

# PARENTAL ALIENATION

How Can the Targeted Parent Help the Professionals and the Court Get it Right

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# CANADIAN, EH?

- **Canadian jurisprudence and academic and clinical contributions to the response to PA are prominent**
- **A recent case I argued (5 weeks) in Windsor, Ontario (that place across the river from Detroit) is very instructive: see Fiorito v. Wiggins, 2011 ONSC 1868**



# A SECURITIES LAWYER IN FAMILY-LAW-LAND

## *Quote from "The Matrix"*

Morpheus opens a container which holds two pills: a blue one, and a red one. He puts one in each hand, and holds them out to Neo.

**Morpheus: *This is your last chance. After this, there is no turning back.....You take the blue pill, the story ends. You wake up and believe...whatever you want to believe. You take the red pill.....you stay in wonderland...and I show you just how deep the rabbit hole goes.***

Neo pauses for an instant, then reaches for the red pill. He swallows it down with a glass of water, and looks at Morpheus.

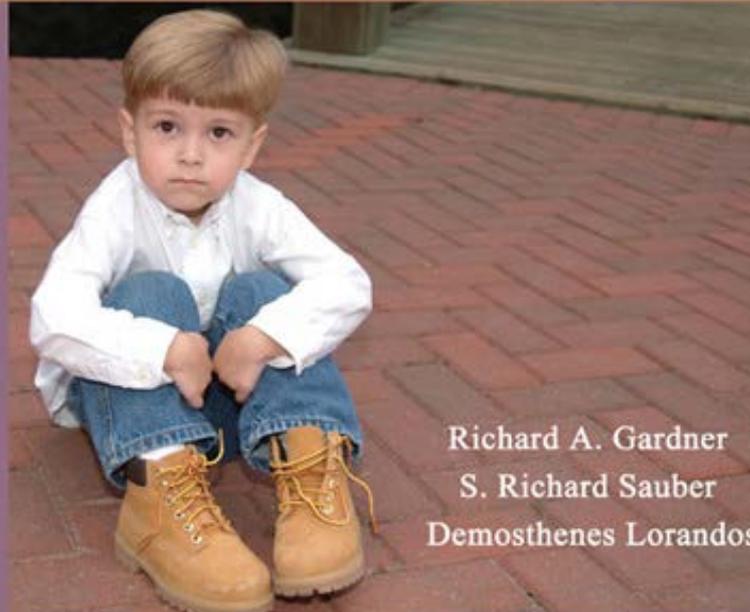
**Morpheus: *Remember...all I'm offering you is the truth: nothing more.***

**Morpheus half smiles at Neo.**

**Morpheus: *Follow me.....***

# The International Handbook of Parental Alienation Syndrome

Conceptual, Clinical and Legal Considerations



Richard A. Gardner  
S. Richard Sauber  
Demosthenes Lorandos

# LEARNING OBJECTIVES/TOPICS

- **Understanding the Differential Diagnosis so that you can organize your family history and the development of the PA Dynamic**
- **How to Assemble Your Data, Documents and Collateral Witnesses**
- **Typical Targeted Parent Mistakes to Avoid**

# What is Parental Alienation

# What is Parental Alienation?

- In the context of a high conflict divorce, a child 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
- Resistant to considering other possibilities
- Fused mental state with the aligned parent
- Loss of past good memories
- Loss of relationships with extended family
- A pattern of behaviour that conveys to child that they are only of value in meeting the aligned parent's needs and whose behaviour and thought processes are controlled, like a cult, through coercion and manipulation – fits the APA (1998) Guidelines for Psychological Evaluations in Child Protection Matters

# History

- Recognized in studies going back decades (e.g. Wallerstein 1980)
- **Jurisprudence going back to the early 1800's uses the phrase**
- In 1985, Dr. Richard A. Gardner, a child and forensic psychiatrist, championed a child custody litigation phenomenon called Parental Alienation Syndrome (PAS). Since that time, the PAS phenomenon has gained increased recognition in both the mental health and legal fields.
- Not yet listed in DSM, but could be conceived as part of existing DSM-IV-TR diagnoses

# Politics and “The Controversy” DSM-IV-TR, ICD-11, DSM-V & “Junk Science”

- **Women are victims too:**

- ❖ Mothers;
- ❖ grandmothers;
- ❖ step-mothers;
- ❖ sisters;
- ❖ aunts;
- ❖ cousins;
- ❖ TP friends

