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**Recommendations to Court to address Custodial Interference & Coercive Control  
(alternately Relationship Estrangement and Interference)  
Consequences and Applications**

**by**  
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Custodial Issues between parents weighs heavily upon everyone, but is most tragic and difficult for the children. Children do not have the emotional or mental maturity to deal with this. In fact, the human brain does not stop growing until age 25. It is why children are not allowed to vote to age 18, drink or buy cigarettes to age 21 or rent a car until age 25 or older. Thus, even young adults are apt to not be able to handle the stressors of a high conflict separation/divorce between their parents. For this reason, it is imperative a cohesive parenting plan protecting the children from the anger and hostility of their parents be put in place. For the purpose of this program, a parent is defined as any person with rights of guardianship. This program is NOT for child support issues!

Court is no place for parents to spew their hatred and anger at each other. That is what counseling and therapy is for. Instead, court is where the best interest of the child should be recognized and handled. When a parent continues to use the court system to attack and destroy the other parent, both can lose sight of what is really important, their child’s mental and physical wellbeing. These parents are so overwhelmed with their own anger, hatred and rage that it is up to the court to put a stop to it and only allow what is in the best interest of the child.

Dr. Edward Krup says it is “primarily concerned with their essential needs, helping children grow and develop, and achieve their capabilities to the maximum extent possible. Needs are the nutrients or conditions essential to a child’s growth and integrity, and for every need there is a corresponding responsibility.” Kruk, Edward, Psychology Today, 02-22-2015:

<https://www.psychologytoday.com/us/blog/co-parenting-after-divorce/201502/what-exactly-is-the-best-interest-the-child>

Why are penalties so important? When it comes to delving out instructions, orders or recommendations, if there are no penalties or consequences for violating the rules, then the violating parent sees this as a win because they know they can get away with it and not be held accountable. In other words, it is like a slap on the wrist with words and no actions. If a child got caught bullying and let go with no remedy, what is going to keep them from not doing it again? Consequences!! This is why penalties, that will cause the offending person to comply, are so necessary. Without them, the parent and child know they can do what they like and not be held accountable. But what is worse, is the child is taught to disrespect authority, thus possibly turning them into little narcissists or people with anti-social behavioral problems.

Though court is not a game, it seems many parents come into the system with the attitude of winner takes all and that this is a game of who can get the most. This adversarial attitude has to stop. We are supposed to be setting a positive example for the children about sharing, caring, giving and taking appropriately. How is this winner take all mentality of benefit or best interest to the child? But it seems that this is the only language that some parents hear, so let's give them the stakes for this game. Mess up 3 times during this program by impeding custodial time, or relationships and you are out.

Below is a program we believe can help with this problem. We welcome suggestions and ideas to enhance this project. We want to provide safe environments for parents and get the parents the help they need to stay focused and on task with what is truly important: their child’s mental, emotional and physical wellbeing.

This program is to be used in combination with a therapy treatment plan, parenting plan and Ron

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and Nancy Rohner’s Parental Acceptance-Rejection Questionnaire (PAR and PARQ), which ideally has a plan with milestones, incorporated in detail. As no one treatment plan or modality will work for all families, we recommend various modalities that can be tried, with a focus on family systems style of counseling. The key to these modalities is the use of Structural Family Therapy and Family Systems Therapy, which are based upon the dynamics of a family. As family issues tend to be co-created off each family member, the importance of appropriate specialized family therapy cannot be understated.

One Caveat: It does not matter what we call this type of abuse, what we know is that it is a documented fact that Traditional Family Therapy (TFT) does NOT work in cases of Parental Alienation or Custodial Interference or Coercive Control or Hostile Aggressive Parenting. It is counterintuitive. Despite a therapist or professionals’ extensive education, the treatment protocol is contrary to their common-sense education or intuition. TFT gives control and power to the child. But the child is controlled by the alienator thus it keeps the alienating parent in control. The targeted parent needs to be given back the control and authority that has been usurped by the alienator to maintain control.

In fact, if the parents are in counseling and can work through their fears and issues, the children will often NOT need counseling. Introspection is the only way for Parents to move forward. When a parent cannot introspect, they cannot emote and have no compassion, this will hold them back from moving forward. And this holds the children back from moving forward as well.

To start this process, it is strongly recommended that the children and the parents partake in PARQ or a similar assessment program. This will establish if there is alienation and at what level. If not this tool, there are now 15 other tools available including Dr. William Bernet’s 5-Factor Model.

