

# Exposing Misinformation and Public Policy Deception Contained in

*Child Safety First: Preventing Child Homicides During Divorce, Separation, and Child Custody Disputes — Recommendations for Reforming U.S. Family Courts*





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Divorce, Separation, and Child Custody Disputes —  
Recommendations for Reforming U.S. Family Courts***

**Created by**

**Parental Alienation Study Group  
Brentwood, Tennessee, USA**

**and**

**Global Action for Research Integrity in Parental Alienation  
Morelia, Michoacán, México**

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© Parental Alienation Study Group  
1562 Timber Ridge Drive  
Brentwood, Tennessee, USA, 37027  
[william.bernet@vumc.org](mailto:william.bernet@vumc.org)

© Global Action for Research Integrity in Parental Alienation  
Xengua 106, Bosque Camelinas  
Morelia, Michoacán, México, 58290  
[a.mendoza@garipa.org](mailto:a.mendoza@garipa.org)

Principal Authors: Rabbi Yaakov Aichenbaum and William Bernet

Reviewers: Jennifer J. Harman and Stan Korosi

Contributors: Lena Hellblom Sjögren, Rael LaPenta, Alejandro Mendoza-Amaro, and Claudia Ovalles

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## Contributors

This document was developed and written by the following individuals. The principal authors were:

- Rabbi Yaakov Aichenbaum, M.A., is special education professional. He is a member of the Parental Alienation Study Group and is active in correcting misinformation about parental alienation. [info@parentalalienationisreal.com](mailto:info@parentalalienationisreal.com)
- William Bernet, M.D., is Professor Emeritus, Vanderbilt University School of Medicine, Nashville, Tennessee. He is the president of the Parental Alienation Study Group. [william.bernet@vumc.org](mailto:william.bernet@vumc.org)

Additional contributors included:

- Jennifer J. Harman, Ph.D., is Associate Professor of Social and Health Psychology, Colorado State University, Fort Collins, Colorado. Dr. Harman has focused her research on power and intimate relationships and various aspects of parental alienation theory. [jennifer.harman@colostate.edu](mailto:jennifer.harman@colostate.edu)
- Lena Hellblom Sjögren, Ph.D., is an investigative forensic psychologist in Sweden. Dr. Hellblom Sjögren has conducted research regarding parental alienation for more than 25 years. She wrote a book regarding parental alienation as a violation of the child's human rights. [lenahellblomsjogren@gmail.com](mailto:lenahellblomsjogren@gmail.com)
- Stan Korosi, Ph.D., M.Couns., is a clinical sociologist and counsellor and an Adjunct Fellow at the School of Law and Society, University of the Sunshine Coast, Australia. He is the director and principal consultant of a consulting practice specializing in alienation assessment and remediation. [skorosi@usc.edu.au](mailto:skorosi@usc.edu.au)
- Rael LaPenta is a consultant with Behavioral & Sensory Solutions and is the director of Mothers Against Child Abuse (MACA). [RespectfullyPAC@gmail.com](mailto:RespectfullyPAC@gmail.com)

- Alejandro Mendoza-Amaro, M.D., Ph.D., a Mexican researcher, was the founder of Global Action for Research Integrity in Parental Alienation. He has held different notable positions in the Michoacán Ministry of Health. [a.mendoza@garipa.org](mailto:a.mendoza@garipa.org)
- Claudia Ovales is a veteran advocate with the National Parents Organization and is the chairperson of Heroes for Children's Rights. [heroesforchildrensrights@gmail.com](mailto:heroesforchildrensrights@gmail.com)

This document is the product of two international organizations, which educate mental health and legal professionals and the public regarding parental alienation theory, including research, practice, and related topics:

- Parental Alienation Study Group (PASG) is a nonprofit corporation founded in 2010 with the purpose of educating mental health and legal professionals and the general public regarding parental alienation. PASG consists of 900 members in 65 countries. (Additional information is available at [www.pasg.info](http://www.pasg.info) ).
- Global Action for Research Integrity in Parental Alienation (GARI-PA) is an international nonprofit organization that investigates and corrects scientific fraud that relates to parental alienation. (Additional information is available at [www.garipa.org](http://www.garipa.org) ).

In addition, this document has been endorsed by the leadership of 84 organizations representing thousands of concerned scientists, professionals, and stakeholders who represent very broad support for our conclusions and recommendations. (See Appendix D for the list of endorsers.)



## Introduction

Scientific misinformation (e.g., cigarettes not causing cancer [Oreskes & Conway, 2010]) proliferates through social media, entertainment news, and the internet. Scientists are slowly realizing that the problems of public health and social inequity cannot be solved without addressing the growing problem of misinformation (West & Bergstrom, 2021). This document addresses the misinformation contained in the Center for Judicial Excellence’s publication, *Child Safety First: Preventing Child Homicides During Divorce, Separation, and Child Custody Disputes — Recommendations for Reforming U.S. Family Courts*. The implications of *Child Safety First* are significant. The CJE recommendations negatively influence the physical and emotional well-being of children, women, and men. Not only do the recommendations affect judicial discretion and due process, but they also threaten the very integrity of our legal system. As a result, it is crucial to warn policymakers, the public, and the media about the inherent biases, misinformation, and deceit that permeate the *Child Safety First* report.

## Background

The Center for Judicial Excellence (CJE) states in *Child Safety First* that its “mission is to protect child abuse and domestic violence survivors in the U.S. family court system and to foster accountability throughout the judicial branch” (p. 2). However, the CJE has completely ignored one group of abuse victims: victims of parental alienation, defined below. The CJE “began documenting child homicide cases involving divorcing, separating, or court-involved parents more than a decade ago” (p. 5). On July 15, 2023, the CJE released the *Child Safety First* report in which it is reported that 106 preventable child murders occurred in the USA due to systemic failures in the family court system. Based on a study of this data, the CJE has declared a “national crisis.” The report describes egregious problems that plague family courts and it recommends specific legislation to correct these problems. The layout and graphics of the report are very professional and the statistics and discussion are interspersed with pictures and vignettes of twelve murdered children who are profiled. Understandably, this report invokes a strong emotional reaction and it has received considerable attention in the media and on social networking platforms (see, for example <https://www.usatoday.com/story/news/nation/2023/07/17/child-deaths-during-custody-battles/70383774007/>).

## ***Analysis of Child Safety First***

A group of researchers carefully analyzed many facets of *Child Safety First* including: research methodology, the homicide data analysis, domestic violence statistics, policy recommendations, citation accuracy, and information about parental alienation. This analysis uncovered over fifty citations that were misrepresented, misquoted, or blatantly fraudulent. It also discovered significant flaws in the CJE research methodology. Finally, this analysis revealed considerable misinformation and disinformation about various topics.

While our hearts go out to the families of each of these tragedies, it is nevertheless our consensus that the CJE has engaged in widespread deception in its research, biased selection of citations, misinformation, science denial tactics, and other unethical practices. The mistakes and negligent research practices that are apparent in *Child Safety First* are so basic that any competent researcher would be aware of them and avoid them. If children are indeed being killed due to systematic failures in the court system, why does the CJE engage in such deception and why does it distort and misrepresent anecdotal stories to make their point? Consequently, the credibility of the CJE, its claims, and policy recommendations are compromised and should be approached with great caution and suspicion.

The following analysis will document numerous issues with the CJE report. It will also demonstrate the fallacies that the CJE recommendations are based upon. Finally, it will discuss how the CJE recommendations will not fix the problems it set out to address, but they will create many more problems and injustices.

## Executive Summary

The Center for Judicial Excellence (CJE) recently generated a [report](#), *Child Safety First*, that claims to have uncovered a crisis that is indicative of systemic problems in the family court system and that places countless children at risk each year. Based on the Center's non-peer-reviewed research, CJE proposes that significant changes are needed in the family court system to rectify this alleged crisis. While we agree that our family court system needs changes, we believe these changes should be based on facts and accurate data. Experts from the Parental Alienation Study Group and Global Action for Research Integrity in Parental Alienation dispute the Center's research and findings and contend that the CJE has engaged in academic disinformation and intentional public policy deception. The CJE report is inherently biased. It selectively appropriates scientific evidence about parental alienation, while denying scientific evidence that would discredit their report. As a result, these professionals feel that it is crucial to warn policymakers, the public, and the media about the inherent biases, misinformation, and deceit that permeate the *Child Safety First* report.

The nature and content of their recommendations make it clear that the CJE has been deceptive in its representations to Congress and to state legislatures across the country. Moreover, the proposed recommendations are apparently an attempt to control the judiciary branch in regard to: judicial discretion; admissibility of evidence; admissibility of expert witnesses; judicial training curriculum and who is qualified to administer such training; types of interventions that can be ordered; and more. The CJE recommendations would not have prevented most of the reported homicides. While protecting children is a goal that we all desire, *Child Safety First* is in reality a smokescreen to advance the CJE's anti-parental alienation agenda. Considering the factual distortions and ethical violations that the CJE has promoted in this report and in its other activities, it is negligent and reckless to give carte blanche credence to its policy recommendations.

Parental alienation has been described as a mental condition in which a child (usually one whose parents are engaged in a high-conflict divorce) allies strongly with one parent and rejects a relationship with the other parent without legitimate justification (Lorandos & Bernet, 2020, pp. 5–6). It is also a social and policy issue. Parental alienating behaviors are a form of coercive control which can adversely affect children and cause major public health issues. It is not gender specific; parental alienation theory and practice is a non-gendered social science inclusive of all forms of parent and caregiver relationships with children in all types of families.

It is not a ruse to deflect domestic violence allegations; rather, it is a form of domestic violence requiring coherent, non-gendered social and public health initiatives. There is an emerging scientific consensus on its prevalence, effects, and professional recognition of parental alienation as a form of child abuse (Harman, Kruk, & Hines, 2018). The CJE report neglects to cite any of the hundreds of empirical studies about parental alienation, its causes, long-term effects, and treatment options (Harman, Warshak, Lorandos, & Florian, 2022).

The Parental Alienation Study Group (PASG) is a nonprofit corporation founded in 2010 with the purpose of educating mental health and legal professionals and the general public regarding parental alienation. PASG consists of 900 members in 65 countries. Global Action for Research Integrity in Parental Alienation (GARI-PA) is an international nonprofit organization that investigates and corrects scientific fraud that relates to parental alienation. These groups carefully analyzed the CJE research methodology, reported data, citations, and recommendations. Our analysis revealed that in spite of its scholarly appearance, the CJE research contains significant methodological research flaws: over 50 citations that are fraudulent, misquoted, or misrepresented; untenable statistics; a lack of transparency in the data that the CJE claims is triangulated; cherry-picked citations that exclude relevant scientific research; science denial techniques; and outright misinformation about parental information and other topics. All of these flaws are documented in our analysis as well as inconsistencies between the CJE's profile of murdered children and documented facts about the cases.

The CJE claims that there are a considerable number of cases in which family court professionals in separation, divorce, custody, or child support proceedings were warned about an abusive parent's history of domestic violence, abusive behavior, and/or severe mental illness but decided to place children into unsupervised contact with the dangerous parent anyway, putting them at risk of harm and ultimately death. Based on this claim, the CJE makes numerous recommendations. The CJE went well beyond its limited data (which is mostly anecdotal) to suggest such policy changes. In general, policy recommendations should not be based on only a few studies or issued in the absence of conclusive evidence (Nielsen, 2014, 2015). Therefore, our analysis explains the fallacies of many of the CJE recommendations and the harm that they will cause.

While our hearts go out to the families of each of the tragedies that is depicted in the CJE report, it is nevertheless our consensus that the CJE has engaged in academic fraud and other unethical practices in the generation and promoting of the *Child Safety First* report. The CJE has created a moral panic that is not supported by the scientific literature. The claims that mothers are losing custody of children to abusive fathers claiming to have been alienated is

not supported. While CJE may cherry-pick anecdotal stories that are largely unverifiable, the cases do not reflect real life court cases. The mistakes and negligent research practices that are apparent in the report are so basic and outrageous that any competent researcher would be aware of them and avoid them. Accordingly, the credibility of the CJE, its claims, and policy recommendations are compromised and should be approached with great caution and suspicion.

The misinformation and science denial techniques that permeate *Child Safety First* are not unique; rather, they are rampant in the writings of parental alienation critics (Aichenbaum, Bernet, Cedervall, Harman, Mendoza-Amaro, & Sherry, 2023). It is alarming that recommendations from the *Child Safety First* report as well from [Joan Meier's \(2020\) controversial study](#) (see Harman & Lorandos, 2021) are being used to propose public policy changes. The CJE and other likeminded advocacy groups are vigorously promoting disinformation about parental alienation in the United States, to the Human Rights Council of the United Nations (Mendoza-Amaro, Aichenbaum, Bernet, Brzozowski, Hellstern, & Ludmer, 2023), and to the World Health Organization (<https://bit.ly/46ky9QU>) and other international bodies in order to influence public policy. It is equally worrisome that the U.S. State Department invited the CJE to speak to high level judges from nine African countries about the dangers of parental alienation (<https://bit.ly/3REZE3u>).

## Conclusions

All readers of the CJE *Child Safety First* report should consider it critically with extreme skepticism. They should be mindful that reports such as that issued by the CJE promote policies that have not been subjected to discussion with the relevant stakeholders. Parental alienation experts, shared parenting experts, and domestic violence organizations that do not harbor gender biases must be included in future stakeholder meetings regarding family court legislation and related issues.

In addition, it is incumbent upon elected officials to launch congressional and other inquiries into the activities and funding sources of the [Center for Judicial Excellence](#), the [National Family Violence Law Center](#), the [National Safe Parent Organization](#), and other groups who have been misrepresenting parental alienation science to federal and state governments. Children will only be properly protected from all forms of abuse when public policy is based upon the input of all stakeholders and legitimate scientific research, and not upon science denial campaigns. Representatives from PASG and GARI-PA are available to meet with elected officials, the

media, and other stakeholders to discuss the contents of our analysis and to answer questions about parental alienation. Please contact the authors and contributors via email or through the websites provided in this document.

## Crisis or Hype (The Statistics don't Match)

The Executive Summary of *Child Safety First* (<https://centerforjudicialexcellence.org/wp-content/uploads/2023/09/CJE-ChildSafety-ExecSummary.pdf>) states that “The Leadership Conference on Child Abuse and Interpersonal Violence estimates that at least 58,000 American children each year are court-ordered into visitation or custody with a dangerous parent. This is more than *three times* the rate of childhood cancer in the United States” (emphasis added) (p. 2). The Leadership Council actually states that “This is over *twice* the yearly rate of new cases of childhood cancer” ([https://drive.google.com/file/d/181RwJMEZanujoOpo1\\_1RF52txuHA0iE1/\\_view?usp=sharing](https://drive.google.com/file/d/181RwJMEZanujoOpo1_1RF52txuHA0iE1/_view?usp=sharing)) (emphasis added). This “statistic” is certainly alarming and seems to suggest that there is a crisis in the family court system. However, even a cursory examination of the Leadership Council’s estimate reveals its inconsistencies and inaccuracy. This estimate was not based on research and was not peer-reviewed. Joyanna Silberg of The Leadership Council relied on various articles that had been published between 1988 and 2005, as much as 35 years ago, and mathematically created this estimate. Although this estimate has subsequently appeared in dozens of publications, websites, testimony, and proposed legislation (See for example <https://bit.ly/3PKkfC9> ; <https://bit.ly/3ZAEIwb> ; <https://bit.ly/48aVFRM> ; <https://bit.ly/3r9kPzB> ; <https://bit.ly/3EFz7Lm>), it is an untenable estimate that no serious researcher would consider after reviewing its basis.

The Leadership Council says that one million children are affected by divorce each year. Only a small percentage of custody cases actually are decided by a trial. It is thought that somewhere under ten percent and closer to five percent of divorce cases end up in a litigated trial (e.g., [https://bit.ly/What\\_Percentage\\_of\\_Divorces\\_go\\_to\\_Trial](https://bit.ly/What_Percentage_of_Divorces_go_to_Trial)). Also, not all cases that go to trial involve custody issues; some deal solely with financial issues. Even among cases that do involve custody disputes, not all custody cases involve allegations of abuse. Also, not all allegations are true. In her study, Silberg was talking about alleged abuse, not actual or proven abuse. She said, “In at least 75% of cases the child is ordered into unsupervised contact with the alleged abuser.” But in actual custody trials, the judge must determine whether an “alleged abuser” is currently dangerous for their children. No one has ever attempted to identify the actual cases represented by the alleged “58,000 children.” The Leadership Council states that 50% to 73% of allegations are valid. In order to account for false allegations in her estimation, Silberg used a “conservative” estimate that 60% of allegations are valid. Silberg also opines that the percentage of valid allegations is probably closer to 70% and there are therefore really closer to 68,000 children that are ordered into custody with dangerous parents.

If we assume that 5% of divorce cases go to trial and that they all involve custody issues, then 50,000 children per year would be subject to court orders. Yet the Leadership Council claims that “58,000 American children each year are court-ordered into visitation or custody with a dangerous parent.” That is 8,000 children more per year than are subject to court orders and it also means that all court decisions ordered children into visitation with a dangerous parent. This is an untenable position (especially when it is considered that not all custody disputes involve abuse allegations).