# The Differential Diagnosis

# WHY THE TARGETED PARENT NEEDS TO UNDERSTAND THE DIFFERENTIAL DIAGNOSIS

- **The tools to be used by those who will sit in Judgment of you as a person and as a parent**
  - ❖ CAS/CPA
  - ❖ Custody/access assessors
  - ❖ Friends/family/parents of the children's friends and teammates
  - ❖ Schools; coaches;
  - ❖ Counsel for the children
  - ❖ The Court
  - ❖ Therapists
- **Helps your own team to articulate your case and cut through the “mudslinging” of the other side**

# Dr. Gardner's 8 Factors

- PAS consists of eight primary manifestations of symptoms, which may or may not be present in every situation
- 1. The child aligns with the alienating parent in a campaign of denigration and hatred against the alienated (also referred to as the “targeted”) parent, with the child making active contributions.**
  - 2. Rationalizations for denigrating the alienated parent are often weak, frivolous or absurd.**
  - 3. There seems to be no ambivalence in the child's feelings toward the target parent; thus, animosity toward the alienated parent is demonstrably severe.**
  - 4. The child states that the decisions to reject the alienated parent are the child's own (referred to as the “Independent Thinker” phenomenon).**

# Dr. Gardner's 8 Factors

5. There is an automatic, reflexive support by the child for the alienating parent.
6. The child expresses a guiltless disregard for the feelings of the alienated parent.
7. The child borrows from various subject matter and jargon of the alienating parent. Thus, the child's denigration of the targeted parent has a distinct rehearsed quality.
8. The child's animosity extends to the alienated parent's extended family and friends.

**Baker and Darnall (2008) have validated these 8 factors.**

- Both false allegations of abuse and virtual allegations of abuse are also generally seen in PAS

# Analysis of the Child – Primary Differential Diagnosis Criteria

- Disproportionate reaction
- Splitting – one good and one bad parent
- Lack of empathy
- Completely inflexible – unable to forgive and move forward
- Restatement of past history
- Name changes
- Step parent triangulation
- Adult issue triangulation
- Use of adult language and concepts, scripted presentation
- Normative attachment but one exception – targeted parent
- Behave differently when witnesses are around – they know their private behaviour is inappropriate
- Gardner's 8 factors

# What's Going On With the Child?

- **Confusion/distortion/poor reality testing**
- **Parentification**
- **Playing one parent against the other – a “race to the bottom” of permissive parenting; confusion re incongruent parenting styles**
- **Over-empowerment/ diminished empathy**
- **Identification with the aggressor**
- **“Defensive Splitting” as a result of the loyalty-bind**
- **Fused mental state with the aligned parent – lack of authentic experience and delayed individuation**
- **Impaired reality testing and critical thinking skills**
- **Grasping at the insecure attachment while rejecting the secure attachment because deep down they are hoping that parent will not abandon them due to unconditional love**
- **It is irrelevant that alienated children do well in other areas of life**

# Analysis of the Aligned Parent

- A quote from the 1984 movie, “*The Terminator*”, (staring the former Governor of “*Cali-flor-nia*” )

Kyle Reece trying to explain to a doubtful and panic-stricken Sarah Connor about how much danger she is in (*slow, but intense*):

*Listen.... Understand.... That Terminator is out there. It can't be reasoned with, it can't be bargained with...it doesn't feel pity or remorse or fear...and it absolutely will .. not.. stop. Ever....Until you are dead.*

**Sarah slumps in utter resignation.**

*(quietly) Can you stop it?*

**Kyle doesn't look at her.**

*Maybe. With these weapons?...I don't know.*

# Analysis of the Aligned Parent

- ❖ What is the “*deep narcissistic injury*” (or is it a money play - “*days for dollars*”)
  - Informs theory of the case and strategy and remedies
- ❖ What is the psychological makeup (even if short of disorder)
  - **Fear of Loss of Control (intrusive parent):** education
  - **Histrionic:** (propose safe zone and engage opposing counsel)
  - **Narcissistic or borderline or fixated or hate-filled:** contain and threaten; impose consequences; expose parenting marginalization
  - **Professional Victim:** move past the rhetoric into facts
  - **Cult-like exclusion (e.g. extreme religions):** parallel parenting
- ❖ Financial, emotional and familial resources
- ❖ Weaknesses, openings, influencers
- ❖ Fear of reputational damage?
- ❖ Difficult to change their perception of the targeted parent as weak, passive and easily manipulated and fooled
  - so make the lawyer the threat

