



Knowledge and Attitudes About the Parental Alienation Syndrome: A Survey of Custody Evaluators

Amy J. L. Baker

To cite this article: Amy J. L. Baker (2007) Knowledge and Attitudes About the Parental Alienation Syndrome: A Survey of Custody Evaluators, *The American Journal of Family Therapy*, 35:1, 1-19, DOI: [10.1080/01926180600698368](https://doi.org/10.1080/01926180600698368)

To link to this article: <https://doi.org/10.1080/01926180600698368>



Published online: 15 Dec 2006.



Submit your article to this journal [↗](#)



Article views: 282



Citing articles: 9 View citing articles [↗](#)

Knowledge and Attitudes About the Parental Alienation Syndrome: A Survey of Custody Evaluators

AMY J. L. BAKER

Vincent J. Fontana Center for Child Protection, New York, USA

A survey study (response rate $n = 106$, 75.7%) was conducted of professional custody evaluators to assess their beliefs and attitudes about the parental alienation syndrome (PAS). Three overarching research questions were addressed: (1) To what extent do custody evaluators endorse the concept of PAS (2) How, if at all, do custody evaluators assess PAS and aspects of it (including general quality of parent-child relationship, extent to which child has been coached and/or is unduly influenced, and extent of parental personality disorders associated with PAS), and (3) What factors were associated with the proportion of cases that evaluators concluded PAS had occurred. Results revealed general consensus regarding the concept of PAS (familiarity with it, importance of measuring it) as well as several areas of disagreement (whether it should be included in the DSM, whether it meets Daubert and Frye standards). Evaluators who reported greater familiarity with PAS also reported having cases with more good faith allegations of it, which itself was associated with concluding that PAS had occurred in a greater number of cases. Findings suggest several avenues for improved practice and for future research.

Forensic psychiatrist Richard Gardner (1998) defined the parental alienation syndrome (PAS) as a disorder that arises primarily in the context of child custody disputes. Its primary manifestation is the child's unjustified campaign of denigration against a parent, which results from a combination of a programming (brainwashing) parent's indoctrinations and the child's own contributions to the hatred of the targeted parent. Gardner was careful to note

Address correspondence to Amy J. L. Baker, Vincent J. Fontana Center for Child Protection, 590 Avenue of the Americas, New York, NY 10011. E-mail: AmyB@NYFoundling.org

that in cases of bona fide abuse or neglect, a child's estrangement and/or anger towards the offending parent did not constitute PAS. The concept was only applicable for explaining a child's *unwarranted* rejection. Since Gardner's introduction and explication of the concept, it has achieved both widespread acceptance as well as been the focus of controversy (see for example Warshak, 2001b). One contributing factor to the debate is the lack of sufficient empirical data regarding construct validity. The current literature is only about 20 years old and, thus, still in its relative infancy. Moreover, the majority of books and articles on the topic of parental alienation syndrome and parental alienation are theoretical, descriptive, or proscriptive. The work of Darnall (1998), Rand (1997a,b), Waldron and Joanis (1996), Walsh and Bone (1997), and Warshak (2001a) are examples of such efforts in the field to define and/or describe alienating behavior (although Baker & Darnall, 2006, have offered a comprehensive list of the strategies alienating parents appear to use in service of alienation).

The purpose of the current study was to determine the extent to which this lack of consensus was also reflected in the daily practice of the professionals charged with making decisions directly affected by PAS: child custody evaluators. Too little is known about whether they endorse the concept, what measures, if any, they use to assess it, and correlates of their assessment conclusions. In fact the only other such study is an unpublished paper by Nicholas (1997) in which the majority of 21 custody evaluators reported that the PAS occurred in about one third of their cases.

LITERATURE REVIEW

By some estimates, close to 40% of all children will experience the divorce of their parents, with a significant number of these divorces resulting in child custody disputes that are ultimately resolved through judicial decision (Bahr, Howe, Mann, & Bahr, 1994). The gold standard in the field for guiding judicial discretion in this area is "The best interest of the child" (BICS). BICS, however, has been attacked as lacking operational specificity (Mnookin, 1975) and, in fact, at least three different sets of standards have been proposed for assessing the child's best interest: federal guidelines, state guidelines, and guidelines offered by professional organizations.

Federally, the Uniform Marriage and Divorce Act (UMDA 1973, 1975) offers general criteria for determining the child's best interest, including (a) the wishes of the child's parents with respect to custody; (b) the wishes of the child as to his/her custody; (c) the interaction and interrelationship of the child with his or her parents, his/her siblings, and any other person who may significantly affect the child's best interest; (d) the child's adjustment to home, school, and community; and (e) the mental and physical health of all individuals involved. The parent's interference with the child's relationship

with the other parent and the child's response to that interference (PAS) is not explicitly mentioned.

States have also developed guidelines for assessing BICS. For example, Michigan—widely considered a leader in this area (Gould, 1998)—identified 12 factors for consideration, including “any other factor considered by the court to be relevant to a particular child custody dispute.” (722.23 Act 91 of 1970). Of particular relevance is item j, “The willingness and ability of each of the parties to facilitate and encourage a close and continuing parent-child relationship between the child and the other parent.” A review of all 50 state lists of relevant factors, however, revealed that the concept of PAS was not consistently included.