Furthermore, the CJE itself reports that they documented “more than 940 child murders by a divorcing, separating or court-involved parent or parental figure since 2008” (p. 6). They identified 106 cases as “preventable homicides.” These figures are from the years 2008–2023. Assuming a fifteen-year span (excluding 2023 which is not yet over), there were an average of about 63 homicides and seven preventable homicides per year. This doesn't seem to match the Leadership Council's dire warnings that 58,000 children are court ordered into visitation and custody with dangerous parents. Judges and other court personnel are human and they can and do err, but the CJE statistics do not confirm that judicial error constitutes a crisis in the family court system.

We do not mean to undervalue the individual tragedy of each child homicide; yet this does not seem to be a crisis that warrants radical legislation that can cause considerable negative consequences. It seems inappropriate for the Leadership Council and the CJE to create hysteria by comparing child homicide to the rate of childhood cancer. The CJE also presents other unrelated statistics to create a sense of hysteria and urgency. For example, Kathleen Russell (the Director of the CJE) and Kathryn Spearman (one of the researchers of the CJE study) presented the CJE study at the Institute on Violence, Abuse, and Trauma Summit in April 2023. Slide #4 of the presentation's PowerPoint (<https://centerforjudicialexcellence.org/resources/ivat-conference-presentation/>) states that 21,449 children were murdered between the years 2008–2020. It then mentions that in 2013 the rate amounted to 1.9 per 100,000 and in 2020 the rate was 2.8 per 100,000. However, the 21,449 refers to *all childhood murders*, of which child custody cases constitute only a small percentage. The slide also mentions that homicide is the 4<sup>th</sup> leading cause of death for children under 18 in the US. This number is likewise misleading because this contains all murders including gang related and drug related homicides as well as homicides committed by parents that are a result of abuse and neglect that are not divorce or court related.

It will be demonstrated in this analysis that the inflated data of the CJE is no more than a tactic to promote a specific social agenda that includes the denial of parental alienation science and



the benefits of shared parenting legislation, the denial of the proliferation of false abuse allegations, and gender bias.

## **Summary**

The CJE claims that its study demonstrates that there is a crisis in the family court system that is responsible for preventable childhood homicides. The CJE statistics are not accurate and the reported data does not constitute a crisis or warrant the legislative changes that the CJE is endorsing. The hyperbolic language and comparisons that the CJE uses to emphasize the seriousness of this “crisis” serves as a smokescreen to cover-up real issues that the CJE denies and to promote its political agenda.



## Flaws in the CJE Preventable Homicide Research

The Center for Judicial Excellence (CJE) has produced a data base of 940 children killed by a parent in the U.S. when divorce, separation, custody, visitation, child support, or court-involvement is mentioned in media coverage. They then identified 106 cases with clearly reported system failure, where safety concerns were ignored, and where there was clear family court involvement prior to the death of a child. These are cases where reporters did in-depth reporting. By definition, the accuracy of these case details, whether they involved systemic failures in the court system and whether the homicides were preventable, are limited by what was reported in the media and by the media's potential biases to sensationalize a story.

The CJE homicide data base of 940 children killed by a parent in the U.S. *when divorce, separation, custody, visitation, child support, or court-involvement is mentioned in news coverage* suggests that there is a causal relationship between the homicides and the parent's divorce or separation. Nothing in the report corroborates such a correlation. There are many childhood deaths that are caused by abuse and neglect that are not related to the marital relationship of the parents. The CJE report does not take this into consideration. Therefore, the figure of 940 is not a statistically reliable number to base any causal relationship upon.

The CJE states that the 106 cases *are cases where reporters did in-depth reporting*. There is no elaboration in the report concerning how it was determined that there was in-depth reporting in these cases. The CJE also says, "Our research for this report is limited because it is based primarily on publicly available records and sources, which risk being incomplete and vary in depth and quality. We tried to mitigate this by reviewing and analyzing multiple independent sources of evidence" (p. 15). These other sources are not contained in the CJE report. The report does not reference police records or court transcripts, nor does it reference any media sources that do not agree with their assessment. We requested to see these sources (see Appendix C), the case inclusion and exclusion data, and all the data that was used to compile these statistics and conclusions from Ms. Kathleen Russell (CJE Executive Director) and from Ms. Kathryn Spearman (a researcher and reviewer of the report). We did not receive a reply from either of them. Transparency is an integral component of quality research, which to date seems to be lacking in the CJE report.

We reviewed media reports that are available on the internet for some of the 12 children who are profiled in the report. We did not discover any in-depth reporting in these cases that reveal systemic court failures that would have prevented these tragic homicides. We did find the following:

### **Kayden Mancuso and Four Other Pennsylvania Homicides**

The most famous of the cases is that of Kayden Mancuso. The report states that “Kayden’s mother submitted evidence of the father’s abusive, violent history, including criminal records and a protection from abuse order for his threatening to kill family members, but he was granted unsupervised visitation by the judge” (p. 20).

While this is true, the CJE neglects to put this in the context of the whole case. Appendix B is dedicated to the documentation of Kayden’s case. At a protective order hearing, Kayden’s mother explicitly said she is not asking for a restraining order for Kayden, but for herself and her husband. The mother did not indicate any concern for Kayden’s safety. After Kayden was killed, the case received considerable media attention, with news stories portraying the case as one where the judge and custody evaluators “got it wrong” and could have prevented Kayden’s death. Appendix B contains statements from two Pennsylvania judges who reviewed the case and found that based on the evidence presented, there were no court failures in Kayden’s case.

An article on a website (The Respondent with Greg Ellis, <https://bit.ly/3LnriOe>) states:

The father had had regular contact with Kayden since he had separated from Kayden’s mother several years before. The public record shows that there was absolutely no testimony from any witness—including the child’s mother and professional evaluators—about concern for Kayden’s safety while with her father. Kayden’s father had been found to be abusive and hostile in several interactions with other adults, but his psychological evaluation showed that he did not score highly for reactive anger or anger management issues.

So Judge Trauger granted the custody schedule that Kayden’s mother had requested and the custody evaluator had recommended (alternating Saturdays and Sundays). The father’s custody time had been shortened not because he was perceived as posing a

risk to Kayden, but out of a desire to shield the child from any possible angry outbursts he might have with others. Kayden’s mother had not appealed the custody decision.

But after Kayden was killed, her mother and others blamed Judge Trauger’s order for the murder, and then a [wrongful death suit was filed against Judge Trauger](#). The suit was eventually dismissed and Trauger was found not to have erred. Even so, the Center’s website falsely alleged there were safety concerns in Kayden’s case that were “ignored” by the judge.

Regarding other “preventable” homicide cases in Pennsylvania, there is a letter in Appendix B from retired Pennsylvania Judge Pechkurow about those cases:

Had anyone with the Center actually researched the court-involved cases, they would have seen that the five child homicides in Pennsylvania, for example, that had some court involvement, out of a total of 33 such homicides dating back to 2009, none of the tragedies was attributable to any court's having placed a child in harm's way, as claimed by the agency. One child was killed during a period of supervised custody, two siblings were killed during a period of custody agreed upon between the parties, one child was killed as a result of a suicide pact orchestrated by paternal grandmother and father, to prevent mother from having her scheduled period of custody, and the 5th case was the child Kayden, as discussed above.

## **Jayden Hines (Florida)**

Channel 10 News in Polk County Florida

(<https://www.wtsp.com/article/news/local/jayden-hines-dcf-investigation/67-45beb359-62db-4ae3-8367-fa3e300858b6>), reported:

Rashawd says he wrote two letters to a Polk County judge concerned about Jayden’s wellbeing while at his mom’s house. According to the Clerk of Court website, one of the letters was sent on Feb. 12, 2021. That same day, 10 investigates has learned, an investigation was opened involving concerns about his mom’s mental health and inadequate supervision. The investigator found no immediate threat. But a follow-up, 30 days later, shows the investigator tried to reach the mother without any luck. They say they did talk to Jayden’s dad, who had no concerns at the time.

“They called me one time. When they called me, I voiced concerns and they told me they were going to make her take parenting classes,” said Hines. All of this information is detailed in the final report from the state. That report also mentions the family had two prior cases with The Florida Department of Children and Families involving concerns for inadequate supervision and physical injury. The report states, there were “missed investigative opportunities” throughout the February investigation and states the investigator never did proper background checks on the mother’s grandparents who she was living with at the time or her boyfriend, Alegray Jones.

The report also says the investigator failed to collect additional information that would have provided a full assessment of the family. “For them to fail they didn’t background. If you would’ve done your job, you would’ve seen these red flags that would’ve possibly saved my kid’s life,” said Hines. Jones did have multiple drug charges. *But the report mentions, if the missed opportunities were completed, it does not appear that it would have impacted the case trajectory resulting in the children’s removal from their mother* (emphasis added).

“How can you explain to a parent you dropped the ball and a child I love isn’t here anymore? That’s so frustrating. There can be no excuses. To have a job this caliber you don’t make excuses when it comes to kids,” said Hines.

*The report mentions, while there were missed opportunities these findings were “not a contributory factor” in Jayden’s death* (emphasis added). But the department immediately updated policies because of these findings. They are now conducting case reviews of investigator's caseloads and providing additional training surrounding timely case activity.

In this case, there was no failure by the courts. CPS might have been negligent in not looking more into the case. The final report says that even if they did investigate more, it would not have affected the outcome.

## **Tate Buening (Alabama)**

WAFF television in Harvest, Alabama

(<https://www.waff.com/2021/08/09/court-documents-shed-light-custody-battle-prior-murder-suicide/>), reported:

Tate and his father were found dead inside a home on Blue Creek Drive in Harvest Friday morning. Tate's mother, Kayla Tate White, filed an emergency motion to get him away from his father on July 9. A hearing date was set to Monday, August 9 by the Madison County Circuit Court.

In the motion, Kayla stated Brian Buening suffered from PTSD and depression and claims he became extremely violent when left untreated or while consuming alcohol. The document states Brian threatened Kayla verbally on several occasions. He recently threatened to kill her in a text message, according to court documents. 48 News has read this message and chose not to disclose it due to vulgar language.

The motion also claims Brian has a lengthy history of suicidal ideations and two recent suicide attempts. Kayla states Tate was in great danger while he was with his father.

WAAY television in Huntsville, Alabama

([https://www.waaytv.com/news/huntsville/murdered-10-year-olds-mother-demands-more-judges-for-madison-county/article\\_27ebf904-8a7e-50e0-8ded-f21c1f4353a3.html](https://www.waaytv.com/news/huntsville/murdered-10-year-olds-mother-demands-more-judges-for-madison-county/article_27ebf904-8a7e-50e0-8ded-f21c1f4353a3.html)) reported:

Now this grieving mother believes a lack of judges in Madison County contributed to her son's death. "I feel like no one is being held accountable for anything, so I guess that is why we're here to try to make some change, to hold people accountable and changes in the court system where these pleas for help can be heard sooner," White said.

Speaking to WAAY 31 Thursday morning for the first time since the tragedy, White and her legal team with Siniard, Timberlake & League are calling for more judges in Madison County, a formal apology from the deputy who responded to the scene, and they are filing suit against her ex-husband's estate. The judge deficit in Madison County is something many have tried to fix including lawmakers, but White says the county is still short at least three judges.

Ms. White, the mother of Tate Buening, made a motion for an emergency hearing which was granted for a month later. The father killed the child a few days before the hearing. There was no negligence in court orders. The only legitimate complaint could be that the hearing should have been sooner. The media confirmed that there was a shortage of judges. The mother also had a complaint about the police not going into the house, but this had nothing to do with the murder.

These are a few of the “preventable” cases that the CJE has misrepresented in in order to substantiate that there are systemic gaps in the family court system. Retired Pennsylvania Judge Pechkurow wrote: “According to data on the Center’s own website, 86.5 percent of child homicides had no court involvement before the child’s death, evidence that points to the fact that this sort of violence is hardly a common occurrence.” Judge Pechkurow also found other misrepresentations of custody cases on the Center’s website that seemingly serve to pin future violence on judges unfairly. One example: The homicide of Michael Ayers in Pennsylvania in which the father shot and killed the child and then himself during a supervised visit. Again, this was an unspeakably terrible death. But the Center portrayed this falsely as an example of a judge ignoring safety concerns, when in reality the judge had ordered supervised visits due to safety concerns for the child. Many other cases listed on the website detail terrible incidents of violence against children that are completely unrelated to the child’s relationship with their parent. (Accessed at: <https://gregellis.substack.com/p/biased-conclusions-in-the-tragic#:~:text=pointed%20out%20that,with%20their%20parent.>)

## Summary

Based on the misrepresentations that the CJE has perpetrated in reporting the facts of many of the cases in their overall homicide data base and in the “preventable” homicide data base, it is difficult to give credence to the CJE’s claim that this data demonstrates systemic failures in the family court system. Likewise, the CJE has failed to provide material evidence that there is a causal relationship between the marital status of the parents and these murders.



## Citation Errors, Misquotes, and Misrepresentations

One third of the 156 citations in the report are misquoted, misrepresented, or fraudulent. Such careless and negligent use of citations is a common science denial technique (Diethelm & McKee, 2009) and it is prevalent among the writings of parental alienation critics (Aichenbaum et al., 2023). The extent and blatancy of the citation inaccuracies in *Child Safety First* is outrageous and shameful. We will mention here a few of the citation errors. A more comprehensive (but not exhaustive) list can be found in Appendix A.

- The Center for Judicial Excellence (CJE) says, “Their experiences are also paralyzing and traumatizing, *so many survivors may process trauma by not speaking about it publicly*<sup>13</sup>” (emphasis added) (p. 16).

The reference in Endnote 13 actually says: “Sometimes survivors don’t come forward because they’re busy just surviving and often, need time to process what they’re going through. ‘Different people process trauma differently, and so it’s expected that responses to trauma will be varied,’ Bent-Goodley says. ‘Trauma-based responses often don’t fold out in a timeline that makes sense to other people. How someone is able to reconcile and deal with and negotiate trauma is very individualized.’”

The cited reference does not say that “not speaking about it publicly” is a way of processing trauma; it says that people process trauma in different ways.

- The CJE says “In recent years, a growing body of scientific research has drawn intersections and *a strong correlation* between domestic abuse (mainly intimate partner violence) and child abuse, highlighting the need for an integrated approach to address both<sup>17</sup>” (emphasis added) (page 31).

The reference in Endnote 17 actually says: “Intimate partner violence (IPV) against women and child maltreatment (CM) have been traditionally addressed in isolation by researchers, policy makers and programs. In recent years, however, a growing body of *research suggests* that these types of violence often occur within the same household and that exposure to violence in childhood—either as a victim of physical or sexual abuse or as a witness to IPV—may increase the risk of experiencing or perpetrating different forms of violence later in life” (emphasis added).

The CJE replaced “research suggests” that these types of violence often occur within the same household with “a strong correlation.”

- The CJE says: “Research shows that exposure to domestic violence causes lifelong severe biological, psychological, and social harm to children<sup>18</sup> and places them at a *higher risk of child abuse and homicide*<sup>19</sup> in divorce, separation, or custody disputes” (emphasis added) (p. 31).

Endnote 19 contains two references for “placing them at higher risk of child abuse and homicide.” Neither of these citations contains this idea.

- The CJE states: “*Perpetrators of domestic abuse and alleged perpetrators of child abuse* may get unsupervised visitation rights,<sup>35</sup> which clearly places children at heightened risk<sup>36</sup>” (emphasis added) (p. 32).

The reference for Endnote 35 actually says, “If a child’s safety or well-being are at issue, there are a number of reasons why the judge may order supervised visitation, including: When there is a history or allegations of domestic violence, child abuse and neglect, or substance abuse.” Also, Endnote 36 is a nonexistent link.

- The CJE states: “About *61 percent* of adults surveyed across *25 states* reported they had experienced at least one type of ACE before age 18, and *nearly 1 in 6* reported they had experienced *four or more* types of ACEs<sup>37</sup>” (emphasis added) (p. 33).

The reference for Endnote 37 actually says: “Over half of all U.S. adults (*62 percent*) from *23 states* reported having at least one adverse childhood experience and *25 percent* of adults reported *three or more*.” The CJE report changed four numbers from the actual citation.

- The CJE says “41 percent (16.4 million) of female rape victims reported that the first victimization in their lifetime occurred before turning 18; 34.9 percent (or 11.7 million) of female rape victims were first victimized between 11 and 17 years old; 14 percent (about 4.7 million) were aged 10 years or younger<sup>40</sup>” (p. 33).

Endnote 40 references pages 7, 8, and 11 of the citation. This information is only on page 11.

- The CJE states: “Many factors associated with the risk of child domestic homicide, such as a perpetrator’s prior history of abuse, involvement with agencies, psychological instability, and substance abuse,<sup>41</sup> *show a continued, escalating pattern* when they are ignored or minimized by the system or untreated. In nearly every one of these cases, lacking an intervention, the abuser’s violent behavior escalated” (emphasis added) (p. 33).

The reference for Endnote 41 actually says: “Some research has suggested the following risk factors that may be associated with the risk of child domestic homicide:

- history of child abuse
- prior involvement with agencies
- history of DV within the home
- perpetrator unemployment
- actual or threatened parental separation
- perpetrator psychological instability
- perpetrator substance abuse.”

The reference merely lists “risk factors that may be associated with child domestic homicide,” whereas the CJE adds on to this that they “show an escalating pattern” when they are ignored, minimized, or untreated.