Additionally, we strongly recommend therapeutic treatment with properly qualified professionals who utilize tools with the child such as the ones below. These particular tools have been shown to help a child understand what s/he is going through without blaming one parent or the other:

- Dr. Warshak’s DVD, Welcome Back Pluto
- Amy Baker’s workbook, “I Don’t Want to Choose!”
- Dr. Daniel Gottlieb’s Book, “Listen to Me”

This program is a set of milestones based on a 12-week time frame with only 3 chances to not comply or impede the relationship between the child and the other parent. If followed with no issues, it allows for 84 days of healthy relationship rebuilding. Four Progress reports will be conducted during this program, and if necessary, each with visitation consequences based on the level of interference. Periodic status hearings will be held for the parents to update the court on the success or non-compliance of abiding by the court’s orders between the start and conclusion of the 12-week program and each status hearing. Each time there is a violation or a strike, the 12-weeks of monitoring will start all over.

The program will be considered temporarily closed at the end of the 12-weeks’ time when both parents mutually agree; and the court approves that the parents have successfully completed the program; and that neither parent has impeded with the courts orders or violated the courts orders in a 12-week time period. At any point after the 12 weeks, if a parent violates the orders, the 3 Strikes can become activated again. Post the 12 weeks, periodic reviews will be scheduled to ensure the parents compliance. These periodic reviews will be determined by the courts.

This program can be tailored to fit any cases needs such as swapping out reunification therapy for High Conflict Institute’s “New Ways for Families:” program for the parents and specialized therapy to address the child/ren’s executive functioning and critical thinking skill delays.

#### **Program explanation**

To ensure the best interests of the child are met and court orders are followed, a Penalty Program needed to be created. This program called 3 Strikes YOU’RE OUT! should be used in combination with a therapy treatment plan, parenting plan and the PARQ. The point of this program is to help the courts easily determine if a parent is willing to co-parent and encourage a healthy relationship between the children and the other parent and determine if alienation exists and at what level. IT ALLOWS FOR

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ONLY 12 WEEKS AND 3 CHANCES FOR A PARENT TO COMPLY.

Because this family is already entrenched in the court system, it is hence forth clearly stated going forward that either parent interfering, impeding, obstructing the court order or the relationship between the child and the other parent, without permission of an outside authority, will suffer a reduction in “custody” (defined as parenting time with the child), incur supervised custody only or lose custody partially for a duration of time commensurate with the severity of the situation or lose custody entirely.

ONLY THIS SINGLE WARNING IS GIVEN. Any increase or decrease in custodial time due to visitation INTERFERENCE will be enforced. Any action seen as a parent’s attempt to test this program will be considered a strike against the offending parent.

This program and its expectations, actions and consequences will be taken seriously as this is about the best interest of the child to have a healthy relationship with both parents.

The offending parent shall be held accountable for the actions of the child while in the care of the other parent and shall be cause for reduction in time with the child until visits occur without incident, including all types of communications. This also includes a child’s refusal to visit with a parent.

Actions of the child for which an offending parent will be held accountable include but not limited to:

- Running Away or anything related
- Disobedience,
- Pushing
- Shoving
- Name calling
- Yelling
- Bad language
- Vandalism
- Refusing to Communicate appropriately or allowing siblings to communicate
- Using sign language or code to talk behind a parent’s back
- Spying on the other parent
- Not sitting down for meals when asked
- Not receiving gifts/refusing gifts
- Restricting the movement of other siblings if visits are recorded
- Not being at the proper drop-off or pick-up point
- Denigrating anything including food, games, activities, clothes, toys, cell phones etc., from the other parent,
- Over-contact of the children especially during the target parents time,
- Not allowing them to enjoy visits with the target parent,
- Interrogating the children
- Pitting one child against the other, especially to obtain visit information and encourage them to spy and tattle on each other after visits with target parent.
- And any other red flag behaviors of impediment that show hatred, anger or rage toward a parent

The offending parent shall be held accountable for their actions. Actions which an offending parent will be held accountable for include but are not limited to, not leaving the area after drop-offs, disparaging the target parent to professionals, clergy, teachers, community members and extended family with or without the child present, saying things to scare the child about visiting the other parent, bringing children into court, taking the children to the doctor without informing the other parent beforehand, sharing court documents with the children, having the children counseled by your attorney, placing protective orders against the other parent or members of their family, having other people place protective orders against the other parent, contacting the children during the target parents parent time.

**Additionally:**

1. From the inception of this program, and on the date of its order, a status a conference will be

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scheduled for every 4 weeks from that date out. If there are no issues, the status conference can be taken off the calendar. But it must be an agreed removal by both parents. If one parent believes there has been issues, the status conference goes forward for a judge to determine if there is a strike to be order against the offending parent.