The American Psychologist Association (APA) in 1994 offered guidelines in order to bring greater consistency to the field. As guidelines, “they are not intended to be either mandatory or exhaustive. The goal of the guidelines is to promote proficiency in using psychological expertise in conducting child custody evaluations” (p. 1). APA offers the following outline of what factors should be taken into consideration in assessing the best interests of the child,

parenting capacity of the prospective custodians in conjunction with the psychological and developmental needs of each involved child. This involves (a) an assessment of the adults' capacities for parenting, including whatever knowledge, attributes, skills, and abilities, or lack thereof, are present; (b) an assessment of the psychological functioning and developmental needs of each child and of the wishes of each child where appropriate; and (c) an assessment of the functional ability of each parent to meet these needs, including an evaluation of the interaction between each adult and child. The values of the parents relevant to parenting, ability to plan for the child's future needs, capacity to provide a stable and loving home, and any potential for inappropriate behavior or misconduct that might negatively influence the child also are considered. Psychopathology may be relevant to such an assessment, insofar as it has impact on the child or the ability to parent, but it is not the primary focus (p. 2).

Although two of Gardner's books are cited in the resource section, the concept of parental alienation syndrome per se is notably absent from the guidelines themselves. In contrast, draft 5 of the guidelines under development by the Association of Family and Court Conciliators (AFCC) stated that the evaluator shall assess the quality of the relationship between the contesting parties including, “the ability of the parent to support the child's relationship with the other parent.” By draft 6, this statement had been removed. Guidelines have also been developed by the American Academy of Child and Adolescent Psychiatry (AACAP) regarding child custody evaluations (1997). In these guidelines, specific language can be found regarding parental alienation, as

1 of 17 issues to be considered. Specifically, “In a custody dispute a child may appear to be extremely hostile toward one of the parents. The child finds nothing positive in the relationship with that parent and prefers no contact. The evaluator should assess this apparent alienation and hypothesize its origins and meaning, since there are several possible routes to this outcome” (p. 3).

It was also instructive to examine the primary texts in the field as a way to gauge the extent to which PAS is considered a relevant concern in child custody evaluations. This produced a mixed picture. Skafte’s (1985) practical guide does not reference parental alienation syndrome nor its constituent concepts, including idealization of one parent at the expense of the child’s relationship with the other, undue influence (programming, brainwashing) of the child against one parent, loyalty conflicts, and so forth. She states that for the most part children prefer the parent who best meets their needs. Both Bricklin (1995) and Schutz, Dixon, Lindenberger, and Ruther (1989), however, recognize parental alienation syndrome as a relevant—although not necessarily pivotal—factor. Bricklin and colleagues have developed several measures to assess unconscious material using non-verbal data. Specifically, they aim to assess, “The degree to which a child seeks psychological “closeness” (positive interactions with) each parent; and the types of action tendencies (dispositions to behave in certain ways e.g., assertively, passively, aggressively, fearfully, etc.)—adaptive as well as maladaptive—the child has had to develop to permit or accommodate interaction with each parent” (p. 80). Two of these measures have been subjected to large-scale psychometric analysis (Bricklin & Halbert, 2004a, 2004b). However, Lafortune and Carpenter (1998) as well as Otto, Edens, and Barcus (2000) question the validity and utility of these and other “custody-specific” psychological measures until additional scientific validation can be documented. More recently Flens (2005) echoed these concerns. Stahl (2003) endorsed the concept of PAS, although in order to do so he drew on Kelly and Johnston’s (2001) reworking of it rather than Gardner’s original conceptualization, (as do Lee & Olesen, 2001). Nonetheless, Stahl does not offer any specific guidelines for measuring PAS in child custody evaluation.

In sum, parental alienation syndrome as a concept is omitted from both APA and federal guidelines, is included in some but not all state guidelines, and is specifically mentioned in guidelines for psychiatrists and in an earlier draft by AFCC. PAS or some version of it is mentioned in several of the leading texts in the field, some of which provide specific suggestions for measuring it and/or factoring it into the final custody analysis.

At a practical level it remains unknown whether and how custody evaluators make decisions regarding one parent’s attempts to undermine and interfere with the child’s relationship with the other parent—despite the fact that some form of brainwashing and parental influence has been found to

occur in the vast majority of disputed custody cases (Clawar & Rivlin, 1991; Gardner, 1998).

One reason for the dearth of information is that to date the focus of research in the field has been on general evaluation practices and the use of psychological testing. Despite the lack of explicit focus on PAS, many of these studies provide some insight regarding its import for the field. For example, in Keilin and Bloom's (1986) seminal study, 82 mental health professionals rated on a 9-point scale the importance of 21 factors in shaping custody recommendations, one of which was related to PAS, "Parent often attempts to alienate the child from the other parent by negatively interpreting the other parent's behavior." This item received the second highest mean rating, 7.2 (out of 9). Ten years later, Ackerman and Ackerman (1997) replicated this study with a sample of 201 psychologists. They found that the rating of this item increased almost a full point, to 8.1. Similarly, the item "parent is more tolerant of the other parent's visitation" received a mean rating of 6.2 in 1986 and 7.5 in 1997. It cannot be known whether the increase in importance of these items was due to heightened awareness of the issues of parental alienation, changes in sampling strategy, or other unmeasured factors. Bow and Quinnell (2001) also surveyed close to 200 custody evaluators about their practices and procedures. Their specific aim was to determine the extent to which reported practice was consistent with APA guidelines, which they did find to be the case. They also found that evaluators rated as very important (mean of 8.3 on a 10-point scale) Michigan's point J, "The willingness and ability of each of the parties to facilitate and encourage a close and continuing parent-child relationship between the child and the other parent." Horvath, Logan, and Walker (2002) aimed to overcome some of the inherent limitations of self-report surveys by conducting a review of 60% ($n = 82$) of custody evaluations in one circuit court in a two-year period. However, they did not include any analysis of parental alienation, as they utilized a combination of APA guidelines and Clark's (1995) evaluation recommendations to generate a list of key concepts on which to rate the charts. Their primary conclusion was that insufficient attention was paid to issues of child abuse, domestic violence, substance abuse, and emotional instability (all of which may be related to PAS, Baker, 2005a).

