CHILD CUSTODY OUTCOMES



in cases involving **parental alienation** and **abuse allegations** in U.S. family courts



COURTS ARE SKEPTICAL of accusations of paternal abuse; this disbelief increases when alienation is cross-claimed

- In simple abuse cases mothers reporting abusive fathers are believed less than half the time on average (41%) – and even less when alleging child abuse (CPA 29%; CSA 15%)
- When fathers respond to abuse claims with an alienation cross-claim, only 23% of mothers are believed (DV 37%; CPA 18% CSA 2%); courts almost never believe child sexualabuse claims (1/51)
- Independent research has found that 50-75% of child sexual abuse allegations in the custody context are believed to be likely valid, and less then 14% are considered intentionally false



Mothers alleging abuse experience a LOSS OF CUSTODY

- In simple abuse cases, 25% of mothers who allege fathers' abuse lose custody – when fathers cross-claim alienation this increases to close to 50%
- 73% of mothers lose custody when the courts believe the mother is an alienator –sometimes even when courts acknowledge the father has abused the mother or children



Court-appointed experts EXACERBATE GENDER BIAS

Court-appointed experts — such as a custody evaluator or Guardian ad Litem (GAL) — are associated with even greater gender bias in outcomes



Alienation defenses are associated with GENDER BIAS

- When fathers cross-claim alienation, courts are four-times more likely to disbelieve mothers' allegations of child abuse
- Mothers accused of alienation have twice the odds of losing custody compared to fathers accused of alienation
- In cases where one parent accused the other of abuse and the other cross-claimed alienation, mothers alleging abuse lost custody 50% (81/163) of the time; only 29% (5/17) of fathers in the same position lost custody (this difference is not statistically significant)

MAJOR OUTCOMES

- Overall, courts only believe mothers' abuse claims 39% of the time
- Courts reject mothers' abuse claims far more often when alienation is cross-claimed
- When facing accusations of alienation, mothers' custody losses are nearly twice as likely
- Credited alienation trumps credited abuse 43% of the time

READ THE STUDY bit.ly/ChildCustodyOutcomes

This research is the product of National Institute of Justice Grant Award #NIJ-2014-MU-CX-0859 (January 1, 2015 – June 30, 2019) Joan S. Meier, Esq., George Washington University Law School | 202-994-2278 | jmeierelaw.gwu.edu (Principal Investigator) | Co-authors, Study Consultants, and Quantitative Analysts: Sean Dickson, JD, MPh | Jeffrey Hayes, Ph.D. | Leora Rosen, Ph.D. | Chris O'Sullivan, Ph.D. | The study relies solely on electronically available published opinions in child custody cases, mostly, but not only, appellate decisions. However, it analyzes the trial court's decision in each case. The comprehensive electronic search netted a total of 4338 cases involving an abuse or alienation allegation by one parent against the other.