# Strategy in a PAS Case

- **Never base the strategy on “getting through” to the aligned parent – they are resistant to change; Rather – attempt to constrain behaviour by forcing them to fear consequences**
  - ❖ Locked into belief systems - Will disagree with any contrary conclusions of an assessor or therapist - no epiphany
  - ❖ View their own actions as in the best interests of the children – the AP has no more use for the TP, so why should the children? *“They have lost nothing – TP argues all the time”.*
  - ❖ Will be immune to therapy, education, persuasion, morality
  - ❖ Will never accept responsibility for their actions or change
  - ❖ Ego-centric/narcissist; child-like self-absorption
  - ❖ Cognitively blind to effects on the children or on targeted parent and extended family
  - ❖ Parenting Style Issues:
    - Moralistic, rigid and blaming
    - Permissive of over-empowerment
    - Need to validate all children’s perceptions and “feelings

# Analysis of the Aligned Parent

- **May have aspects of Axis II, Cluster B personality disorders (narcissistic, borderline, histrionic), yet fall short of a PD diagnosis**
- **Need to “control” their “property” (children) or “maternal gatekeeping”**
- **Will appeal, threaten, reject all opposing views**
  - ❖ E.g. Wiggins decision
- **Shared Delusional Disorder and possible “transference” of anxiety**
- **Rejection, threat, fear of the divorce process triggers irrational and abusive behaviour**

# Analysis of the Aligned Parent - Tactics

- **Need to maintain control by controlling information flow, phone #, screening calls, intercepting emails**
- **Use of passive-aggressive “mind-games”**
- **Parentification and infantilization and corruption (spy) of the child**
- **Emotional Bully**
- **Exploits the insecure attachment perceived by the child**
- **A “cult-leader”**
- **Step-parents who do not observe appropriate boundaries are part of the problem – become part of a system where the children are informally “adopted” as part of the remarriage**

# ALIENATORS ALWAYS MAKE KEY MISTAKES

- **The perfect alienation campaign is based on the adage that the opposite of love is indifference, not hate**
  - ❖ Children would see the targeted parent for 1 day out of 14; out of respect but not affection; would not denigrate, just not have anything in common and not admit to any emotional connection
- **However, alienators are worried that any exposure gives the targeted parent and his/her extended family and friends, an opening to rejuvenate the formerly loving relationship based on the historical psychological bonding between the ages of 3 and 7**

# ALIENATORS ALWAYS MAKE KEY MISTAKES

- **Alienators “*never miss an opportunity to miss an opportunity*”** (paraphrasing the late Israeli Foreign Minister, Abba Eban)
  - ❖ **Challenge them daily to intervene to foster better and more frequent telephone and email contact between children and the TP**
  - ❖ **Call them on abusive behaviours they exhibit or which they foster in the children**
  - ❖ **Have grandparents and aunts, uncles and cousins calling and asking for time with the children**
    - **The AP’s false accusations against the TP are irrelevant to those relationships**
  - ❖ **Highlight, with significant advance notice to AP and their counsel, important dates and pending holidays and expected involvement and equal treatment in graduations, Bar/Bat Mitzvah’s etc.**

# ALIENATORS ALWAYS MAKE KEY MISTAKES

## ■ Admissions

- ❖ Captured audio and video
  - Criminal law issues; civil law issues
- ❖ Emails, IM and 3<sup>rd</sup> party sourced statements from the children
- ❖ “Read-Notify” program
- ❖ Actions captured in the Diary maintained by TP
- ❖ Statements to therapists and third parties and in Affidavits
  - E.g. Defending an informal name change because otherwise the child would refuse to play sports
- ❖ Hateful Affidavits – such attitude cannot be kept from children
- ❖ Letters and other statements prior to separation, or after separation but prior to estrangement from children
  - E.g. Letter re marriage breakdown that says nothing about children; cards praising parenting abilities; separation agreements acknowledging that both are great parents
  - Statements to Marriage Counsellor privileged under the Divorce Act