Thus, a survey of the extant research literature indicates that the concept of parental alienation has not yet been explicitly examined in surveys of custody evaluators. Nonetheless, the existing findings reflect the potential of PAS to be a pivotal factor. Clearly more needs to be known about the extent to which custody evaluators endorse the concept of PAS (and related constructs) and how, if at all, they aim to assess it. The current study was conducted to begin to address this gap in the knowledge base. Specifically, this study addressed the following three general research questions (1) how do evaluators understand and regard the concept of PAS, (2) how, if at all, do evaluators measure PAS, and (3) what are the correlates of evaluator

conclusions regarding the occurrence of PAS. With this knowledge, practice wisdom can be shared among professionals and gaps in the measurement knowledge base can be identified and addressed in future research.

METHODS

A survey study was conducted in the Winter of 2005–2006. The full membership list of the Professional Academy of Custody Evaluators (PACE) constituted the sample base. To be a member of PACE, professionals must be currently licensed by a state board of examiners to practice a mental health specialty at the independent practice level; hold a doctoral or master's degree in a mental health specialty from a university/college that is regionally accredited; have a specified number of years of custody evaluation experience, during which the applicant has independently conducted a minimum number of comprehensive custody evaluations; and have a specified number of endorsement letters. All submitted documents to the academy by prospective members are verified for accuracy and authenticity. Currently there are 158 members in 26 states. No philosophical orientation towards PAS or custody evaluation in general is necessary for membership in PACE.

All members were included in the mailing. Of this sample, 18 were eliminated because they no longer conducted custody evaluations, had invalid addresses and could not be located by other means, or had deceased. Of the 140 remaining valid sample, 104 returned completed surveys, resulting in a response rate of 75.7%. Of the 34 non-respondents, 9 indicated their refusal to participate while 25 did not return the survey or respond to nearly a dozen combined personal e-mails, phone calls, and follow-up mailings (although a few reported that they had in fact returned the survey).

Sample

Participants were between 33 and 72 years of age ($M = 56.3$, $SD = 6.9$); 77 were male. They had been practicing custody evaluators between 1 and 49 years ($M = 18.8$, $SD = 8.0$). About two thirds were solo practitioners. All but 14 had doctoral level degrees.

The Survey

The survey was comprised of 112 questions and fit on 5 pages. Of relevance to this study were the following 34 questions. To address the first research question of the study, to what extent do custody evaluators endorse the concept of PAS, 14 items on the measure were included: (1) How familiar are you with the concept of parental alienation syndrome (coded on a four-point scale of not at all = 0 to very much = 3); (2) How possible do you

think it is for a parent to turn a child against the other parent even when that other parent has not abused/neglected/abandoned the child (coded on a four-point scale of not at all = 0 to very much = 3); (3) How important do you think it is to determine whether PAS has occurred (coded on a four-point scale from not at all = 0 to very much = 3); (4) How many judges that you work with endorse the concept of PAS (coded on a five-point scale from none = 0 to all = 4); (5) How many attorneys that you work with endorse the concept of PAS (coded on a five-point scale from none = 0 to all = 4); (6) Do you believe that the current knowledge about PAS meets the Frye standards in your state (no = 0, yes = 1, don't know or not applicable = 66); (7) Do you believe that the current knowledge of PAS meets the Daubert standards in your state? (no = 0, yes = 1, don't know or not applicable = 66); (8) In what proportion of your cases are intentional false allegations of PAS made? (Coded on a five-point scale from none = 0 to all = 4); (9) In what proportion of your cases are genuine allegations of PAS made (coded on a five-point scale from none = 0 to all = 4); (10) In what proportion of your cases are intentional false allegations of sexual abuse made? (Coded on a five-point scale from none = 0 to all = 4); (11) In what proportion of your cases are genuine allegations of sexual abuse made (coded on a five-point scale from none = 0 to all = 4); (12) Would inclusion of PAS in the DSM impact your work? (coded on a four-point scale from not at all = 0 to very much = 3); (13) Do you believe that PAS should be included in the DSM (no = 0, yes = 1); and (14) In what proportion of cases do you conclude that PAS has occurred (open-ended numerical response).

To address the second research question regarding how, if at all, PAS and related issues are measured, the following 20 questions were included on the survey: Seven questions asked about the frequency of assessment of the following factors: (1) willingness and ability of each parent to facilitate and encourage a close and continuing parent-child relationship with the other parent; (2) PAS; (3) personality disorder of parents; (4) anti-social personality of parents; (5) attachment of parent and child; (6) undue influence on child in the evaluation process; and (7) deception on the part of parents in the evaluation process (coded on a five-point scale from never = 0 to always = 4). Seven questions (8–14) asked about the confidence of assessing the same factors (coded on a four-point scale from not at all = 0 to very much = 3). (15) One open-ended question asked about how PAS was measured (responses were categorized and coded as present/absent for each type). (16) The survey also included a closed-ended item regarding assessment of PAS with the following response options (make a global judgment, code on all 8 factors, other); (17) a closed-ended item regarding assessment of deception (knowledge of human behaviors, documentation of facts, psychological testing); (18) a closed ended item regarding role of targeted parent in PAS (coded from never = 0 to always = 4), (19) a closed-ended item regarding importance of measuring PAS (coded from not at all = 0 to very

much = 3); and (20) an open-ended item regarding difficulty in assessing PAS.

RESULTS

To address the first research question, we began with frequency distributions of the relevant items, the results of which are presented in Table 1. As can be seen, around three fourths of the sample reported that they were very familiar with the concept of PAS, believed it was in fact possible for one parent to turn a child against the other parent (in the absence of abuse or neglect) and that it was important to assess PAS in the context of a child custody evaluation. Regarding impact of inclusion in the DSM, the group was mixed, with 41.3% stating it would not have an impact on their work, about one fourth believing it would very much have an impact, with the remaining third believing it would have only somewhat of an impact. Likewise, about one third indicated that they believed it should be included in the DSM.