- The CJE states: “Experts agree that the *existence of intimate partner violence, especially coercive control* and credible risk to the child of abuse or neglect, should make exceptions to the presumption that shared parenting benefits children<sup>46</sup>” (emphasis added) (p. 35).

The reference for Endnote 46 actually says: “Among the factors that should lead to such exceptions are credible risk to the child of abuse or neglect, too great a distance between the parents’ homes, threat of abduction by a parent, and unreasonable or excessive gatekeeping.” It also says: “An additional potential rebuttal factor was the topic of more extended discussion: the mere existence of intimate partner violence (IPV). It was noted that there is increasingly sophisticated understanding of IPV, due primarily to the writing of Johnson (2010). He distinguished among four distinct patterns of IPV, *only one of which, coercive controlling violence (the stereotypical male battering pattern), should preclude SP* (Kelly & Johnson, 2008). Researchers, custody evaluators, and courts must explore not simply whether there is evidence of IPV, but also its nature, when considering implications for parenting plans.”

The CJE changes “only one of which, coercive controlling violence (the stereotypical male battering pattern), should preclude SP” to “existence of intimate partner violence, especially coercive control.” It is clear from the citation that it was excluding all other forms of IPV from the shared parenting exclusion whereas CJE includes them and especially coercive control.

- The CJE says “All states should grant children legal rights of representation and participation in custody determinations based on their age, maturity, and wishes<sup>50</sup>” (p. 36).

The reference for Endnote 50 is a blog that describes each state’s requirements. It makes no mention that “All states should grant children legal rights of representation and participation in custody determinations based on their age, maturity, and wishes.” The citation does not support what the CJE claims.

- The CJE says “Yet in California and likely many other states, these agencies routinely dismiss the overwhelming majority of public complaints about judicial and court-connected personnel misconduct<sup>83</sup>” (p. 40).

The reference for Endnote 83 does not discuss this topic.

- The CJE states: “The family court’s focus on proving PA by a protective parent may reduce the court’s scrutiny of the abuser, which often affects the court’s monitoring and supervision of court-ordered treatments<sup>132</sup>” (p. 46).

The reference for Endnote 132 does not discuss parental alienation at all.

## **Missing or Incorrect Citation Numbers**

- The section called Works Cited (pp. 55–67) contains numerous editing errors. For example, there is an Endnote number 7 in the Works Cited section, but there is no number 7 included in the actual text of the document. Other errors make it difficult (if not impossible) to determine which Endnote number in the document refers to which Endnote number in the Works Cited section. For example, the citation in the Works Cited section for Endnote 67 has nothing to do with the placement of number 67 in the actual document; however, the citation provided in the Works Cited section for Endnote 66 does support that concept. Some of the Endnotes that have these issues are: 66, 67, 68, 69, 70, 71, 72, 73, 74, 113-

117. In fact, Endnotes 69-74 are all either placed in the wrong place in the text or the citations were switched in the Works Cited section.

## **Contents of Maryland Judicial Training Bill**

- The CJE states: “Maryland leads the nation on this issue after passing Senate Bill 17, sponsored by State Senator Chris West, in 2022, which mandates 20 hours of child abuse and domestic violence training for new judges and magistrates presiding over cases involving domestic violence and child abuse, *with an additional five hours of ongoing training every two years* for judicial officers in these cases” (emphasis added) (p. 39).

The actual Maryland bill says, “Within a judge’s first year of presiding over child custody cases involving child abuse or domestic violence, the judge shall receive at least 20 hours of initial training approved by the Maryland judiciary that meets the requirements of subsection (b) (c) of this section.” (Accessed at: [https://mgaleg.maryland.gov/2022RS/Chapters\\_noln/CH\\_-351\\_sb0017e.pdf](https://mgaleg.maryland.gov/2022RS/Chapters_noln/CH_-351_sb0017e.pdf)) There is no requirement for additional five hours of ongoing training every two years.

## **Contents of Kayden’s Law**

- The CJE states: “In an extraordinary victory for children’s rights and safety, President Biden signed Kayden’s Law as part of the Violence Against Women Reauthorization Act of 2022.<sup>87</sup> The four recommendations listed above in this section are a part of this historic federal bill” (p. 40).

The reference for Endnote 87 is the federal legislation known as Kayden’s Law. However, the CJE’s fourth recommendation (that family court personnel must also be held accountable for violating the ethical standards that govern their professions, especially when exhibiting biases that put children in harm’s way) is not a component of Kayden’s Law.

## Summary

The numerous citation errors (which include misrepresentations of citations, misquotes, and other errors) indicate the poor quality of research in this document. It is difficult to conclude that the authors of the report were competent and careful. Instead, they apparently were incompetent or they intentionally manipulated citations in order to make the report look academic and say what they want it to say. Either way, it is hard to give credence to anything that is written in this report when it is known to contain so many errors.

## Misinformation Regarding Domestic Violence

*Child Safety First* makes many statements about domestic violence that are not accurate. The following are a few examples of domestic violence misinformation:

- “Family court personnel routinely ignore well-established lethality risk factors and evidence of abuse and instead prioritize shared parenting” (p. 6).

**IN FACT:** There is no scientific evidence that family court personnel are prioritizing shared parenting at the expense of ignoring risk factors. The Center for Judicial Excellence (CJE) relates many anecdotal horror stories from mothers about their alleged experiences of having their allegations “dismissed.” Anecdotal stories are powerful and create fear. Yet one-sided anecdotes are not verifiable facts. It is an inversion of justice to automatically believe the accuser. A rigorous expert assessment is essential to evaluate the substantiation of allegations, as well as family dynamics that may affect children’s perceptions and behaviors (e.g., parental influences) that compromise the credibility of their testimony (Antunes, Caridade, Matos, & Conçalves, 2014; AFCC and NCJFCJ, 2022). Allegations of abuse are often not substantiated after careful investigation and consideration (Harman & Lorandos, 2021). A history of *allegations* of abuse does not mean that there *actually* was a history of abuse.

- “Protective parents trying to keep their child(ren) away from an abusive parent are usually labeled as ‘high conflict’ or ‘alienators’” (p. 32).

**IN FACT:** While parental alienation critics often claim this based on anecdotal evidence, there is no empirical evidence to support this claim. The labeling of a parent as a “protective parent” assumes that the parent should be believed. The CJE fails to acknowledge that studies indicate that parents, regardless of gender, often make false claims of abuse to gain a custody advantage (Clawar & Rivlin, 2013; Hines & Douglass, 2016). Furthermore, others who state that they have been victims of IPV are more likely to get sole custody of their children than if they do not report abuse (Ogolsky et al., 2023). The allegation of abuse does not disadvantage their custodial status; instead, it often provides a custody advantage over fathers (Harman, Giancarlo, Lorandos, & Ludmer, 2023).

- “Child abuse and domestic abuse are widespread and worsen if unaddressed” (p. 33) .

**IN FACT:** In most cases, partner aggression does not escalate (Feld & Strauss, 1989; O'Leary, Barling, Arias, Rosenbaum, Malone, & Tyree, 1989).

- “The fact that in most cases the perpetrator is the father, with mothers and children the primary homicide victims, is well substantiated by academic research and death review committees and is reflected in CJE’s U.S. Child Homicide database” (p. 34) .

**IN FACT:** According to 2019 data from the U.S. Department of Health and Human Services, more than one-half (53.0%) of perpetrators are female and 46.1% of perpetrators are male. The National Child Abuse and Neglect Data System (NCANDS) defines a perpetrator as a person who is determined to have caused or knowingly allowed the maltreatment of a child. In regards to child fatalities, fathers alone committed 14.2% and mothers alone committed 29.2%. Mother and a nonparent committed 10% whereas fathers and a nonparent committed 1.7%. Two parents of known sex committed 22.6% (U.S. Department of Health & Human Services, 2021, pp. 63 and 66).

- “In practical terms, family courts should order supervised visitation or no contact with abusive parents<sup>47</sup> and avoid ordering harmful, ineffective reunification programs with them” (p. 35) .

**IN FACT:** This is a straw man argument. It assumes without any empirical evidence that reunification programs are unsafe and ineffective. Research has found reunification programs for victims of parental alienation to be safe and effective (Harman et al., 2021; Lorandos, 2020; Templar et al., 2016). The CJE ignores this research.

- “Researchers Peter Jaffe and Nicholas Bala recommend that judges and other court professionals analyze cases involving allegations of domestic violence individually instead of blindly prioritizing contact with both parents. In cases where there’s evidence of coercive domestic violence, custody orders should provide sole legal custody and primary physical custody to the non-abusive parent, while protective restrictions on parenting time should be ordered for the abusive parent” (p. 35).

**IN FACT:** This is a straw man argument. There is no empirical evidence that court professionals are blindly prioritizing contact with both parents. This statement is based upon nothing more than unsubstantiated anecdotal reports.



- “While research studies by Canadian experts Nico Trocmé and Nicholas Bala suggest that the rate of intentionally false allegations of abuse and neglect by parents and children is fairly low and exceptional (*less than 2 percent of the time*),<sup>68</sup> domestic violence survivors frequently report that their abuse claims are not believed<sup>69</sup>” (emphasis added) (p. 38).

**IN FACT:** There is a mistake in the Endnote numbering system. The citation in Endnote 67 in the Works Cited section actually belongs to what is numbered Endnote 68 in the text of the report. The CJE also misquotes the Trocmé citation in the report. The Trocmé citation says 4%, whereas the *Child Safety First* text says “less than 2 percent.” The CJE actually correctly quotes Trocmé in the Works Cited section Endnote #67. However, Trocmé also says that in custody cases, the percent of false allegations is 12%. In addition, these percentages are *intentionally* false allegations. There could be many more allegations that were based on circumstantial evidence and were not intentionally false but are nevertheless false. The claim that “domestic violence survivors frequently report that their abuse claims are not believed” is not supported in the CJE report by any empirical research.

## Summary

The CJE report inflates or deflates domestic violence statistics to suit its agenda. It makes claims that are not based on empirical research but on unsubstantiated anecdotal reports. Among the claims that are made are that courts blindly promote shared parenting and thereby dismiss abuse allegations and lethality risks and that reunification treatments are dangerous. The report also perpetuates the myth that women are the primary victims of domestic violence whereas government statistics show otherwise.



## Misinformation Regarding Parental Alienation

Project management and content direction of *Child Safety First* was provided by Kathleen Russell, the Executive Director of the Center for Judicial Excellence (CJE). Ms. Russell is an outspoken critic of parental alienation. In the Christian Science Monitor (<https://bit.ly/3Zxh7wp>) Ms. Russell said that “the reigning paradigm in family courts across the country is an unscientific, discredited theory known as ‘Parental Alienation Syndrome,’ or PAS.” Likewise, the CJE states on its Facebook page (<https://bit.ly/3LzqC8L>) that “THIS article explains why CJE will never endorse alienation ever—and why we more aptly refer to an abusive parent’s denigration of a safe parent as an aspect of coercive control.” A final example is a webpage on the CJE website (<https://bit.ly/3PzCngn>) that discusses “How the Dismissed Theory of ‘Parental Alienation’ Continues to Put Children in Danger.”

In spite of considerable scientific research about parental alienation (Harman et al., 2022), Ms. Russell and the CJE on the CJE Facebook page (<https://bit.ly/3Zbmt0p>) relegate parental alienation to “a junk science theory that is NOT evidence-based or peer-reviewed.” As a result, the CJE’s portrayal of parental alienation is highly biased and compromised. Likewise, Dr. Jean Mercer, who reviewed the *Child Safety First* document (p. 3), is outspoken for her critical views about parental alienation. She edited a book titled *Challenging Parental Alienation: New Directions for Professionals and Parents*. This book suffers from many of the same flaws as the *Child Safety First* document including: misinformation, quote mining, science denial tactics, and more. A comprehensive analysis and critique of this book was written by an international group of researchers (Aichenbaum et al., 2023). Mercer’s views on parental alienation as well as the academic deceit in her book are another red flag about the accuracy of the *Child Safety First*’s information about parental alienation.

The following examples are a sample of the misrepresentations of parental alienation that are in *Child Safety First*:

- “All states should grant children legal rights of representation and participation in custody determinations based on their age, maturity, and wishes” (p. 36).

**IN FACT:** Independent children’s lawyers can have an important role in protecting children’s legal rights and wishes in complex and contentious disputes. However, attorneys are trained in law; they are not trained in psychological processes, children’s development,

family violence, child abuse risk assessment, and parental alienation science. As a result, well intentioned attorneys are liable to advocate positions that might well be the *wishes* of the child, but are psychologically inappropriate and detrimental to the child’s well-being. This is especially true in parental alienation cases in which the child’s professed wishes might actually be the wishes of the alienating parent and not of the child. Failing to protect a child’s psychological well-being during custody proceedings is failing to ensure the best interests of the child and their future psychosocial functioning.

- “While violent or abusive parents can and often do attempt to damage the relationship between children and their safe, protective parent as part of their pattern of abuse, this abusive behavior should more accurately be described as an aspect of coercive control, not alienation. *Parental alienation is frequently misused in child custody cases by an abuser’s lawyer to shift the court’s attention away from investigating violence and child abuse*” (emphasis added) (p. 38).

The second statement that “parental alienation is frequently misused in child custody cases by an abuser’s lawyer to shift the court’s attention away from investigating violence and child abuse” can sometimes occur just like false allegations of domestic violence are sometimes used by litigants. The remedy to this situation is not to dismiss the whole science of parental alienation; rather, all types of abuse allegations need to be thoroughly investigated. It is not mutually exclusive for courts to take all allegations seriously and also properly investigate them.

- “A study of appellate decisions led by Joan S. Meier at George Washington University published in 2020 found that: U.S. family courts reject 81 percent of mothers’ allegations of child sexual abuse, 79 percent of their child physical abuse allegations, and 57 percent of their partner abuse allegations. Twenty-eight percent of mothers who allege a father is abusive lose custody of their children to that father. When the allegedly abusive father claims that the mother is “alienating” the children against him, the percentage of mothers who lose custody of their children to the father rises to half (50 percent)” (p. 38).

**IN FACT:** Meier’s study is controversial. Harman & Lorandos (2020) severely criticized Meier’s methodology and results. Among the many methodology critiques that they voiced (and perhaps the greatest leap of faith in the Meier study) is a limitation that Meier herself acknowledges: “The second limitation is that the Study did not and could not review the facts and assess the correctness of courts’ rulings; some may have been justifiable in the light of facts unknown to us. Nonetheless, the Study provides an accurate picture of

general outcomes and trends when abuse and alienation are claimed, which can be compared to existing anecdotal and scholarly depictions of what happens in these cases (Meier, 2020).” In other words, Meier admits that she has no knowledge about the correctness of the judicial decisions and the validity of allegations in the cases in her study. Nevertheless, she generalizes from these cases that there are systemic gender and other biases in family courts.

- “States should ban or restrict the use of dangerous court-ordered reunification programs or treatments. A cottage industry of disturbing ‘threat-therapy programs’ aimed at reversing extreme cases of parental alienation has been increasingly appearing in family law courtrooms across the country. These unregulated programs are harming children through controversial techniques such as isolating children from their supportive family for months or years, forcing them into close contact with a parent they’ve reported is abusing them, withholding food in order to coerce their compliance with the program, and repeatedly threatening to send them to wilderness camps or to prohibit them from ever seeing their safe or preferred parent again” (p. 40).

**IN FACT:** These negative claims about reunification programs are based on opinion and hearsay rather than empirical research. They rely on anecdotal reports that are often instigated or encouraged by the CJE and other groups in order to gain public support and media coverage. For example, the CJE issued a media advisory (<https://bit.ly/3t2UXGa>) on October 26, 2022, for a protest to “Free Maya & Sebastian’ from Dr. Lynn Steinberg’s Dangerous Threat Therapy.” Similarly, One Mom’s Battle solicits “anecdotal reports” about reunification programs on its Facebook page (<https://bit.ly/3rsdqM6>). One Mom’s Battle also solicits information about judges who have ordered reunification programs in order to “harass” them (<https://bit.ly/3RDmwjS>).

While the CJE contends that the programs are dangerous and use controversial techniques, scientific research shows differently. There have been research reviews and books written on interventions for alienated children (Templer, Matthewson, Haines, & Cox, 2017; Warshak, 2020; Kelly, 2010), and several peer-reviewed scientific outcome studies of interventions for severely alienated children (e.g., Harman, Saunders, & Afifi, 2021; Reay, 2015; Warshak, 2019) that demonstrate their research basis, their safety, and the efficacy of these programs.

The CJE uses disinformation to mislead legislators into making policy and law without a valid and reliable foundation. The CJE continues to repeat false claims through a variety of channels to create the impression they are valid. Repeating false information through different channels is a known propaganda technique (Gambrell, 2010). This process influences uniformed targeted audiences and coerces them to uncritically adopt the covert agenda that drives the false message.

- “No single, agreed-upon definition for alienation exists among researchers or legal professionals, which allows for the label of ‘parental alienation’ to be systematically misused in child custody cases involving domestic and/or child abuse” (p. 41) .