# ALIENATORS ALWAYS MAKE KEY MISTAKES

## ▪ Logical Flaws in Their Theory of the Case

- ❖ Their allegations would never have lead to a complete rupture in the first place – no child abuse or unsubstantiated
- ❖ Refuse interim family reconciliation therapy yet unilaterally take the child to an “aligned therapist” who then cannot speak with the TP
- ❖ Refuse to engage a parental coordinator with arbitral powers
- ❖ Refuse any interim contact they don’t control/supervise; Don’t share cell phone numbers, etc.
- ❖ Offer no solution other than that the TP “get therapy and change” but then offer no ability for the TP to demonstrate to the children that they “have changed” or “never needed to change” in the first place
- ❖ Refuse to consider why the children's attitudes don’t soften with time
- ❖ Everything is a priority for the children other than reconciliation

# Tactics Related to Credibility

- The aligned parent offers the Court no real answer – therapy without living with and experiencing life with the formerly psychologically-bonded parent can't work. They accept no responsibility, over-empower the children and refuse to abide by Court Orders
- Typical “logical traps” used by aligned parents:
  - **TP “won’t listen to the children”** (when all the children are saying is “get out of my life” or just minor complaints)
  - **TP “won’t change”** (without articulating the issue or explaining why it wasn’t an issue before separation or how the TP is supposed to demonstrate change to the children when they don’t see him/her)
  - **I can’t/won’t force them to visit** - They are old enough to decide for themselves
  - The children just need peace and not more therapy

# Tactics Related to Credibility

- Typical “logical traps” used by aligned parents:
  - **I can’t/won’t force them to visit** - They are old enough to decide for themselves
- ❖ Fortune Magazine March 30, 2009 article on Ray Dalio (manager of the world’s largest hedge fund):
  - *“The thing that makes him different is an intolerance for the inadequate answer. He’ll just keep peeling back layer after layer to get at the essential truth”*
- **THE ANSWER: You are either lying about your good faith efforts or you are completely ineffective as a parent – either way you are not an appropriate trustee for the children’s right to have a relationship with the other parent. (resulting in custody reversal as per *Rogerson v. Tessaro – Ont. CA 2006*)**

# Tactics Related to Credibility

- Typical “logical traps” used by aligned parents:
  - **I can't/won't force them to visit** - They are old enough to decide for themselves
- **FURTHER ANSWERS:**
  - ❖ Regardless, Court Orders are to be respected and the children must be taught to respect the law – a matter of “guidance and boundaries”, an essential part of any parenting capacity assessment
  - ❖ It's in the children's best interests to have a strong relationship with both parents and they are far too young and far too conflicted to make a decision to wipe a parent out of their lives – indeed their lack of ambivalence and lack of a sense of loss at all is a key diagnostic (even abused children do not present in this fashion)
  - ❖ You're actually acting contrary to reconciliation

# **Analysis of the Family Dynamic – What Tactics Being Used**

- **Badmouthing**
- **Limiting Contact**
- **Interfering with/controlling/supervising Communication**
- **Limiting Mention and Photographs of the Targeted Parent**
- **Withdrawal of Love/Expressions of Anger**
- **Telling Child that the Targeted Parent does not Love Him or Her**
- **Forcing Child to Choose**
- **Creating the Impression that the Targeted Parent is Dangerous**
- **Confiding in the Child**
- **Forcing Child to Reject the Targeted Parent**
- **Asking Child to Spy on Targeted Parent**
- **Asking Child to Keep Secrets from the Targeted Parent**

# **Analysis of the Family Dynamic – What Tactics Being Used**

- **Referring to the Targeted Parent by First Name (and step-parent as mom/dad)**
- **Changing Child's Name to Remove Association with Targeted Parent**
- **Withholding Medical, Social, Academic Information from the Targeted Parent and Keeping Targeted Parent's Name off of Such Records**
- **Cultivating Dependency**
- **False allegations of sexual and/or physical abuse to CAS, Police and others**

# Analysis of the Family Dynamic

- Remarriage/Re-partnering is frequently a trigger
- AP and step-parent “adopt” the children as their own in order to cement their own bonds and the TP becomes a threat to that psychological “union”.
- Step-parents who do not observe appropriate boundaries are part of the problem – become part of a system where the children are informally “adopted” as part of the remarriage
- See: *“Remarriage as a trigger of Parental Alienation Syndrome”*, The American Journal of Family Therapy, Vol. 28 pp. 229-241, 2000

