

Parental Alienation Primer for Advocates

“Parental alienation” or “parental alienation syndrome” is a concept widely used in family court child custody disputes involving abuse allegations (DV, child physical or sexual abuse). Fathers accused of abuse often respond with claims that the mother is alienating the children from them. [Research¹](#) has indicated that where parental alienation is claimed by a father accused of abuse, courts are more likely to reject mothers’ claims of abuse, and rates of custody reversals (from mother to father) increase. Mothers are disbelieved and lose custody even more often when they are alleging child physical or sexual abuse.

History and Use of Parental Alienation in Court

[Parental alienation syndrome \(PAS\)²](#) was first coined by Dr. Richard Gardner in 1985, but soon became [discredited as a scientifically recognized syndrome³](#). However, the concept of “parental alienation” (PA) has become widely accepted in courts and is applied similarly to PAS, to discredit mother and children’s abuse claims against fathers. PA theoretically describes a situation where one parent negatively manipulates or influences the child against- or “alienates” them from- the other parent. While some parents do engage in such behavior, there is [little evidence⁴](#) that it actually changes children’s attitudes toward the other parent nor that this alone causes [long-term harms⁵](#). In contrast, the [harmfulness of domestic violence⁶](#) and [abuse to children⁷](#) is well-established.

Unfortunately, it is common for mothers’ and children’s allegations of abuse, and children’s acting out, fear or hostility toward a parent to be treated as indication that the mother is alienating the child. The same is true for mothers’ protective actions, such as requesting supervised visits or seeking a protective order. Both abuse allegations and protective actions often cause court personnel to dismiss or even punish the parent sharing safety concerns. Because this trend is now global, PA and related concepts have been harshly [criticized internationally⁸](#) and [recommended for exclusion from custody litigation⁹](#) due to risks to children and survivor parents presented by custody orders without adequate safety provisions. These critical statements have not affected U.S. family court practice much. However, alternative labels to PA, such as *resist-refuse*, *parent child contact problems (PCCP)*, *gatekeeping*, *munchausen by proxy*, or *encapsulated delusion*, are now sometimes used – particularly against protective mothers.

Harms to Children from Court Responses to Concerns of Alienation

The typical remedy for purported PA is “[reunification treatment¹⁰](#),” which entails coerced contact between children and the parent they are resisting seeing. Some coerced reunification treatments are conducted in offices, and others at overnight locations in other states, requiring removal from and no contact with the parent they trust, forced

“counseling” and living with the parent they fear/resent. These overnight “camps” can be extremely costly for parents. Children subjected to them are often cut off from their primary, beloved parent for months and even years, especially when ordered into costly extended “aftercare” programs, commonly recommended by the “reunification therapist.”

ADVOCACY STRATEGIES

Custody and abuse litigation involving allegations of parental alienation are complex. Advocates can play a crucial role in supporting survivors and their children as they navigate these difficult cases.

Survivor Advocacy

- **Validate** the survivor’s frustration and sense of injustice with the court process and the actions of the other parent. Let them know it is unfortunately a common phenomenon in family courts and with parents who are abusive.
- **Connect** them with support groups, counseling and other therapeutic outlets for them share their feelings in a trusted and safe space outside the of the court system. Connect children to similar supports and age-appropriate outlets.
- **Offer** [tools and support around talking to the children¹¹](#) about what is happening and why in a way that avoids demonizing the other parent which could be used against them as evidence of alienation.
- **Share** safer modes of communicating with the other parent such as through attorneys or other professionals, or via text or email that can be reviewed before sending and saved.

Legal Advocacy

- **Help** the survivor to [seek legal representation¹²](#) from professionals who specialize in family law and understand the dynamics of domestic violence, especially in the custody context, and help them [understand the distinct roles of the various professionals¹³](#).
- **Assist** the survivor in gathering evidence [relevant to courts¹⁴](#) to counter a parental alienation claim and support their safety concerns. This could include evidence the survivor has respected the other parent’s parental access and documentation of abuse (e.g. CPS reports, medical records, arrest records, protection orders, threatening texts).
- **Encourage** the survivor to use child-centric language and frame concerns as “concern for the child’s safety, well-being, and best interest” and their own ongoing safety in conversations with court professionals.

- **Accompany** the survivor at their request to proceedings. Let court professionals know you are there as a personal support for the survivor.

Systems Advocacy

- **Facilitate** understanding for the survivor and between the various systems (CPS, family court, criminal system) that may engage with their case. These systems are siloed, have different purposes and standards for determining abuse or risk, and will sometimes make contradictory decisions. [Our resource center](#) can help. See our contact information below.
- **Familiarize** yourself with court professionals brought into cases such as custody evaluators, Guardians Ad Litem (GALs) and mediators and advocate for professionals with training and experience with domestic violence.
- **Suggest** the inclusion of experts on [domestic violence](#)¹⁵ and/or [child abuse](#)¹⁶ and the misuse of parental alienation to testify or share their perspectives with other professionals involved in the case.