Turning next to evaluators' reports of endorsement of the concept by judges and attorneys, the picture was again mixed. One fourth of the sample was not sure how many of the judges with whom they worked endorsed the concept and all but a few of the rest reported equally that some or most did. Regarding attorney endorsement of the concept, the vast majority of evaluators reported that some, most, or all attorneys endorsed the concept.

TABLE 1 Frequency Distributions of Research Question 1 Items

	Not at All	A Little	Somewhat	Very Much	Don't	
Familiarity with PAS	01.9	01.9	14.2	82.1		
Possible for parent to turn	00.0	00.0	29.2	70.8		
Important to assess PAS	01.9	02.9	18.4	76.7		
Impact of inclus. in DSM	41.3	00.0	32.7	26.0		
	None	A Few	Some	Most	All	Know
Judges endorse PAS	01.9	09.5	24.8	28.6	8.6	26.7
Attorneys endorse PAS	00.9	11.3	21.7	41.5	11.3	13.2
Cases with false alleg. PAS	08.6	36.2	46.7	08.6	00.0	
Cases with genuine alleg. PAS	04.0	31.0	53.0	12.0	00.0	
Cases with false allege sex abuse	03.8	51.0	41.3	03.8	00.0	
Cases with genuine alleg. sex abuse	05.8	50.0	37.5	06.7	00.0	
	No	Yes	N/A	DK		
% think PAS meets Frye	23.6	30.2	06.6	39.6		
% think PAS meets Daubert	33.3	16.2	06.7	43.8		
% think PAS be in DSM	50.0	33.7	—	16.3		
% concluded PAS occurred	N	%				
0	13	12.7				
1–25	75	73.5				
26–50	13	12.7				
51–75	01	01.0				
76–100	00	00.0				
Missing = 4						

Most evaluators had experience with false allegations of PAS (in a few or some of their cases). Only 8.6% of the evaluators said that it never occurred (These proportions matched those for false allegations of sexual abuse, only 3.8% reported it never happened). Likewise, genuine allegations of PAS were common (as were genuine allegations of sexual abuse.) Quite interesting was that about half the sample was unsure whether PAS met the Frye or Daubert standards in their state. The final question in Table 1 pertained to the proportion of cases in which PAS was determined to have occurred. Only 12.7% of the sample reported that they never concluded PAS occurred. About three fourths reported that it occurred in 1% to 25% of their cases. Thirteen percent reported that PAS occurred in 26% to 50% and 1% of the evaluators reported that PAS occurred in 51% to 75% of their cases. The average number of cases in which PAS was determined to have occurred was 11.2% (SD = 13) and the range was 0% to 55%. By way of comparison, the mean proportion of cases in which sexual abuse was thought to have occurred was 7.0%.

To address the second research question regarding measurement of PAS, frequency distributions were calculated; these are presented in Table 2. First, 7 variables assessed evaluator frequency of assessing factors relevant to PAS. Results revealed that the vast majority (about 90%) reported always assessed willingness of parents to support child's relationship with other parent as well as parent-child attachment. About two thirds of the evaluators reported always assessing parental personality disorders, anti-social personality of parents, undue influence of the parents on the child's involvement in the evaluation, and deception of the parents. Slightly less than half of the evaluators reported always assessing PAS.

Regarding confidence of these assessments, responses varied. Almost all reported feeling very confident in their assessment of parent-child attachment; about two thirds reported feeling very confident in their assessments of the willingness of parents to support the child's relationship with the other parent, parental personality disorders, and anti-social personality of parents. About half the evaluators reported feeling very confident in their assessment of PAS, while less than half reported feeling very confident about their assessments of parental deception and undue influence of the parents on the child.

The vast majority of the evaluators reported believing that the targeted parent sometimes, often, or always played a role in the alienation (only 6% said that the targeted parent never or rarely played a role). When making judgments regarding PAS, about one third reported that they made a global judgment, half reported making judgments based on Gardner's 8 factors, and half also reported some other means for assessing PAS. When checking the veracity of statements made by parents the vast majority reported using their general knowledge about human behavior, documentation of facts, psychological testing, as well as other means (usually discussion with collaterals). Means used for assessing PAS included interviews (71.2%), observations

TABLE 2 Frequency Distribution of Research Question 2 Items

	Never	Rarely	Sometimes	Often	Always	
Frequency of Assessment						
Willingness of parents	00.0	01.0	00.0	05.8	93.3	
PAS	01.0	04.9	29.1	18.4	46.6	
Personality disorder	00.0	01.0	06.7	22.1	70.2	
Anti-social personality	00.0	01.9	14.6	13.6	69.9	
Attachment	00.0	00.0	01.9	08.7	89.4	
Undue influence on child	01.0	02.9	07.8	20.4	68.0	
Deception of parents	02.0	01.0	06.9	15.8	74.3	
Confidence in Assessments						
	Not at all	A Little	Somewhat	Very Much		
Willingness of parents	00.0	02.8	31.1	66.0		
PAS	03.8	06.6	33.0	56.6		
Personality disorder	00.0	01.9	30.8	67.3		
Anti-social personality	00.0	01.9	31.1	67.0		
Attachment	00.0	01.9	12.3	85.8		
Deception of parents	00.0	05.7	56.6	37.7		
Undue influence on child	01.9	06.6	44.3	47.2		
Role of TP						
	Never	Rarely	Sometimes	Often	Always	DK/NA
Role of TP	01.0	04.9	37.3	32.4	13.7	10.8
Type of PAS Judgment						
	Yes					
Global	38.1					
8 Factors	56.2					
Other	47.1					
Check Veracity of Statements						
	Yes					
Knowledge of human behavior	83.0					
Documentation of facts	98.1					
Psychological testing	85.8					
Other	87.9					
Means Used for Assessing PAS						
Observations	39.4					
Interviews	71.2					
Testing	28.8					
History	24.2					
Collaterals	33.8					
Fact checking	05.9					
Difficulty Assessing PAS (n = 81)						
Deception and coaching of AP	19.8					
Methodology	17.3					
Role of child	08.6					
Nothing difficult	07.4					
Role of targeted parent	07.4					
Not a syndrome/not accepted syndrome	07.4					
Judgment calls, he said/she said	04.9					
Time and effort	04.9					
Motivation of AP	03.7					
PAS vs. estrangement	02.5					
Don't know	02.5					
Miscellaneous	09.9					