# Differential Diagnosis – Final Point

- **Be wary of the risk of assuming that the coincident presentations from aligned parent, step parent and children must be correct. Coincidence does not mean correct, it just means they practice their lines together**
- **Apply the criteria for a differential diagnosis before jumping to conclusions. Even abused children don't present the way deliberately- alienated children do. Abused children are open to reconciliation and are wish for the better relationship they might otherwise have. They are not there to prove a point.**
- **We are asking parents to be at their best, when they are likely to be at their worst: AP – consumed with deep narcissistic injury; TP – PTSD, depression, confusion, hurt, anger, frustration**

# HOW TO ASSEMBLE YOUR CASE

# Strategy in a PAS Case

- **Build your evidentiary case and educate TP to be able to relate his or her story, in light of the Diagnostic**
  - ❖ Needed for Custody/Access Assessment; Needed for Motions; Needed for Trial
- **Diagnostic**
  - ❖ Gardner; Ellis; Baker; Fidler & Bala; CS-PAS experts, others
  - ❖ Watch for symbolism: allegations of “us vs. him/her”; locked gates, “no go zones”, name changes, disclosure of biological paternity, police involvement and complaints to CAS/CPS which invoke “**attachment theory**” – **make the TP seem: (I) unsafe; (II) unavailable; and/or (III) unemotive or unloving**
  - ❖ Essentially:
    - Aspects of the psychological makeup of the aligned parent
    - Aspects of the behaviour of the children before, during and after separation
    - Compilation of the tactics being used

# Strategy in a PAS Case

- **Understand the opponent (aligned parent and lawyer)**
- **Understand the case to be made**
  - ❖ Mental health and social sciences literature
  - ❖ Parenting literature (including step-parent boundaries)
  - ❖ Legal jurisprudence
  - ❖ Custody/access assessment methodologies and professional standards
- **Assemble an evidentiary record related to Diagnostic**
  - ❖ Third party affidavits (extended family; acquaintances; friends; nannies; teachers, therapists, coaches)
  - ❖ Historical and current pictures, videos, emails, documents, albums, cards
    - Cards lauding parenting;
    - Letters re breakup unrelated to parenting

# COLLATERAL WITNESSES

## ▪ Who:

- ❖ Friends, family, parents of children's friends
- ❖ Teachers, coaches
- ❖ Therapists – parent's, children's
- ❖ Retained experts

## ▪ Content:

- ❖ You as a parent
- ❖ You as a person
- ❖ History of attachment and bonding
- ❖ Issue-specific: splitting dynamic and clearing the “mud”

## ▪ Process:

- ❖ Statement; affidavit; expert report with knowledge of the other side's accusations

# Strategy in a PAS Case

- **Prepare a detailed Timeline document meant to show historical psychologically-bonded relationship and rapid onset of PAS after separation or historical roots**
  - ❖ Will show the decline and fall and absence of precipitous events which constitute *“justified estrangement”*
  - ❖ Will tie in to admissions and evidence of the *“deep narcissistic injury”* on the part of the aligned parent
  - ❖ Will help build the “theory of the case”
- **Engage with friends and extended family of client**
  - ❖ Targeted parent may not be thinking clearly and may not have all the key memories and key records
  - ❖ Impairment of those other relationships cannot be the fault of the targeted parent
- **Compile and Maintain a Full Daily Diary**
  - ❖ Full details of all touch points with the aligned parent and the children and extent of compliance with Court Orders

# Strategy in a PAS Case

- **Maintain accessible and indexed records of all emails and correspondence**
  - ❖ By topic; By date; By sender
- **Maintain telephone contact logs to show attempts to reach out and how frequently there is any response**
  - ❖ AP won't accept or respond to calls or emails
  - ❖ AP demands that all future contact be through counsel
- **Bring a Motion for Live Questioning as a prelude for a Motion for Contempt of Court**
  - ❖ Often many admissions obtained because AP doesn't understand that their thinking is delusional and reflective of marginalization
  - ❖ Will inform Courts and Mental Health Experts

# STRATEGY FOR THE TARGETED PARENT

# The Impossible Role of the Targeted Parent

- **Passive/avoidant but short of personality disorder**
- **Ability to communicate empathy?**
- **Avoid counter-hostility and counter-rejection**
- **Don't give up on child but don't pursue too aggressively?**
- **Soften parenting style**
- **How to deal with overwhelming hurt, loss, frustration, fear while shielding feelings from children**
- **Must try to have patience and understanding for the children caught in the middle and empathise with them**

