissibility and weight accorded to mental health evidence.

Mental health and legal professionals who reject the concept of pathological parental alienation should rethink their position in the light of the extensive literature on the topic (for a comprehensive bibliography see Lorandos, Bernet, & Sauber, 2013) and a survey that reported 98% agreement "in support of the basic tenet of parental alienation: children can be manipulated by one parent to reject the other parent who does not deserve to be rejected" (Baker, Jaffe, Bernet, & Johnston, 2011). Also, the *Diagnostic and Statistical Manual Of Mental Disorders*, fifth edition includes "unwarranted feelings of estrangement" as an example of a "Parent-Child Relational Problem" (American Psychiatric Association, 2013, p. 715). Evaluators and therapists should keep an open mind about the possibility that children's rejection of their mother or their father is not warranted by the rejected parent's behavior.

3. Each Parent Contributes Equally to a Child's Alienation

Gardner's (1985) original formulation of pathological alienation, and his subsequent publications (e.g., Gardner, 1998), described multiple contributions to the child's disturbance, including the behavior of each parent, motivations that originate within the child, and situational factors such as a custody dispute or a remarriage. But his formulation, and work that followed (e.g., Clawar & Rivlin, 2013; Kelly & Johnston, 2001; Warshak, 2010a), left no doubt that the attitudes and behaviors of the parent with whom the child appears to be aligned are a key element in understanding the genesis of the problem.

Responding to allegations and concerns that clinicians and courts placed too much emphasis on the contributions of the favored parent and not enough emphasis on other factors, Kelly and Johnston (2001) recast the problem in a family systems framework. Others have elaborated this model by introducing the term *hybrid* for cases that identify a combination of both parents contributing to the children's alienation (Friedlander & Walters, 2010). Some professionals assume that a child's alienation is rarely traced to primary contributions from one parent. The influence of the family systems model is evident in custody evaluation reports that explicitly cite the model, conclude that each parent's behavior is responsible for the child's alienation, and take care to avoid

ranking either parent's contributions as more prominent. A related practice is the reflexive use of the term *high conflict couple*, a term that implies joint responsibility for generating conflict.

Kelly (2003) was one of the first to expose this fallacy. Drawing on 40 years of experience as a researcher, custody evaluator, mediator, and Special Master, she found that in as many as one third of entrenched parental disputes, one parent was clearly responsible for initiating and sustaining conflict. Clinical reports and some large-scale empirical studies describe disturbed and disturbing behavior on the part of favored parents, often characteristic of borderline and narcissistic psychopathology (Eddy, 2010; Friedman, 2004; Kopetski, 1998; Rand, 1997a, 1997b, 2011). Favored parents are more likely than rejected parents to display controlling and coercive behavior, poorly modulated rage, paranoid traits, and parenting styles that encourage enmeshed parent-child relationships, such as intrusive and infantilizing behaviors (Garber, 2011; Johnston, Walters, & Olesen, 2005; Kopetski, 1998).

Based on their study of 1000 custody disputes, Clawar and Rivlin (2013) identify the favored parent's programming as the primary dynamic behind a child's alienation, and they regard such programming as psychologically abusive. Kelly and Johnston (2001) agree that the behaviors of the favored parent "constitute emotional abuse of the child" (p. 257). Clearly their model is not intended to hold both parents in all families equally responsible for children's pathological alienation. For example, it would be no more fitting to assume that an alienated mother is equally responsible for her children's rejection of her than it would be to hold a mother equally responsible for her husband's physical abuse of the children.

Studies of formerly alienated children who reconciled with their rejected parents provide additional evidence that the behavior of the rejected parent is not a necessary factor in the genesis of children's alienation. In some cases a family crisis resulted in a spontaneous and in some cases instantaneous reconciliation (Darnall & Steinberg, 2008a, 2008b; Rand & Rand, 2006). Outcome studies for the educational intervention, Family Bridges: A Workshop for Troubled and Alienated Parent-Child Relationships, show that children can overcome their negative attitudes and behavior without any change in the rejected parent's personality or behavior (Warshak, 2010b; Warshak, in press). Although the workshop teaches parents how to more effectively communicate and manage conflict with their children, this is not the central element linked to improvement in the parent-child relationships. Dramatic transformations of children's negative attitudes occur during the 4-day workshop when they learn about and gain insight into the process by which they became alienated and when they have a face-saving way to recover their affection for their parents. If the rejected parent's personality characteristics and behavior were a central cause of the alienation, we would not expect the children's alienation to abate unless and until they had an opportunity to experience changes in the rejected parent's behavior.

Some children have very good reasons for feeling disillusioned with the rejected parent, but the favored parent eagerly fans the flames of negative feelings. In such cases the child's rejection has both strong rational *and* strong irrational components. The rejected parent's behavior may be sufficient to alienate the child in the short-run, but the favored parent's behavior interferes with the healing that would naturally occur

with time and support. And there is no doubt that, in some cases, the rejected parent's behavior can exacerbate or ameliorate the impact of the favored parent's influence (Warshak, 2010a). But this does not mean that the rejected parent is equally responsible for a child's alienation formed in the context of psychological abuse by the aligned parent. Laying such blame on the rejected parent is analogous to ignoring the power imbalance that may exist between spouses and holding the spouse of a physically abusive parent equally responsible for the child's injuries because she failed to protect the child. Just as the phrase "violent couple" can draw attention to transactional variables while obscuring the personality characteristics of an abusive husband (Bograd, 1984), Friedman (2004) points out that "disregarding the power inequality that often prevails in custody arrangements can obscure the fact that one parent is often fighting for more equitable access which the other parent is blocking. Calling them a high-conflict couple can be misleading and a misuse of systems theory" (p. 105).

In an effort to appear evenhanded, evaluators and judges sometimes go to great lengths to balance positive and negative statements about each parent without clarifying the behaviors that most harm the children (Kelly, 2003). It is not surprising that multiple threads form the tapestry of a child's irrational aversion to a parent; this is true for nearly every psychological disturbance in childhood. But evaluators who anchor their data gathering and analyses with the assumption that both parents contribute equally to their children's alienation overlook or undervalue information that supports alternative formulations.

Operating under this fallacy, evaluators fail to take into account the significance of the history of parent-child relationships when they weigh the contributions of rejected parents to their children's alienation. They cite aspects of the parent's personality or behavior that the children complain about, such as using the cell phone too much during the children's soccer games, without considering that this parental behavior had not previously undermined the children's love and respect for the parent. Evaluators who are not restricted by the "equal contribution" fallacy will ask:

1. Did the presumed flaws of the parent emerge just before the child's alienation, such as might be the case with a newly acquired closed-head injury, or have the parent's offensive traits and behavior coexisted in the past with cordial parent-child relations?
2. Would the rejected parent's weaknesses result in the child's alienation under normal circumstances regardless of the favored parent's attitudes and behavior?
3. Has the favored parent played a role in focusing the child's attention on the other parent's flaws and mistakes, exaggerating the significance of the mistakes, or encouraging an unsympathetic attitude toward a parent's problems?
4. Given the favored parent's behavior, were the children likely to become alienated even in the absence of the rejected parent's presumed flaws?
5. Does the rejected parent continue to enjoy a normal relationship with the alienated child's siblings or step-siblings in spite of the personality and behavior that supposedly is the cause of the child's alienation?
6. Is the rejected parent's offensive behavior, such as a temper outburst, a maladaptive reaction to a child's rejection or is it a likely cause of the child's rejection?
7. Does the child appear motivated to improve the relationship, such as engaging meaningfully in therapy interventions, or does the child seem content with the loss of the parent?
8. Does the child show genuine interest in the parent changing his or her behavior, as in the case of a child who wants his father to watch his soccer games rather than being preoccupied with a cell phone, or does the child convey that no amount of change will be sufficient to heal the relationship?
9. Does the child regain affection when the rejected parent modifies the behavior about which the child complained, or does the alienation continue unabated despite improvements in the parent's behavior?

When evaluators mistakenly hold both parents equally culpable for the children's alienation, they are likely to avoid recommendations that they believe would disappoint and discomfort the children. They will be more inclined to recommend that the children remain with their favored parent and be allowed to avoid the other parent until therapy helps children gradually overcome their negative attitudes. In the case of severely alienated children, such a plan holds little hope for success (Dunne & Hedrick, 1994; Fidler & Bala, 2010; Garber, 2015; Lampel, 1986; Lowenstein, 2006; Rand et al., 2005; Rand & Rand, 2006; Rand, Rand, & Kopetski, 2005; Warshak, 2003a, 2013; Weir & Sturge, 2006).

When the rejected parent's behavior is inaccurately assumed to be a major factor in the children's alienation, therapy proceeds in unproductive directions. Sessions aim to modify the rejected parent's behavior, help that parent express to the children empathy for their complaints, and gradually desensitize the children to their aversion to the parent. Simultaneously, the therapist fails to appreciate the power of the aligned parent to undermine treatment progress. Because the children's alienation is not primarily the result of the rejected parent's behavior, the more that the process validates the children's complaints as legitimate reasons for their animosity and avoidance of normal contact, the deeper becomes the chasm between the parent and the children.

