

# Is it PA? Or is it Child Abuse? Or is It Bad Parenting?

IDENTIFYING CAUSES OF PARENT REJECTION WHEN  
ABUSE AND ALIENATION ARE ALLEGED

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## Eliminate Justifiable Causes **Before** Considering Unjustifiable Causes

- ▶ If there are justified causes, then, on logical grounds alone, rejection cannot be unjustified.
- ▶ The justifiable causes must be eliminated first.

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## Assessment Issues

- ▶ 3 justifiable causes must be assessed
    - ▶ Child Sexual Abuse (CSA)
    - ▶ Psychological Maltreatment/Emotional Abuse (PM)
      - ▶ Bad Parenting (BP)
- BEFORE
- ▶ Unjustified rejection due to Parental Alienation (PA) can be assessed

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## Specific Assessment Factors are Associated with Each Cause

- ▶ Experts, attorneys, and judges need to understand the *specific factors* that must be assessed to decide allegations of CSA, PM, BP vs. PA.

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## Assessment Protocol 1

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- ▶ Drozd, Olesen, & Saini (2013) – Decision Trees for Parenting Plan & Child Custody Evaluations
  - ▶ Itemizes multiple causes
  - ▶ Includes normal development
  - ▶ Organizes evidence for each
    - ▶ CSA neglected
- ▶ Sequence of assessing each cause omitted

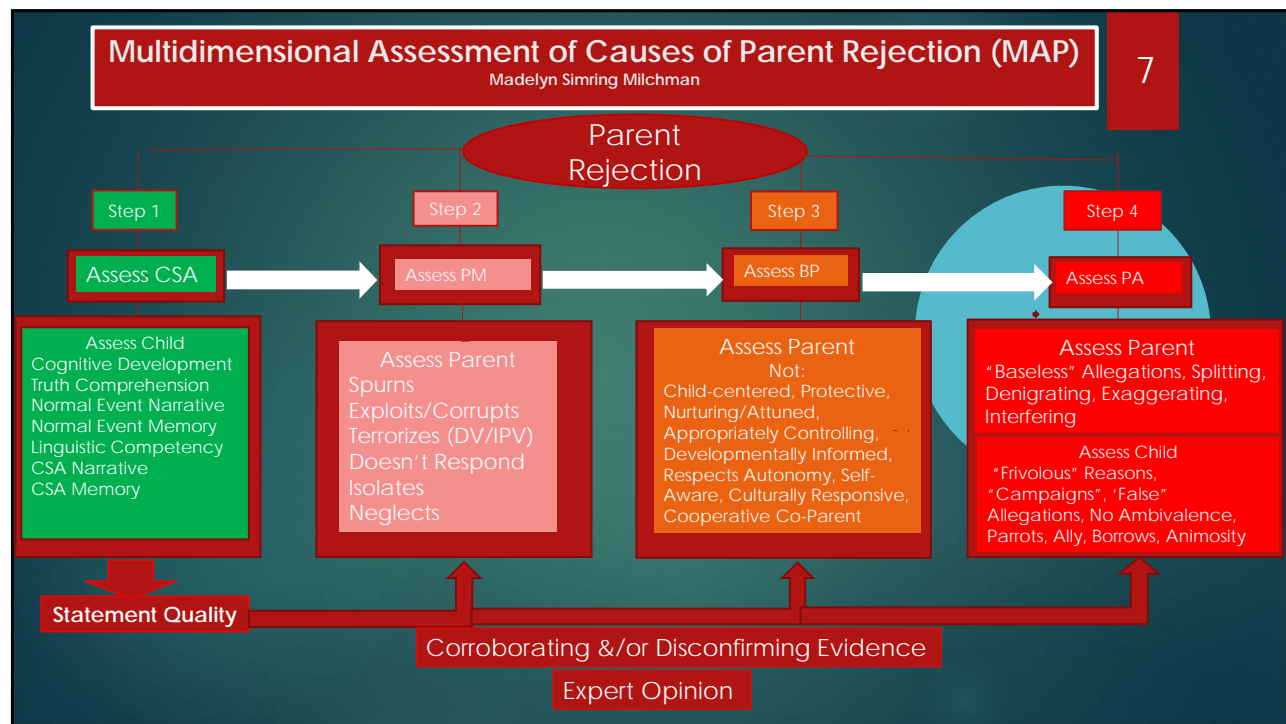
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## Assessment Protocol 2