@4peaceandequity

@caminarlatino

Contact

www.centertoadvancepeace.org

info@centertoadvancepeace.org

1-855-53-PEACE (7-3223)



NATIONAL CENTER TO ADVANCE PEACE
for Children, Youth, and Families

The National Center to Advance Peace for Children, Youth, and Families (NCAP) is a coalition led by Caminar Latino-Latinos United for Peace and Equity and includes Ujima: National Center on Violence Against Women in the Black Community, the Alaska Native Women's Resource Center, the National Indigenous Women's Resource Center, and Futures Without Violence.



References

1. Meier, J. S. (2020). U.S. Child Custody Outcomes in Cases Involving Parental Alienation and Abuse Allegations: What Do the Data Show? *Journal of Social Welfare and Family Law*, 42(1), 92-105.
<https://doi.org/10.1080/09649069.2020.1701941>
2. Clemente, M. & Padilla-Racero, D. (2015). Are children susceptible to manipulation? The best interest of children and their testimony. *Children and Youth Services Review*, 51, 101-107. <https://doi.org/10.1016/j.childyouth.2015.02.003>
3. Meier, J. S. (2009). A Historical Perspective on Parental Alienation Syndrome and Parental Alienation. *Journal of Child Custody*, 6(3), 232-257. GWU Legal Studies Research Paper No. 527, GWU Law School Public Law Research Paper No. 527, Available at SSRN: <https://ssrn.com/abstract=1767440>.
4. 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>.
5. Mercer, J. (2021). Critiquing Assumptions about Parental Alienation: Part 2. Causes of Psychological Harms. *Journal of Family Trauma, Child Custody & Child Development*, 19(2), 139-156.
<https://doi.org/10.1080/26904586.2021.1957058>.
6. Davies, C. A., Evans, S. E., & DiLillo, D. K. (2008). Exposure to Domestic Violence: A Meta-Analysis of Child and Adolescent Outcomes. *Aggression and Violent Behavior*, 13(2), 131-140. Available at:
<https://digitalcommons.unl.edu/psychfacpub/321>.
7. Strathearn, L., Giannotti, M., Mills, R., Kisley, S., Najman, J., & Abajobir, A. (2020). Long-term Cognitive, Psychological, and Health Outcomes Associated with Child Abuse and Neglect. *Pediatrics*, 146(4), 389-403.
<https://doi.org/10.1542/peds.2020-0438>.
8. European Association for Psychotherapy (2018). EAP Statement on Parent Alienation Syndrome (PAS) – Parental Alienation (PA).
<https://www.europsyche.org/quality-standards/eap-guidelines/parent-alienation-syndrome-pas-parental-alienation-pa/>.
9. United Nations (2023). Urgent Reforms Needed to Protect Women and Children from Violence in Custody Battles: UN Expert. United Nations Human Rights: Office of the High Commissioner. [https://www.ohchr.org/en/press-releases/2023/06/urgent-reforms-needed-protect-women-and-children-violence-custody-battles-un#:~:text=Reem%20Alsaalem%20\(Jordan\)%20was%20appointed,Rights%20Council%20in%20August%202021](https://www.ohchr.org/en/press-releases/2023/06/urgent-reforms-needed-protect-women-and-children-violence-custody-battles-un#:~:text=Reem%20Alsaalem%20(Jordan)%20was%20appointed,Rights%20Council%20in%20August%202021).
10. Frosch, D. (2024). A Court-Ordered Therapy that Separates Kids from a Parent They Love Stirs a Backlash. *Wall Street Journal*, August 24, 2024.
<https://www.wsj.com/us-news/reunification-therapy-custody-family-court-5b4e9279> *Article available upon request. Email info@centertoadvancepeace.org.
11. National Child Traumatic Stress Network (2015). Children and Domestic Violence: Listening and Talking to Your Child About Domestic Violence.

<https://www.nctsn.org/resources/children-and-domestic-violence-listening-and-talking-your-child-about-domestic-violence>.

12. WomensLaw. *Finding a Lawyer*. <https://www.womenslaw.org/find-help/finding-lawyer>.
13. Fontes, L. A. (2022). Who Are All the People Involved in My Child Custody Case? DomesticShelters.org. <https://www.domesticshelters.org/articles/legal/who-are-all-the-people-involved-in-my-child-custody-case>.
14. Bowles, J. J., Christian, K. K., Drew, M. B., & Yetter, K. L. (2008). A Judicial Guide to Child Safety in Custody Cases. National Council of Juvenile and Family Court Judges. https://www.ncjfcj.org/wp-content/uploads/2021/03/judicial-guide_0_0.pdf.
15. Ferraro, K. J. & Busch-Armendariz, N. B. (2009). The Use of Expert Testimony on Intimate Partner Violence. VAWnet: National Resource Center on Domestic Violence. <https://vawnet.org/material/use-expert-testimony-intimate-partner-violence>.
16. American Academy of Pediatrics. What is a Child Abuse Pediatrician? HealthyChildren.org. <https://www.healthychildren.org/English/family-life/health-management/pediatric-specialists/Pages/What-is-a-Child-Abuse-Pediatrician.aspx>.