Evaluators and therapists should avoid unwarranted assumptions about the roots of a child's rejection of a parent. Instead they should remain neutral and attentive to all factors that contribute to a child's alienation. In cases where the child's negative attitudes are traced primarily to the behavior and influence of the parent with whom the child is aligned, professionals and the court should be aware of the literature that stresses the importance of an alienated child's contact with the rejected parent (Fidler & Bala, 2010; Garber, 2015; Warshak, 2003a).

4. Alienation Is a Child's Transient, Short-Lived Response to the Parents' Separation

Parents and those who advise them often mistake the incipient signs of a child's pathological alienation as a temporary reaction to the anxiety stirred by the parents' separation. In some cases this reflects the belief, or wishful thinking, that children who resist being with a parent eventually initiate reconciliation. Some do. But many do not.

Based on a sample of 37 young adults who received family focused counseling, Johnston and Goldman (2010) speculated that alienation that emerges for the first time in the early teens will eventually dissipate. But the lead researcher on that longitudinal project referred to the lasting damage caused by parents who manipulate children to turn against their other parent (Wallerstein & Blakeslee, 1989). Warshak (2010b) reported an intervention outcome study in which the average length of time of alienation was 2.5 years; some children had been alienated for as long as five years, and prior to the intervention none of the children gave any indication that the alienation would abate. In a sample of adults who reported being alienated as children, the disrupted parent-child relationship lasted for at least six years in all cases and continued for more than 22 years for half the sample (Baker, 2005). Gardner (2001) reported 33 cases in which alienation persisted for more than two years. In a sample of college students, 29% from divorced homes remained alienated from a parent (Hands & Warshak, 2011).

Therapists who predict that a child's resistance to spending time with a parent will evaporate in the near future are apt to focus therapy on helping the child cope with unpleasant feelings aroused by the parents' breakup. In such cases therapists may encourage parents to passively accept their children's reluctance or refusal to spend time with them, and often advise a "cooling off period" in which the rejected parent temporarily relinquishes active efforts to reestablish regular contact with the children (Darnall & Steinberg, 2008b). Therapists who recognize that they may be seeing the early signs of chronic alienation are apt to encourage more normal parent-child contacts while working on uncovering the roots of the child's discomfort. Such encouragement protects against crucial losses; missing out on even two formative years of parent-child contact means an accumulation of lost experiences that can never be recovered.

The emotional and financial costs exacted by severe alienation, and the obstacles to its alleviation, highlight the importance of directing resources and efforts to early screening, identification, and protection of children at risk and to preventing the entrenchment of severe alienation (Jaffe, Ashbourne, & Mamo, 2010; Warshak, 2010c, 2013, in press). Consulting psychologists should advise lawyers to encourage clients to maintain contact with their children despite the children's scorn, except in situations that raise concern over the safety of the parent or child. Lawyers should move quickly for sanctions when orders for parent-child contacts are violated. Warshak (in press) provides practice tips for lawyers, which consultants can draw on when advising lawyers representing a parent who is alienated or at risk for becoming alienated.

Evaluators should attend to indications that a parent is inappropriately drawing the children into an alliance against the other parent, or engaging in behavior that carries a high likelihood of undermining the children's respect and affection for the other

parent. Similarly, evaluators should attend to early signs that a child is succumbing to such pressures by forming an unhealthy alignment with a parent and by unreasonably resisting or refusing to spend time with the other parent.

When a case raises concerns that a child, with a parent's encouragement, support, or acceptance, may refuse contact with the other parent without adequate justification, the court may consider several options implemented in a tiered, stepwise manner and preferably on a fast track (Salem, 2009). A first step is parent and child education programs. Some courts require parents to read books and view material to learn how and why to avoid behaviors that influence children to align with one parent against the other, and then to provide evidence of compliance with the assignment such as a book report (Warshak, in press). Many courts require litigants to attend a parent education program designed for parents who live apart from each other. Such programs operate in at least 46 states (Salem, Sandler, & Wolchik, 2013; Sigal, Sandler, Wolchik, & Braver, 2011). In a recent evaluation of one program, parents reported a reduction in behaviors that placed children in the middle of conflict (LaGraff, Stolz, & Brandon, 2015).

In cases where parent education has proved insufficient to modify alienating behaviors and interrupt the decline of a parent-child relationship courts often appoint a mental health professional to work with the family. Interventions strive to reduce alienating behaviors by helping parents appreciate the importance of shielding their children from such messages. Parents who are the target of bad-mouthing learn to respond in a sensitive and effective manner to their children's behavior and avoid common errors that may exacerbate parent-child conflicts (Ellis, 2005; Warshak, 2010a). Children learn to assert their right to give and receive love from both parents and avoid being pulled into their parents' disputes. The literature presents several models and strategies for working with families in which school-age children are alienated, but lacks rigorous outcome data (Carter, 2011; Eddy, 2009; Freeman, Abel, Cooper-Smith, & Stein, 2004; Friedlander & Walters, 2010; Johnston & Goldman, 2010; Sullivan, Ward, & Deutsch, 2010).

The court may try to motivate alienating parents to modify their behavior by putting them on notice that if the child's relationship with the other parent continues to deteriorate, and the court finds that the aligned parent's behavior is largely responsible for the problem, the court will entertain options that provide more time for the child to be in the care of the alienated parent. In some cases the court hears testimony that raises concerns that a child is being severely mistreated, such as in cases where a parent, intent on erasing the other parent from the child's life, punishes the child for expressing any desire to see the other parent. Such cases may rise to the level where the judge believes that the child is being psychologically abused and the judge feels obliged to protect the child from further abuse by requiring supervision or monitoring of the child's contacts with the alienating parent.

5. Rejecting a Parent Is a Short-Term Healthy Coping Mechanism

A corollary to the view that alienation is transient is that it reflects healthy behavior on the part of a child struggling to come to grips with a family transition and turmoil (Drozd & Olesen, 2004). The assumption is that children want to regulate access to

their parents to accomplish two goals: (a) Exercise control in a situation where they are helpless to stop their world from unraveling, and (b) relieve themselves of torn loyalties by siding with one parent against the other, and reduce discomfort with this position by devaluing and avoiding contact with the rejected parent. No doubt such motives play a part in the genesis of parental alienation for some children. But is this behavior healthy and in the children's best interests?

Studies converge to suggest a conservative estimate that 2% to 4% of children become alienated from a parent after the divorce (Warshak, in press). Although this represents a large number of children, an alienated relationship with a parent is clearly a deviation from the norm even among children whose parents are divorced. Most children want regular contact with both parents after divorce (Fabricius, 2003; Fabricius & Hall, 2000; Hetherington & Kelly, 2002; Parkinson, Cashmore, & Single, 2005; Schwartz & Finley, 2009; Warshak & Santrock, 1983).

Therapists who believe that rejection of a parent is a healthy adaptation encourage parents to accept the children's negativity until the children feel ready to discard it. This is especially true when therapists assume that the alienation is destined to be short-lived. But as discussed above, the alienation may not be transient, and is not healthy if the children's negative attitudes and avoidant behavior harden into a long-term or permanent problem. Growing up with a severely conflicted or absent relationship with a parent is associated with impaired development (McLanahan, Tach, & Schneider, 2013).

A problem that seems at the outset as a temporary difficulty coping with a life transition can, if handled ineffectively, become more long lasting. An analogy is a child who has trouble adapting to the changes entailed by attending Kindergarten instead of remaining home all day. Ordinarily we would work to help the child cope effectively with this expected life transition. If instead we indulged the child's wish to avoid the experience, the child would lose an important opportunity to grow through mastery as well as miss out on the value that school attendance offers.

In their reports and testimony child custody evaluators and educative experts should emphasize that early intervention and rapid enforcement of court ordered parent-child contacts can help prevent a child's avoidance of a parent from hardening into a long-term estranged relationship, especially when the avoidance is encouraged and supported by the other parent (Fidler, Bala, Birnbaum, & Kavassalis, 2008, p. 257; Warshak, in press). Courts should recognize that enforcing the court-ordered parenting plan can alleviate the burden of children who feel that they have to choose between their parents or show loyalty to one parent by rejecting the other.

Fallacies About Remedies for Parental Alienation

6. Young Children Living With an Alienating Parent Need No Intervention

The need for intervention may sometimes be less apparent in families with young children who live with a parent who teaches them to fear or hate the other parent. Toddlers and preschoolers may fulfill a parent's expectations by acting fearful and resistant during scheduled transfers to the other parent's care (Fidler et al.,

2008, p. 243; Lund, 1995). If the child's overt, albeit temporary, feelings are indulged, and the child's protests allowed to abort the planned exchange, the protests are likely to emerge and become more intense at each subsequent attempt to implement the parenting time plan. If instead the child is given the opportunity to spend time with the denigrated parent outside the orbit of the alienating parent, the fearful and angry behavior quickly evaporates (Fidler et al., 2008, p. 242; Kelly & Johnston, 2001; Lund, 1995; Warshak, 2010b; Weir, 2011). When meeting with a custody evaluator, young children may try to repeat a script written by the alienating parent. But often they forget what they are supposed to say and cannot answer questions for which they were not rehearsed (Kelly & Johnston, 2001; Ludolph & Bow, 2012).