(39.4%), discussions with collaterals (33.8%), testing (28.8%), history (24.2%), and fact checking (5.9%). The final question addressed difficulty in assessing PAS. Open-ended responses were coded into the following categories: deception of alienating parent ($n = 19.8\%$), lack of clear methodology ($n = 17.3\%$), contribution of child ($n = 8.6\%$), nothing is difficult ($n = 7.4\%$), it is not a syndrome/not accepted as a syndrome ($n = 7.4\%$), judgment calls and the problem of he said/she said ($n = 4.9\%$), time and effort ($n = 4.9\%$), discerning motivation of alienating parent ($n = 3.7\%$), differentiating PAS versus estrangement ($n = 2.5\%$), don't know what is difficult ($n = 2.5\%$), and miscellaneous/uncodable responses ($n = 9.9\%$).

The final research question explored the correlates of the proportion of cases in which the evaluator concluded that PAS had occurred. Possible correlates included age and gender of evaluator, number of years conducting evaluations and number of evaluations conducted to date, frequency of PAS assessments, confidence in PAS assessments, importance of assessing PAS, familiarity with concept, endorsement of belief that it is possible for a parent to turn a child against the other parent, rating of judge and attorney endorsement of concept, and prevalence of good faith and false allegations of PAS. Of these 13 variables, 5 were statistically associated in bivariate analyses with proportion of cases in which it was concluded that PAS had occurred (see Table 3): frequency of assessing PAS ($R = .30$, $p < .003$), confidence in such assessments ($R = .23$, $p < .022$), importance of assessing PAS ($R = .20$, $p < .044$), belief that it is possible for a parent to turn a child against the other parent ($R = .26$, $p < .008$), and proportion of cases in which evaluator believed that good faith allegations of PAS were made ($R = .42$, $p < .001$). These five variables were entered into a stepwise linear regression analysis,

TABLE 3 Bivariate Correlates of % cases Evaluator Concluded PAS Occurred

Variable	r
Age of evaluator	-.03
Gender of evaluator	.09
Years doing C.E	.02
Total C.E conducted	-.15
Frequency assess PAS	.30**
Confidence in assessment	.23*
Importance of assessing PAS	.20*
Familiarity with concept	.16
Possible to turn child	.26**
% judges endorse PAS	-.12
% attorneys endorse PAS	-.16
% good faith allegations	.42***
% false allegations	.09

* = $p < .05$; ** = $p < .01$; *** = $p < .001$.

which resulted in one statistically significant effects: proportion of good faith allegations of PAS (beta = .43).

In light of the significant role of evaluator rating of proportion of good faith allegations, a second set of bivariate associations was conducted, this time on this variable (with same correlates listed above). Results revealed eight statistically significant effects: Frequency of assessing PAS ($R = .35$, $P < .001$), confidence in assessing PAS ($R = .39$, $p < .001$), familiarity with PAS ($R = .39$, $p < .001$), belief that it is possible for a parent to turn a child against the other parent ($R = .24$, $p < .016$), rating of importance of assessing PAS ($R = .35$, $p < .001$), belief in judges endorsing concept ($R = -.29$, $p < .003$), belief in attorneys endorsing concept ($R = -.32$, $p < .001$), and frequency of cases with false allegations of PAS ($R = .26$, $p < .008$). A multiple regression revealed that three of these variables were statistically significant in the multivariate analyses: familiarity with concept (change in r-square = .16, $p < .001$), confidence in assessing PAS (change in r-square = .09, $p < .001$), and belief that more judges endorse concept (change in r-square = .04, $p < .026$).

DISCUSSION

This study was conducted in order to examine the beliefs of custody evaluators about the concept of PAS, and the ways in which these front line professionals incorporate the concept in their daily decisions about the custody and visitation schedules for children and families involved in post divorce custody litigation. The response rate for participation was just over 75%, well above other published studies in the field, ranging from a low of 40% (Bow, Quinnell, Zaroff, & Assemany, 2002; Ackerman & Ackerman, 1997) to a high of 63% (Keilin & Bloom, 1986).

The first notable finding pertains to the general agreement among the respondents regarding their familiarity with the concept, their belief that it is in fact possible for one parent to turn a child against the other parent (in the absence of abuse or neglect), and the importance of assessing PAS in child custody evaluations. Almost all of the responding evaluators rated these items as either "somewhat" or "very much," suggesting that despite the conflict in some areas of the professional community (i.e., Johnston & Kelly, 2001), among the frontline professionals there is some agreement about the core concept of PAS. These findings can contribute to resolution of the ongoing debate regarding the validity of this construct in light of the extensive first hand experience and lack of agenda of the members of this sample. Many of the other parties involved in child custody evaluations have a vested interest in the existence (or lack thereof) of PAS. Parents clearly have an agenda to promote or discredit the concept of PAS, depending upon their own position in their case. Children, too, are unreliable reporters as to whether they have

been (and can be) manipulated. Likewise, attorneys are charged with doing or saying whatever they need to (within the bounds of law) in order to win their case (which may include adamant support for the concept or vehement criticism of it, depending upon the utility of the concept in any given case). Similarly, friends and family members of the sparring parents will likely support whatever claim they believe will further the cause of the people with whom they have an allegiance. But, custody evaluators can be trusted to weigh in on the existence of this concept, without having a pre-existing agenda. Presumably they have nothing to gain or lose in their assessment of the validity of the concept. And they have done so. Over 70% of the survey respondents reported that they very much believe that it is possible for a parent to turn a child against the other parent in the absence of abuse, neglect, or abandonment (essentially a restatement of the core idea of PAS), and 75% said that they very much thought it was important to measure PAS in their evaluations. These data—along with studies of “adult children of PAS” (Baker, 2005a, 2005b, 2005c)—contribute to the cumulative knowledge base regarding validity of the construct.

