

Keeping your expenses down when hiring the Parental Alienation Expert Witness

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Recognizing how most targeted/alienated parents have exhausted most of their assets in defense of their parental rights to their children, I offer the following suggestion as to how to minimize the costs of hiring the expert witness.

The alienation expert can serve either as a case-specific witness or as a generic witness. Let me clarify the differences:

The case-specific expert will need to review the entire history of your case as far back as to the beginning of your relationship with the alienating parent. This will likely include documents, evidence, and information obtained from collateral contacts spanning many years. Interviewing all involved parties is usually helpful although adversarial parties will likely resist. Corroboration by collateral contacts is important and sometimes essential. Court documents, e-mails, text messages, video and audio recordings, etc. comprise the materials to be evaluated. And of course, to prepare for cross-examination, no stone should be left unturned; I do not like surprises under cross. Extensive collaboration with your attorney is a necessity. Review of your file will be costly. I can visualize how the reader is tabulating in her/his head the cost of her/his particular case!

The generic expert does not and need not ascertain anything about your specific case—except your name. The generic expert witness will be able to testify to:

1. Educating the court about how to recognize this family dynamic, which therefore allows the court weigh the evidence presented in this case against the criteria to which I have testified.
2. How to define and diagnose for parental alienation.
3. How to distinguish alienation from estrangement.
4. The criterion that qualifies one to be considered a specialist on parental alienation and which therefore distinguishes the alienation specialist from the clinicians and forensic evaluators who do not possess these criteria.
5. The 8 commonly accepted symptoms/manifestations of an alienated child.
6. The 17 research-documented alienating strategies/behaviors as defined by Amy Baker and Paul Fine.
7. The counterintuitive issues in parental alienation and which therefore result in alienation being missed by the non-specialist, mistaken for estrangement, or assessed to be a hybrid case.
8. The cognitive and clinical errors frequently committed by the non-specialist in alienation.
9. Refutation of the unscientific information that disputes the existence of this very common family dynamic.

10. How the DSM5 documents the family dynamic characteristic of alienation as a very real condition requiring clinical attention—including being labeled as a form of psychological abuse of a child.
11. Other literature that examines how this family dynamic represents psychological maltreatment of a child.
12. The research as to the short and long term detrimental effects to a child resulting from the severing of a parent-child relationship—especially because the child had been coopted by the alienating parent to participate in the humiliation, disrespect, and maltreatment the alienated parent.
13. The suggestibility of children and how readily a parent can brainwash a child to reject a loving, concerned, and involved parent.
14. The diminished capacity of the alienated child with the result that child's reporting is not credible and not a representation of the child's actual feelings for the alienated parent.
15. Why it is detrimental to children to be asked to take a position on custody, visitation, and the relationship with the non-residential parent.
16. Why and under what conditions it is not necessary to interview the child and the alienating parent in order to assess for alienation to a reasonable or high degree of clinical certainty.
17. The limits and invalidity of the common psychological tests that are given in most custody cases.
18. Effective treatment for severe cases of parental alienation.

How a generic witness can be effective:

The alienated parent should testify before I do as to the history of the case; that is, to all the alienating strategies employed by the other parent and to the characteristic symptoms/manifestations of the alienated child as exhibited in your children. I subsequently testify to the matters I delineated above. Upon completion of my generic testimony, your attorney asks me questions regarding your case specifics but couches the question as a hypothetical. For example, based on your testimony regarding this, your lawyer poses the following to me, "Hypothetically speaking, if a parent consistently withheld a child from the other parent's parenting time without just cause, can that be considered an alienating strategy?" And, "Hypothetically speaking, if a parent engaged in a pattern of behaviors that consistently denied the other parent access to their child's medical and educational records and activities and did not name the other parent as an emergency contact, would that be indicative of an alienating strategy?" Every case-specific alienating behavior/strategy in which the alienating parent had engaged can be posed to me as a hypothetical question. The same process would apply to the manifestations of your child, such as, "Hypothetically speaking, if a child shrieked at a parent that he/she hates that parent, never wants to see that parent again, would be happy if that parent disappeared from her/his life or even died, would that be an example of a manifestation in an alienated child?" So even as a generic witness, I will nonetheless be confirming your case-specific evidence for the alienating strategies employed by the other parent along with the manifestations exhibited in your child.

In other words, the targeted/alienated parent has done the intensive and protracted work of documenting the case-specific evidence.

I suggest that the targeted/alienated parent purchase Amy Baker's research-supported article that defines the 17 alienating strategies. It can be bought for \$10 from her website: www.AmyJLBaker.com. The article is entitled, "Taking the High Road." I have provided on this website a description of the 8 manifestations identified by Gardner as exemplified by the alienated child. That article, as with any other article on my website, is available at no cost. You will need this information to assess your case for alienation and to document it for your attorney.

There may be exceptions to pursuing the generic approach—such as if you have received a poor forensic and/or psychological evaluation. Under this circumstance, the expert witness will have to be case specific in order to critique such evaluations. I have written articles elsewhere on this website as to why and how many therapists and custody evaluators get alienation cases backwards and wrong. One very common error is to conclude that the case is estrangement and not alienation or to determine that the case is a hybrid—meaning that both parents contribute to the child's rejection. In an alienation case, however, the contributions are not equal. This is a common clinical error known as "severity neglect." The alienated parent is *reacting* to a traumatic situation while the alienating parent has initiated and maintains the traumatic situation. These are far from equal contributions. However, the case-specific witness will have to explain this to the court—along with many other cognitive and clinical errors that were likely committed by the non-specialist evaluator. You may well need a case-specific witness to testify as to why your case is alienation and not estrangement.

Please note: you may have a situation in which the other parent has been engaging in a campaign to minimize your role with your child and further to sever your relationship with your child. But, for whatever reason, your child resists the programming or your child may be too young to exhibit the manifestations. An obsessed or severe alienator will not likely relinquish the goal. Without intervention, your child will likely succumb to the relentless programming. Your case can still be made based upon the alienating strategies alone.