Because the young child loses the negative reaction and warms up to the denigrated parent during contacts with the parent, and does not show stable and chronic negative attitudes and behavior, a common mistake is to overlook the need for intervention (Weir, 2011). Therapists have noted children's confusion and anger resulting from exposure to alienating processes regardless of the very young child's apparent resilience (Ludolph & Bow, 2012). Depending on their severity and cruelty, alienating behaviors may approach or reach levels of psychological abuse and children may need protection from the abusive parent.

Without help to change, the family environment places these children at risk to develop a fragmented identity with the characteristics and consequences of irrational alienation and of parental absence (Roseby & Johnston, 1998). Children who live in an environment that consistently encourages them to view a parent in a negative light need assistance to maintain a positive relationship with that parent. Such assistance may be to give the child more time with the parent who is at risk for becoming the alienated parent. Or, the court may appoint professionals to help the parents modify behaviors that contribute to a child's problem and to monitor compliance with court orders. An added benefit of involving a professional with the family, either in the role of parenting coordinator, guardian ad litem, or therapist, is that the professional's observations may subsequently assist the court in evaluating the merits of conflicting accounts offered by parents in litigation (Fidler et al., 2008, p. 265).

7. Alienated Adolescents' Stated Preferences Should Dominate Custody Decisions

Many child custody evaluators and courts place more weight on a teenager's preference to sever contact with a parent than on similar preferences of younger children (Gould, 1998). In any given case, one of two rationales underpins the deference given to adolescent's stated wishes. In some cases decision makers emphasize that adolescents have the cognitive capacity to form mature judgments that are independent of their favored parent's influence and manipulations. In other cases the court finds that the alienation is unreasonable and that it is not in the children's best interests to sever their relationship with a parent; nevertheless the court concludes that expectations for compliance with court orders for contact cannot be enforced with teenagers who voice strong opposition to the orders and profess to hate a parent.

Teens know what is best for them. Adolescents, in general, are more capable than younger children of mature reasoning (Steinberg & Cauffman, 1996; Wechsler, 1991) and are less sug-

gestible (Ceci & Bruck, 1993, 1995). They are also better able to convince others that their wish to avoid or disown a parent is a reasonable, thoughtful, and proportionate response to the treatment they claim to have suffered at the hands of the rejected parent. I have been involved in several cases in which the judge initially accepted the custody evaluator's conclusion that an adolescent's alienation was irrational, until the judge spoke with the child. The teenager was able to convince the judge either that the choice to reject the parent was reasonable, or that the judge could trust the teenager to reunite with the parent in the future without being compelled to do so by court order. In each case, after the litigation was over, the child remained estranged from the parent.

Despite their more mature cognitive capacities compared with younger children, adolescents are suggestible, highly vulnerable to external influence, and highly susceptible to immature judgments and behavior (Loftus, 2003; Steinberg, Cauffman, Woolard, Graham, & Banich, 2009; Steinberg & Scott, 2003). These limitations are well known in the fields of adolescent development and neuropsychology, and account in part for the consensus view of psychologists that juveniles merit different treatment by the legal system than adults receive (American Psychological Association, 2004).

Adolescents' vulnerability to external influence is why parents are wise to worry about the company their teenagers keep. At times adolescents show extreme deference to others' views. Other times they make choices primarily to oppose another's preferences (Steinberg & Cauffman, 1996). Both of these dynamics can result in the formation of a pathological alliance with one parent against the other. Grisso (1997) points out that the preferences of adolescents often are unstable. Choices made early in the process of identity formation often are inconsistent with choices that would be made when a coherent sense of identity is established, generally not before age 18. For these reasons, even the preferences of adolescents merit cautious scrutiny, rather than automatic endorsement. It is also important to keep in mind that the alienation may have arisen years before the litigation when the child was probably even more vulnerable to a parent's influence and less able to assert mature and independent judgment. Thus the custodial preferences voiced by an adolescent may reflect preferences formed by a much younger child.

Courts cannot enforce orders for parent-child contact against an alienated teen's wishes. A judge who understood that a 13-year-old's decision to sever his relationship with his father reflected impaired judgment nevertheless acquiesced to the boy's demands because, "He is now of an age where, even if he may be too immature to appreciate what is best for him, he cannot be physically forced to remain where he does not want to be" (Korwin v. Potworowski, 2006, ¶ 145). This judge is not alone. Other judges, child representatives, parenting coordinators, psychotherapists, and parents often report feeling stymied when adolescents refuse to cooperate with the court-ordered parenting time schedule (DeJong & Davies, 2012; Johnston, Walters, & Friedlander, 2001). These children can be so convincing about their resolve to have their way with respect to avoiding a parent that they convince the court that they are beyond its authority. They induce a sense of helplessness in judges.

Adults need not feel helpless in the face of oppositional behavior from alienated teens. Two studies have reported that most children's protests evaporate when reunited with a rejected parent

(Clawar & Rivlin, 2013; Warshak, 2010b) and this is illustrated anecdotally by high profile cases (Warshak, in press). Instead of appeasing children's demands, the court can order an intervention to assist children in adjusting to court orders that place them with their rejected parent (Warshak, 2010b).

Adolescents comply with many rules and expectations that are not of their own choosing. It is an error to assume that they do not benefit from an assertion of authority on the part of the court and their parents. Teens need adult guidance, structure, and limits as much as if not more than do younger children. When a teen has been violent toward a rejected parent, allowing the teen's wishes to determine the outcome of a custody case can be seen as rewarding violent behavior (Warshak, 2010b). Children of any age need to understand that they are not above the law or beyond its reach.

Child custody evaluators and educative experts should inform the court about the benefits and drawbacks of various means of giving adolescents a voice in a custody dispute (Dale, 2014; Warshak, 2003b). Courts also need to learn about the suggestibility of adolescents and their susceptibility to immature judgment and external influence.

If the evidence suggests that the child's viewpoints do not reflect mature judgment independent of the other parent's unhealthy influence, or the child's expressed preferences are unlikely to serve the child's best interests, the court should impress on the adolescent, either directly or through agents of the court, the necessity of complying with the residential schedule put in place by the court. The parents and the child should understand that failure to comply with court orders will not be overlooked and will not result in the court capitulating to the overt demands of the adolescent. A firm stance by the court brings the added benefit of relieving the child of needing to maintain a parent's approval by refusing to spend time with the other parent.

8. Children Who Irrationally Reject a Parent But Thrive in Other Respects Need No Intervention

Some custody evaluators and decision makers oppose interventions for alienated children if the parent-child conflict is an exception to a child's apparent good adjustment in other spheres, such as in school and with peers. These professionals believe that children who are doing well in other aspects of life should be empowered to make decisions regarding contact with a parent. Professionals who advocate this position express concerns that interventions for resistant youth, such as court-ordered outpatient therapy, may disrupt the children's psychological stability, are likely to prove unsuccessful, and will leave children feeling angrier toward the court or the rejected parent (Johnston & Goldman, 2010). Other professionals counsel a hands-off policy toward these children until we have more studies that document long-term damage of growing up irrationally alienated from a parent.

Warshak (in press) presents three reasons to intervene on behalf of alienated children despite their apparent good adjustment in areas unrelated to their relationship with the rejected parent. First, children's apparent good adjustment may be superficial or coexist with significant psychosocial problems. Second, regardless of adjustment in other spheres, the state of being irrationally alienated from a loving parent is a significant problem in its own right and is accompanied by other indices of psychological impairment. Third, growing up apart from and in severe conflict with an able

parent risks compromising children's future psychological development and interpersonal relationships.

Psychosocial problems. Children can do well academically, participate in extracurricular activities, avoid drugs, and act polite with teachers and neighbors, while at the same time sustain significant psychological impairment evident in their relationships with friends, their favored parent, and legal authorities. The psychological processes that accompany irrational rejection and cruel treatment of a parent bleed into other relationships. These processes include global thinking about others as allies or enemies, contempt for those who see things differently, feelings of entitlement in personal relationships, and avoidance of conflict. When conflicts arise with friends, alienated children who have been empowered to reject a parent are apt to do the same with friends; they avoid conflicts by abruptly ending friendships rather than practicing skills to manage conflict and sustain relationships (Kelly & Johnston, 2001; Johnston et al., 2001).

Alienated children's relationship with their favored parent may seem ideal because of the absence of conflict and frustration. This harmony comes at the cost of normal parent-child relationships. In a shift from the usual roles in a family, some alienated children feel responsible for their favored parent's emotional well-being (Warshak, 1992). They comfort distressed parents, serve as confidantes, and reassure parents of their allegiance (Friedlander & Walters, 2010).

Alienated children often sacrifice age-appropriate independent functioning to gratify favored parents' needs to keep the children close at hand and dependent. Mental health professionals describe such parents as infantilizing their children, and refer to the overly close parent-child relationships that emerge from such parenting as enmeshed (Ellis & Boyan, 2010; Friedlander & Walters, 2010; Garber, 2011; Kelly, 2010). The extent to which a parent infantilizes a child is less evident in the child's early years. As the child gets older, the failure to achieve normal degrees of separation and independence becomes more obvious, as in the case of a teenager who continues to sleep with a parent or avoids attending summer camp.