**IN FACT:** There has been notable consensus among scholars about terms regarding parental alienation (Bernet, Baker, & Adkins, 2021). The generally accepted definition of parental alienation and criteria for its diagnosis have been published in a peer-reviewed journal (Bernet & Greenhill, 2022). Also, it is not unusual for the names of conditions to evolve over time. For example, attention-deficit/hyperactivity disorder has been called “minimal brain damage,” “hyperkinetic syndrome,” and “attention deficit disorder.” Not only has the name of this condition changed, but the criteria for its diagnosis also changed. Likewise, throughout the numerous citations in the *Child Safety First* report, many different definitions of domestic violence are given. The same thing has happened with parental alienation. Names and criteria of diagnosis change as knowledge increases through research. The lack of a uniform definition does not negate the reality of a serious mental condition (Lorandos & Bernet, 2020, p. 553).

- “[Parental alienation] is not recognized as a mental illness by the American Psychiatric Association, American Psychological Association, American Medical Association, or World Health Organization” (p. 41).

**IN FACT:** The concept of parental alienation has been accepted by professional organizations: the American Academy of Child and Adolescent Psychiatry (1997); the Association of Family and Conciliation Courts (2005, 2019, 2022); the National Council of Juvenile and Family Court Judges (AFCC & NCJFCJ) (2022); the American Academy of Matrimonial Lawyers (2015); and the American Academy of Pediatrics (Cohen & Weitzman, 2016). In addition, The American Academy of Forensic Psychology offers an 80-hour training module in Specialty Child Custody Evaluation which includes a unit on “Allegations of Alienation or Child Sexual Abuse in Custody Evaluations.” Also, parental alienation theory has been discussed in authoritative textbooks and reference works such as:

*Psychiatry in Law / Law in Psychiatry; Principles and Practice of Child and Adolescent Forensic Mental Health; Salem Health Psychology and Mental Health; Cultural Sociology of Divorce: An Encyclopedia; The Handbook of Forensic Psychology; Wiley Encyclopedia of Forensic Science; The Encyclopedia of Clinical Psychology; The SAGE Encyclopedia of Marriage, Family, and Couples Counseling; Kaplan and Sadock's Comprehensive Textbook of Psychiatry; and Principles and Practice of Forensic Psychiatry.* It is simply untrue to state that parental alienation theory has been “dismissed by medical, psychiatric, and psychological associations”; this false claim is frequently made by critics of parental alienation theory (Mendoza-Amaro et al., 2023, p. 26).

- “Parental alienation] has never been listed in the *Diagnostic and Statistical Manual of Mental Disorders (DSM)*” (p. 41).

**IN FACT:** Senior personnel of the DSM-5 Task Force did not want parental alienation to be a separate diagnosis with its own code number. They thought that parental-alienation was an example of a diagnosis that already existed, parent–child relational problem. With the publication of DSM-5, parental alienation can now be identified and coded in several different ways. Although the actual words “parental alienation” do not appear, the concept of parental alienation is strong and well represented in DSM-5. If a clinical or forensic practitioner determines that a child is affected by parental alienation, the following diagnoses should be considered: parent–child relational problem (Z62.820); child affected by parental relationship distress (Z62.898); and child psychological abuse (T74.32XA) (Bernet, Wamboldt, & Narrow, 2016).

- “The United Nations Special Rapporteur on Violence Against Women and Girls, Reem Alsalem, submitted a 20-page report to the UN Human Rights Council for its June 2023 meeting which discusses ‘how the discredited and unscientific pseudo-concept of parental alienation is used in family law proceedings by abusers as a tool to continue their abuse and coercion and to undermine and discredit allegations of domestic violence made by mothers who are trying to keep their children safe. Peer-reviewed research has extensively disproven parental alienation as a concept that lacks validity for many years. It is not recognized as a diagnosis and rather only as a legal term, yet parental alienation remains the reigning paradigm in many family courtrooms’” (p. 41).

**IN FACT:** Sander van der Linden (2023), an expert on combatting misinformation, explains in his book *Foolproof* that one of the main techniques of spreading misinformation is discrediting. The report of the Special Rapporteur claims that parental alienation theory is

discredited and unscientific, but it neglects to mention hundreds of peer-reviewed studies that have been published in highly rated academic journals. A recent study of parental alienation research located 213 empirical studies in ten languages that are ignored by the *Child Safety First* report (Harman et al., 2022). Nowhere does the UN Report or the *Child Safety First* document explain when, how, and by whom parental alienation was allegedly discredited. Other than the ipse dixit opinions of parental alienation critics, there is no scholarly research that supports this supposed discrediting (Mendoza-Amaro et al., 2023).

- “Protecting children from abuse, violence, and risk of death (instead of protecting them from ‘alienation’) should be court professionals’ priority whenever child abuse or domestic abuse is established” (p. 41).

**IN FACT:** This statement is predicated on the assumption that parental alienation is not itself a form of abuse. Research shows that parental alienation is a form of psychological abuse and needs to be protected against just like any other form of abuse. This abuse can have lifelong consequences on the mental and physical health of the child (Baker, 2005; Verhaar, Matthewson, & Bentley, 2022). A recent pilot study identified a promising revised ACE’s measure that includes screening for parental alienation. This measure suggests that there is an additional adverse childhood experience uniquely related to parental alienation (Marsden, Saunders, & Harman, 2023).

It is important to keep in mind that when allegations of abuse are made against a parent who alleges that they are being alienated, it is the alienating parent who is most likely to actually be abusive: Claims of domestic violence have been levied against the alienated parent in less than half of parental alienation cases (Harman & Lorandos, 2021; Harman, Giancarlo, et al., 2023). Among the claims that were investigated or heard in court, only 10% were found to be true or substantiated. Over 75% of the allegations levied against alienated parents by an alienating parent were investigated and found to be unsubstantiated or false (Harman, Giancarlo, et al., 2023). Rowlands et al. (2023) and Sharples et al. (2023) have also found that it is the alienating parent, not the alienated parent, who is more likely to have a finding of abuse made against them, and that their false allegations of abuse toward the alienated parent are a form of legal and administrative aggression against them to maintain power and control over the children (Hines et al., 2015). Harman, Maniotes, and Grubb (2021) also found that many of the parents who had been alienated from their children in their sample were the victims of intimate terrorism or coercively controlling violence perpetrated by the alienating parent. Indeed, Harman, Giancarlo, and colleagues (2023) found that 30% of abuse allegations



were made by an alienating parent against the alienated parent after a court filing or decision, presumably out of retaliation against the alienated parent (Aichenbaum et al., 2023, pp. 33-34).

- The CJE’s glossary provides the following definition: “**Parental alienation (formerly known as ‘parental alienation syndrome’)**. In child custody disputes, this refers to the belief held by some court professionals that some parents (usually the mothers) who accuse the other parent of child abuse are creating false abuse claims to damage their children’s relationship with the other parent” (p. 50).

The CJE also says, “At the same time, it feeds into longstanding and documented gender bias in the courts, which contributes to mothers being seen as lying, vindictive, overly emotional, and lacking in credibility” (p. 38).

**IN FACT:** The CJE provides an incorrect definition of parental alienation. First, in order to discredit the scientific status of parental alienation, the CJE relegates parental alienation to a “belief” (as opposed to a scientific theory) that is “held by some court professionals” (as opposed to research scientists). Second, the CJE inserts a straw man definition that parental alienation is alleged in order to deflect abuse allegations and that this parental alienation is usually perpetrated by mothers. Mothers can be the victims of parental alienation induced in the children by their fathers (Harman, Leder-Elder, & Biringen, 2016). Critics of parental alienation theory say that this condition is highly gendered, which means that women are falsely accused of alienating behaviors, so the use of parental alienation theory should be suppressed. If that were to happen, the mothers who are alienated from their children would have little recourse to prove their case in court (Mendoza-Amaro et al., p. 28).

An accurate definition of parental alienation is a mental condition in which a child—usually one whose parents are engaged in a high-conflict divorce—allies strongly with one parent and rejects a relationship with the other parent without a good reason (Bernet & Greenhill, 2022, p. 591). It is not gender specific and it is not a ruse to deflect domestic violence allegations. Of course, parental alienation can be misused just as domestic violence allegations can be misused, but this does not negate the legitimacy of real parental alienation claims.

## Summary

*Child Safety First* creates straw man arguments about many facets of parental alienation including gender biases. It ignores the scientific basis of parental alienation, the long-term consequences of parental alienation, and the safety of reunification programs. *Child Safety First* relies upon weak research and anecdotal reports in order to promote its agenda concerning abuse allegations. The CJE report uses well-known anti-science disinformation techniques to disguise its covert agenda. It makes no sense for CJE to argue against parental alienation science when to do so harms the group the CJE claims to represent, i.e., mothers who are victims of parental alienation.

## Analysis of CJE Policy Recommendations and their Evidence Base

The Center for Judicial Excellence (CJE) explains that the purposes of *Child Safety First* are to:

1. Raise public awareness of the systemic gaps and failures of the family court system that led to preventable child homicides by a divorcing, separating or court-involved parent or parental figure.
2. Provide clear and detailed evidence of what we've learned from documenting more than one hundred cases of preventable child homicides by a parent or parental figure.
3. Present evidence-based recommendations to lawmakers and other elected officials for child safety-centered policy reform in legislatures and state judicial councils (p. 11).

We have shown that the CJE report has failed to fulfill its first two goals. The CJE has provided nothing more than cherry-picked citations, misrepresentations of data and citations, and blatant misinformation. They have likewise have only produced anecdotal evidence (if that) concerning the so called “preventable” homicides. As a result, it is reckless to offer policy recommendations based upon weak anecdotal data and an unbalanced presentation of the scientific literature and call these recommendations “evidence based.”

Regarding their third goal, the CJE went well beyond its limited data to suggest policy changes. This is a woozling strategy that entails making policy recommendations by relying on one or a few studies and ignoring other relevant research on the topic. No policy recommendations should be proposed in the absence of conclusive evidence (Nielsen, 2014, 2015). This is certainly so when the studies are so weak and fraught with misleading assertions, misrepresentations, misinformation, and disinformation.

*Child Safety First* identifies several “gaps, lessons learned, and recommendations for systemic change.” For example:

- **“GAP 1:** Family courts ignore signs of child abuse and the risks of children’s exposure to domestic violence” (p. 31).

**IN FACT:** The CJE has failed to empirically demonstrate that family courts ignore signs of abuse and risks of domestic violence.

- **“RECOMMENDATION:** Prioritize children’s safety and well-being over shared parenting. All custody and visitation decisions should prioritize child safety and hold the perpetrator responsible for their abusive behavior” (p. 34).

**IN FACT:** This is a straw man argument. Fabricius (2020) writes that “shared parenting and prioritizing safety are not mutually exclusive. Shared parenting laws are rebuttable when this type of custody plan is not in the child’s best interest and when there is a demonstrated history of family violence. HHS reports show no increase in cases of child maltreatment in states after enactment of equal shared parenting presumptions. (‘Child Maltreatment 2020,’ U.S. Department of Health and Human Services Administration for Children and Families, p. 30).” Also, addressing the issue of family violence in family separation and addressing parental alienation are not mutually exclusive endeavors. Recognition of parental alienation as a form of family violence is part of addressing family violence in all its forms; failing to do so puts children at risk of further harm.

- “Court professionals in these cases often ignore four main facts about child abuse and domestic violence, which leads them to overlook warning signs and minimize the risk to children exposed to domestic violence” (p. 31).

**IN FACT:** The CJE data and citations do not demonstrate the validity of this claim that courts overlook warning signs and risk factors.

- **“RECOMMENDATION:** Use science-based, evidence-based tools to assess risk and lethality. Family courts should systematically use a science-based, evidence-based approach for identifying risk and lethality, as other agencies have done for decades” (p. 17).

“All court-connected personnel who provide recommendations to the court on parenting should employ Dr. Campbell’s assessment to keep children safe” (p. 37).

**IN FACT:** The Danger Assessment, which was developed by Jacquelyn Campbell, was designed to measure a woman’s risk in an abusive relationship. It is intended to assist women (and the professionals who help them) to better understand the potential for danger and the level of their risk (Campbell, Webster, & Koziol, 2003). It is a gender biased assessment and there is no assessment for men who are at risk for violence from women.

The Lethality Assessment Program is a shortened version of the Danger Assessment that was designed for first responders to identify victims of intimate partner violence who are at the greatest risk of being killed. The National Institute of Justice (NIJ) (2018) wrote the following about the Lethality Assessment Program:

In terms of its ability to predict violence, the Lethality Screen performed well in predicting that serious or lethal violence would not occur, though it did not perform as well when predicting that serious or lethal violence would occur. *This discrepancy is by design to minimize the possibility that a woman who screens at low risk for severe violence, in fact becomes a victim of severe violence (i.e., a false negative). That intentional design resulted in a high ratio of women who screen at high risk for violence but do not experience the predicted violence (i.e., false positives).* (emphasis added)

The Danger Assessment was originally designed to warn women of potential risks so that they could take measures to protect themselves. It has a built-in affinity to produce false positives so that a woman can protect herself. In custody cases, this has to be balanced with infringing upon due process and the rights of the other parent. It is one thing to advise a mother to be exceedingly careful herself; it is a different matter to use this measure to sever parent–child relationships and restrict parenting time.

The Danger Assessment was not designed to predict risks for children. Jaffe, Campbell, Hamilton, and Juodis (2012) wrote: “What is not clear are the potential risk factors that may indicate lethal risk to a child. The DVDR of Ontario has identified 37 risk factors that possibly increase the risk of lethality within domestic violence situations (Ontario DVDR, 2008). *It cannot be assumed that these risk factors also predict risk to children*” (emphasis added) (p. 73).

Also, the Danger Assessment consists of two parts, a questionnaire and an interview. While the questionnaire is straight forward, the interview is based upon the perceptions and representations of the woman who is being interviewed. The representations of an alienating parent would greatly skew the accuracy of the assessment. Likewise, the background and biases of the person conducting the interview could affect how the assessment is scored. This is especially a concern if the interviewer possesses the mindset and biases of the CJ. In consideration of all these factors, it is controversial at best for courts to implement universal use of the Danger Assessment to determine risks for children.

- **“GAP 2:** Court professionals’ biases often inform custody decisions. Peer-reviewed studies have demonstrated that child custody decisions are often informed by judges’ biases, which are frequently reinforced by poorly trained and biased court appointees, such as custody evaluators, guardians ad litem, minors’ counsel, special masters, parenting coaches, and therapists” (p. 38).

**IN FACT:** The CJE is referring to at least four studies by Joan Meier that are referenced in between Endnotes 69 to 76. Meier, Dickson, O’Sullivan, Rosen, and Hayes (2019) is controversial and has been seriously critiqued by Harman & Lorandos (2021). Harman & Lorandos found that the article by Meier et al. is not an accurate description of the court system. In her writings, Meier relies on many of the same science denial techniques, misinformation and citation fraud that plague *Child Safety First*.

- **“RECOMMENDATION:** Establish systematic capacity-building and gatekeeping mechanisms for court professionals. Family court-connected personnel should be effectively screened and properly trained in domestic violence and child abuse. They must also be held accountable for violating the ethical standards that govern their professions, especially when exhibiting biases that put children in harm’s way” (p. 39).

**IN FACT:** While we welcome quality training of all court personnel, training that is designed and implemented by domestic violence groups that profess the same biases and science denial practices as the CJE is contraindicated. The training curriculum that the CJE promotes contains many things that are not evidence based (e.g., that parental alienation is unscientific and debunked). Training must include parental alienation experts, shared parenting experts, and domestic violence experts who do not preach a gender biased agenda. We also feel that accountability is important, but we are concerned that *biases* be empirically defined and not by the agenda of the CJE. Likewise, there should be accountability for experts who intentionally mislead and misinform the courts and policy makers about domestic violence and parental alienation issues and science.

## Summary

The CJE claims that its goal is to present evidence-based recommendations to lawmakers and other elected officials for child safety-centered policy reform in legislatures and state judicial councils. In reality, *Child Safety First* identifies gaps that are not empirically based. They are based

on straw man arguments and anecdotal reports that are not backed by science. As a result, it is reckless to implement most of its recommendations.





## Anticipated Responses of the CJE

Research scientists welcome constructive criticism. That is how science develops and improves. If they disagree with criticism of their work, scientists respond to the criticism in an academic and scholarly manner. Based on past responses of parental alienation critics to critiques of their articles, it is anticipated that the CJE and those who support their agenda will not respond to this analysis in a constructive manner. Rather, they will react in some of the following ways:

- They will play victim to gain the compassion of the public. This is a standard science denial technique.
- They will claim that this analysis is a defamation of their character.
- They will make ad hominem attacks on parental alienation professionals. This is a standard science denial technique.
- They will say that this critique is not peer reviewed.
- They will claim that a consensus of experts agrees with them. This is a standard science denial technique.
- They will reiterate their points without addressing any of criticisms of *Child Safety First*.
- They will claim that parental alienation experts and the mental health and legal professionals that support parental alienation are in it for the money.
- They will claim a conspiracy theory about journals accepting articles by parental alienation experts and not their articles.
- They will have other “experts” come to their defense and write letters that praise *Child Safety First*.

