



Mapping Gender: Shedding Empirical Light on Family Courts' Treatment of Cases Involving Abuse & Alienation

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FAMILY COURT OUTCOMES IN CUSTODY CASES INVOLVING PARENTAL ALIENATION AND/OR ABUSE

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Why?

- Enormous problems in the field
- Critiques having little impact
- Need for empirical proof

National Pilot Study

- Custody and parental alienation
- 10-year period (n = 240)
- Electronic search
- Researcher coded them and used cross-tabs for informal analysis

Shout-out to Sean Dickson, Esq., MPh

Findings from Pilot Data

PILOT DATABASE

ALL ALIENATION CASES

Standard scenario:

- Mother alleges abuse
- Father alleges alienation

Less common:

- Mother alleges alienation

Standard Scenario

Courts credited:

- 59% of DV allegations
- 19% of child abuse allegations
- 6% of child sexual abuse allegations

Overall: 26% of abuse claims

When they
alleged
mother was
alienating,
fathers
won*

*some or all of
what they sought; or
defeated other
party

- 67% of cases where no abuse alleged
- 73% of cases where DV alleged
- 69% of cases where child abuse alleged
- 81% of cases where child sexual abuse alleged
- 62% of cases where DV *validated* (8/13)*

*38% of these mothers lost custody (5/13)

The Power of
Alienation
claims *by*
fathers
vs.
by mothers

When one parent accused the other of
alienation,
fathers were 2.3 times more likely to win
than mothers.

When credited, **4.3** times more likely

**Primary
Custody
switched to
father**

- 48% where no abuse alleged
- 29% where DV alone alleged
- 30% where mixed abuse alleged
- 57% where child abuse alone alleged
- 68% where child sexual abuse alone alleged

**Child Sexual
Abuse
penalty**

In alienation cases:

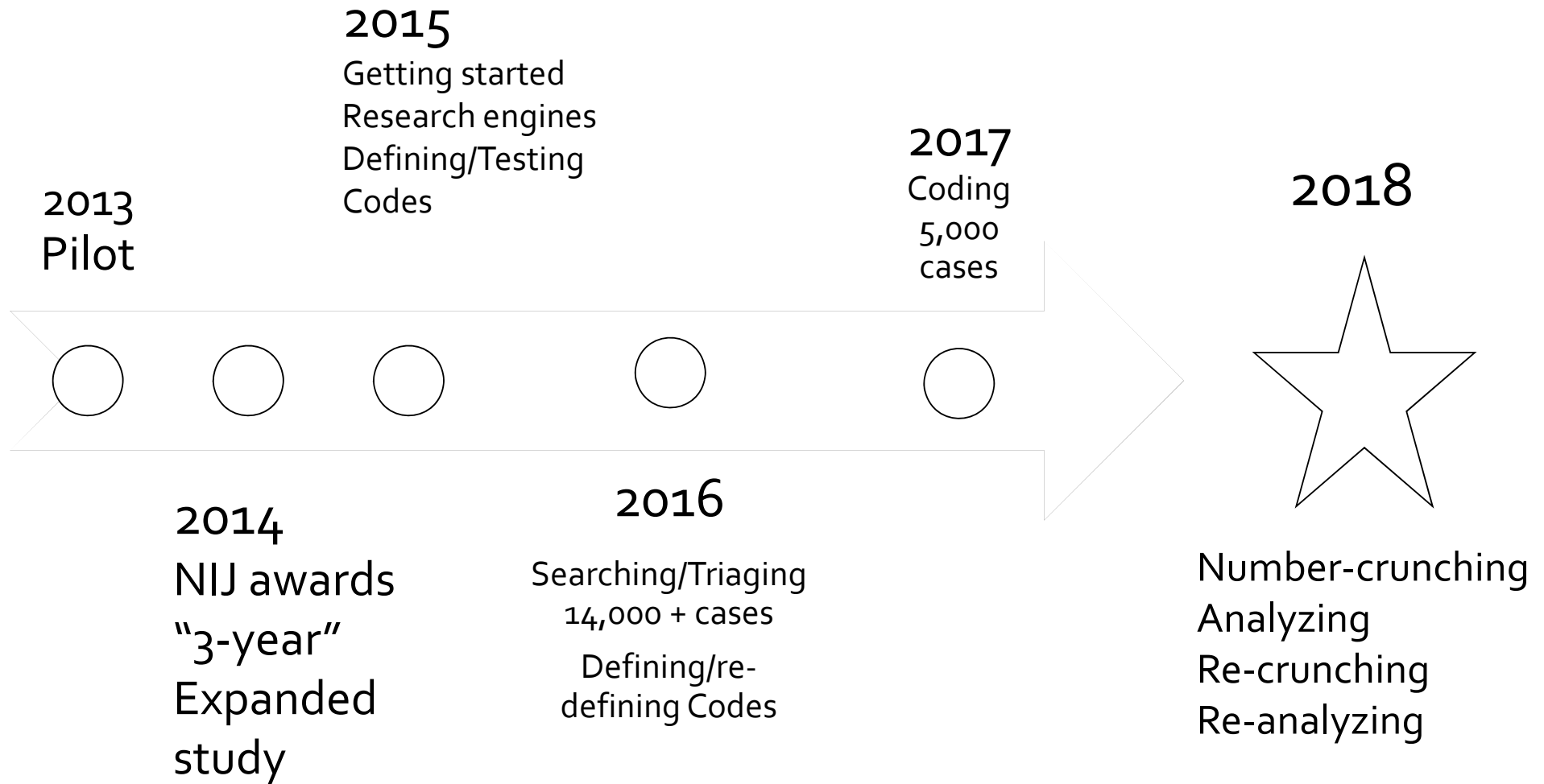
**Mothers were 5.3% more likely to
lose custody if they alleged
child sexual abuse
than if they alleged
DV**

Both
Abuse and
Alienation
Credited
(n = 7)

Maternal
Alienation

Paternal
Abuse

**Father
Always
Wins**



Main Difference from Pilot Study

- Includes not only cases with alienation claims but also cases with abuse claims (and no alienation)
- Allows us to compare outcomes when alienation is used as a defense to when it is not

Very
preliminary
indications

Alienation *allegations* similar impact for both genders

Credited alienation much more impact for fathers

Abuse claims vs F increase crediting of M's alienation, F win rates and M custody losses

New Findings

Impact of Corroboration of Abuse

Impact of Custody Evaluators/GALs

Some interesting state differences

STAY TUNED

Results will begin to be released in April, June and thereafter

Questions?