Some children feel that the price they must pay to court the favored parent's affection, and avoid that parent's anger, is to reject the other parent (Friedlander & Walters, 2010). They conceal positive feelings for and experiences with the rejected parent and feel inhibited about giving and receiving love from that parent. This limits the genuine closeness between the favored parent and children because the children hide important aspects of themselves from the parent.

Alienated children comply with adults' expectations when these do not clash with the children's strong preferences. But when their wishes conflict with limits imposed by others, they act entitled to have their desires prevail. Thus, children who are described as model citizens in their schools and communities openly defy judges and fail to cooperate with court-ordered parenting time schedules (Clawar & Rivlin, 2013; Warshak, 2010b). The children speak and act as if they were above the law and immune from external controls on their behavior.

Psychological problems inherent in irrational rejection of a loving parent. We need not identify scholastic or social adjustment problems outside the family to be concerned about an alienated child's psychological state. Harboring irrational alienation from a parent, as with most significant irrational aversions, is a

sign of a psychological problem in itself. Unreasonable anxieties or obsessive hatred and fixed negative stereotypes justify intervention to alleviate suffering and this is no less true when the target of aversion is a parent.

The rationale for interventions with families in which a child unreasonably rejects a parent goes beyond helping the family avoid the tragedies of a child losing a parent and a parent losing a child. These children need help to overcome cognitive, emotional, and behavioral impairments that accompany their alienation, and their parents need help to cope effectively with the children's behavior and to support the children's healthier functioning (Friedlander & Walters, 2010; Kelly, 2010; Warshak, 2010b, 2013, in press). In its description of the diagnostic category "Parent-Child Relational Problem," the *Diagnostic and Statistical Manual Of Mental Disorders*, fifth edition (American Psychiatric Association, 2013) gives these examples of impaired cognitive functioning, which certainly describe the alienated child's relationship to the rejected parent: "negative attributions of the other's intentions, hostility toward or scapegoating of the other, and unwarranted feelings of estrangement" (p. 715).

The damage to critical thinking is evident in cases where children align with one parent's view of reality in spite of conflicting objective evidence and the unanimous judgment of numerous professionals and the judge. In several cases a mentally ill parent has convinced a child that the police, lawyers on both sides of the case, therapists, and the judge conspired against the parent during custody litigation. Some children are coached to make false accusations against a parent. For instance, 10 years after their mother was convicted of attempted sexual abuse based on the testimony of her two sons, the boys confessed that their father coached and intimidated them into branding their mother as a sex offender (People v. Bronson, 2011). In another case, a boy gouged his face and told police that his mother did it. Such displays of impaired character development can exist alongside excellent academic, musical, or athletic performance (Warshak, 2010a) and should not be ignored by those concerned about the child.

Risks to future development. Research on the long-term outcome of children who grow up irrationally alienated from a parent is sparse. But several well-developed lines of investigation provide data relevant to understanding the consequences of parental alienating behavior and of exposing children to poorly managed interparental conflict (Cummings & Davies, 2010; Davies & Martin, 2014; Hetherington, Bridges, & Insabella, 1998; Kelly, 2005, 2010). Intrusive parenting that manipulates children's experience and expression of emotions has been linked to subsequent higher levels of depression and antisocial behavior (Barber, Stolz, & Olsen, 2005). Children who witness and are brought into conflicts between their parents show poorer long-term adjustment (Buchanan, Maccoby, & Dornbusch, 1991; Davies & Martin, 2014). In one study, the greater the discrepancy between the amount of nurturing and involvement children received from each parent—and for severely alienated children the discrepancy is the most extreme—the lower their subsequent self-esteem, life satisfaction, and quality and satisfaction with friendships, and the greater distress, romantic relationship problems, and troubled ruminations about parents these children experienced as young adults (Finley & Schwartz, 2010). Warshak (in press) reviews additional literature that demonstrates the handicapping impact of damaged and con-

flicted parent–child relationships on future psychological adjustment.

To summarize, we should not let a child’s good academic grades, friends, and community activities distract attention from serious problems in character development and interpersonal relationships; from impaired functioning in cognitive, emotional, and behavioral domains; from unnecessary yet significant losses; and from the long-term consequences of growing up with such losses and with unresolved and unnecessary conflict with a loving parent. Such contemporary and future problems signal the need for intervention. Even when an alienated child is apparently well adjusted in some domains, evaluators should remain alert to the presence of such problems. In their reports and testimony evaluators should articulate the signs of the child’s impaired psychological functioning and should inform the court of the short-term and long-term harm associated with the state of being unreasonably alienated from a good parent.

9. Severely Alienated Children Are Best Treated With Traditional Therapy Techniques While Living Primarily With Their Favored Parent

By the time cases with severely alienated children are adjudicated, families often have sought remedies from one or more psychotherapists. Despite the failure of previous treatments, courts frequently order another course of therapy or counseling while the children remain under the care of the parent with whom they are aligned.

Research on interventions for severely alienated children is an emerging field (Saini, Johnston, Fidler, & Bala, 2012). Case studies and clinical experience suggest that psychotherapy while children remain under the care of their favored parent is unlikely to repair damaged parent–child relationships and may make things worse (Dunne & Hedrick, 1994; Fidler & Bala, 2010; Garber, 2015; Lampel, 1986; Lowenstein, 2006; Rand & Rand, 2006; Rand et al., 2005; Warshak, 2003a; Weir & Sturge, 2006). No study has demonstrated effectiveness of any form of psychotherapy in overcoming severe alienation in children who have no regular contact with the rejected parent.

Some therapists conceptualize alienated children’s problems as phobic responses to the rejected parent (Garber, 2015; Lampel, 1986). Therapists using this framework recommend cognitive–behavioral therapy methods, particularly systematic desensitization in which gradual exposure to the feared parent is paired with relaxation training (Garber, 2015). Garber gave two case illustrations using these methods. After 17 sessions interspersed with the therapist’s ongoing support, an 8-year-old girl was able to tolerate only online contact with her alienated mother before litigation erupted and reunification efforts were suspended. The second case illustration reported that after seven sessions a 12-year-old boy was able to be nearly free of anxiety while *imagining* contact with his alienated father, yet the case report notably included no information about the child’s actual reconciliation with his father. Lampel (1986) reported on six cases using phobia reduction techniques; none resolved the child’s alienation.

One reason why phobia reduction techniques fail to overcome children’s refusal to spend time with a parent is that most of these children, except preschoolers, do not really fear their rejected parent. If they act frightened of the parent, often this is a ruse to

avoid contact. The lack of genuine fear is evident in the children’s uninhibited denigration, expressions of hatred, and disrespect toward the rejected parent, as opposed to the obsequious or withdrawn behavior typical of children’s interactions with a feared adult. Even with children who have learned to fear a parent, systematic desensitization may miss the mark for another reason. This treatment method helps children gradually overcome irrational anxieties toward places and objects (Wolpe, Brady, Serber, Agras, & Liberman, 1973). But an alienated child’s aversion to one parent is not solely internally generated. Phobic children are surrounded by adults who encourage them to overcome their fears and who emphasize the benefits of doing so. By contrast, alienated children who live in the home in which their problem arose are around a parent, and perhaps siblings or other relatives, who at the very least provide no effective encouragement to overcome their aversion, and in most cases actively contribute to its perpetuation.

As opposed to the poor response of alienation to traditional therapy techniques, marked reduction of alienation has been reported for children who were placed for an extended period of time with their rejected parent (Clawar & Rivlin, 2013; DeJong & Davies, 2012; Dunne & Hedrick, 1994; Gardner, 2001; Lampel, 1986; Rand et al., 2005; Warshak, 2010b, in press). Despite limitations such as small sample sizes and lack of random assignment to treatment conditions, the collective weight of the literature suggests that contact with the rejected parent is essential to healing a damaged parent–child relationship. No evidence supports the efficacy of treating severely alienated children while they remain primarily in the custody of their favored parent and out of touch with their rejected parent. Not only is such treatment unlikely to succeed, it postpones getting children the relief they need.

When an evaluation finds that a child is severely and irrationally alienated from a parent, and that it is in the child’s best interests to repair the damaged relationship, the evaluator should exercise caution about recommending a course of traditional psychotherapy while the child remains apart from the rejected parent. Recommendations for therapy in such circumstances should include advice to the court about imposing (a) a time frame after which the impact of treatment will be assessed, (b) explicit criteria for evaluating progress and success of treatment, and (c) contingency plans in the event that the treatment is ineffective. For instance, if the judge informs the parties that a failed course of therapy may result in an increase in the child’s time with the rejected parent or in a reversal of custody, this may help increase the child’s motivation to participate meaningfully in treatment and the favored parent’s support for treatment gains.

A therapist’s facilitation of a child’s complaints about a parent and rehashing conflicting accounts of the parent’s past behavior may be counterproductive and prevent the parent and child from having experiences that move the relationship in a positive direction. Instead interventions can teach children and parents about (a) the nature of negative stereotypes, (b) the hazards of selective attention, (c) the ubiquity of perceptual and memory distortions, (d) the importance of recognizing multiple perspectives, (e) critical thinking skills, (f) effective communication and conflict management skills, and (g) the value of maintaining positive and compassionate relationships with both parents (Warshak, 2010b).