They will not, however, address the serious concerns that we raise in our analysis because there is no answer for the extensive misinformation that permeates *Child Safety First*. We mention this because there is another fundamental issue at play in the writings of parental alienation critics. Outspoken parental alienation critic Adrienne Barnett (2014) wrote:

[Post-structural feminist theories] recognise that data, like meaning, are constructed, not “discovered,” and reject the purely positivist notion of scientific objectivity, including the privileging of “scientific” research, which has been criticised for perpetuating patriarchal power relations, and the silencing of women’s voices. In doing so it rejects the “problem-solving” model of research which assumes that research “provides empirical evidence and conclusions that help to solve a policy problem.” (p. 13)

This paragraph should send a chill down any rational person’s spine. What it is essentially saying is that in Barnett’s worldview, empirical evidence, research, and objective truth are irrelevant. What is important is the meaning that we “construct” and assign to fit our social systems. One who subscribes to this worldview does not have to answer to empirical research nor do they have any qualms about constructing their own alleged research, citations, and more. Therefore, those who pen reports like *Child Safety First* have no need to respond to our criticisms since empirical truth is irrelevant to them as long as they can “construct” the world to fit their agenda. This is profoundly frightening and a threat to the integrity of public policy.

## Discussion / Conclusions

Recommendations from *Child Safety First* as well from the research of Joan Meier and her colleagues (2019) are widely promoted across the country. It is important to be aware of the travesty of justice and the perversion of science that is occurring. The CJE has created a moral panic that is not supported by the scientific literature. While CJE may cherry-pick anecdotal stories that are largely unverifiable, the cases do not reflect real life court cases. This blatant misinformation can and will escalate unless the Center for Judicial Excellence (CJE) and other domestic violence advocates who promote this deception are called to task.

The CJE agenda is abundantly clear from *Child Safety First* and from the legislation the CJE has promoted. The CJE and other likeminded domestic violence advocates are attempting to control all aspects of the family court system including the curriculum of judicial training, the faculty of these training programs, who qualifies as expert witness, what treatment programs can be ordered, what type of custody can be court ordered, and other issues involving judicial discretion. They further intend to lower the admissibility standards for domestic violence allegations to an extreme that infringes upon due process. These measures do not put *the safety of children first*; they harm children, their parents, and society at large.

It is incumbent upon our elected and appointed leaders to include parental alienation experts, shared parenting experts, and domestic violence organizations that do not harbor gender biases in future stakeholder meetings regarding family court legislation and not to rely only upon the misrepresentations of the CJE and other such groups. There is also an urgent need for the media to rise to the occasion and accurately report about the deception and misinformation that the CJE and other such groups are perpetrating. In order to accomplish some of these tasks, we propose the following:

- No individual or organization that promotes or makes public policy should rely on the CJE and *Child Safety First* for guidance. Instead, policy makers should seek out and review material that is balanced, unbiased, and based on legitimate scientific data.
- Attorneys and mental health professionals who make blatant misrepresentations about parental alienation theory and domestic violence should be investigated by bar associations and licensing boards.

- There are several organizations that spread misinformation about parental alienation science and domestic violence in their writings, speeches, and on their websites. Some of them actively encourage children and parents to defy court orders for reunification therapy. They also stage protests outside of courtrooms where judges are contemplating ordering reunification treatments. One website harasses judges, attorneys, and mental health professionals in its “Hall of Shame,” in which it highlights professionals who are fulfilling their professional duties to address parental alienation. Some of these groups have also received government funding for their “research” and other activities. The funding sources and budgets of the [Center for Judicial Excellence](#), the [National Family Violence Law Center](#), the [National Safe Parent Organization](#), [One Mom’s Battle](#), and other such organizations should be audited to determine if government funding is being used to fund shoddy research, promote their missions, and support legislative activities.
- The State Department’s participation in denying parental alienation and spreading this denial to other countries needs to be reprimanded. Likewise, the State Department needs to take a more vocal role in protesting violations of research integrity concerning parental alienation in the international sphere.

Children will only be properly protected from all forms of abuse when public policy is based upon the input of all stakeholders and legitimate scientific research, and not upon science denial campaigns. Representatives from PASG and GARI-PA are available to meet with elected officials, the media and other stakeholders to discuss the contents of our analysis and to answer questions about parental alienation.

Dr. William Bernet

[william.bernet@vumc.org](mailto:william.bernet@vumc.org)

Parental Alienation Study Group

1562 Timber Ridge Drive

Brentwood, Tennessee, USA, 37027

Dr. Alejandro Mendoza-Amaro

[a.mendoza@garipa.org](mailto:a.mendoza@garipa.org)

Global Action for Research Integrity in Parental Alienation

Xengua 106, Bosque Camelinas

Morelia, Michoacán, México, 58290

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# **Appendix A**

## **Citation Analysis**



## Appendix A: Citation Analysis

Missing or misplaced citations: 7, 66, 67, 68, 69, 70, 71, 72, 73, 74, 113-117

Endnote Number	Comments
6	<p>The reference in Endnote 6, Mills et al. state, “[T]he notion of triangulation have been the subject of much debate” and “in theory aims to obtain a more complete representation of reality, may instead serve to present an impoverished picture.”</p> <p>The CJE is selective in what information it gleans from the citation and ignores the rest. While the CJE extols its use of triangulation, it fails to mention that it is controversial.</p>
8	<p>The USC article in Endnote 8 talks about how to write case studies research, but this is not directly related to the placement of this Endnote in the CJE report. Note that the article states, “Consider Alternative Explanations of the Findings.”</p> <p>The CJE study does not consider alternate explanations.</p>
10	<p>Endnote 10 cites a research study from Raub et al. about predictors of custody and has nothing to do with the CJE report. There is one paragraph in the limitation section that states:</p> <p style="padding-left: 40px;">The study presented here is a chart review and therefore has all of the limitations that this research method entails: incomplete documentation, missing charts, information that is unrecoverable or unrecorded, difficulty with interpretation of information found in the documents (e.g., jargon, acronyms, illegibility), problematic verification of information (e.g., self-report in this case), and variance in the quality of information recorded.</p> <p>It seems like the CJE is borrowing the limitations of that study for the <i>Child Safety First</i> study. The CJE report says “We tried to mitigate this by reviewing and analyzing multiple independent sources of evidence.” Likewise, the citation says “Mitigating this limitation is the fact that the clinic routinely corroborates self-report using collateral sources of information (e.g., reviewing medical and legal records).” However, the Endnote is not placed after this statement but after the first quote.</p>

<p>13</p>	<p>The CJE says, “Their experiences are also paralyzing and traumatizing, so many survivors may process trauma by not speaking about it publicly.”</p> <p>The reference in Endnote 13, Flannery, says: “Sometimes survivors don’t come forward because they’re busy just surviving and often, need time to process what they’re going through. ‘Different people process trauma differently, and so it’s expected that responses to trauma will be varied,’ Bent-Goodley says. ‘Trauma-based responses often don’t fold out in a timeline that makes sense to other people. How someone is able to reconcile and deal with and negotiate trauma is very individualized.’”</p> <p>The citation does not say that “not speaking about it publicly” is a way of processing trauma; it says that “different people process trauma differently.”</p>
<p>17</p>	<p>The CJE says, “In recent years, a growing body of scientific research has drawn intersections and a strong correlation between domestic abuse (mainly intimate partner violence) and child abuse, highlighting the need for an integrated approach to address both.”</p> <p>However, Guedes and Mikton say in Endnote 17:</p> <p style="padding-left: 40px;">Intimate partner violence (IPV) against women and child maltreatment (CM) have been traditionally addressed in isolation by researchers, policy makers and programs. In recent years, however, a growing body of research suggests that these types of violence often occur within the same household and that exposure to violence in childhood—either as a victim of physical or sexual abuse or as a witness to IPV—may increase the risk of experiencing or perpetrating different forms of violence later in life. . . . This evidence calls for greater recognition of the intersections between types of violence.</p> <p>The CJE replaced “research suggests that these types of violence often occur within the same household” with “a strong correlation.”</p>
<p>19</p>	<p>The CJE says, “Research shows that exposure to domestic violence causes lifelong severe biological, psychological, and social harm to children<sup>18</sup> and <i>places them at a higher risk of child abuse and homicide</i><sup>19</sup> in divorce, separation, or custody disputes” (emphasis added).</p>



	<p>The idea of “placing them at higher risk of child abuse and homicide” is cited to two sources in Endnote 19. Neither of these citations mentions this idea.</p>
<p>20</p>	<p>The CJE says, “Research shows that exposure to domestic violence causes lifelong severe biological, psychological, and social harm to children<sup>18</sup> and places them at a higher risk of child abuse and homicide<sup>19</sup> in divorce, separation, or custody disputes.<sup>20</sup>”</p> <p>The reference in Endnote 20 does not say that “exposure to domestic violence” places children at higher risk. The Holland et al. study merely states that these four factors were found in various degrees among the assailants. This would indicate that such profiles have more risk factors. It does not indicate the probability of these individuals actually committing a murder or that this is a significant percentage in the general public.</p>
<p>28</p>	<p>The CJE says, “A history of child abuse and threats toward children has been found to significantly increase the risk of harm after divorce,<sup>27</sup> and fathers are more likely to harm their children as revenge to punish the adult victim (often a woman) for leaving the relationship.<sup>28, 29</sup>”</p> <p>Dawson in Endnote 28 states, “When children are killed in the context of domestic violence, the context is most often a history of domestic violence and separation. <i>In many cases, the motive appears to be an act of revenge to punish the adult victim for leaving the intimate relationship</i> (Dawson, 2015; Jaffe et al., 2012)” (emphasis added). Dawson does not mention fathers specifically.</p> <p>In that citation, Dawson cites a previous article (<a href="https://bit.ly/3rwoeZA">https://bit.ly/3rwoeZA</a>) by herself and she also cites Jaffe et al., 2012. The previous Dawson article says that men are more motivated by revenge than women. However, only 12.1% of men were motivated by revenge. The Jaffe article does not discuss revenge and therefore Dawson wrongly cited it. Ironically, the Jaffe article states “The DVDRC of Ontario has identified 37 risk factors that possibly increase the risk of lethality within domestic violence situations (Ontario DVDRC, 2008). <i>It cannot be assumed that these risk factors also predict risk to children</i>” (emphasis added).</p>
<p>29</p>	<p>The CJE says, “Fathers <i>are more likely to harm their children</i> as revenge to punish the adult victim (often a woman) for leaving the relationship<sup>28, 29</sup>” (emphasis added).</p> <p>The reference in Endnote 29 does not state this. Olszowy et al. say, “A threat to harm a child may relate to a perpetrator’s effort’s to either seek revenge or further control the</p>

	<p>female intimate partner.” That is, Olszowy et al. are talking about “a threat to harm a child,” while the CJE are referring to the actual acts of fathers harming their children.</p>
<p>30</p>	<p>The CJE says, “Many states have laws and rules directing the court to incentivize shared custody and contact with both parents.”<sup>30, 31</sup></p> <p>The reference in Endnote 30, Subramanian, does not say this.</p>
<p>35</p>	<p>The CJE says, “Perpetrators of domestic abuse and alleged perpetrators of child abuse may get unsupervised visitation rights.”<sup>35</sup></p> <p>Endnote 35 cites two sources. The citation from Holstrom et al. says, “If a child’s safety or well-being are at issue, there are a number of reasons why the judge may order supervised visitation, including: When there is a history or allegations of domestic violence, child abuse and neglect, or substance abuse.” The CJE revision of this statement is fraudulent. The second citation is a nonexistent link.</p>
<p>36</p>	<p>Endnote 36 needs elaboration. The CJE Report states:</p> <p style="padding-left: 40px;">As a result of family courts’ preference for prioritizing shared parenting in recent decades, tens of thousands of children have been ordered into unsupervised visitation with abusive biological parents by family courts. Perpetrators of domestic abuse and alleged perpetrators of child abuse may get unsupervised visitation rights,<sup>35</sup> which clearly places children at heightened risk.<sup>36</sup></p> <p>The first sentence of the paragraph does not list any source (see below). The source for Endnote 35 is fraudulent as noted above. Endnote 36 cites a webpage for the Civic Research Institute. The Civic Research Institute states that it is “an independent publisher of reference and practice materials for professionals in law and government, behavioral health, banking and finance, taxation, education, and the social sciences.” The cited Civic Research Institute webpage is about the book <i>Domestic Violence, Abuse, and Child Custody Legal Strategies and Policy Issues</i>. The webpage consists of statements from various sources that praise the book.</p> <p>The CJE places Endnote 36 by the words “which clearly places children at heightened risk.” These words (or anything similar) do not appear on the referenced webpage. However, the following words are found: “In a trend that started in the 1980s, and increasingly since</p>

	<p>then, family court judges across the U.S. have ordered thousands and thousands of children into unsupervised visitation with abusive biological fathers.” This seems to be the source for the unreferenced first sentence in the CJE paragraph above, except that the CJE substituted “tens of thousands” for “thousands and thousands.” Interestingly, this statement from the Civic Research Institute is placed on the webpage among the various statements of praise for this book, but this statement is not attributed to anyone.</p> <p>While the phrase, “which clearly places children at heightened risk,” is not found on the Civic Research Institute webpage, a similar phrase is found in the actual book. While it is standard to reference page numbers for books, the CJE did not do so. The book can be accessed at: <a href="https://archive.org/details/domesticviolence000unse_g8w6/mode/2up">https://archive.org/details/domesticviolence000unse_g8w6/mode/2up</a>. On page 210, the book states that “perpetrators often are given unrestricted and unstructured visitation, thereby placing them at risk.”</p>
<p>37</p>	<p>The CJE states “<i>About 61 percent of adults surveyed across 25 states reported they had experienced at least one type of ACE before age 18, and nearly 1 in 6 reported they had experienced four or more types of ACEs</i>” (emphasis added).</p> <p>The cited webpage for Endnote 37 does not exist. The citation was located at: <a href="https://bit.ly/3tbdZKK">https://bit.ly/3tbdZKK</a>. The reference for Endnote 37, Bellzaira, actually said, “Over half of all U.S. adults (62 percent) from 23 states reported having at least one adverse childhood experience and 25 percent of adults reported three or more” (emphasis added). The CJE changed four numbers from the actual citation.</p>
<p>41</p>	<p>The CJE states, “Many factors associated with the risk of child domestic homicide, such as a perpetrator’s prior history of abuse, involvement with agencies, psychological instability, and substance abuse,<sup>41</sup> <i>show a continued, escalating pattern</i> when they are ignored or minimized by the system or untreated. In nearly every one of these cases, lacking an intervention, the abuser’s violent behavior escalated” (emphasis added).</p> <p>The reference in Endnote 41, Olszowy et al., actually said:</p> <p style="padding-left: 40px;">Some research has suggested the following risk factors that may be associated with the risk of child domestic homicide:</p> <ul style="list-style-type: none"> <li>• history of child abuse</li> <li>• prior involvement with agencies</li> <li>• history of DV within the home</li> <li>• perpetrator unemployment</li> </ul>

	<ul style="list-style-type: none"> <li>• actual or threatened parental separation</li> <li>• perpetrator psychological instability</li> <li>• perpetrator substance abuse.</li> </ul> <p>The citation merely lists risk factors that <i>may</i> be associated with child domestic homicide whereas the CJE adds on to this that they show an escalating pattern. No citation is given for this additional information.</p>
<p>45</p>	<p>The CJE says: “The fact that in most cases the perpetrator is the father, with mothers and children the primary homicide victims, is well substantiated by academic research and death review committees and is reflected in CJE’s U.S. Child Homicide database.<sup>45</sup>”</p> <p>The reference in Endnote 45, Dawson et al., said: “In the majority of cases, the perpetrator is the father and the mother and children are victims of the homicide.” The Dawson et al. research is based on a study of Canadian homicides and the statement was said only in reference to this study. It cannot be generalized to other populations. Likewise, this study contained only 16 people accused of homicide. This is a very small number to generalize from.</p>
<p>46</p>	<p>The CJE states: “Experts agree that the <i>existence of intimate partner violence, especially coercive control</i> and credible risk to the child of abuse or neglect, should make exceptions to the presumption that shared parenting benefits children” (emphasis added).</p> <p>The reference for Endnote 46, Braver and Lamb, actually say, “Among the factors that should lead to such exceptions are credible risk to the child of abuse or neglect, too great a distance between the parents’ homes, threat of abduction by a parent, and unreasonable or excessive gate-keeping.” They also say, “An additional potential rebuttal factor was the topic of more extended discussion: the mere existence of intimate partner violence (IPV). It was noted that there is increasingly sophisticated understanding of IPV, due primarily to the writing of Johnson (2010). He distinguished among four distinct patterns of IPV, <i>only one of which, coercive controlling violence (the stereotypical male battering pattern), should preclude SP</i> (Kelly &amp; Johnson, 2008). Researchers, custody evaluators, and courts must explore not simply whether there is evidence of IPV, but also its nature, when considering implications for parenting plans” (emphasis added).</p> <p>The CJE changes “only one of which, coercive controlling violence (the stereotypical male battering pattern), should preclude SP” to “existence of intimate partner violence,</p>