Despite the largely conceptual agreement regarding the existence of PAS, there were areas in which consensus was not found, such as whether PAS should be included in the next edition of the DSM. Less than half endorsed this goal. Explanations focused on it being a familial dynamic rather than an individual disorder, lack of valid measurement tools, and disagreement with the notion of a syndrome (that is, are all eight components necessary for diagnosis?). Thus, the evaluators as a group believed in the central tenet of PAS without uniformly believing that it is an individual psychiatric disorder with a definable set of diagnosable criteria.

There was also lack of consensus regarding whether PAS meets Frye and Daubert standards. One notable finding herein was that almost half of the evaluators reported being unsure as to whether PAS did meet Frye and Daubert standards. This suggests that more information needs to be made available to evaluators as to definitions of these standards, the states in which they apply, and the most current court rulings pertaining to acceptance/rejection of PAS vis a vis these federal guidelines. This finding was consistent with a recent report that even judges do not fully understand and/or accurately apply Daubert standards to testimony pertaining to psychological syndromes (Dahir et al., 2005).

Identification of the barriers to acceptance of PAS in Frye and Daubert standards might offer directions for future research. For example, one aspect of Daubert that evaluators felt PAS did not currently meet was having a known error rate. To that end, researchers could conduct a program of research that aims to document the validity of various assessment tools for measuring PAS. Through a set of related studies, researchers could establish (with a variety of methodologies) the extent to which independent ratings of PAS are consistent with each other and with a known criterion. However, it is important to note

that other key constructs in the field of custody evaluation, such as child sexual abuse, also are susceptible to both type 1 and type 2 errors (Pence & Wilson, 1994).

Nonetheless, expertise is needed in the area of PAS assessment as about half of the evaluators reported that intentional false allegations were made in some or most of their cases. This is consistent with the open-ended responses about ways in which assessing PAS causes difficulty. Most frequently cited factors included deception on the part of the alienating parent, the contribution and denial of the affected child, contributing role of targeted parent, and the general “he/said she said” nature of custody evaluations. Evaluators reported utilizing a range of tools for assessing PAS including observations, interviews, chart reviews, fact checking, and testing. Future research could look more closely at exactly what tests, observations, interview questions, and facts are utilized in this endeavor. That was beyond the scope of this survey but would make an important contribution to the collective knowledge base of clinical practice in this field.

Taken together, these findings point to the need for prospective construct validation research efforts. One possible approach would be a chart review study that allowed two independent researchers to code completed custody evaluations (with statements regarding existence of PAS removed) according to the presence/absence of each of Gardner’s eight components of PAS. A global assessment of presence/absence of PAS should also be made by two other independent researchers. Inter-rater reliability could be assessed in order to calculate the error rate. A preliminary study of this type was conducted by Rueda (2004) with a small sample of only five cases. He reported 80% agreement among the raters. Replications by other researchers in other geographic locations with other populations could ultimately lead to an accumulated knowledge base regarding error rates of PAS assessments. Such a study could also help determine the contribution of the eight factors to the overall rating. Ideally, a diagnostic criteria would be developed that specified which (and in what strength/frequency/duration/intensity) of the eight factors are necessary and in which combination in order for a classification of PAS to be made. This seems to be the kind of nuts and bolts information that the field requires in order to resolve some of the long-standing issues regarding the validity of the construct.

Another notable finding pertained to the frequency with which PAS and related constructs were actually assessed. Surprisingly, in light of the degree of endorsement of the concept, fully one third of the evaluators reported assessing PAS only sometimes, rarely, or never. An argument could be made for universal assessment of PAS, if for no other reason than thoroughness of evaluation and as a “rule-out” even in cases where it appears to not be an issue. Presumably, all cases that require a custody evaluation involve contentious and conflicted interpersonal relationships between the opposing parents, a scenario that is ripe for PAS. Unfortunately, the survey did not

ask the respondents why they did not assess PAS in all cases and such an item should be included in future efforts in this area. Identification of the barriers to universal PAS screenings should be identified. Systemic barriers in particular should be addressed, such as insufficient time and financial resources for complete PAS assessments (these were both mentioned by some respondents).

Significant portions of the custody evaluators also reported that they did not always assess the undue influence of the parent on the child. Further, confidence in relevant assessments was not uniformly high. Particularly low confidence rates were associated with deception of parents, undue influence on child, and PAS itself. This suggests that evaluators recognize the infallibility of making fully accurate judgments and perhaps need more clearly delineated methodologies for assessing deception and influence. Clawar and Rivlan (1991) offer detailed information (with extensive case examples) regarding assessment of undue influence on a child in the context of custody litigation. Perhaps evaluators would benefit from familiarizing themselves with Clawar and Rivlin's (1991) checklist of 19 possible signs that a child is being brainwashed and/or programmed by one parent against the other parent. Opportunities for sharing practice wisdom regarding assessment of these and related constructs should be made available. Again, reliability and validity of different assessment tools (for different populations) should be tested.