The court should be informed that psychotherapy is most likely to be effective if (a) there have been no prior failed attempts, (b) the parent with whom the child is aligned is likely to cooperate and

support the child's treatment and progress, and (c) the child has ample time to experience care and nurturing from the rejected parent. On the other hand, if one of more attempts with psychotherapy have already failed to remedy the problem, if the aligned parent is likely to sabotage treatment, and if the child is empowered to avoid contact with the rejected parent, the court should understand that ordering another round of psychotherapy without changing the amount of contact the child has with each parent is unlikely to remedy the problem and may postpone effective intervention until it is too late. In circumstances where treatment failure is highly likely and may aggravate problems, court-appointed therapists should not unnecessarily prolong treatment. Early in the treatment the therapist may feel ethically bound to inform the court that treatment should be discontinued.

10. Separating Children From an Alienating Parent Is Traumatic

Despite repeated reports that alienation abates when children are required to spend time with the parent they claim to hate or fear, some experts predict dire consequences to children if the court fails to endorse their strong preferences to avoid a parent. Usually such predictions are vulnerable to reliability challenges because the experts cite undocumented anecdotes, irrelevant research, and discredited interpretations of attachment theory. No peer-reviewed study has documented harm to severely alienated children from the reversal of custody. No study has reported that adults, who as children complied with expectations to repair a damaged relationship with a parent, later regretted having been obliged to do so. On the other hand, studies of adults who were allowed to disown a parent find that they regretted that decision and reported long-term problems with guilt and depression that they attributed to having been allowed to reject one of their parents (Baker, 2005).

Some evaluators and expert witnesses cite attachment theory to support predictions of trauma and long-term psychological damage to children who are separated from an alienating parent and placed with their rejected parent (Jaffe et al., 2010). Such predictions are rooted in research with children who experienced prolonged institutional care as a result of being orphaned or separated from their families for other—often severely traumatic—reasons (Ludolph & Dale, 2012). A consensus of leading authorities on attachment and divorce holds that contemporary attachment theory and research do not support generalizing the negative outcomes of traumatized children who lose both parents, to situations where children leave one parent's home to spend time with their other parent (Warshak, with the endorsement of the researchers and practitioners listed in the Appendix, 2014). Despite initial protests and demands, once reunited with the rejected parent most children recover the positive feelings that had been dormant since the onset of alienation or that they did not feel free to express.

Anchoring the conversation with predictions of lasting trauma and self-destructive behavior can make it seem inhumane to enforce a child's contact with the rejected parent. When experts anchor their testimony to terms like trauma and attachment—"when a child is described as 'traumatized' if he is, instead, only unsettled"—attorneys should challenge the experts to unpack evocative jargon (Zervopoulos, 2013, p. 180). The lack of empirical support for such pessimistic predictions can be contrasted with the benefits of removing a child from the daily care of a disturbed

parent whose behavior is considered psychologically abusive (Clawar & Rivlin, 2013; Kelly & Johnston, 2001; Rand, 2011) and placing the child with a parent whom the court finds to be better able to meet the child's needs, especially the need to love and respect two parents. Separating children from an alienating parent is one among several possible dispositions of a case involving alienated children (Warshak, 2010b, 2013, in press). Warshak (in press) describes 10 reasons why courts may find it to be in children's best interests to temporarily suspend their contact with their favored parent while the children reunite with the rejected parent. This will not always be the best option. But it should not be dismissed based merely on the fallacy that a child will be traumatized if expected to have contact with a good parent whom the child irrationally claims to hate or fear.

Recommendations to place a child with the rejected parent and temporarily suspend contact with the favored parent should include consideration of interventions and resources to ease the family's adjustment to the court orders. Effective interventions should provide experiences to help uncover the positive bond between child and parent. Norton (2011) draws on developmental psychology and neurobiology to emphasize the importance of providing children and adolescents with experiences that facilitate empathy, connection, and wellness: "These experiences can help them to create a new narrative about their lives, one that is more cohesive, more hopeful, and allows them to begin to see themselves in a new place" (p. 2). Family Bridges (Warshak, 2010b) is one intervention that specializes in assisting with the transition by providing face-saving, transformative experiences that help children recover their affection for their rejected parent. A 4-day workshop helps children develop compassion for both parents and prepares the children and the parent who received custody to live together by teaching respect for multiple perspectives, and skills in critical thinking, communication, and conflict management.

When a court orders a child to spend time with a rejected parent despite the child's adamant objections, some commentators regard it as a severely harsh solution even when the child has help to adjust to the transition. Given the damage to children who remain alienated from a parent, such a disposition may be seen as far less harsh or extreme than a decision that consigns a child to lose a parent and extended family under the toxic influence of the other parent who failed to recognize and support the child's need for two parents.

Summary and Conclusions

The 10 fallacies discussed in this article shape opinions and decisions regarding children who unreasonably reject a parent. The fallacies are listed below along with a brief summary of practice recommendations.

Fallacies About the Genesis of Parental Alienation

1. Children never unreasonably reject the parent with whom they spend the most time.

2. Children never unreasonably reject mothers.

Practice recommendations. Professionals should guard against allowing false assumptions about the genesis of alienation to influence the development and analysis of data. When

such biases are evident in the work of other professionals in the case, experts should expose the underlying fallacies and explain how mistaken acceptance of the fallacies limits the trustworthiness of information and opinions reported to the court. Professionals and the court should keep an open mind about the possibility that children's rejection of a parent is unwarranted and that unreasonable rejection can be directed at the parent with whom the children spend the most time, even when this parent is their mother.

Experts who opine that a child's alienation must be a realistic reaction to the rejected parent's behavior because pathological parental alienation is a bogus concept should rethink their position in the light of an extensive literature. Experts hired to critique the opinions of colleagues who deny the reality of pathological parental alienation should draw attention to the field's acceptance of the concept and phenomenon.

3. Each parent contributes equally to a child's alienation.

Practice recommendations. Evaluators should avoid anchoring data gathering and analyses with the "equal contribution" fallacy. Instead the evaluation should address a series of questions that help distinguish reasonable and justified alienation from unreasonable and unjustified alienation that is not in a child's best interests to sustain. Prominent factors to consider are the history of parent-child relationships, the timing and context of the onset of the alienation, the likelihood that each parent's behavior, on its own, would result in the child's alienation, and the motives and reasonableness of the complaints that a child makes to account for the rejection of a parent. In cases where the child's negative attitudes are traced primarily to the behavior and influence of the parent with whom the child is aligned, professionals and courts should be aware of the importance of keeping the alienated child in contact with the rejected parent. Therapists should address the cognitive processes that underlie a child's distortions of the rejected parent and work to improve relational skills of the parents and child. With an irrationally alienated child, such an approach is likely to be more productive than focusing therapy on the child's repetitive complaints about a parent.

4. Alienation is a child's transient, short-lived response to the parents' separation.

5. Rejecting a parent is a short-term healthy coping mechanism.

Practice recommendations. Knowing that it is false to assume that a child's rejection of a parent is likely to be brief, and false to regard such rejection as a healthy way to cope with a family in transition, emphasis should be placed on early identification and protection of children at risk. Interventions by therapists and the court should aim for rapid enforcement of parent-child contacts while providing support for the family to adjust to the situation. Cases in which a child—with a parent's encouragement, support, or acceptance—may refuse contact with the other parent without adequate justification, should be placed on a fast track. Rapid responses may prevent alienation from becoming entrenched. The court may implement several steps as needed, including parent education, court-ordered treatment, and contingencies to motivate an alienating parent to modify destructive behavior.

Fallacies About Remedies for Parental Alienation

6. Young children living with an alienating parent need no intervention.

Practice recommendations. Because young children who live with an alienating parent are at risk for disruptions in their identity formation and in their long-term relationship with their other parent, the court should maintain oversight and put in place mechanisms to ensure that the child has ample opportunity to develop a healthy, positive relationship with both parents. Evaluators may recommend that the child have more time with the parent who is at risk of becoming alienated, and that the court appoint professionals to help the family better manage the situation, monitor compliance with court orders, and provide needed feedback to the court. In the most severe cases children may need protection from psychological abuse by the alienating parent.

7. Alienated adolescents' stated preferences should dominate custody decisions.

Practice recommendations. Custody evaluators and educative experts should be aware, and be prepared to inform the court, that adolescents are suggestible, highly vulnerable to external influence, and highly susceptible to immature judgments, and thus we should not assume that their custodial preferences reflect mature and independent judgment. If an adolescent's best interests would be served by repairing a damaged relationship with a parent, evaluators' recommendations and court decisions should reflect the benefits of holding adolescents accountable for complying with appropriate authority. Although adolescents protest many of society's rule and expectations, they will generally respond to reasonable limits when these are consistently and firmly enforced.

8. Children who irrationally reject a parent but thrive in other respects need no intervention.

Practice recommendations. Evaluators should be careful not to overlook an alienated child's psychological impairments that may be less apparent than the child's good adjustment in domains such as school and extracurricular activities. Evaluators can assist the court's proper disposition of a case by identifying the cognitive, emotional, and behavior problems that accompany irrational aversion to a parent, as well as the potential long-term negative consequences of remaining alienated from a parent.

9. Severely alienated children are best treated with traditional therapy techniques while living primarily with their favored parent.

