

MISINFORMATION REGARDING PARENTAL ALIENATION – 2019

Article Containing Misinformation

Joan S. Meier, Sean Dickson, Chris O’Sullivan, Leora Rosen, & Jeffrey Hayes (2019). Child custody outcomes in cases involving parental alienation and abuse allegations. GW Law School Public Law and Legal Theory Paper No. 2019-56. GW Legal Studies Research Paper No. 2019-56. Full text: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3448062

Abstract: Arguably the most troubling aspect of justice system response to intimate partner violence is custody courts’ failure to protect children when mothers allege the father is abusive. A significant contributor to these errors is the pseudo-scientific theory of parental alienation (PA). The theory suggests that when mothers allege that a child is not safe with the father, they are doing so illegitimately, to alienate the child from the father. PA labeling often results in dismissal of women’s and children’s reports of abuse, and sometimes trumps even expert child abuse evaluations. The first goal of this project was to ascertain whether empirical evidence indicates that parental alienation is gender-biased in practice and outcome. Second, the study sought to explore outcomes in custody/abuse litigation by gender and by differing types of abuse. Analysis of over 2000 court opinions confirms that courts are skeptical of mothers’ claims of abuse by fathers; this skepticism is greatest when mothers claim child abuse. The findings also confirm that fathers’ cross-claims of parental alienation increase (virtually doubling) courts’ rejection of these claims, and mothers’ losses of custody to the father accused of abuse.

Article Refuting Misinformation

Jennifer J. Harman & Demosthenes Lorandos (2021). Allegations of family violence in court: How parental alienation affects judicial outcomes. *Journal of Psychology, Public Policy, and Law*. Full text: <https://psycnet.apa.org/fulltext/2020-96321-001.html>

Abstract: We tested a set of findings reported by Meier (2019) related to the use of parental alienation (PA) 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. We failed to find any support for the conclusions made by Meier (2019). Parents found (versus alleged) to alienate 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 raise concerns that the methodological, analytical, and statistical problems we detail about Meier’s report (2019) 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.