Interestingly, when asked directly how determinations of PAS were made, only half reported that they specifically used Gardner's eight factors, while about one third reported making a global judgment. Half also reported using some "other" technique but most did not describe what it was. This suggests, again, a possible lack of uniformity in the field for concluding presence of PAS, which could contribute to low confidence rates.

Nonetheless, almost all evaluators reported concluding that PAS occurred in at least some portion of their cases. The proportion ranged from 1% to 55%, with an average of 11.2%. This rate was somewhat higher than the 7% rate for sexual abuse findings. Thus, although the absolute rate of PAS cases is somewhat low (on average), it is higher than that of sexual abuse and translates into alarming figures in terms of absolute numbers. For example, just looking at the data from this sample, approximately 2,903 cases of PAS were identified by these evaluators alone (11.2% of each evaluators reported total number of evaluations). Thus, the extent of this problem is potentially quite large and warrants the same degree of attention from researchers as the problem of sexual abuse, which by contrast has been the focus of extensive clinical, theoretical, and empirical investigation (e.g., Briere & Elliot, 1994; Finkelhor, 1994; Kendall-Tackett, Williams, & Finkelhor, 1993).

The third research question also produced some interesting findings. Of 13 possible correlates of the proportion of cases in which each evaluator concluded that PAS had occurred, five variables were statistically significant

at the bivariate level, one of which remained significant in the multivariate analyses: proportion of cases in which good faith allegations of PAS were made. A second set of correlations revealed that confidence in addressing PAS, familiarity with the concept of PAS, and belief that judges endorse the concept were all associated with good faith allegations. These data suggest an indirect pathway from familiarity, confidence in assessment, and belief in value of making such a conclusion and belief that good faith allegations being made, to concluding that PAS occurred. In light of the exploratory nature of these analyses, they should be replicated prior to any definitive explanations being endorsed. With that caveat in mind, a tentative explanation is offered. It seems quite plausible that evaluators who are familiar with the concept of PAS hear and interpret statements made by possible targeted parents in the context of PAS—even if the parents themselves are not familiar with the term. Likewise, evaluators confident in their assessment and familiar with the concept may ask questions and make observations with a sensitivity towards this factor. It is also possible that evaluators who are familiar with the concept are known in the field and attract clients who believe that PAS is occurring. In these various ways, familiarity with the concept and confidence in assessing it would be associated with good faith allegations. The next step could also be explained by evaluator reputation. That is, evaluators known for familiarity with the concept attract clients for whom this is a pressing issue. This would account for the association between frequency of allegations and evaluator conclusions that PAS has occurred. These data highlight the importance of familiarity with key concepts in the field and confidence in assessment tools for thorough assessment and accurate conclusions. As most evaluators responded to being either “somewhat” or “very much” familiar with the concept, it was this distinction that was associated with the findings. The role of belief in attorney endorsement of the concept and belief in good faith allegations is less clear and warrants further attention. At a minimum it appears that belief that attorneys do not endorse the concept reduces the likelihood that evaluators will conclude it occurs.

And, finally, limitations of the study need to be noted. First, although the response rate was high, the overall sample was still relatively small, just over 100. In addition, all members of the sample belonged to the Professional Academy of Custody Evaluators. Although there is no reason to suspect that completion of the survey or membership in PACE would be associated with key constructs under investigation including endorsement and/or assessment of PAS, these findings would be replicated within other samples of custody evaluators in order to establish their generalizability. A second limitation pertained to the nature of the data collected. In no case were respondents required to review actual charts and report specific proportions based on a chart review. All data were self-reported estimates made by the evaluators. It is possible that there is inherent bias, resulting in under- or over-reporting

of certain experiences. Third, a few items of particular interest could not be reported on because of conceptual problems in the questions. For example, one open-ended question asked “what psychological mechanisms allow PAS to occur.” Some evaluators focused on aspects of the alienating parent (revenge, jealousy) while others focused on vulnerabilities in the child (fear of abandonment, difficulty maintaining relationships with conflicting parents). Because the space for answering the question was somewhat limited, it cannot be known whether the responses provided represent an evaluator’s complete response or simply the first choice response based on limited space. Therefore, these data were omitted from the analysis. For all these reasons, these data represent a first attempt to understand the utilization of the concept of parental alienation syndrome in the professional community of custody evaluators. The data highlight several avenues for improved practice as well as suggest important directions for future research.

REFERENCES

- Ackerman, M. J., & Ackerman, M. C. (1997). Custody evaluation practices: A survey of experienced professionals (revisited). *Professional Psychology: Research and Practice, 28* (20), 137–145.
- American Psychological Association. (1994). Guidelines for child custody evaluations in divorce proceedings. *American Psychologist, 49*, 677–680.
- Bahr, S., Howe, J., Mann, M., & Howe, M. (1994). Trends in child custody awards: Has the removal of the maternal preference made a difference. *Family Law Quarterly, 28*, 247–260.
- Baker, A. J. L. (2005a). Patterns of parental alienation: A qualitative research study. *American Journal of Family Therapy, 34*, 1–16.
- Baker, A. J. L. (2005b). The cult of parenthood: A qualitative study of adult children of parental alienation. *Cultic Studies Review, 4*, 1.
- Baker, A. J. L. (2005c). The long-term effects of parental alienation: A qualitative research study. *American Journal of Family Therapy, 33*, 289–302.
- Baker, A. J. L., & Darnall, D. (2006). Behaviors and strategies of parental alienation: A survey of parental experiences. *Journal of Divorce and Remarriage, 45*, 97–124.
- Bow, J. N., & Quinnell, F. A. (2001). Psychologists’ current practices and procedures in child custody evaluations five years after American Psychological Association Guidelines. *Professional Psychology: Research and Practice, 32*(3), 261–268.
- Bow, J. N., Quinnell, F. A., Zaroff, M., & Assemany, A. (2002). Assessment of sexual abuse allegations in child custody cases. *Professional Psychology: Research and Practice, 33*(6), 566–575.
- Bricklin, B. (1995). *The custody evaluation handbook*. New York: Bruner/Mazel.
- Bricklin, B., & Halbert, M. H. (2004a). Can child custody data be generated scientifically? Part I. *American Journal of Family Therapy, 32*(2), Mar–Apr 2004, 119–138.
- Bricklin, B., & Halbert, M. H. (2004b). Perception-of-relationships test and bricklin perceptual scales: validity and reliability Issues Part II of two parts. *American Journal of Family Therapy, 32*(3), May–Jun 2004, 189–203.