Practice recommendations. The poor track record of traditional psychotherapy with alienated children who live predominantly with their favored parent should inform evaluators' recommendations of interventions. Therapists should not prolong therapy with alienated children in circumstances where the therapy has little chance of success. Effective interventions provide transformative experiences that help children relinquish negative attitudes while saving face.

10. Separating children from an alienating parent is traumatic.

Practice recommendations. Custody evaluators should avoid offering opinions that reflect sensationalist predictions lacking a basis in established scientific and professional knowledge. When previous interventions have proved inadequate, a wide range of options should be considered to assist families with alienated children, including placing a child with the rejected parent, tem-

porarily separating a child from the favored parent, or apart from both parents. Rather than automatically dismiss custody options that an alienated child strenuously opposes, the evaluator should focus on which option is likely to serve the child's best interests and what interventions can help the child adjust to the custody disposition.

Future Directions for Research

Future research will shed more nuanced light on the fallacies discussed in this paper. The greatest benefit is likely to derive from longitudinal studies of alienated parent–child relationships and of various dispositions in cases involving alienated children.

Based on flawed extrapolations from attachment theory and no empirical evidence, some evaluators and educative experts make alarming predictions about the impact of a court order that separates a child from an alienating parent even when that parent has a toxic relationship with the child. The weight of current evidence reveals that children pay a high psychological price for remaining alienated from a parent and growing up without giving and receiving expressions of love from a parent. This evidence supports dispositions that require irrationally alienated children to spend time with their rejected parent while receiving interventions, and the evidence opposes options that maintain a status quo of children remaining estranged from a parent.

Nevertheless additional documentation is needed with more studies of larger samples that compare outcomes of different dispositions using a variety of measures. We need a more robust understanding of the short-term and long-term sequelae for the entire family of various options (such as placing alienated children with the favored parent, with the rejected parent, apart from both parents, or allowing children to decide when and if they will reunite with their rejected parent). Researchers should study the psychological price that children pay for becoming and remaining alienated from a parent, but also any potential costs of requiring children to repair damaged relationships. Studies that identify markers to evaluate the maturity and independence of adolescent's judgments will assist decision makers in deciding how much weight to place on a child's stated preferences about custody, as will studies that compare outcomes for adolescents whose demands to avoid a parent were accepted versus rejected.

We need better understanding of the factors and circumstances within families that affect the long-term outcome of alternative dispositions and that favor one disposition over another in cases that raise concerns about parental alienation. At the same time it is important that we not let our focus on long-term outcomes obscure attention to the damage that a child and parent experience in the present and the need to alleviate their suffering. Families in these circumstances require greater availability of interventions that reliably prevent and overcome irrational parental alienation.

The scientific literature allows us to expose the widespread fallacies addressed in this article. Given the limitations of this literature we should not presume more knowledge than we have. Rather than approach our task with humility or with hubris, in previous work I have advocated the virtue of *humbition*: a fusion of humility and ambition (Warshak, 2007). *Humbition* allows social scientists to draw on the best available information while exercising appropriate restraint and duly noting the limitations of the current literature.

This article challenges 10 common assumptions that detract from the quality of custody recommendations, treatment, and court decisions. Accumulation and awareness of the evidence exposing these false beliefs, and an open mind to future discoveries, should guide decision makers and those who assist them to avoid biases that result in poor outcomes for alienated children. The result will be a better understanding of the needs of alienated children and decisions that are more likely to get needed relief to families who experience this problem.

References

- American Psychiatric Association. (2013). *Diagnostic and statistical manual of mental disorders* (5th ed.). Arlington, VA: American Psychiatric Association.
- American Psychological Association. (2004, July 19). [Amicus curiae brief filed in U.S. Supreme Court in *Roper v. Simmons*, 543 U.S. 551 (2005)]. Retrieved March 8, 2015, from <http://www.apa.org/psyclaw/roper-v-simmons.pdf>
- American Psychological Association. (2013). Specialty guidelines for forensic psychology. *American Psychologist*, 68, 7–19. <http://dx.doi.org/10.1037/a0029889>
- Baker, A. J. L. (2005). The long-term effects of parental alienation on adult children: A qualitative research study. *American Journal of Family Therapy*, 33, 289–302. <http://dx.doi.org/10.1080/01926180590962129>
- Baker, A., Jaffe, P., Bernet, W., & Johnston, J. (2011, May). Brief report on parental alienation survey. *Association of Family and Conciliation Courts eNEWS*, 30(2).
- Bala, N., Hunt, S., & McCarney, C. (2010). Parental alienation: Canadian court cases 1989–2008. *Family Court Review*, 48, 164–179. <http://dx.doi.org/10.1111/j.1744-1617.2009.01296.x>
- Barber, B. K., Stolz, H. E., & Olsen, J. A. (2005). Parental support, psychological control, and behavioral control: Assessing relevance across time, culture, and method. *Monographs of the Society for Research in Child Development*, 70, 1–137.
- Berns, S. S. (2001). Parents behaving badly: Parental alienation syndrome in the family court—Magic bullet or poisoned chalice. *Australian Journal of Family Law*, 15, 191–213.
- Black, B. L. (1980). *Somewhere child*. New York, NY: Viking Press.
- Bograd, M. (1984). Family systems approaches to wife battering: A feminist critique. *American Journal of Orthopsychiatry*, 54, 558–568. <http://dx.doi.org/10.1111/j.1939-0025.1984.tb01526.x>
- Buchanan, C. M., Maccoby, E. E., & Dornbusch, S. M. (1991). Caught between parents: Adolescents' experience in divorced homes. *Child Development*, 62, 1008–1029. <http://dx.doi.org/10.2307/1131149>
- Carter, S. (2011). *Family restructuring therapy: Interventions for high conflict divorce*. Scottsdale, AZ: HCI Press.
- Ceci, S. J., & Bruck, M. (1993). Children's recollections: Translating research into policy. *SRCD Social Policy Reports*, 7, No. 3.
- Ceci, S. J., & Bruck, M. (1995). *Jeopardy in the courtroom: A scientific analysis of children's testimony*. Washington, DC: American Psychological Association. <http://dx.doi.org/10.1037/10180-000>
- Clawar, S. S., & Rivlin, B. V. (2013). *Children held hostage: Identifying brainwashed children, presenting a case, and crafting solutions*. Chicago, IL: American Bar Association.
- Cross, P. (2000). *Lost children: A guide for separating parents*. London, UK: Velvet Glove Publishing.
- Cummings, E. M., & Davies, P. T. (2010). *Marital conflict and children: An emotional security perspective*. New York, NY: Guilford Press.
- Dale, M. D. (2014). Don't forget the children: Court protection from parental conflict is in the best interests of children. *Family Court Review*, 52, 648–654. <http://dx.doi.org/10.1111/fcre.12116>

