

**Review of Parental Alienation** by Dr, Monty N. Weinstein, Psy.D; MPA, FAPA,

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The topic and phenomenon of Parental Alienation (“PA”) is an area which encompasses issues not only in the U.S. but in Europe and the Middle East. Any mental health professional who is cognizant of the issues involving divorce and custody understands the epic proportion of the phenomenon of PA. I am using the term “phenomenon” because unfortunately, the lack of knowledge by some mental health professionals about this disorder has led to nonrecognition of PA as a psychiatric disorder in the DSM V.

The book “Parental Alienation - The Handbook for Mental Health and Legal Professionals”- edited by Lorandos, Bernet and Sauber, describes the systematic and methodical removal of children because of the combative nature of the courts which has created an adversarial atmosphere between the divorcing parents. This book goes into a comprehensive analysis of the sum attributes and qualities of PA, its meaning, and how various contributors describe this phenomenon. It also goes into the criteria for diagnosing PA, such as a campaign of denigration of one parent against the other and accentuating frivolous rationalizations for the child’s criticism of the targeted parent. This book gives a detailed analysis of techniques used against the targeted parent which results in PA.

It also goes into the criteria developed by the authors and other mental health professionals for the diagnosis of PA and sets forth the children must manifest two or more of six attitudes and behaviors for PA to be defined. These are lack of ambivalence towards devaluating the

alienated parent, the child's "independent thinker phenomenon," reflexive support of the alienating parent against the targeted parent, absence of guilt over exploitation and mistreatment of the targeted parent, borrowed scenarios by child from alienating parent, and spread of child's animosity towards the targeted parent's extended family.

One of the issues with utilizing these criteria is that one cannot *carte blanche* declare that PA exists in a particular child without first doing a longitudinal analysis over a period of time to validate specific criteria. A problem is that I do not perceive the scientific methodology behind these criteria even though. If these reactions are just momentary over the span of a contentious divorce one does not necessarily know that it will continue post divorce. The book goes into long term consequences of PA but the scientific methodology behind PA still needs to be developed so that it can be generally accepted by the scientific community. It is also important to note that understanding PA is an art that has to be navigated and analyzed in each individual case rather than making deductive generalizations amongst a group of generalized children.

The book also goes into the role of the attorney in PA in representing the targeted parents and sets forth a map on how the attorney can carefully document PA events. It is noteworthy that the book clarifies that every moment in the child's life prior to onset of PA must be carefully documented and analyzed to offer a base line and contrast when PA starts. There are a number of salient recommendations to attorneys practicing this field, such as encouraging the child to have a good relationship with the targeting parent. However, I disagree with this recommendation as an attorney should not get involved in mental health counseling and become a fact witness although he needs a good understanding of PA.

There has been a great deal of criticism on how the courts have handled PA. According to some authors, the courts have historically mishandled this phenomenon by not recognizing it and making the expert explain PA exhaustively. The courts throughout the US have fostered the adversarial relationship between the parents which has a negative residual effect on the children. Rather than trying to foster cooperation between the parents the courts sanction endless litigation.

Of extreme interest is Dr. Amy Baker's interpretation of the *Daubert* and *Frye* decisions - the landmark decisions dealing with the admissibility of scientific evidence in court. In *Frye v. U.S.*,<sup>1</sup> the court found that for a scientific principle to be admitted it must be "sufficiently established to have gained general acceptance in the particular field in which it belongs." In *Daubert v. Merrel Dow Pharmaceuticals (1993)*, the Supreme Court set forth guidelines for admitting scientific expert testimony. The judge plays the role of gate keeper in allowing in the evidence and the expert testimony must be derived from the scientific method as well as being subject to peer review and generally accepted in the scientific community.

While there are several cases presented in the book from various jurisdictions where PA was accepted, the book does not delineate why PA is accepted in one jurisdiction but not the other or how PA meets the *Daubert* standards. This may be so because each state has its "own spin" on *Daubert* based on the political climate of the state. Unfortunately in too many states the courts, instead of following this nationwide enunciated standards, defer to the state legislative or executive bodies. Many of the Psychology Boards have a vested interest in discrediting PA since their members have independent practices which thrive on the divorce industry.

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<sup>1</sup>The authors omitted the citations of these cases

However, in Georgia, for example, where I have testified on numerous occasions, the courts have exercised their judicial independence and credited PA despite the vehement opposition to this disorder from the Georgia Board of Psychologists.

In sum, this book is an excellent primer on how to define PA from both a legal and psychological perspective. The editors created a comprehensive analysis of how PA is being utilized by mental health and legal professionals and the case studies will assist practitioners in avoiding the pitfalls of misusing the concept of PA.