



## A NEW SPIN ON LEGAL AND THERAPEUTIC INTERVENTIONS FOR PAS CASES

By Robert A. Evans, Ph.D.

What about the role of mediation in PAS? The premise is that help for PAS almost always involves a combination of legal and therapeutic intervention, but the delays caused by the formal court proceedings may contribute to the problem. Early negotiation or mediation in these cases can be a powerful tool for attorneys in providing a rapid solution to child estrangement that can evolve into total rejection of one parent by a child. Time is of the essence in dealing with problems that may lead to PAS.

If contact is stopped between a parent and a child, a pattern is likely to develop such that it will be difficult to mend the relationship. Even without the assistance and cooperation of an "alienating parent," the child can develop phobic-type symptoms, showing anxiety about contact with a parent. Phobias are strengthened and maintained by avoidance. The solution to, or prevention of, developing a phobia about riding a horse after a fall is to get back on the horse, and the same is true of experiencing trauma in relationships. Abusive relationships may be an exception.

Mediation and negotiation between attorneys can be used to keep contact between parents and children; to help select a mutually acceptable therapist who may be able to solve the problems with early intervention; or to select quickly a neutral evaluator who is in the best position to evaluate whether there are substantive reasons for the children's rejection of one parent or if the children are responding to the needs of the other parent to have an ally.

Dr. Gardner, referenced in L. Margolin and M. Lund's (1993) article, has referred to a "case management" (we might refer to this as Parent Coordination or PC) approach to PAS. Case management follows after the court has made clear orders about custody and visitation based on a prior evaluation of the family. The case manager or PC is in charge of overseeing and coordinating the therapy. Treatment may involve one or more of the following components:

1. **Parent/Child Sessions.** Sessions can be held with the "hated" parent that are designed to bring the parent and child together in a less emotionally intense and more pleasant way as well as to help the parent enhance their parenting skills. Sessions with the loved (alienating) parent are designed to ensure that there is at least overt verbal permission given for the child to have a relationship with the other (targeted or alienated) parent.
2. **Individual Sessions for Parents.** Therapy for the parents is designed to help them recover from the divorce so they can disengage from the conflict and find new or expanded roles for themselves. For the targeted parent, it is important that that parent is aware of his or her contributions to the child's rejection. For the alienating parent, it is important to reinforce the message from the court that it is important to allow and encourage a relationship between the other parent and the child along with clear indications that sabotaging behavior will not be tolerated. It is also usually very important to help find ways of bolstering ego strength in a role outside of parenting in order that this parent may allow the child to separate more easily.

3. **Mediation with the Parents.** Finding a way to lower the overt conflict in these cases, and keep the child from being "triangulated" into those conflicts, is a crucial aspect of therapy. Parents in these cases are usually unable to respond flexibly to changes in schedule or the other

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inevitable crises that occur with children. In a sense, the mediator becomes the person triangulated instead of the child.

4. **Communication between Therapists.** Communication between therapists helps the therapists overcome their "advocacy" bias. It is especially important that a therapist for the child has open communication with the father or the father's therapist, if there is one, so there is some reality testing about the child's complaints.

It is obviously costly if a case manager or Parenting Coordinator oversees and coordinates a multi-therapist approach, because it involves the time of several mental-health professionals. In this regard, it may be a technique that might be reserved for highly conflicted cases that are likely to return repeatedly to court. The cost of the case management or Parenting Coordination technique then must be weighed against the cost of repeated litigation both in financial costs and the emotional consequences to the child.

## **OUTCOMES OF TREATMENT**

There has been very little research on the success of legal and therapeutic interventions for PAS. However, reports from therapists, who are working in the field, suggest that there are few quick and miraculous cures. A potentially notable exception is an approach developed by Drs. Rand and Rand in California and whose protocol is being finalized. Success in PAS cases should be defined as the normalization of family functions and relationships in both the former targeted and former alienating parents' homes. The term "former" is used to designate past orientations. The simple maintenance of some contact between parent and child, although more acceptable than no contact, is just a beginning.

It is often frustrating for parents and therapists when the parents improve in their behavior and the child remains stuck in a rejecting attitude. The analogy would be when the leaders of two warring nations sign a peace treaty but the guerrilla soldiers keep fighting. Sometimes the children who have gone through the wars of divorce must reach a higher level of maturity before they are able to give up their rejecting attitude. The biggest tragedy is that sometimes the rejected parent loses patience and gives up before that change occurs.

On a positive note, in many cases speedy intervention by therapists, attorneys, and the courts, can keep smaller problems from escalating into termination of the relationship between parents and children. The more that judges, attorneys, and therapists understand PAS and how they may unwittingly contribute to the problems through application of "typical" therapy, legal delays, escalation of conflict, the more damage can be prevented. We are talking about the damage of PAS that can be a life-threatening disorder with dire consequences to children and ultimately our society.

## **Reference**

L. Margolin & M. Lund, "*Post-Divorce Counseling Does Have A Place*

*in Family Law.* " Family Law Newsletter 9(1):20-6 (Winter, 1993).

R. Rand & D. Rand, Personal Communication, (Fall, 2005).