- Darnall, D., & Steinberg, B. F. (2008a). Motivational models for spontaneous renunciation with the alienated child: Part I. *American Journal of Family Therapy*, 36, 107–115. <http://dx.doi.org/10.1080/01926180701643131>
- Darnall, D., & Steinberg, B. F. (2008b). Motivational models for spontaneous renunciation with the alienated child: Part II. *American Journal of Family Therapy*, 36, 253–261. <http://dx.doi.org/10.1080/01926180701643230>
- Davies, P., & Martin, M. (2014). Children's coping and adjustment in high-conflict homes: The reformulation of emotional security theory. *Child Development Perspectives*, 8, 242–249. <http://dx.doi.org/10.1111/cdep.12094>
- DeJong, M., & Davies, H. (2013). Contact refusal by children following acrimonious separation: Therapeutic approaches with children and parents. *Clinical Child Psychology and Psychiatry*, 18, 185–198. <http://dx.doi.org/10.1111/j.1365-2214.2012.03299.x>
- Drozdz, L. M., & Olesen, N. W. (2004). Is it abuse, alienation and/or estrangement? A decision tree. *Journal of Child Custody*, 1, 65–106. http://dx.doi.org/10.1300/J190v01n03_05
- Dunne, J., & Hedrick, M. (1994). The parental alienation syndrome: An analysis of sixteen selected cases. *Journal of Divorce & Remarriage*, 21, 21–38. http://dx.doi.org/10.1300/J087v21n03_02
- Eddy, B. (2009). *New ways for families: Professional guidebook for judicial officers, lawyers and therapists*. Scottsdale, AZ: High Conflict Institute, LLC.
- Eddy, B. (2010). *Don't alienate the kids! Raising resilient children while avoiding high conflict divorce*. Scottsdale, AZ: High Conflict Institute, LLC.
- Egizii, J. (2010). *The look of love*. Dallas, TX: Brown Books.
- Ellis, E. M. (2005). Help for the alienated parent. *American Journal of Family Therapy*, 33, 415–426. <http://dx.doi.org/10.1080/01926180500274518>
- Ellis, E. M., & Boyan, S. (2010). Intervention strategies for parent coordinators in parental alienation cases. *American Journal of Family Therapy*, 38, 218–236. <http://dx.doi.org/10.1080/01926181003757074>
- Fabricius, W. V. (2003). Listening to children of divorce: New findings that diverge from Wallerstein, Lewis, & Blakeslee. *Family Relations*, 52, 385–396. <http://dx.doi.org/10.1111/j.1741-3729.2003.00385.x>
- Fabricius, W. V., & Hall, J. A. (2000). Young adults' perspective on divorce: Living arrangements. *Family & Conciliation Courts Review*, 38, 446–461. <http://dx.doi.org/10.1111/j.174-1617.2000.tb00584.x>
- Fidler, B. J., & Bala, N. (2010). Children resisting postseparation contact with a parent: Concepts, controversies, and conundrums. *Family Court Review*, 48, 10–47. <http://dx.doi.org/10.1111/j.1744-1617.2009.01287.x>
- Fidler, B. J., Bala, N., Birnbaum, R., & Kavassalis, K. (2008). *Challenging issues in child custody disputes*. Ontario, Canada: Carswell.
- Finley, G. E., & Schwartz, S. J. (2010). The divided world of the child: Divorce and long-term psychosocial adjustment. *Family Court Review*, 48, 516–527. <http://dx.doi.org/10.1111/j.1744-1617.2010.01326.x>
- Freeman, R., Abel, D., Cooper-Smith, M., & Stein, L. (2004). Reconnecting children with absent parents: A model for intervention. *Family Court Review*, 42, 439–459. <http://dx.doi.org/10.1177/153124450404200305>
- Friedlander, S., & Walters, M. G. (2010). When a child rejects a parent: Tailoring the intervention to fit the problem. *Family Court Review*, 48, 98–111. <http://dx.doi.org/10.1111/j.1744-1617.2009.01291.x>
- Friedman, M. (2004). The so-called high-conflict couple: A closer look. *American Journal of Family Therapy*, 32, 101–117. <http://dx.doi.org/10.1080/01926180490424217>
- Garber, B. D. (2011). Parental alienation and the dynamics of the enmeshed dyad: Adultification, parentification and infantilization. *Family Court Review*, 49, 322–335. <http://dx.doi.org/10.1111/j.1744-1617.2011.01374.x>
- Garber, B. D. (2015). Cognitive-behavioral methods in high-conflict divorce: Systematic desensitization adapted to parent-child reunification interventions. *Family Court Review*, 53, 96–112. <http://dx.doi.org/10.1111/fcre.12133>
- Gardner, R. A. (1985). Recent trends in divorce and custody litigation. *Academy Forum*, 29, 3–7.
- Gardner, R. A. (1998). *The parental alienation syndrome: A guide for mental health and legal professionals* (2nd ed.). Cresskill, NJ: Creative Therapeutics.
- Gardner, R. A. (2001). Should courts order PAS children to visit/reside with the alienated parent? A follow-up study. *American Journal of Forensic Psychology*, 19, 61–106.
- Gardner, R. A. (2002). Denial of the parental alienation syndrome also harms women. *American Journal of Family Therapy*, 30, 191–202. <http://dx.doi.org/10.1080/019261802753577520>
- Gould, J. W. (1998). *Conducting scientifically crafted child custody evaluations*. Thousand Oaks, CA: Sage.
- Greenberg, L. R., Gould-Saltman, D. J., & Gottlieb, M. C. (2008). Playing in their sandbox: Professional obligations of mental health professionals in custody cases. *Journal of Child Custody*, 5, 192–216. <http://dx.doi.org/10.1080/15379410802583684>
- Grisso, T. (1997). The competence of adolescents as trial defendants. *Psychology, Public Policy, and Law*, 3, 3–32. <http://dx.doi.org/10.1037/1076-8971.3.1.3>
- Hands, A. J., & Warshak, R. A. (2011). Parental alienation among college students. *American Journal of Family Therapy*, 39, 431–443. <http://dx.doi.org/10.1080/01926187.2011.575336>
- Hetherington, E. M., Bridges, M., & Insabella, G. M. (1998). What matters? What does not? Five perspectives on the association between marital transitions and children's adjustment. *American Psychologist*, 53, 167–184. <http://dx.doi.org/10.1037/0003-066X.53.2.167>
- Hetherington, E. M., & Kelly, J. (2002). *For better or for worse: Divorce reconsidered*. New York, NY: Norton.
- Jaffe, P. G., Ashbourne, D., & Mamo, A. A. (2010). Early identification and prevention of parent-child alienation: A framework for balancing risks and benefits of intervention. *Family Court Review*, 48, 136–152. <http://dx.doi.org/10.1111/j.1744-1617.2009.01294.x>
- Johnston, J. R., & Goldman, J. R. (2010). Outcomes of family counseling interventions with children who resist visitation: An addendum to Friedlander and Walters (2010). *Family Court Review*, 48, 112–115. <http://dx.doi.org/10.1111/j.1744-1617.2009.01292.x>
- Johnston, J. R., Walters, M. G., & Friedlander, S. (2001). Therapeutic work with alienated children and their families. *Family Court Review*, 39, 316–333. <http://dx.doi.org/10.1111/j.174-1617.2001.tb00613.x>
- Johnston, J. R., Walters, M. G., & Olesen, N. W. (2005). Clinical ratings of parenting capacity and Rorschach protocols of custody-disputing parents: An exploratory study. *Journal of Child Custody*, 2, 159–178. http://dx.doi.org/10.1300/J190v02n01_09
- Jonas, E., Schulz-Hardt, S., Frey, D., & Thelen, N. (2001). Confirmation bias in sequential information search after preliminary decisions: An expansion of dissonance theoretical research on selective exposure to information. *Journal of Personality and Social Psychology*, 80, 557–571. <http://dx.doi.org/10.1037/0022-3514.80.4.557>
- Kelly, J. B. (2003). Parents with enduring child disputes: Multiple pathways to enduring disputes. *Journal of Family Studies*, 9, 37–50. <http://dx.doi.org/10.5172/jfs.9.1.37>
- Kelly, J. B. (2005). Developing beneficial parenting plan models for children following separation and divorce. *Journal of the American Academy of Matrimonial Lawyers*, 19, 237–254.
- Kelly, J. B. (2010). Commentary on “Family Bridges: Using Insights from Social Science to Reconnect Parents and Alienated Children” (Warshak, 2010). *Family Court Review*, 48, 81–90. <http://dx.doi.org/10.1111/j.1744-1617.2009.01289.x>
- Kelly, J. B., & Johnston, J. R. (2001). The alienated child: A reformulation of parental alienation syndrome. *Family Court Review*, 39, 249–266. <http://dx.doi.org/10.1111/j.174-1617.2001.tb00609.x>
- Kopetski, L. (1998). Identifying cases of parental alienation syndrome: Part II. *Colorado Lawyer*, 29, 63–66.