# WINNING STRATEGY IN A PAS CASE

- **The dysfunctional family dynamic frequently settles into a “*comfortable*” stagnation which plays to the AP’s goal of exclusion**
  - ❖ AP, TP, both counsel, children’s lawyer and therapists all have a role in perpetuating this “*comfortable*” stagnation
  - ❖ Removing AP’s Time and Space and ability to hide behind enablers and their own correspondence
  - ❖ Apply legal, practical and therapeutic stressors to the dysfunctional family dynamic – create crises for AP
- **Get an assessment; win the assessment**
- **Get collateral expert reports and witnesses**
- **Build your evidentiary basis for your “theory of the case” in light of recognized diagnostics**

# Strategy in a PAS Case

- **Delay is the major risk**

- ❖ Psychologically
- ❖ Emotionally
- ❖ Financially
- ❖ Judicial boldness vs. timidity

- **Focus on disrupting the aligned parent's plans**

- ❖ PAS is a disease meant to be suffered in silence

- Third parties – schools, camps, extra-curricular activities
- Stay involved and visible

- ❖ Name changes go to the child's identity

- It is irrelevant that the AP cannot change the legal name; children's self concept is driven by what they call themselves at school, with friends and on sports teams

# Strategy in a PAS Case

- **Manage your client's financial and emotional resources**
- **Engage with AP and counsel at all times and document all of the suggestions and peace offerings**
- **Respond to all AP proposals, even if obviously diversionary and tactical**
  - ❖ You can try their “suggestions” while at the same time advancing the case
- **Make lots of proposals to advance the reconciliation**
  - ❖ Parental coordinator with mediation/arbitration powers
  - ❖ Reconciliation therapy
- **Ensure that the next Court appearance is always pending**

# Strategy in a PAS Case – Avoid Delay

- **The overburdened family law system tries to foster diversion instead of tackling the dynamic**
  - ❖ Mediation – contra indicated in these cases
  - ❖ Parental coordination – helpful but not a panacea
  - ❖ “light” therapy, instead of “reconciliation therapy”
  - ❖ Appoint a children’s counsel and wait for their “report”
    - A “clinical assist” is not an assessment
      - tiny budget and not a full investigation
  - ❖ Assertions by AP to try a “go slow” approach and “*just give it time and let the child figure it out*”
- **Instead: Apply for Case Management**
  - ❖ Many commentators suggest that these cases be streamlined out of the regular track and actively managed by a single Judge

# “Light” Therapy vs. “Reconciliation Therapy”

- **Open vs. closed**

- ❖ Privacy laws (such as The Personal Health Information Privacy Act) allow “competent” estranged children to prohibit the sharing of their file with the TP, even though AP gets it

- **Child therapist vs. multi-client**

- **Goal oriented/ Directed therapy: “reconciliation” or else**

- **Timeline after which return to Court**

- **Avoid the “therapeutic alliance” regarding each of therapist/coach for AP and therapist for children**

- **Children told that if they are nice to TP in therapy it will be used against AP in Court – instead they actively try to justify their estrangement**

- **Court-Ordered or not – forcing AP to cooperate**

- ❖ Note that *Healthcare Consent Act / Child and Family Services Act* allow adults and children of 16 years to refuse therapy

- ❖ Court Order re therapy as a condition of custody/access

# “Light” Therapy vs. “Reconciliation Therapy”

- **Chose the therapist or team carefully – you want people who are not afraid to take a stand against very intimidating and manipulative aligned parents**
  - ❖ Wishy-washy or inconsistent statements are not helpful in solving the dynamic
- **Some early therapeutic input can be useful so long as the case itself is moving inexorably towards trial**
  - ❖ Insight into what the children are saying
  - ❖ Exposes the numerous “complaints” that are outright fabrications or distorted out of all proportion
  - ❖ Creates a fixed “moment in time” snapshot that can help identify PAS if new complaints arise afterwards
  - ❖ Forces the AP to get involved in solving the situation or to expose that they have no interest in actually solving the situation

# Lessons from Failed Therapy

- **Therapist failed to challenge the stuck family system**
- **Therapist used wrong approach**
- **No fixed goal/timeline**
- **Therapy Undermined by Aligned parent, by extended family, by children (including text messages)**
- **Lack of supporting Court Order and case management and non-contact Order**
- **Lack of guidance/support for the targeted parent**
- **Failure to understand “normative” parenting/ overly critical of targeted parent. Targeted parent parenting capacity impairments rarely rise to the level of material causes, particularly given the high standard for what is emotional abuse and the wide range of parenting styles that are within acceptable norms**