	<p>especially coercive control.” It is clear from the citation that it was excluding all other forms of IPV from the SP exclusion whereas the CJE includes them and especially coercive control.</p>
<p>47</p>	<p>The CJE says, “In practical terms, family courts should order supervised visitation or no contact with abusive parents<sup>47</sup> and avoid ordering harmful, ineffective reunification programs with them.”</p> <p>The reference for Endnote 47, the American Bar Association (ABA) says, “As a general rule, access should be denied or restricted only if it is likely to endanger the child’s physical or emotional health. The most common situations involve including domestic violence and child abuse” (p. 118).</p> <p>The ABA further says: “Tips for Dealing with Domestic Violence Cases:</p> <ul style="list-style-type: none"> <li>• Always view SAFETY as the #1 issue: if safety cannot be assured, then there may need to be supervised visitation or no contact at all with the abusive parent.</li> <li>• Avoid generalizations: look at each family and individual as unique.</li> <li>• Obtain a history of abuse for each parent separately. Learn about the frequency, type, and severity of the violence.</li> <li>• Assess current parenting capacity, using development-based questions.</li> <li>• Determine how the parent is protecting the child and if the court could install further protection.</li> <li>• Assess how the child is coping with what has transpired” (p. 88)/</li> </ul> <p>The CJE leaves out two qualifiers that the ABA mentions: One, only if safety cannot be assured, then supervised visits may be necessary. Two, that the whole situation needs to be looked at and generalizations need to be avoided. Also, the Endnote makes no mention of reunification programs. No source is cited that reunification programs are harmful or ineffective.</p>
<p>48</p>	<p>The CJE says, “Researchers Peter Jaffe and Nicholas Bala recommend that judges and other court professionals analyze cases involving allegations of domestic violence individually instead of blindly prioritizing contact with both parents. In cases where there’s evidence of coercive domestic violence, custody orders should provide sole legal custody and primary physical custody to the non-abusive parent, while protective restrictions on parenting time should be ordered for the abusive parent.”<sup>48</sup></p> <p>The CJE correctly mentions the differentiation between different types of IPV in the Kelly article (even though the CJE ignored this distinction previously in reference to citation #46). However, the juxtaposition of this statement to the beginning of the paragraph</p>

	<p>incorrectly suggests that Kelly and Johnson ascribe to the statement that contact with both parents has been blindly prioritized. No citation is provided for the source of the Jaffe and Bala statement.</p> <p>Also, The CJE attributes a categorical statement to Kelly and Johnson that “where there’s evidence of coercive domestic violence, custody orders should provide sole legal custody and primary physical custody to the non-abusive parent.” Kelly and Johnson actually said, “Among the factors that should lead to such exceptions are credible risk to the child of abuse or neglect.” It is not evident from Kelly and Johnson that evidence of coercive domestic violence would preclude legal or physical custody if it poses no credible risks to the child. Finally, it is not clear why the CJE cites the Kelly article from a secondary source law journal and not directly.</p>
<p>50</p>	<p>The CJE says, “All states should grant children legal rights of representation and participation in custody determinations based on their age, maturity, and wishes.<sup>50</sup>”</p> <p>Endnote 50 cites a blog post. The blog describes each state’s requirements. It makes no mention that “All states should grant children legal rights of representation and participation in custody determinations based on their age, maturity, and wishes.” The citation does not support what the CJE claims.</p>
<p>52</p>	<p>The CJE says, “Direct communication channels between children and family court judges, instead of communication mediated by custody evaluators or other court appointees representing children’s interests (guardians ad litem, appointed counsel for children, special masters, mediators, and others), since their opinions can often contradict the direct requests of abused children<sup>52</sup> and determining ‘best interests’ is subjective.”</p> <p>The reference for Endnote 52, Elovitz, said:</p> <p style="padding-left: 40px;">A GAL Must Establish Trust for Children to Express Their True Wishes and Concerns. Before drawing conclusions about a child’s best interest, a Guardian ad Litem should listen to and consider a child’s wishes and concerns, but doing so requires that a level of trust be established such that the child feels safe sharing. Establishing that trust can be difficult if a GAL only visits a child a couple of times, which is not uncommon, or if one or both parents instruct the child not to answer the GAL’s questions or coaches the child to say things that might not reflect how the child feels or what the child wants.</p>

	<p>Children may also be concerned about speaking freely once made aware that communications with a GAL are not confidential. The risk is that the GAL’s report is quiet on the child’s wishes or concerns (if the child is reticent about sharing), or that the GAL report contains untruths (because the child is reporting what he or she was coached to say). A child’s reporting also can be influenced by parental alienation, situational anxiety, a desire to please, even domestic violence, and a GAL with insufficient training or little experience may not recognize that the child’s reporting has been so influenced.</p> <p>The Elovitz article does not advocate replacing GALs with judicial interviews; rather, it points out there are pluses and minus to GALs. It also does not say that the opinion of GALs can often contradict the requests of abused children. It does say, “The risk is that the GAL’s report is quiet on the child’s wishes or concerns (if the child is reticent about sharing).” This same concern is present when the child speaks directly to a judge. Also, the CJE places the requests of children above all other considerations whereas the citation views that GALs are supposed to determine best interests (with the wishes of the child being one factor in this determination).</p>
<p>53</p>	<p>The CJE says, “Methods other than direct testimony, especially for children who are not mature and developed enough,<sup>53</sup> or who are experiencing trauma, to voice their concerns and opinions articulately in verbal and written form.”</p> <p>The reference in Endnote 53 is a PowerPoint presentation which introduces a pilot project of educational material to emotionally prepare children of different ages to appear in court. The PowerPoint does not discuss alternative methods to direct testimony. There is no way of knowing from the citation if oral information supplemented the PowerPoint presentation, but there is no support from the PowerPoint itself for the CJE statement.</p>
<p>55</p>	<p>The CJE says, “Age-appropriate, child-friendly information and guidance about family court processes and the judge’s decision-making on their custody in a language they can understand (including with the help of an interpreter).<sup>54</sup> This also includes age-appropriate, child-friendly information on the dynamics and tactics of coercive control, positive and negative uses of power by a parent, and healthy and unhealthy parenting behaviors.<sup>55</sup>”</p>

	<p>Katz and Laitinen wrote:</p> <p>We suggest that children should be given detailed, age-appropriate information about coercive control before they make decisions or express their views to family courts about having contact with a coercive control-perpetrating father. Specialist domestic abuse services would be well-positioned to provide this information to children. This would require additional funding to create resources focused on giving children and young people the tools to understand:</p> <ul style="list-style-type: none"> <li>• the dynamics and tactics of coercive control</li> <li>• positive uses of power and negative uses of power by a parent</li> <li>• healthy and unhealthy parenting behaviours</li> </ul> <p>The proposal in this reference was not empirically demonstrated, but is a speculative suggestion of Katz and Laitinen, which the CJE represents as fact.</p>
<p>61</p>	<p>The CJE says, “Many tools have been developed for different professional communities and sectors.”<sup>61</sup>”</p> <p>Endnote 61 is a link to a website which is a description of one tool, The Danger Assessment. It does not discuss any other tools.</p> <p>Also, the CJE writes in Endnote 61: “See also training to use Jacquelyn C. Campbell’s “Danger Assessment” and a Spanish language version.”</p> <p>“Training” is one link on the referenced webpage. It is not clear what the connection is between training and the original CJE statement that “many tools have been developed for different professional communities and sectors.” It seems that the whole purpose of the Endnote is to show that the Danger Assessment is available in Spanish and therefore supports what the CJE says that about tools for “different professional communities.” If so, it is very unclear that this is the intent.</p>
<p>64</p>	<p>The CJE says, “This assessment identifies the most common lethality factors found in intimate partnerships, and while it has been widely used for many decades to predict future homicides of women by their spouses or partners, family courts <i>routinely ignore</i> lethality factors and place children at grave risk that too often leads to their murders”<sup>64</sup> (emphasis added).</p>



	<p>It is not clear for what purpose the CJE is citing the reference. Hamilton et al. do not mention the Danger Assessment or its ability to identify lethality factors for children. Maybe the intent of the citation is to show that “family courts routinely ignore lethality factors and place children at grave risk that too often leads to their murders.” Hamilton et al. do say that “Other researchers suggest that these tools are not used often enough, even in extreme circumstances when abused women are coming before the court and seeking protection orders.” If this is the intent, the CJE changed “tools are not used often enough” to “courts routinely ignore.”</p>
<p>66</p>	<p>The CJE says “Domestic violence survivors should be central in assessing their own level of risk. Still, because it is often hard for survivors to understand that someone they loved would be capable of killing them or their children, they may often underestimate the risk, so their own evaluation should be used as just one indicator.”<sup>66</sup></p> <p>This concept could not be located in the Olszowy et al. article as referenced in Endnote 66. However, CJE says later says, “A comprehensive assessment prioritizes building trust with the protective parent and children and should include interviews with all members of the family (including the abuser if possible), friends, police, family lawyers, co-workers, and child protection staff or doctors who know the family and may know about previous abuse and risks.”<sup>67</sup></p> <p>This idea is not found in Endnote 67, but a similar text is found in the citation provided in Endnote 66:</p> <p style="padding-left: 40px;">Key Things for Professionals to Keep in Mind When Identifying Risk for Children</p> <ol style="list-style-type: none"> <li>Homicide risk to mother = potential risk to children</li> <li>Gathering information related to risk with children requires:             <ul style="list-style-type: none"> <li>• building trust with mother and children</li> <li>• interviews with all members of the family and other collateral agencies working with family.</li> </ul> </li> </ol> <p>It seems that the citation for Endnote 66 really belongs to Endnote 67. There is some mistake in the numbering of citations. This and the Endnotes through Endnote 75 are referenced to the wrong place in the CJE report.</p>
<p>67</p>	<p>There is some mistake in the numbering of the Endnotes. The citation for Endnote 68 should really be what is written for Endnote 67.</p> <p>Also, the CJE says, “While research studies by Canadian experts Nico Trocmé and Nicholas Bala suggest that the rate of intentionally false allegations of abuse and neglect by parents</p>

	<p>and children is fairly low and exceptional (less than 2 percent of the time),<sup>68</sup> domestic violence survivors frequently report that their abuse claims are not believed.”<sup>69</sup> The CJE misreported the percentage of false allegations. The citation says “only 4%” and the CJE says “less than 2 percent.”</p>
<p>69</p>	<p>Endnotes 69–74 are all either placed in the wrong place in the text or the citations were switched. It was not possible to straighten them out. Saunders conducted a study about custody evaluators. This study is cited in Endnotes 71 and 72. Meier studied appellate decisions. She made two studies that are cited in Endnotes 69, 70, 74, and 75. It seems that the author of this section was not familiar with the studies and thought that Saunders and Meier’s both discussed evaluators and court decisions. The paragraph is not readable since it mixes the two studies together and it is not known what information is coming from what source.</p>
<p>83</p>	<p>The CJE says, “Yet in California and likely many other states, these agencies routinely dismiss the overwhelming majority of public complaints about judicial and court-connected personnel misconduct.”<sup>83</sup></p> <p>The citation in Endnote 83 does not discuss this.</p>
<p>84</p>	<p>The CJE says, “<i>Longstanding procedural barriers to public protection</i> include: 1) the “clear and convincing” evidence standard for judicial discipline”<sup>84</sup> (emphasis added).</p> <p>The reference in Endnote 84 is from the ABA. The ABA document says:</p> <p style="padding-left: 40px;">Judicial (and lawyer) disciplinary cases are neither civil nor criminal in nature but are sui generis. “Clear and convincing evidence” is a standard of proof higher than the civil law standard of “preponderance of the evidence” and lower than the</p> <p style="padding-left: 40px;">criminal law standard of “beyond a reasonable doubt.” The standard of proof required to sanction a respondent's conduct is thus commensurate with the importance of protecting the judicial system's ability to function—more than required to prove a private wrong, less than required to prove a criminal offense.</p> <p>The ABA does not mention that this is a “procedural barrier to public protection.” This is a CJE opinion to which no support is brought.</p>

86	<p>The CJE says, “The <i>agency bias</i> that injured family law litigants are merely ‘<i>emotional</i>’ because of their case outcomes and should be filing appeals with the appellate courts”<sup>86</sup> (emphasis added).</p> <p>The California government document that is referenced in Endnote 86 says:</p> <p style="padding-left: 40px;">Frustrated litigants often seek redress for their litigation disappointments from CJP, which is not designed to and cannot provide it. Even if CJP were to conclude that a particular judge was motivated by bias or some other impropriety to rule against a particular litigant, it could discipline the judge but not overturn the ruling. For that, the litigants would still have to resort to the courts.</p> <p>The citation does not discuss “agency bias.” Presumably, the intent of this Endnote is to demonstrate the agency bias in the California document. However, there is no agency bias evident in the CA report. The term “emotional” does not appear in the CA report and is an editorial comment by the CJE.</p>
87	<p>Endnote 87 cites Kayden’s Law. The CJE states, “The four recommendations listed above in this section are a part of this historic federal bill.” In actuality, the fourth recommendation (that family court personnel must also be held accountable for violating the ethical standards that govern their professions, especially when exhibiting biases that put children in harm’s way) is not a component of Kayden’s Law.</p>
90	<p>The CJE says training should include “tools to identify cases where an abusive parent is making false allegations about the other parent.”<sup>90</sup></p> <p>Jaffe et al. wrote;</p> <p style="padding-left: 40px;">Some advocates of co-parenting are concerned that many of the parents who raise concerns about domestic violence are making false or exaggerated claims of abuse to further their agenda to not share their children with their ex-spouses. There are legitimate issues related to false allegations and proof of claims, but it should be appreciated that denial and minimization of abuse by genuine abusers are significantly more common than false or exaggerated claims of spousal abuse by alleged victims (Jaffe, Lemon, &amp; Poisson, 2003). The need for proper assessment and investigation into <i>all claims</i> is essential to ensure that appropriate parenting arrangements are matched to each family system. (emphasis added)</p>

	<p>While Endnote 90 is accurate in regard to the need for proper assessment of domestic violence allegations, the citation is also clear that “all claims” need to be assessed. The CJE selectively leaves this out of its recommendations.</p>
<p>91</p>	<p>The CJE writes, “Peer-reviewed research has extensively <i>disproven parental alienation as a concept</i> that lacks validity for many years. It is not recognized as a diagnosis and rather only as a legal term, yet parental alienation remains the reigning paradigm in many family courtrooms. It is not recognized as a mental illness by the American Psychiatric Association, American Psychological Association, American Medical Association, or World Health Organization”<sup>91</sup> (emphasis added).</p> <p>The provided link in Endnote 91 is incorrect. The provided link is actually for Endnote 92. Endnote 91 is supposed to link to the WHO position on parental alienation which is found at: <a href="https://bit.ly/3PSIYFq">https://bit.ly/3PSIYFq</a>. The WHO citation does state that the WHO removed parental alienation from the ICD. However, not being classified as a mental disorder does not negate its existence or the serious long-term effects it can cause. WHO does state that parental alienation can be included under the category of “caregiver-child relationship problem”:</p> <p style="padding-left: 40px;">In situations in which an individual labelled with this term presents for health care, other ICD-11 content is sufficient to guide coding. Users may classify cases to “caregiver-child relationship problem.”</p> <p>This seems to demonstrate that the WHO does not consider parental alienation a “disproven concept.” The CJE neglects to mention this.</p>
<p>105</p>	<p>The CJE says, “A seminal 2008 study from Adams, Sullivan, Bybee, and Greeson discussed the development of a Scale of Economic Abuse (SEA) and found that at least one of 28 economic exploitation and control factors was present in 99 percent of the 103 domestic violence cases studied.”<sup>105</sup></p> <p>While this is technically correct, it is misleading. Adams et al. state in their study limitations:</p> <p style="padding-left: 40px;">Findings need to be considered in light of the study’s limitations. The majority of the women in the sample were either African American or White. They were primarily low-income women, and all were heterosexual and receiving services from a domestic abuse organization. As a result, the findings do not necessarily reflect the experiences of other groups of women. For example, it is possible that the nature and consequences of economic abuse differ for women from ethnic</p>

	<p>minority groups, middle- to high-income earners, women with disabilities, lesbian women, and informal help-seeking women.</p> <p>The purpose of the study was to develop an assessment tool for economic abuse and it used these subjects to test the validity of the tool. It is incorrect to deduce and generalize from this that 99% of abused women experience economic abuse. Determining the extent of economic abuse was not the goal of the study and it cannot be derived from it.</p> <p>Endnote #105 is inserted in the CJE report a second time in between Endnotes 108 and 109 after the words “and online resources or self-help centers for persons of moderate or middle income.”<sup>105</sup> These words or their concept are not present in the cited reference.</p>
<p>110</p>	<p>The CJE says, “Law student volunteers, private attorneys’ pro bono legal services<sup>107</sup> for people who live at or below the federal poverty line,<sup>108</sup> and online resources or self-help centers for persons of moderate or middle income<sup>105</sup> have increasingly helped fill this justice gap in recent decades.”<sup>109, 110</sup></p> <p>The National Coalition for a Civil Right to Counsel link in Endnote 110 talks about the large proportion of low income individuals who cannot afford counsel. There is no mention of online resources or self-help centers filling in this gap.</p>
<p>114</p>	<p>The CJE says, “The United States ranks 126th out of 139 countries when it comes to accessibility and affordability of civil justice and 122nd when it comes to legal system discrimination based on socio-economic status, gender, race and ethnicity, religion, national origin, sexual orientation, and gender identity, according to the World Justice Project’s 2021 Rule of Law Index.”<sup>114</sup></p> <p>The provided citation for Endnote 114 does not discuss this; rather, it seems to actually be the correct citation for Endnote 115. The CJE says “Kathryn J. Spearman from Johns Hopkins University conducted an extensive analysis of scientific research produced between 1987 and 2021 on the impact of post-separation abuse. She found that <i>legal abuse</i> includes attempts and threats to take children away via custody proceedings, the instigation of frivolous lawsuits, other court-related manipulations,<sup>115</sup> and litigation tactics that shift blame to survivors and reduce their credibility”<sup>116</sup> (emphasis added).</p> <p>This is a paraphrase of the Spearman article that is cited in Endnote 114:</p> <p>Legal abuse includes ‘custody stalking’ (Elizabeth,2017), the attempt and threats to ‘take children away’ via custody proceedings, instigating frivolous lawsuits or other system-related manipulations (Bancroft et al., 2002; Galántai et al., 2019;</p>