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- ▶ Milchman (APSAC, 2020; *IVAT Handbook*, 2021) – Multidimensional Assessment of Causes of Parent Rejection (MAP)
  - ▶ Builds on Drozd et al (2013)
  - ▶ Omits normal development
    - ▶ Adds CSA focus
  - ▶ Adds sequential organization

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## CSA Disclosure Characteristics

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- ▶ There are no characteristics of CSA allegations and/or the CSA disclosure process that are *invariably* associated with known abuse – no checklist, no scorecard
- ▶ But there are characteristics of allegations and disclosure that are associated with known abuse in many cases:
  - ▶ informative; specific; child's pov; idiosyncratic detail; event-specific detail; precocious and no other exposure; organized (attend to developmental issues and intelligence); symptoms related to specifics of event(s) (not only general distress)

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## Sources for Abuse Assessment Factors

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- ▶ The specific evidence needed to assess each justifiable cause is based on scientifically validated research on the factors associated with that cause.
  - ▶ CSA - Research on children's memory, language, suggestibility, truthfulness, Criterion-Based Content Analysis, trauma, abuse disclosure, sexual behavior (Milchman, [2021]. Assessing causes of children's parent rejection in child custody cases: Differentiating parental alienation from child sexual abuse, psychological maltreatment, and bad parenting. In R. Geffner, J.W. White, L.K. Hamberger, et al. (Eds.) *Handbook of Interpersonal Violence and Abuse Across the Lifespan: A Project of the National Partnership to End Interpersonal Violence Across the Lifespan (NPEIV)*. NY: Springer Nature.
  - ▶ PM - *APSAC Practice Guidelines (2019): The Investigation and Determination of Suspected Psychological Maltreatment of Children and Adolescents*.
  - ▶ BP - Research on parenting in divorce (Drozd, L.M., Olesen, N.W., & Saini, M.A. [2013]. *Parenting plan & child custody evaluations: Using decision trees to increase evaluator competence & avoid preventable errors*. Sarasota, Fla. Professional Resource Press) and parenting competency (Teti, D.M., Cole, P.M., Cabrera, N., Goodman, S.H., McLoyd, V.C. [2017]. *Social Policy Report. Supporting Parents: How Six Decades of Research Can Inform Policy and Best Practice*. Washington, DC: Society for Research in Child Development/SCRD.

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## Sources for PA Assessment Factors

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- ▶ There are no scientifically validated factors for PA (Saini et al., 2012, 2016).
- ▶ The specific evidence needed to assess PA is based on **proposed** PA factors.

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## Problems Identifying PA

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- ▶ The factors are not defined in terms of generally observable behaviors.
- ▶ They are inferences from case-specific examples.
 

Jonathan greets his father with a sneer and says, "I hate you, jerk."  
 Reunification therapist asks, "What has your father done that makes you hate him?" Jonathan replies, "Who cares? He doesn't have to do anything. He's just an idiot." Father says, "When you want to tell me why you hate me, I want to know." Jonathan replies, "Never, asshole." Father gives Jonathan gifts – they reflect his interests. Jonathan rips the wrapping off, tosses the gifts aside, and says "they're cheap." At end of session, Jonathan leaves first – with the gifts. His father, crying, says "I don't know what to do."
- ▶ But case-specific behaviors can't be generalized.
- ▶ The factors can just as logically be interpreted as indicating abuse.

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## The Risk of Misinterpreting PA: Are Parents' "Alienating" Behaviors Actually Protective Behaviors?

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### PA Factors: Parent's Actions

1. Baseless allegation
2. Contact interference
3. Negative Statements:  
Denigrating, Exaggerating,  
Devaluing, "Splitting"

### Abuse Interpretation: Parent's Actions

1. How do you know?
2. Protective parenting?
3. In general or limited to abuse?

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## The Risk of Misinterpreting PA Child Factors 1-2: Are Children's "Alienated" Behaviors Actually Abuse-Related?