# Lessons From Successful Reintegration

- **The aligned parent is subject to/fears loss of custody/ no contact order**
- **Therapy is Court Ordered and meets the criteria of “reconciliation therapy”**
- **Targeted parent has lots of support and guidance**
- **Aligned parent told that they need to “get with the program” and stop trying to convince everyone how abusive the targeted parent is**
- **Child “protected” from AP passive-aggressive behaviour**

# Mistakes in Targeted Parent Strategy

## ▪ **Overplaying your hand**

- ❖ If some flaws in the case, such as TP contribution to the estrangement, take a softer approach regarding the rhetoric and the remedy requested
- ❖ Blustering about going to Trial knowing that the money is not there
- ❖ Not having the logistical arrangements to care for the children full-time even if custody awarded
- ❖ Living out of town
- ❖ Reversal of custody after years of no or limited contact is not likely. Better is to ask for return to the very Court order that has been violated, with additional protections and remedies

## ▪ **Not having the work schedule and/or logistical and family support to properly parent the children even if you got more time with them**

- ❖ Assessors want to know your Plan of Care
- ❖ Come in prepared with a fully-developed Plan

# Working With the Targeted Parent

- **Epiphany once hears of PAS – but don't become a public evangelist about it – solve your own case first**
- **Assessment coaching – manage carefully to avoid artificiality but ensure presentation ties in to Diagnostic and “theory of the case”**
- **Parenting skills (you need a license to drive a car but ...)**
  - ❖ Gould text re state-of-the-art parenting capacity
  - ❖ Jayne Major's course
  - ❖ Other courses and books – influential with Judges
  - ❖ Give up activities; make choices; delay new relationships
- **Dealing with alienated children through unconditional love, no guilt, move forward and a thick skin**
- **Educate TP and extended family – often they are counter-rejecting or come on too strong in an effort to make up for lost time**

# Working With the Targeted Parent

- **Monitor their emotional and financial resources and their support from family and friends – can they stay the course?**
- **Another quote from *The Terminator* (1984):**

**SARAH (angry):** *“Look, Reese, I didn't ask for this honour and I don't want it. Any of it.”*

**KYLE REESE:** *“John gave me a message for you. Made me memorize it. 'Sarah'...this is the message... 'Sarah, thank you. For your courage through the dark years. I can't help you with what you must soon face, except to tell you that the future is not set... there is no such thing as Fate, but what we make for ourselves by our own will. You must be stronger than you imagine you can be. You must survive, or I will never exist.' That's all.”*

# Acting for the Targeted Parent

- **Requires a multi-faceted skill-set**
  - ❖ Substantive law of custody and access
  - ❖ Procedural law
  - ❖ Mental health literature
  - ❖ Social sciences literature
  - ❖ Parenting capacity and best practices literature
  - ❖ Mental health practitioner professional standards and best practices for forensic investigations
- **Empathy, yet emotional objectivity**
  - ❖ Desperate, frustrated, suffering, consumed parents caught in a dynamic that no parent could ever anticipate or be prepared for make mistakes - counsel needs to be the objective consult and avoid emotional entrapment
- **Leadership skills and The Warrior Ethos**
  - ❖ *I will always place the mission first. I will never accept defeat. I will never quit. I will never leave a fallen comrade*

# POP QUIZ

1. Who is Richard Gardner?
2. Why the need to understand a differential diagnosis?
3. Can we change an aligned parent?
4. Name two key tools to capture the story.
5. Is all therapy the same?
6. What type of therapy works (sometimes) with PA?
7. What is the role of collaterals?
8. Name two mistakes targeted parents often make.
9. Name three tactics aligned parents use.
10. What country (besides the US) has made the greatest contribution towards understanding and solving PA?

# A SECURITIES LAWYER IN FAMILY-LAW- LAND PART 2

*Quote from "The Matrix"*

Cypher pours Neo a drink from a large jug. He hands it to him.

**Cypher (to Neo): You know,... I know what you're thinking; because right now I'm thinking the same thing. Actually, I've been thinking it ever since I got here.....**

*Why, oh why, didn't I take the blue pill?*

# PARENTAL ALIENATION

How Can the Targeted Parent Help the Professionals and the Court Get it Right

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