	<p>Gutowski &amp; Goodman,2020; Hines et al., 2015; Miller &amp; Smolter, 2011; Silverman et al., 2004). <i>Legal abuse</i> may include litigation tactics that shift blame to victims and reduce their credibility (Harsey &amp; Freyd, 2020). (emphasis added) (p. 1228)</p> <p>The Endnote does not refer the reader to anywhere specific in the text of the Spearman article; rather, it instructs the reader to “See the references to <i>six research studies on legal abuse</i> in Spearman, K. J., Hardesty, J. L., &amp; Campbell, J. (2022). Post-separation abuse: A concept analysis” (emphasis added). In the aforementioned paraphrase from page 1228, there are seven studies that are referenced. It is not known if the CJE miscounted or if they are referring to something else.</p> <p>There are approximately 185 references listed in the Spearman article of which only three have the word <i>legal</i> in their title. None contain the words <i>legal abuse</i>. The titles of the four studies that do contain the word <i>legal</i> do not indicate that they are germane to this citation. It is therefore impossible to validate the accuracy of this endnote.</p>
<p>115</p>	<p>Endnote 115 seems to be the reference for Endnote 116. The CJE says, “Kathryn J. Spearman from Johns Hopkins University conducted an extensive analysis of scientific research produced between 1987 and 2021 on the impact of post-separation abuse. She found that legal abuse includes attempts and threats to take children away via custody proceedings, the instigation of frivolous lawsuits, other court-related manipulations,<sup>115</sup> and litigation tactics that shift blame to survivors and reduce their credibility (Harsey &amp; Freyd, 2020).<sup>116</sup>”</p> <p>The Harsey &amp; Freyd study says:</p> <p style="padding-left: 40px;">DARVO stands for Deny, Attack, Reverse Victim and Offender. It describes how some people may react when they are accused of or held responsible for bad behavior. People may use DARVO to deflect blame and responsibility for the wrongdoing. Deny: the person will deny that they did anything wrong. Sometimes they will acknowledge something happened, but that whatever happened wasn’t that bad and that it didn’t cause any harm. Attack: some people will attack the credibility of their accusers, making it seem like the accusers are untrustworthy and should therefore not be believed. People may say that their accusers are liars, mentally ill, or have ulterior motives. Reverse Victim and Offender: finally, some people will try to convince others that they are the “true” victim, and that their accuser is actually the guilty one.</p>

	<p>The CJE attributes Endnote 116 (which should really be 115) to Harsey &amp; Freyd. The Harsey study does talk about advantages in the legal system for some attackers; it does directly mention “litigation tactics that shift blame.” The CJE, however, paraphrases from the Spearman article (that attributes it to Harsey). So while the information is relatively accurate, the CJE does not properly cite the sources.</p>
<p>116 &amp; 117</p>	<p>Endnotes 116 and 117 are different works by Supriya. Starting with citation #118, the numbering system seems to be correct. It seems that the placement of Endnote 117 in the document is for one of the two works by Supriya or both. They should not be two separate citations.</p> <p>The CJE says, “Low-income survivors of domestic violence, especially those who have survived or are experiencing domestic economic abuse as part of coercive control,<sup>117</sup> are the most likely to suffer because they can’t afford to hire attorneys and other court appointees.”</p> <p>The first Supriya source (Economic Abuse Within Intimate Partner Violence: A Review of the Literature. Violence and Victims) does not seem to contain this idea. The second source for this citation is: Domestic Economic Abuse: The Violence of Money. Routledge. Taylor &amp; Francis Group [Preview]. <a href="https://www.routledge.com/Domestic-Economic-Abuse-The-Violence-of-Money/Singh/p/book/9781032014302#">https://www.routledge.com/Domestic-Economic-Abuse-The-Violence-of-Money/Singh/p/book/9781032014302#</a>. The given source is a preview edition of the book. The book discusses economic coercive control and gives 12 vignettes to illustrate the book’s ideas. A search of the reference provided as well as on Google books did not produce any results that discuss low-income survivors per se nor was any reference to affordability of attorneys found.</p> <p>Also, the placement of Endnote 117 is not understood. It appears after the words “Low-income survivors of domestic violence, especially those who have survived or are experiencing domestic economic abuse as part of coercive control”<sup>117</sup>. This is not a complete idea. If the correct placement should be at the end of the paragraph, search results could not locate this concept in the book. Therefore, while the statement of the CJE might be true, this citation does not seem to support it.</p>
<p>118</p>	<p>The CJE says, “Legal scholars, the American Bar Association, nonprofits, and right-to-counsel activists have advocated for federal, state, and local governments to provide legal counsel<sup>118</sup> for low-income people in civil cases that involve basic human needs such as child custody.”<sup>119</sup></p>

	<p>While the ABA does make such a statement, the placement of the Endnote 118 after the words “legal counsel” suggests that the citation supports that legal scholars, nonprofits, and activists have advocated for this. The citation only relates to the ABA.</p>
<p>132</p>	<p>The CJE says, “The family court’s focus on proving parental alienation by a protective parent may reduce the court’s scrutiny of the abuser, which often affects the court’s monitoring and supervision of court-ordered treatments.”<sup>132</sup></p> <p>The citation in Endnote 132 does not discuss parental alienation at all.</p>
<p>138</p>	<p>The CJE says “States should increase resources to ensure that all agencies have a sufficient number of trained professionals and adequate financial capacity to respond promptly to abuse. This includes sufficient budgets for services, technical support and supervision, and ongoing training.”<sup>138</sup></p> <p>Storer et al. state in their abstract, “This research evaluated whether the recommendations made by one state-level DVFR had an effect on community and organizational priorities and practices. The results indicate that the recommendations influence countywide priorities, but less was done to implement the recommendations. DVFRs have the capacity to influence community-level change agendas; however, organizations need support moving from issue prioritization to implementation.”</p> <p>Endnote 138 discusses the failure of enacted policy to be implemented on a practical level. The CJE’s solutions are not explicitly stated in this study.</p>
<p>140</p>	<p>The CJE says, “The Child Trauma Response Team (CTRT) in New York City implements coordinated, trauma-informed interventions for children exposed to domestic abuse by referring them to the services they need, among other responses.”<sup>140</sup></p> <p>Endnote 140 provides two sources for this statement. The first citation from <i>European Journal of Psychotraumatology</i> is false and does not mention The Child Trauma Response Team. The <i>Children and Youth Services Review</i> citation is accurate. However, the CJE does not cite the original article; rather, it is Reif et al., a secondary source. This is a peculiar way of citation. Standard research practice is to look at the primary source and cite the primary source.</p>



150	<p>The CJE says, “Gender-based violence.<sup>150</sup> Gender-based violence (GBV) refers to harmful acts directed at an individual or group of individuals based on their gender.”</p> <p>Endnote 150 provides two citations. The first citation is accurate, but the second citation does not discuss violence; it discusses discrimination.</p>
151	<p>The CJE says, “Women and girls suffer disproportionately from GBV, even as men, boys, and LGBTQI+ people can also be targeted with violence related to gender norms.”<sup>151</sup></p> <p>The first citation in Endnote 151 only discusses GBV against women. The second citation is accurate.</p>



## **Appendix B**

### **Documents from Kayden’s Case**



Kayden's Case Details, Psychological Evaluation Reports and Court Transcripts can be Accessed at:

[https://www.dropbox.com/sh/3wt0ctdax39o0r8/AACS629JWdZHRzJ\\_V2MgIIGra?dl=0](https://www.dropbox.com/sh/3wt0ctdax39o0r8/AACS629JWdZHRzJ_V2MgIIGra?dl=0)

Judge's Chambers  
200 Main Street, Courthouse  
Brookville, Pennsylvania 15825  
(814) 849-1618



John H. Foradora  
President Judge

Court of Common Pleas  
of Jefferson County  
Fifty-Fourth Judicial District

August 10, 2023

Mr. Damian Wachter  
(via email only)

RE: Kayden's Law

Dear Mr. Wachter:

I write this letter for you to present to any person in the General Assembly regarding the practical effect of Kaden's Law on a custody judge; in my case, the only judge within the county. In doing so, I am going to generally discuss each of the proposed sections and also talk about the effects it has on Courts.

With regard to the changes to 5323 award of custody, subsection (e), Safety Conditions, the paragraph, as it currently exists, provides any court and judge discretion to look into all of the defined areas proposed to be added to the statute. The trial judge has full ability in each case to impose reasonable conditions for supervision or no contact, at all. This section also adds the categories of non-professional, supervised physical custody and professional, supervised physical custody.

In Jefferson County and all of its contiguous counties, and, I believe, all sixth-class counties in the Commonwealth, there are no professional, supervised physical custodians. In the eight-county region, which includes Jefferson County, there is one non-professional, supervised physical custody service, the cost of which is \$60.00, per hour, to \$90.00, per hour, and scheduling, generally, can take several months to begin. Most citizens cannot afford the service. The only other places in our local counties for supervised custody are our Children and Youth Services offices. In Jefferson County, we have only had a full-compliment of Children and Youth staff for less than a total of two years during the 22 years I have been on the bench. In the past, approximately, that we have hired individuals to watch custody visits through the interview room mirror at the Children and Youth office. The county has never been able to hire more than three people and this arrangement is, usually, fully booked for months with cases involving Children and Youth. Although we have received grants and raises for Children and Youth Services positions, they continue to remain unfilled. I do not believe legislators know the problem of hiring and staffing in today's current economic climate.

With regard to changing some of the 16 factors in 5328: First, the number one factor regarding encouraging and permitting frequent and continuing contact, has been a standard in

Mr. Damian Wachter  
August 10, 2023  
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Pennsylvania law from the very beginning of custody litigation. It should never, ever be eliminated due to the fact it will encourage false allegations of danger and abuse. I believe under the current Paragraphs (2) and (2.1) permit the Court to look at abuse and the myriad items now more fully defined in Kayden's Law. With regard to these many new definitions and mandates the law proposes, they would delay and make custody litigation onerous. The requirement of having evaluations and counseling with the findings of certain convictions and actions will add expense and delay. Recently, I heard a custody trial where the parents needed parallel coparenting counseling, with the Court calling daily to various counseling services. It took until the first week of August to find a counselor available to provide this basic service; these parents will need to drive 50 miles, one way, to attend. There are just not enough practitioners in central Pennsylvania.

I would finally state that Paragraph 14 should not be eliminated as far more litigation surrounding custody involves drug and alcohol addiction and neglect that follows it, more than abuse and physical harm.

With regard to the training, for judges to be provided by the AOPC, this training is presently substantially provided to judges who work in dependency divisions; it is regularly available at our state trial judges' conferences. To require more, and mandate hours, it would simply take away from judges' education needed in other areas of the law.


I believe every person who campaigns for the state legislature, in either the House or Senate, does so to solve problems which existed or exist. Unfortunately, in the case of Kayden Mancuso, the statements made by the proponents of the Bill, and many press agencies, have no basis in fact for the case that was presented in Bucks County Family Court. In essence, this law is an answer to a question that was never asked nor was there a basis for asking that question the law attempts to answer; because there is not a problem that needs to be solved. I believe all proponents of these changes should read the court record, which is available to the public, and not rely on summations. If one looks at the record, they will find, first and foremost, that Kayden's mother requested the custody schedule ordered. It was recommended by the master's office, after evaluation. They will also find that Kayden and her father had a good and positive relationship. They will find the parties did not reside together for over five years. Unfortunately, they will find Kayden's mother engaged in verbal and psychological abuse with Kayden's father.

I am certainly aware of the pressures on public officials to respect everyone and not attack people who come to them for assistance. I do think, in this case, it is important to set the record straight that this was unfortunate incident which is not just extremely rare, but much more rare than lightning strikes. Rather than repeat these facts, I am enclosing information which was included in letters of Honorable Judge Pechkurow (retired), who sat in the Philadelphia Family Division for years. Her numbers contained in these letters should be closely observed. A person should also review the testimony of Frank Cervone, Executive Director of the Support Center for Child Advocates in Philadelphia, presented to the House Committee detailing the reasons the Act should not be passed. These factual assessments show the changes are not needed, nor would they have stopped the death of Kayden Mancuso.

Mr. Damian Wachter  
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Thank you.

Sincerely,



John H. Foradora  
President Judge

JHF/kei

phillyburbs.com

**OPINION** *This piece expresses the views of its author(s), separate from those of this publication.*

## Guest Opinion: Judge Trauger made no errors in Kayden Mancuso case

**By Doris A. Pechkurow**

Published 10:48 a.m. ET June 30, 2021

Columnist Phil Gianficaro (June 26, 2021) and others have called for the removal of Bucks County Common Pleas Court Judge Jeffrey Trauger because of his decision in the Kayden Mancuso case. An examination of the reports, court testimony and 15-page opinion of Judge Trauger, however, shows no error on the part of the judge in entering the May 24, 2018 custody order.

First, Judge Trauger granted the precise custody schedule requested by counsel for Kathryn Giglio (now Sherlock), mother of the child, which had been recommended by the custody evaluator: "every other weekend from Saturday at 10:00 a.m. through Sunday at 6:00 p.m." (Notes of testimony, 5/1/2018, p. 65).

Second, the custody evaluator did not state that father "should enter into mental health treatment before being given unsupervised visits," as erroneously claimed by Mr. Gianficaro. The evaluator wrote that, "It is not suggested that Mr. Mancuso be supervised, contingent on his attending mental health treatment." (Emphasis added). In his order/opinion, Judge Trauger encouraged that father immediately seek psychological care and treatment as recommended by the psychiatrist who conducted mental health evaluations of the parties. The order was not appealed to the Superior Court claiming error on the part of the court, nor was any petition filed asking the judge to reconsider any provision of the order.

Third, there had never been any evidence that father was a danger to the child, notwithstanding his history of considerable problematic behavior toward others, including the child's mother. Mr. Mancuso had been spending periods of custody with the child on alternating weekends ever since the parties separated, and beginning in October 2016, he had four days of custody with her every other weekend. None of the reports or trial testimony showed any incident, suggestion or concern that he posed any threat of harm to the child, let alone "a continued risk of harm to the child," which must be considered when fashioning a



custody order. So on what basis can it be concluded that this was an “egregious ruling” by a court required to follow the evidence and the law?

There are no words to describe the pain and loss experienced by Kayden’s mother and family due to the child’s horrific death. Anyone concerned would want to know why such a tragedy occurred. But the answer does not lie in the custody order or other decisions of the court.

During the past 10 years in Pennsylvania, 398,722 custody orders were entered. Kayden’s death and the 2013 homicide of a child in Huntingdon County, who was killed by his father during a period of supervised custody, were two tragedies that occurred among these thousands of cases. Yet 25 other children were killed by a parent during that same period in Pennsylvania (per the Center for Judicial Excellence) where there was no court involvement. Upon examination, it appears that whatever the level of parental conflict or whatever the custody arrangement, unspeakable tragedies occurred for reasons that are unfathomable, not because of actions of a court.

The criticism of Judge Trauger is all the more exacerbated because he is unable to respond due to the constraints of judicial ethics. These constraints do not apply to retired judges, however, which is why I have responded out of concern about an unwarranted attack on the judiciary. While the First Amendment protects the rights of citizens to criticize government officials in order to further the interests of liberty, no one’s interests are furthered when such criticism is not grounded on facts. Moreover, justice is not served when the challenging work of family court judges is misconstrued in the press.

*Hon. Doris A. Pechkurow (retired) was a Philadelphia Family Court Judge for 17 years.*

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Dr. Petra Deeter,

I am responding to your request for input about legislative interference in child custody matters, an issue with which I became involved when the Pennsylvania Senate passed a bill known as "Kayden's Law," which will amend the state custody code if passed by the House of Representatives. The legislation stemmed from the tragic killing of an eight year old child by her father during a period of custody, for which tragedy the press & "advocates" blamed the judge who had done nothing wrong and had entered a careful and considerate order after hearing all the evidence.

During that particular custody hearing, there was no testimony that anyone had concerns about the child's safety with her father, who had had regular periods of custody with the child for years, as arranged between the parties. The judge reduced father's custody time from four to one day on alternating weekends to limit the child's exposure to father's angry outbursts at other persons, of which there was a record. But none of the press coverage provided accurate information about the hearings, even though the transcripts were made available to the public.

Significantly, neither the state nor any county bar association, nor any agency that advocates for families and children in the state, supported the legislation because of problematic provisions fashioned by the legislature, such as mandating professional supervised custody without any regard as to its availability in any given county or the inability of the parties to pay.

The chief sponsor of the bill capitalized upon erroneous and misleading "statistics" disseminated by organizations such as the Center for Judicial Excellence, which has tracked the killing of children by parents dating back to 2008, currently 872 in number. Notwithstanding that only 118 of these tragedies (13.5%) had some court involvement, the website has as its mission "to protect vulnerable children in the family court system and to strengthen the integrity of all courts by creating judicial accountability," overlooking the vulnerability of 86.5% of the homicide victims.

