

A Critical Reference Guide for Litigators on a Key Family Court Issue

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The issues addressed in child custody litigation are vastly different from the issues in any other litigation, as the focus is on life's most precious resource. The litigator must delve into the worlds of both law and psychology. It is therefore important for litigators to understand how a parent's interactions with a child can affect the child's psyche, as well as direct the path of the litigation.

Litigating Parental Alienation: Evaluating and Presenting an Effective Case in Court seeks to give the family law litigator the tools and resources to deal with one of the most concerning and disheartening issues that can appear in family court: parental alienation.

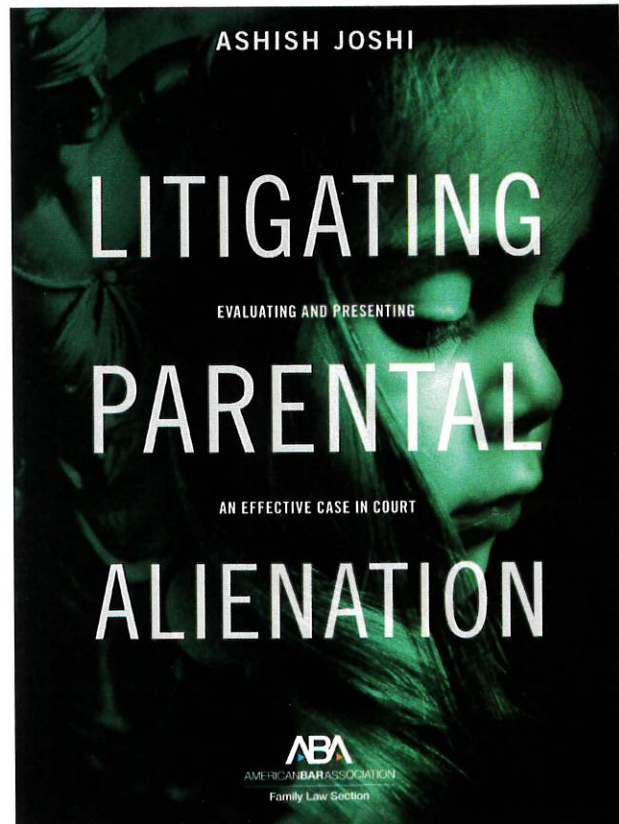
"Behaviors that unjustifiably alienate a child from a parent, whether intentional or not, are damaging," states Michigan Supreme Court Chief Justice Bridget Mary McCormack in the book's foreword. "They harm children and parents alike. And they make family law judges' work exceptionally difficult to get right. When practitioners know more about the substance of parental alienation, they put themselves in the best position to advocate for their clients and to put the courts in the best position to reach the right results."

Written by Ashish Joshi, senior editor of the ABA Litigation Section's *Litigation* journal, *Litigating Parental Alienation* seeks to address an issue that has been sometimes difficult to address in family courts. "Between 1990 and the writing of this chapter, there has been considerable discussion and debate regarding parental alienation and parental alienation syndrome in the mental health and legal professional literature," Joshi explains. Much of the discussion regarding parental alienation has consisted of dialogue among practitioners and scholars regarding psychological disorders, including the criteria for diagnosing parental alienation, the pathways by which parental alienation comes about, the relative culpabilities of the favored and targeted parents, the prevalence of parental alienation in custody and parenting time litigation, appropriate and effective interventions, the roles of professionals, and preventative measures.

The book's nine chapters are written in a manner that allows the reader to explore the issue of parental alienation from its basic concepts to tips for litigating this matter effectively:

- An introduction to parental alienation
- The admissibility of expert testimony on parental alienation
- Interventions in cases of parental alienation
- Presenting a parental alienation case in court
- The role of the guardian ad litem (or child representative)
- Misinformation about parental alienation
- The intersection of parental alienation and domestic violence

- A global perspective on parental alienation
- Practical tips for litigating these matters in court



Each chapter systematically addresses its topic by giving the reader the ability to understand the issue from a legal and psychological perspective. The appendices also give the reader access to resources for further reading on the issue, as well as lists of cases and statutes from jurisdictions across the United States.

The manner in which Joshi addresses the "lightning rod" of family court litigation will help litigators address the difficult issue of parental alienation. Joshi also takes time to help the reader understand the evidentiary hurdles associated with presenting psychological issues to the family court, along with providing a resource for the evidentiary standard for each state (i.e., *Frye* or *Daubert*).

A full read demonstrates that this is an essential reference for the family court litigator. For anyone who regularly litigates the issue of child custody or acts as a guardian ad litem, this book is a true desk reference and should be included in your library. **LN**

Litigating Parental Alienation: Evaluating and Presenting an Effective Case in Court is available at <http://bit.ly/LN464-joshi>.