2. During this 12-week program, all family members will participate in regularly scheduled sessions as determined by the court ordered counselor using Non-Traditional Family Therapy. Counselor selection will be determined from a list of 5 possible therapists initially chosen by the targeted parent or an expert in Parental Alienation, Coercive Control, Hostile Aggressive Parenting, Custodial Interference. The other parent will then choose one from the selection of 5 counselors. The counselor will dictate the frequency of each member’s sessions and any combination of sessions, which are to occur.
3. Payment for services provided shall remain as ordered previously by a Judge’s Entry unless there is an offense or contempt violation of the program, then the offending parent will be liable. See *Consequences of offenses I.* for details. At a minimum, the child(ren) will have an initial intake without either parent and if deemed appropriate, will have individual sessions weekly. This will be an ideal time to use the PARQ to determine alienation and it’s level.
  - a) Mother will have individual sessions – throughout program; additionally, if determined to be an obstructing parent
  - b) Father will have individual sessions– throughout program; additionally, if determined to be an obstructing parent
  - c) Child will have individual weekly sessions as needed – throughout program; additionally, if obstructing behaviors are observed or reported
  - d) Child and Mother will have weekly sessions – beginning week 1 and continuing through week 12
  - e) Child and Father will have weekly sessions – beginning week 1 and continuing through week 12
  - f) Mother and Father will have weekly sessions – beginning as soon as deemed appropriate and continuing through week 12 program. If Domestic Violence is a proven issue, the victim can choose to meet via Skype while with their therapist or ADA/DV Advocate.
  - g) Sessions can be as short as 30 minutes to accommodate the weekly meetings or every other week.
  - h) If the counselor determines, at any time during the program, either parent or child or combination of parent(s) and child should have additional sessions, the counselor’s decision will be followed.
  - i) Sessions will be scheduled at the counselor’s availability. Parents may provide preferred days and times but the counselor will have final decision on dates and times of sessions. Activities outside of the scheduled sessions are to be rescheduled if possible. Counseling sessions are to be the parents and child’s number one priority during the program. If either parent wants to see another therapist, they must be approved as trained and educated in Parental Alienation, in Custodial Interference, Coercive Control and Hostile Aggressive Parenting as previously stated and then approved by an outside expert such as Joan Kloth-Zanard.
4. If there are any allegations of abuse made during the 12-weeks, it will be assumed that they are just to stall the process. This will not be tolerated especially if determined to be false. And this will count as a strike against the filing parent. Only true verifiable abuse allegations made by a professional or mandated reporter will be considered.
5. If the counselor requests a mental evaluation of either parent, that parent will immediately (within 5 calendar days of request by the counselor) schedule a mental evaluation with the evaluator selected by the requesting counselor or one that is approved. The mental evaluation is to be conducted as early as possible but not more than 30 days from counselor’s request.
6. If a parent’s behavior is determined to be alienating, until such time the offending parent’s behavior

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is modified, the child and offending parent’s time together will be supervised and limited based on the number of instances of interference.

7. If Intensive Reunification Therapy is ordered, like Linda Gottlieb’s Turning Points Program or other extensive program, the offensive parent will pay 100% of the costs of this program.

**Program reporting and consequences**

In order to support the child’s healthy relationship with both parents, the child will be rewarded for positive visits with the target parent by receiving unrestricted visits with the offending parent and likewise, for negative behavior by the child, the consequence (punishment) is to require the child to spend more time with the target parent and less time with the offending parent. Proof of alienation is not because a parent says it is happening, but because an expert says it is happening.

The child will work with a qualified counselor who can help them understand in layman’s terms about the offending parents parenting distortions are being transferred onto them. They should also be helped to understand that the target parent is safe, competent, able to meet their needs and that they **DO NOT NEED TO CHOOSE ONE PARENT OVER THE OTHER—THEY ARE FREE TO LOVE BOTH PARENTS.**

**Proof of alienation is not because a parent says it is happening, but because an expert or PARQ Testing has validated it to be true.**

**A qualified professional has, at the bare minimum, the following:**

1. Training exclusive to in Custodial Interference, Parental Alienation, Coercive Control and Hostile Aggressive including Certifications and Continuing Education Units (CEU’s).
2. Reunification Therapy exclusive to in Custodial Interference, Parental Alienation, Coercive Control and Hostile Aggressive Parenting including Certifications and CEU’s.
3. Written Articles or published books on Parental Alienation
4. Works with other experts in the field of alienation.