- Briere, J. N., & Elliott, D. M. (1994). Immediate and long-term impacts of child sexual abuse. *Future of Children, 4*, 54–69.
- Clark, B. K. (1995). Acting in the best interest of the child: Essential components of a child custody evaluation. *Family Law Quarterly, 29*, 20–38.
- Clawar, S., & Rivlin, B. V. (1991). *Children held hostage*. Chicago: American Bar Association.
- Dahir, V. B., Richardson, J. T., Ginsburg, G. P., Gatowski, S. I., Dobbin, S. A., & Merlino, M. L. (2005). Judicial application of Daubert to psychological syndrome and profile evidence. *Psychology, Public Policy, and Law, 11*, 62–82.
- Darnall, D. (1998). *Divorce casualties: Protecting your children from parental alienation*. Dallas: Taylor Publishing.
- Finkelhor, D. (1994). Current information on the scope and nature of child sexual abuse. *Future of Children, 4*, 31–53.
- Flens, J. R. (2005). The responsible use of psychological testing in child custody evaluations: Selection of tests. *Journal of Child Custody, 2* (1/2), 3–27.
- Gardner, R. (1998). *The parental alienation syndrome: A guide for mental health and legal professionals*. Cresskill, NJ: Creative Therapeutics.
- Gould, J. W. (1998). *Conducting scientifically crafted child custody evaluations*. Thousand Oaks, CA: Sage.
- Herman, S. P., & Bernet, W. (1997). Practice parameters for child custody evaluation. *Journal of the American Academy of Child & Adolescent Psychiatry, 36*(10S) Supplement, 57S–68S.
- Horvath, L. S., Logan, T. K., & Walker, R. (2002). *Professional psychology: Research and Practice, 33*(6), 557–565.
- Johnston, J. & Kelly, J. B. (2001). Rejoinder to Gardner's "Commentary on Kelly and Johnston's 'The alienated child: A reformulation of parental alienation syndrome.'" *Family Court Review, 42*, 622–628.
- Keilin, W. G., & Bloom, L. J. (1986). Child custody evaluation practices: A survey of experienced professionals. *Professional Psychology, Research and Practice, 17*(4), 338–346.
- Kelly, J., & Johnston, J. (2001). The alienated child: A reformulation of parental alienation syndrome. *Family Court Review, 39*(3), 249–266.
- Kendall-Tackett, K. A., Williams, L. M., & Finkelhor, D. (1993). Impact of sexual abuse on children: A review and synthesis of recent empirical findings. *Psychological Bulletin, 113*, 164–180.
- Lafortune, K. A., & Carpenter, B. N. (1998). Custody evaluations: A survey of mental health professionals. *Behavioral Science and the Law, 16*(1), 5–20.
- Lee, M., & Olesen, N. (2001). Assessing parental alienation in child custody and access evaluations. *Family Court Review, 39*(3), 282–298.
- Mnookin, R. (1975). Child custody adjudication and judicial function in the face of indeterminacy. *Law and Contemporary Problems, 39*, 226–293.
- Nicholas, L. (1997). Does parental alienation exist? A preliminary empirical study if the phenomenon in custody and visitation disputes. Paper presented at the 13th annual symposium of the American College of Forensic Psychology, Vancouver, British Columbia, Canada.

- Otto, R. K., Edens, J. F. & Barcus, E. H. (2000). The use of psychological testing in child custody evaluations. *Family and Conciliation Courts Review*, 38(3), 312–340.
- Pence, D. M. & Wilson, C. A. (1994). Reporting and investigating child sexual abuse. *The Future of Children*, 4(2), 70–83.
- Rand, D. C. (1997a). The spectrum of parental alienation syndrome Part I. *American Journal of Forensic Psychology*, 15(3), 23–52.
- Rand, D. C. (1997b). The spectrum of parental alienation syndrome Part II. *American Journal of Forensic Psychology*, 15(4), 39–92.
- Rueda, C. A. (2004). An inter-rater reliability study of parental alienation syndrome. *American Journal of Family Therapy*, 32(5), 391–403.
- Schutz, B. M., Dixon, E. B., Lindenberger, J. C., & Ruther, N. J. (1989). *Solomon's Sword: A practical guide to conducting child custody evaluations*. San Francisco, CA: Jossey-Bass.
- Skafta, D. (1985). *Child custody evaluations: A practical guide*. Newbury Park, CA: Sage Publications.
- Stahl, P. (2003). Understanding and evaluating alienation in high conflict custody cases. Unpublished document.
- Uniform Marriage and Divorce Act. (1979). Uniform Laws Annotated.
- Waldron, K. H., & Joanis, D. E. (1996). Understanding and collaboratively treating parental alienation syndrome. *American Journal of Family Law*, 10, 121–133.
- Walsh, M. R., & Bone, M. J. (1997). Parental alienation syndrome: How to detect it and what to do about it. *The Florida Bar Journal* 73(3), 93–96.
- Warshak, R. (2001a). *Divorce Poison*. New York: Regan Books.
- Warshak, R. (2001b). Current controversies regarding parental alienation syndrome. *American Journal of Forensic Psychology*, 19(3), 29–59.