Had anyone with the Center actually researched the court-involved cases, they would have seen that the five child homicides in Pennsylvania, for example, that had some court involvement, out of a total of 33 such homicides dating back to 2009, none of the tragedies was attributable to any court's having placed a child in harm's way, as claimed by the agency. One child was killed during a period of supervised custody, two siblings were killed during a period of custody agreed upon between the parties, one child was killed as a result of a suicide pact orchestrated by paternal grandmother and father, to prevent mother from having her scheduled period of custody, and the 5th case was the child Kayden, as discussed above.

The chief sponsor of Kayden's law accused courts of failing to read signs of domestic abuse and awarding custody or unsupervised visitation to an abuser 81% of the time, based upon a review of 4000 domestic court cases (without citing the authority). Court records show that claim is preposterous and has no basis in reality.

According to annual reports of the Administrative Office of Pennsylvania Courts, approximately 512,000 custody orders have been entered since 2009, compared with 151,920 Protection from Abuse Orders entered between 2010 and 2020, the majority of which do not involve parties with

children. In fact, a review by court staff of 347 custody cases scheduled for a hearing in Philadelphia in early 2021 showed that only 49 cases (14%) had some form of Protection from Abuse involvement, where 18 had current protection orders, 22 had expired protection orders and in 9 cases domestic violence petitions were pending.

In addition, a Westlaw Next search of approximately 9000 custody appeals filed in the Pennsylvania Superior Court during the past forty years showed that a claim about a Protection from Abuse matter was raised in only 177 cases, and in only seven cases did the party filing the appeal complain that an abusive party was awarded primary, joint or partial custody. But such fact-based, reliable information was never considered by the legislature and is wholly ignored by "advocacy" agencies such as the Center for Judicial Excellence.

Unfortunately, the misinformation was incorporated into the federal Violence Against Women Act this year when Congressman Brian Fitzpatrick followed the lead of the state Senator who had sponsored Kayden's Law, and made it part of the federal legislation, specifically Section Title XVI of the Act.

Section 1602 of the Act, paragraph (6) states, "Empirical research [from????] indicates that allegations of child physical and sexual abuse are regularly discounted by courts when raised in child custody cases, with fewer than one-fourth of claims that a father has committed child physical or sexual abuse believed."

Query: In what world are allegations of sexual abuse of a child raised and litigated in family court as opposed to criminal court???

And in most jurisdictions, allegations of child abuse are handled by child protective services in separate court proceedings, not in child custody hearing.

Paragraph (8) of section 1602 further states that more than 100 of the 800 children murdered in the United States in custody disputes (presumably referring to the statistics published by the Center for Judicial Excellence), "are known to have occurred after a court ordered the child into contact with the dangerous parent over the objection of a safe parent or caregiver." Yet, no such court order was made in the five Pennsylvania child homicide cases and it cannot be said that the Center reviewed any transcripts or court proceedings in these 100 cases, as opposed to making blanket, unsupported claims about the courts.

Title XVI also has provisions that link federal funding to requirements that courts take or refrain from taking certain actions in custody cases, with no caveat whatsoever specifying that the totality of evidence and determination of credibility must first be made, in clear violation of due process. And, needless to say, not a single penny is designated to fund facilities where supervised visitation can occur to provide protection for the child when one parent has been shown to perpetrate domestic violence against the other parent.

As a recently retired Philadelphia Family Court Judge, I spent almost eighteen years in family court where, on a regular basis, I heard and saw scenarios that were astonishing and disturbing. It was often challenging to determine who was telling the truth, particularly where

there was no objective evidence to show anything one way or the other. Fortunately, in one case a court video camera showed the child's claim of inappropriate sexual conduct by a parent was false and in another case, the parent's cell phone video showed the child was enjoying himself with relatives during a custody visit and was not locked away in a room as he testified in court. In both instances, the custodial parent had clearly been influencing the child, which both state and federal versions of Kayden's law assume never occurs.

Had there been no independent evidence to show the children were lying and had I concluded they were not telling the truth, when I entered the custody decisions, both Kayden's Law and Title XVI of the Violence Against Women Act would have condemned my decisions as failing to protect the child.

In summary, neither state nor federal legislation should be enacted to dictate how child custody cases are handled when such legislation is based upon press accounts and "research" promulgated by self-serving agencies, to the exclusion of trial transcripts and court records made available to the public which contradict the press accounts and "research". It is ironic how these advocacy agencies and legislators claim that judges do not know this or that when neither members of the agencies nor legislators have spent any time observing child custody hearings or reviewing trial transcripts. Had they done so they would have realized that, while there are exceptions, the majority of family court judges are dedicated civil servants whose challenges and responsibilities are unique among all the various facets of law and that they should be provided with resources that help them meet their responsibilities in determining what is in the best interests of the child.

Hon. Doris A. Pechkurow (retired)

IN THE COURT OF COMMON PLEAS  
OF BUCKS COUNTY, PENNSYLVANIA  
FAMILY COURT DIVISION

- - -

KATHRYN SHERLOCK : NO. A06-16-60768-A-39  
V. : **PROTECTION FROM ABUSE**  
: **HEARING**  
: :  
JEFFREY MANCUSO :  
:

- - -

BEFORE: THE HONORABLE BRIAN T. MCGUFFIN, J.

- - -

BUCKS COUNTY JUSTICE CENTER  
COURTROOM NO. 340  
DOYLESTOWN, PENNSYLVANIA

- - -

WEDNESDAY, DECEMBER 6, 2017

- - -

APPEARANCES:

CHRIS LITTLE SIMCOX, ESQUIRE  
JOHN BENSON, ESQUIRE

JANE T. KASPERN BURGER, RPR, OFFICIAL COURT REPORTER

1 have been involved in Contempt in Custody Court  
2 isn't really relevant as to whether -- it was  
3 relevant a little bit, in terms of the history,  
4 but it's no longer relevant for purposes of  
5 establishing whether this abuse occurred.

6 So I'll sustain the objection.

7 BY MS. LITTLE SIMCOX:

8 Q. What are you asking for today?

9 A. Grant a PFA, so I don't -- I don't need  
10 to be around him. I don't want him near me or  
11 my family, other than my daughter, and we can  
12 deal with that in Custody Court. I don't want  
13 to hear from him. I don't want to be stalked.  
14 I don't want to be harassed. That's it.

15 I want him 50 feet away from my kids'  
16 soccer games. I don't want him anywhere near  
17 me or my family.

18 Q. And when you say your family, you're  
19 also speaking of your husband?

20 A. Correct.

21 Q. And you have two kids with your  
22 husband?

23 A. I have two babies with him.

24 MS. LITTLE SIMCOX: I have nothing  
25 further, Your Honor.

## **Appendix C**

### **Requests to See the CJE Data Including Court Records, Police Reports, Interview Transcripts, and Method of Triangulation**





From: "Yaakov Aichenbaum"  
Date: Wednesday, September 6, 2023 6:37 PM  
To: [kr@centerforjudicialexcellence.org](mailto:kr@centerforjudicialexcellence.org)  
9/6/2023

Dear Ms. Russell,

I saw the PowerPoint presentation at the IVAT conference as well as the Child Safety Report from the CJE. At the IVAT presentation, you described the research methodology, coding and statistics. Is there a technical report available that contains the actual data bases, coding, criteria for inclusion in the group of preventable homicides and statistical data? Your power point says that CJE data and media reports are triangulated with data from medical examiners, police departments, and proxy interviews in the PAIR Studies. Is this material available?

Also, other than media reports, where there any other sources that verified the claims made in the media about the facts of the preventable cases? Finally, was there any peer review of this study?

Thank you for providing this important information in order to fully understand the significance of your study.

Yours,  
Jeff Aichenbaum  
Baltimore

From: "Yaakov Aichenbaum"  
Date: Tuesday, August 15, 2023 10:08 AM  
To: [kspearm2@jhu.edu](mailto:kspearm2@jhu.edu)

Dear Ms. Spearman,

I saw your powerpoint presentation at the IVAT conference as well as the Child Safety Report from the CJE. At the IVAT presentation, you described the research methodology, coding and statistics. Is there a technical report available that contains the actual data bases, coding, criteria for inclusion in the group of preventable homicides and statistical data? Also, other than media reports, where there any other sources that verified the claims made in the media about the facts of the preventable cases? Finally, was there any peer review of this study? Thank you for providing this important information in order to fully understand the significance of your study.

Yours,

Jeff Aichenbaum  
Baltimore



# **Appendix D**

## **Endorsements**



## Endorsements

This document was produced by the Parental Alienation Study Group (PASG) and the Global Action for Research Integrity in Parental Alienation (GARI-PA). In addition, this analysis is endorsed by the following organizations:

### United States

- Colorado Resilience. <https://coloradoresilience.org/resilience-centers/>
- Daily Bomb
- Heroes for Children’s Rights. <https://heroesforchildrensrights.org/>
- Interference with Child Custody Coalition. Facebook.com/enforceICC/
- Mothers Against Child Abuse. Facebook.com/mothersagainstchildabuse/
- Parental Alienation/Psychological Abuse Support and Intervention (PASI). [www.PAS-Intervention.org](http://www.PAS-Intervention.org)
- RespectfullyPAC. [www.RespectfullyPAC.org](http://www.RespectfullyPAC.org)
- Servicemembers & Veterans for Children's Rights. Facebook.com/groups/3701784229929531/
- The Law Center. <http://www.demarcoanddemarco.com>
- The Toby Center for Family Transitions [www.thetobycenter.org](http://www.thetobycenter.org)
- Victim to Hero. [www.victimtohero.com](http://www.victimtohero.com)
- Wisconsin for Children & Families. <https://www.wisconsinfathers.org/>

## International

- #20NGlobal – Organización del Día Internacional de Derechos del Niño. Facebook.com/20NGlobal
- #25A Día internacional contra el abuso infantil. Facebook.com/25AGlobal
- Colectivo Internacional de Mujeres por la Igualdad. Facebook.com/profile.php?id=100089824406549&mibextid=ZbWKwL
- Denuncias en Tribunales de Familia. Facebook.com/DenunciasTribunales
- Domestic Abuse and Violence International Alliance (DAVIA). <https://endtodv.org/davia/>
- Father's Day International. Facebook.com/diadelPadre
- LatinoAmerica Infancia. Facebook.com/latinoamericainfancia
- Observatorio de Falsas Denuncias de Género Nacionales e Internacionales. Facebook.com/FalsasDenunciasNacionalesInternacionales
- Rescate Internacional Sustracción Parental. Facebook.com/RescateParental?\_\_tn\_\_=-UC
- Union Europe la Infancia Primero. Facebook.com/UnionEuropeInfancia
- Union LATAM & Europe La Infancia Primero. Facebook.com/UnionLatamInfancia

## Rest of the World

- Argentina. Asociación por los Derechos de los Niños, Abuelos y Padres. Facebook.com/profile.php?id=100064321407153
- Argentina. Fundacion Arcangel San Rafael. [Telmajarezvisuara@gmail.com](mailto:Telmajarezvisuara@gmail.com)

- Argentina. Infancia Compartida. [www.infanciacompartida.org](http://www.infanciacompartida.org)
- Argentina. Justicia por NNyA. Facebook.com/groups/991370858078098/
- Argentina. Movimiento Derecho a Defensa. Facebook.com/profile.php?id=100088946195531
- Argentina. Mujeres Sanas. Facebook.com/mujeressanas100?mibextid=ZbWKwL
- Aruba. Kids Rights Empowerment. Facebook.com/profile.php?id=100068120479715&mibextid=ZbWKwL
- Belgium. Parents Enfants l'amour Famille ASBL. Facebook.com/p/Parents-Enfants-lamour-Familial-Asbl-100064728760658/
- Brazil. Associação de Pais e Mães Separados. [www.alienacao-parental-apase.com.br](http://www.alienacao-parental-apase.com.br)
- Brazil. Associação Brasileira Criança Feliz. [www.criancafeliz.org](http://www.criancafeliz.org)
- Brazil. Associação Nacional em Defesa dos Filhos Pela Igualdade Parental. [www.anfipa.com.br](http://www.anfipa.com.br)
- Brazil. ComCausa. [www.comcausa.org.br](http://www.comcausa.org.br)
- Brazil. Sou Pai, Não Visita. [www.soupainavisita.org/](http://www.soupainavisita.org/)
- Chile. Agrupación por los Derechos Denuncia y Protege. denunciayprotegeporlainfancia@gmail.com
- Chile. Amor de Abuelos Chile. [yazmin.abara@gmail.com](mailto:yazmin.abara@gmail.com)
- Chile. Fundación Crianza Compartida Chile. [www.fundacioncrianzacompartidachile.cl](http://www.fundacioncrianzacompartidachile.cl)
- Chile. Observatorio judicial ciudadano. observatoriojudicialciudadano@gmail.com
- Chile. Padres de Chile Unidos por sus Hijos. Facebook.com/padresdechile
- Chile. Padres del Norte. Facebook.com/profile.php?id=100070387189437

- Chile. Padres Desvinculados.  
Instagram.com/p/Cwll0h0Oeqd/?igshid=MmU2YjMzNjRlOQ==
- Chile. Padres Perseguidos Injustamente .  
Facebook.com/profile.php?id=100093267660911
- Chile. Plaza Cabildo Infancia. Facebook.com/InfanciaalaConstitucion
- Colombia. Fundación Find AC. Facebook.com/fundacionfindAC
- Costa Rica. Padres en Alianza por los Derechos y Amor de un Hijo.  
Facebook.com/padresenalianza
- Ecuador. Filialis EC. <https://filialis.ec>
- Ecuador. Fundación Padres por Justicia. [www.padresporjusticia.org](http://www.padresporjusticia.org)
- Mexico. 1000Pelotasparati. [www.milpelotasparati.org](http://www.milpelotasparati.org)
- Mexico. Asociación Mexicana de Padres de Familia Separados AMPFS.  
<https://www.ampfs.com.mx>
- Mexico. La Buena Relación, Alternativa Corporal y Mental A.C.  
Facebook.com/la.buenarelacion?mibextid=ZbWKwL
- México. Colectivo Nacional de Mujeres por la Igualdad.  
Facebook.com/profile.php?id=100087995030313&mibextid=ZbWKwL
- Mexico. Hijos sin Violencia AC. Facebook.com/profile.php?id=100090311828994
- Mexico. Infancia Feliz.  
Facebook.com/profile.php?id=100075999266232&mibextid=ZbWKwL
- Mexico. JusticiaxNNyA con obstrucción de vínculos.  
Facebook.com/groups/991370858078098/
- Mexico. Lazos Protectores de la Familia.  
Facebook.com/LAZOSPROTECTORES?mibextid=ZbWKwL
- Mexico. Materia Familiar. Facebook.com/profile.php?id=100064551917331



- México. Movimiento Infancias Felices.  
Facebook.com/infanciasfelicesbc?mibextid=ZbWKwL
- Mexico. No más Hijos Rehenes. <https://nomashijosrehenes.org>
- Mexico. No más Niños Huérfanos de Padres Vivos A.C.  
Facebook.com/derechoshumanosinfancia?mibextid=9R9pXO
- Mexico. Perspectiva de Infancia. Facebook.com/perspectivadeinfancia.org
- Mexico. Vivir con Papá y Mamá. Facebook.com/groups/416918956137894
- Panama. Papá por Siempre.  
Instagram.com/papa\_por\_siempre\_panama/?utm\_medium=copy\_link
- Paraguay. Centro de Asistencia Integral al Hombre y a la Familia / Grupo Actio Legis.  
Facebook.com/actiolegispy
- Peru. Faro ONG. <https://farosong.org/nosotros/>
- Peru. Femeninas. <https://perspectivadeinfanciatam.com/>
- Peru. Foro Democracia. Facebook.com/ForoDemocraciaPeru
- Peru. Padres Presentes. Instagram.com/padrespresentesperu/
- Portugal. Igualdade Parental Associação Portuguesa E Direitos Dos Filhos.  
Facebook.com/igualdadeparental.org
- Spain. acTÚa FAMILIA. Facebook.com/actuaFamiliaAndalucia
- Spain. Asociación Contra la Sustracción Internacional de Menores (ACSIM). @2020ACSIM
- Spain. Asociación GenMad. [www.GenMad.com](http://www.GenMad.com)
- Spain. Asociación Nacional Afectados Bebes Robados.  
Facebook.com/groups/201750463205390
- Spain. Asociación Nacional de Ayuda a Víctimas de Violencia Doméstica - ANAVID.  
Facebook.com/AsociacionAnavid

- Spain. Asociación Nacional del Menor Tutelado.  
Facebook.com/groups/393836948743377
- Spain. Asociación por el Derecho de los Niños Custodia Compartida Extremadura.  
Facebook.com/profile.php?id=100078720352207
- Spain. Consejo Nacional de Ancianos Gitanos. Facebook.com/groups/205932944495279
- Spain. Entre Los Dos. <https://entrelosdosblog.wordpress.com/>
- Spain. Movimiento Femenino por la Igualdad Real. Facebook.com/MovFemenino14e
- Trinidad & Tobago. IMD - INTERNATIONAL MEN'S DAY. www.internationalmensday.com
- Uruguay. Familias Unidas por Nuestros Hijos.  
Facebook.com/profile.php?id=100064251627039&mibextid=ZbWKwL
- Uruguay. Stop Abuso Uruguay.  
Facebook.com/profile.php?id=100066819458601&mibextid=ZbWKwL
- Venezuela. FUNVENIDES. Facebook.com/FUNVENIDES



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