Taken from Amy J. Baker, Ph.D., et. al.’s Article, ”How to Select an Expert in Parental Alienation”, circa 2018

***30 Day Reporting Intervals to the Court Over 12 Weeks:***

***A STATUS CONFERENCE WILL BE SETUP IN ADVANCE FOR EACH OF THE REPORTING PERIODS. IF THERE IS NO ISSUES, THEN THE STATUS CONFERENCE CAN BE CANCELLED. IF THERE ARE ISSUES, THE STATUS CONFERENCE GOES FORWARD SO THE JUDGE CAN DETERMINE IF A PENALTY IS NECESSARY.***

1. Start of program – First three weeks of oversight, 1-21 calendar days. At conclusion of 3-week interval, counselor or GAL. who are trained and certified in in Parental Alienation, Custodial Interference, Coercive Control and Hostile Aggressive Parenting, will write a report to the Court to inform of progress. This report is to include input from target parent on behavior of child while visiting with the target parent. Target parent’s assessment is to provide the report writer with the child’s adaptability to the target parent.
2. 6-week interval, 21-42 calendar days – counselor or GAL will write a progress report to the Court at the conclusion of the additional interval. This report should include a summary of progress of

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both parents and child’s counseling sessions as well as behaviors of the offending parent and child.

3. 9-week interval, 42-63 calendar days – counselor or GAL will write a progress report to the Court at the conclusion of the additional interval. This report should include summary of progress of both parents and child’s counseling sessions as well as behaviors of the offending parent and child.
4. 12-week interval, 63-84 calendar days – counselor or GAL will write a concluding progress report to the Court as this report is the end of the 12-week program. This report should include summary of progress of both parents and child’s counseling sessions as well as behaviors of the offending parent and child.
5. If during the process, one of the parents violates the courts orders or impedes, this 12-week program starts all over again.

***Determining Strikes:*** A Strike will be determined either utilizing the expertise and services of Joan Kloth-Zanard’s Advocate For Families or by a Mediator, Guardian Ad Litem, Evaluator, Therapist, or Other professional assigned to the case who is Certified, Trained and Vetted in Parental Alienation, Custodial Interference, Coercive Control and Hostile Aggressive Parenting Expert, and who has a minimum of 40 CEU’s in Parental Alienation, in Custodial Interference, Coercive Control and Hostile Aggressive Parenting. The person who is put in place to do this will be given power of binding arbitration with the parents on any emergent best-interest-of-the-child issues that may arise during this time frame. This eliminates or reduces situations that could increase the hostility that often occurs between opposing parental sides. They may be tasked with power other powers to assist the parents in co-parenting as well as the therapeutic process. They will then report this back to the judge/courts during the status conference for appropriate consequences to be ordered. But if the courts are worried about Due Process rights, then the Judge can allow emergency Ex Parte motions for the violations to be heard immediately, thus preventing due process rights claims.

#### ***Consequences of offenses:***

If there is any type of contempt or offense violation during the 12-week program, the offending parent is to pay 100% of all counseling sessions in advance or counselor is granted approval to garnish parent’s wages in advance to ensure proper and timely payment for counseling sessions. For each strike, 4 weeks is added onto the 12 weeks.

1. First contempt or offense – 5-days consecutive with the targeted parent, with restricted visitation and communication with offending parent. Alternatives include 5 days of community service with children who have no parents, \$200 fine or a combination of all.
2. Second contempt or offense – 15-days consecutive with the targeted parent, with restricted visitation and communication with offending parent. Alternatives include 15 days of community service with children who have no parents, \$600 fine or a combination of all.
3. Third contempt or offense – 45-days consecutive with the targeted parent, with restricted visitation and communication with offending parent. Alternatives include 45 days of community service with children who have no parents, \$1800 fine or a combination of all.
4. If the 12-week report shows little or no change in behavior,

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- a. Target parent is to be awarded all fees and associated costs for bringing motions and filings to the court’s attention (including but not limited to filing fees, attorney fees, court appointed official fees – parenting coordinator, GAL, counselor).
  - b. Target parent will be awarded temporary full-custody while the offending parent continues in the counseling program as determined by the mental health evaluator and therapist/counselor, and until such time that a panel of 3 professionals determines that the parent has done the work in counseling and modified their behavior, and then supervised or unsupervised visitation will be determined.
  - c. Intensive Reunification Therapy should be ordered with the Offending Parent paying 100% of the cost. Please contact PAS Intervention for a list of recognized and approved Intensive Reunification Therapy Programs and therapists via [Info@pas-intervention.org](mailto:Info@pas-intervention.org)
5. Again, if the family makes it through the first 12 weeks without incident, and then one of the parents violates the courts orders or impedes, the 12-weeks begin again.