- Kopetski, L. M., Rand, D. C., & Rand, R. (2006). Incidence, gender, and false allegations of child abuse: Data on 84 parental alienation syndrome cases. In R. S. Gardner, S. R. Sauber, & D. Lorandos (Eds.), *The international handbook of parental alienation syndrome: Conceptual, clinical and legal considerations* (pp. 65–70). Springfield, IL: Charles C. Thomas Publisher.
- Korwin v. Potworowski (2006). 2006 CarswellOnt 3436 (S. C. J.).
- LaGraff, M. R., Stolz, H. E., & Brnadon, D. J. (2015). Longitudinal program evaluation of “Parenting Apart: Effective Co-Parenting.” *Journal of Divorce & Remarriage*, *56*, 117–136. <http://dx.doi.org/10.1080/10502556.2014.996044>
- Lampel, A. K. (1986). Post-divorce therapy with highly conflicted families. *In Practice*, *6*, 22–26.
- Loftus, E. F. (2003). Make-believe memories. *American Psychologist*, *58*, 867–873. <http://dx.doi.org/10.1037/0003-066X.58.11.867>
- Lorandos, D., Bernet, W., & Sauber, S. R. (2013). *Parental alienation: The handbook for mental health and legal professionals*. Springfield, IL: Charles C. Thomas Publisher.
- Lowenstein, L. F. (2006). The psychological effects and treatment of the parental alienation syndrome. In R. A. Gardner, S. R. Sauber, & D. Lorandos (Eds.), *The international handbook of parental alienation syndrome: Conceptual, clinical and legal considerations* (pp. 292–301). Springfield, IL: Charles C. Thomas.
- Ludolph, P. S., & Bow, J. N. (2012). Complex alienation dynamics and very young children. *Journal of Child Custody*, *9*, 153–178. <http://dx.doi.org/10.1080/10502556.2012.715545>
- Ludolph, P. S., & Dale, M. D. (2012). Attachment in child custody: An additive factor, not a determinative one. *Family Law Quarterly*, *46*, 1–40.
- Lund, M. (1995). A therapist’s view of parental alienation syndrome. *Family & Conciliation Courts Review*, *33*, 308–316. <http://dx.doi.org/10.1111/j.174-1617.1995.tb00373.x>
- Lundgren, S. R., & Prislis, R. (1998). Motivated cognitive processing and attitude change. *Personality and Social Psychology Bulletin*, *24*, 715–726. <http://dx.doi.org/10.1177/0146167298247004>
- Martindale, D. A. (2005). Confirmatory bias and confirmatory distortion. In J. R. Flens & L. Drozd (Eds.), *Psychological testing in child custody evaluations* (pp. 31–48). New York, NY: Haworth.
- McLanahan, S., Tach, L., & Schneider, D. (2013). The causal effects of father absence. *Annual Review of Sociology*, *39*, 399–427. <http://dx.doi.org/10.1146/annurev-soc-071312-145704>
- Meyer, C. L., & Quinn, S. (1999). *They are my children, too: A mother’s struggle for her sons*. New York, NY: Public Affairs.
- Nielsen, L. (2014). Wozzles: Their role in custody law reform, parenting plans, and family court. *Psychology, Public Policy, and Law*, *20*(2), 164–180. <http://dx.doi.org/10.1037/law0000004>
- Norton, C. L. (2011). Reinventing the wheel: From talk therapy to innovative interventions. In C. L. Norton (Ed.), *Innovative interventions in child and adolescent mental health*. New York, NY: Routledge.
- NOW Foundation. (n.d.) NOW opposes phony parental alienation disorder. Retrieved from <http://www.nowfoundation.org/issues/family/pad.html>
- Parkinson, P., Cashmore, J., & Single, J. (2005). Adolescents’ views on the fairness of parenting and financial arrangements after separation. *Family Court Review*, *43*, 429–444. <http://dx.doi.org/10.1111/j.1744-1617.2005.00044.x>
- People v. Bronson. (2011). The People of the State of New York v. Melinda Bronson, Defendant. Criminal Court, City of New York, New York County. No. 2000QN028427. Decided: April 29, 2011. Retrieved from <http://law.justia.com/cases/new-york/other-courts/2011/2011-21153.html>
- Rand, D. C. (1997a). The spectrum of parental alienation syndrome (part I). *American Journal of Forensic Psychology*, *15*, 23–51.
- Rand, D. C. (1997b). The spectrum of parental alienation syndrome (part II). *American Journal of Forensic Psychology*, *15*, 39–92.
- Rand, D. C. (2011). Parental alienation critics and the politics of science. *American Journal of Family Therapy*, *39*(1), 48–71. <http://dx.doi.org/10.1080/01926187.2010.533085>
- Rand, D. C., & Rand, R. (2006). Factors affecting reconciliation between the child and target parent. In R. S. Gardner, S. R. Sauber, & D. Lorandos (Eds.), *The international handbook of parental alienation syndrome: Conceptual, clinical and legal considerations* (pp. 163–176). Springfield, IL: Charles C. Thomas Publisher.
- Rand, D., Rand, R., & Kopetski, L. (2005). The spectrum of parental alienation syndrome (part III): The Kopteski follow-up study. *American Journal of Forensic Psychology*, *23*, 15–43.
- Richardson, P., & Broweleit, J. (2006). *A kidnapped mind: A mother’s heartbreaking memoir of parental alienation*. Toronto, Canada: Dundurn.
- Roche, P., & Allen, M. (2014). *Broken lives: Broken minds*. London, UK: The Writing Company.
- Rogerson, M. D., Gottlieb, M. C., Handelsman, M. M., Knapp, S., & Younggren, J. (2011). Nonrational processes in ethical decision making. *American Psychologist*, *66*, 614–623. <http://dx.doi.org/10.1037/a0025215>
- Roseby, V., & Johnston, J. R. (1998). Children of Armageddon. Common developmental threats in high-conflict divorcing families. *Child and Adolescent Psychiatric Clinics of North America*, *7*, 295–309, vi.
- Saini, M., Johnston, J. R., Fidler, B. J., & Bala, N. (2012). Empirical studies of alienation. In K. Kuehnle & L. Drozd (Eds.), *Parenting plan evaluations: Applied Research for the family court* (pp. 399–441). New York, NY: Oxford University Press.
- Salem, P. (2009). The emergence of triage in family court services: The beginning of the end for mandatory mediation? *Family Court Review*, *47*, 371–388. <http://dx.doi.org/10.1111/j.1744-1617.2009.01262.x>
- Salem, P., Sandler, I., & Wolchik, S. (2013). Taking stock of parent education in the family courts: Envisioning a public health approach. *Family Court Review*, *51*, 131–148. <http://dx.doi.org/10.1111/fcre.12014>
- Schwartz, S. J., & Finley, G. E. (2009). Mothering, fathering, and divorce: The influence of divorce on reports of and desires for maternal and paternal involvement. *Family Court Review*, *47*, 506–522. <http://dx.doi.org/10.1111/j.1744-1617.2009.01270.x>
- Sigal, A., Sandler, I., Wolchik, S., & Braver, S. (2011). Do parent education programs promote healthy postdivorce parenting? Critical distinctions and a review of the evidence. *Family Court Review*, *49*, 120–139. <http://dx.doi.org/10.1111/j.1744-1617.2010.01357.x>
- Steinberg, L., & Cauffman, E. (1996). Maturity of judgment in adolescence: Psychosocial factors in adolescent decision-making. *Law and Human Behavior*, *20*, 249–272. <http://dx.doi.org/10.1007/BF01499023>
- Steinberg, L., Cauffman, E., Woolard, J., Graham, S., & Banich, M. (2009). Are adolescents less mature than adults?: Minors’ access to abortion, the juvenile death penalty, and the alleged APA “flip-flop.” *American Psychologist*, *64*, 583–594. <http://dx.doi.org/10.1037/a0014763>
- Steinberg, L., & Scott, E. S. (2003). Less guilty by reason of adolescence: Developmental immaturity, diminished responsibility, and the juvenile death penalty. *American Psychologist*, *58*, 1009–1018. <http://dx.doi.org/10.1037/0003-066X.58.12.1009>
- Sullivan, M. J., Ward, P. A., & Deutsch, R. M. (2010). Overcoming Barriers Family Camp: A program for high-conflict divorced families where a child is resisting contact with a parent. *Family Court Review*, *48*, 116–135. <http://dx.doi.org/10.1111/j.1744-1617.2009.01293.x>
- Wallerstein, J. S., & Blakeslee, S. (1989). *Second chances: Men, women, and children a decade after divorce*. New York, NY: Ticknor and Fields.
- Warshak, R. A. (1992). *The custody revolution*. New York, NY: Simon & Shuster.
- Warshak, R. A. (2003a). Bringing sense to parental alienation: A look at the disputes and the evidence. *Family Law Quarterly*, *37*, 273–301.

- Warshak, R. A. (2003b). Payoffs and pitfalls of listening to children. *Family Relations*, 52, 373–384. <http://dx.doi.org/10.1111/j.1741-3729.2003.00373.x>
- Warshak, R. A. (2007). Best interests and the fulfillment of noble aspirations: A call for humility. *Child Development Perspectives*, 1, 137–139. <http://dx.doi.org/10.1111/j.1750-8606.2007.00031.x>
- Warshak, R. A. (2010a). *Divorce poison: How to protect your family from bad-mouthing and brainwashing*. New York, NY: HarperCollins.
- Warshak, R. A. (2010b). Family Bridges: Using insights from social science to reconnect parents and alienated children. *Family Court Review*, 48, 48–80. <http://dx.doi.org/10.1111/j.1744-1617.2009.01288.x>
- Warshak, R. A. (2010c). Alienating audiences from innovation: The perils of polemics, ideology, and innuendo. *Family Court Review*, 48, 153–163. <http://dx.doi.org/10.1111/j.1744-1617.2009.01295.x>
- Warshak, R. A. (2013). Severe cases of parental alienation. In D. Lorandos, W. Bernet, & S. R. Sauber (Eds.), *Parental alienation: The handbook for mental health and legal professionals* (pp. 125–162). Springfield, IL: Charles C. Thomas Publisher.
- Warshak, R. A., with the endorsement of the researchers and practitioners listed in the Appendix. (2014). Social science and parenting plans for young children: A consensus report. *Psychology, Public Policy, and Law*, 20, 46–67. <http://dx.doi.org/10.1037/law0000005>
- Warshak, R. A. (in press). Parental alienation: What it is; How to manage it. *Journal of the American Academy of Matrimonial Lawyers*.
- Warshak, R. A., & Santrock, J. W. (1983). The impact of divorce in father-custody and mother-custody homes: The child's perspective. In L. A. Kurdek (Ed.), *Children and divorce* (pp. 29–46). San Francisco, CA: Jossey-Bass. <http://dx.doi.org/10.1002/cd.23219831905>
- Wechsler, D. (1991). *Wechsler intelligence scale for children* (3rd ed. manual). San Antonio, TX: Psychological Corporation.
- Weir, K. (2011). High-conflict contact disputes: Evidence of the extreme unreliability of some children's ascertainable wishes and feelings. *Family Court Review*, 49, 788–800. <http://dx.doi.org/10.1111/j.1744-1617.2011.01414.x>
- Weir, K., & Sturge, C. (2006). Clinical advice to courts on children's contact with their parents following parental separation. *Child and Adolescent Mental Health*, 11, 40–46. http://dx.doi.org/10.1111/j.1475-3588.2005.00385_1.x
- Wolpe, J., Brady, J. P., Serber, M., Agras, W. S., & Liberman, R. P. (1973). The current status of systematic desensitization. *The American Journal of Psychiatry*, 130, 961–965. <http://dx.doi.org/10.1176/ajp.130.9.961>
- Zervopoulos, J. A. (2013). *How to examine mental health experts*. Chicago, IL: American Bar Association.

Received March 12, 2015

Revision received May 18, 2015

Accepted May 18, 2015 ■