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### PA Factors:

#### Child

1. False allegations
2. Frivolous reasons

### Abuse Interpretation:

#### Child

1. How do you know?
2. What makes a reason "frivolous"?

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## "Frivolous" is Obviously an Inference – Not a Behavioral Observation

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- ▶ "Frivolous" allegations violate **adult logic**  
BUT
- ▶ Illogical reasons could be defensive
  - ▶ Reduce negative emotions: dissociation, numbing, denial, minimization, rationalization, avoidance
- ▶ Illogical reasons could be adaptations to threat
  - ▶ Covering up real reasons
  - ▶ Crying out for help

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## The Risk of Misinterpreting PA Factors 3-4: Are Children's "Alienated" Behaviors Actually Abuse-Related?

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### PA Factors:

#### Child

- 3. Campaigning
- 4. No ambivalence

### Abuse Interpretation:

#### Child

- 3. Indiscriminate negative statements or abuse-specific?
- 4. Too angry?

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## The Risk of Misinterpreting PA Factors 5-8: Are Children's "Alienated" Behaviors Abuse- Related?

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### PA Factors: Child

- 5. Parroting
- 6. Automatic alliance
- 7. Borrowed scenarios
- 8. Spread of animosity

### Abuse Interpretation: Child

- 5. Is the parent parroting the child?
- 6. Alliance for what? Safety - Enhance credibility? Curry favor of good parent?
- 7. Or shared experiences?
- 8. Is extended family taking sides?

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## Caution Using the MAP Protocol to Identify PA

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- ▶ Identify PA cautiously because generalizable behaviors are not yet identified:
  - ▶ Look for **child's** behaviors that **affirmatively contradict** possible **justifiable causes** – e.g., vague statements, no signs of defensiveness, no history of trauma symptoms, affect inconsistent with content and with defensiveness or trauma symptoms, other
  - ▶ Look for **favored parent's** behaviors that **affirmatively corroborate** unreasonable **interference** with child's relationship with other parent
  - ▶ Look for **rejected parent's** behaviors that **affirmatively corroborate** pre-separation **positive** relationship with child

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## Observable Behaviors –Evidence Discrediting PA Factors 1,2

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### PA Factor 1: "False" allegations

*Behavioral Observations:* Steps 1-3 indicated that child's abuse allegations had the statement characteristics associated with many known abuse allegations and the disclosure process

### PA Factor 2: "Campaigning"

*Behavioral Observations:* Who is the child telling? Why? Possible helpers? Anyone at all?

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## Observable Behaviors –Evidence Discrediting PA Factors 3,4

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### PA Factor 3: "Frivolous" reasons

*Behavioral Observations:* To detect defensiveness and/or adaptations to threat, look for refusal to answer abuse-specific questions; changes in affect, behavior, demeanor in response to abuse-specific questions; contradictions between the child's statements and the factual record

### PA Factor 4: "Not ambivalent"

*Behavioral Observations:* Black/white thinking in general or angry abuse-related thoughts?

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## Observable Behaviors – Evidence Discrediting PA Factors 5,6

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### PA Factor 5: "Parroting"

*Behavioral Observations:* Parent reports statements with child's pov; child thinks critically about non-abuse issues

### PA Factor 6: "Alliance"

*Behavioral Observations:* Child is normally independent; child knows of past and current threats; child expresses some negative thoughts about favored parent

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## Observable Behaviors - Evidence Discrediting PA Factors 7,8

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### PA Factor 7: "Borrowed scenarios"

*Behavioral Observations:* Distinctive details of shared experiences

### PA Factor 8: "Spread of animosity"

*Behavioral Observations:* Family is making accusations against child to child and/or others

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## Conclusion

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- ▶ CCEs with abuse and PA allegations are complex.
- ▶ Simple one-cause assessments are dangerous.
- ▶ Always collect evidence that is cause-specific.
- ▶ Rely on *all the evidence* in formulating an expert opinion. Explain why you gave some evidence more importance than other evidence.
- ▶ Make recommendations that are tightly tied to your expert opinion.

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