

Presenting the Theory of the Case in Light of Competing Narratives

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Competing Narratives and Credibility

▪ Excerpts from A.F. v. J.W., 2013 ONSC 4272

[36] I do not find A.F. to be credible. When looking at all of my findings, from the prior trial together with her testimony during this review, I find that A.F. has continued to demonstrate the same pattern of misrepresentation of events I had seen in advance of my June 27, 2011 reasons. **I find that this hamster incident is another example of A.F. saying that she supports the children's involvement with their father, yet sending the exact opposite message to her children through her actions.**

[133] A.F. did not seize upon the opportunity given to her by my June 27, 2011 order. **Although she became adept at articulating support for the access between the children and their father, it is clear now that her articulation was hollow, completely devoid of any meaningful substance.** The sad truth is that A.F. never gave the children permission to love and respect their father.

[137] The mother was given the opportunity to achieve expectations that were spelled out for her in my judgment of June 27, 2011. **She admitted in her testimony on this review that she never read that judgment and only relied on her memory of what was said orally, which is telling of her commitment to adhere to the order.**

Favoured Parent's Narrative

- ❖ Framing the issue in a way that absolves them of responsibility for cause or solution
- ❖ Hypocritical assertions of “encouraging” access despite alleging rejected parent as abusive and child as justified
- ❖ Elevates child’s decision-making and “feelings” over all else
- ❖ All positions involve substantive delay and stagnation
- ❖ Imposing conditions on access: “child needs to feel safe and secure”, “child needs a safe environment for access”, “child needs an advocate/mediator in all interactions with rejected parent”
- ❖ The only therapy they will agree to is framed to not involve them or to just give the child a platform and to make it seem like they are interested in solutions – access in parallel with therapy is rejected and then the therapist is co-opted to go slow in recommending access as the therapy confuses roles
- ❖ No matter how much supportive evidence re rejected parent (courses, plan of care, books, all-clears from mental health and from CAS, many affidavits from collaterals, pictures and movies from the past) no change of position/views
- ❖ Parenting style conflict and refusal to consider the breadth of “normative” parenting

Rejected Parent's Narrative

- ❖ Everyone is judging me and micro-managing my parenting; I am forever on the defensive. I am being judged while suffering from loss of children, impact/loss of career, and PTSD. I am a normative parent – no worse than average Mom.
- ❖ Issues that are capable of resolution if people proceed with a positive goal and good faith are elevated to inherent flaws in me or my parenting that are portrayed as incapable of change
- ❖ Historical issues that had long ago been resolved or managed are suddenly dredged up (prior errors, prior mental health issues) even though they were not an insurmountable issue while the family was intact
- ❖ Nobody (therapists, lawyers, Court, therapists) understands the “Alice-in-wonderland” and “Kafkaesque” I have always been a loving, empathic and devoted parent. What happened?
- ❖ Nothing I do is good enough (courses, books, personal therapy, parenting coach) or will answer the issues – I solve one, there is no relational movement from the children or my ex, just an elevation of the other 24 issues and the creation of new issues
- ❖ I keep getting ask to “apologize” / “confess” to things I didn't do or are taken out of context. I know they are just looking for further “proof” of my allegedly inherent abusiveness, but the therapist was actually siding with the child.

Children's Narrative

❖ The outward presentation

❖ The inner child

❖ The children's lawyer's narrative

Hidden Agendas Colour The Narratives

- ❖ *“days for dollars”*
- ❖ The “40% cliff” in Canadian child support laws
- ❖ **Spite/vindictiveness/fear - projection/Power and control/gatekeeping**
- ❖ **Personality disorders / mixed or just shy of diagnosis**
 - ❖ Cluster B disorders 10% of population but many times higher in family law PA litigants – high base rate
- ❖ **Repartnering – deliver the children as the fruits of the new union**
- ❖ **Intrusive/enmeshed parenting styles**
- ❖ **Inability to reconcile to two different but normative parenting styles**

Mistaken Court Narratives

- ❖ The usual admonishments of *“Play nice, put the kids first, stay out of court, go do unstructured therapy, both parents are to blame equally”*, plays into the hands of the alienator
- ❖ Reflexive belief in children’s hearsay statements despite studies of children lying to protect themselves or to influence a result or false Duck and Run – delegate the problem to OCL/GAL/Assessment/Therapists/Mediators
- ❖ Lack of understanding of urgency and potential impact of lost memory/history, lost or impaired critical thinking skills, loss of sense of permanence of foundational relationships
- ❖ Little understanding of schools of therapy, prerequisites for therapy, pervasive failures of therapy
- ❖ Little understanding of available diagnostics or psychological processes, despite reams of jurisprudence
- ❖ Lack of understanding of jurisprudence on parental duties to foster compliance with Court orders – “encourage” vs “require”; Children of 12/13/14/15 are old enough to decide; Court Orders are not absolute until varied
- ❖ Potential Biases: Voice of the child; Pre-separation division of parenting time governs ; Gender; Undue caution; Allegation true until disproven and if disproven, no consequences to false allegor

Mistaken Therapist Narratives

- ❖ **Go slow – if I push too hard the children will stop coming. Baby steps so I can demonstrate progress**
- ❖ **I am afraid of the alienating parent and must avoid a complaint**
- ❖ **It's not my job to enforce the Court order re access**
- ❖ **Non-therapeutic access is not essential – I can solve this in therapy**
- ❖ **I can't push the aggressive parent, so I will push the less aggressive parent**
- ❖ **I accept whatever the children say and never challenge them or ask them to apologize to their parent**
- ❖ **I am doing individual therapy instead of family systems interventions – so I refuse to be directive/authoritarian and unwittingly make things worse**
- ❖ **I don't have to read everything the rejected parent gives me or speak to their collaterals to understand the background**
- ❖ **I must observe the “therapeutic alliance” even if goals of the therapy not met**
- ❖ **Refusal to call a halt in the face of lack of good faith participation and to write a letter for Court confirming why (properly done in Sask case)**
- ❖ **Therapist fragmentation**

Missing Narratives

- ❖ Memory/history devalued and lost – kids focused on the present and future
- ❖ The “EITHER-OR TEST” – boundaries of acceptable child-behaviour – child’s pathogenic behaviour is either the product of TP outside broad normal-range parenting or AP inducing such behaviour
- ❖ Parenting = guidance, boundaries, incentives and consequences
- ❖ Co-parenting should be as supportive as during the marriage - instead we get the “waiter analogy” - “it’s not my table”
- ❖ Empathy, morality, spirituality – see *“Raising a Moral Child”*, *New York Times*, April 13, 2014, *Sunday Review*, p.1
- ❖ Positive (actively promote other parent) vs negative covenants
- ❖ Urgency – legally, therapeutically, relationally, mental health
- ❖ Limits on counsel for the alienating parent and counsel for the child
- ❖ This is a child-protection issue, not simply a custody/access issue
- ❖ “Normative Parenting” – see excerpts from Ch. 16 of *Family Therapy*

Strategy in a PAS Case

- **Delay is the major risk**
 - ❖ Psychologically and Emotionally
 - ❖ Financially
 - ❖ Entrenchment of the child's disposition (neurobiology)
 - ❖ Judicial boldness vs. timidity
- **The overburdened family law system tries to foster diversion instead of tackling the dynamic**
- **Focus on disrupting the aligned parent's plans**
 - ❖ PAS is a disease meant to be suffered in silence

“Light” therapy vs. “Reconciliation Therapy”

- **Open vs. closed – litigation and privacy laws**
- **Therapist knowledge and persona and avoid fragmentation**
 - ❖ Often after they see intransigence of FP they push against TP and get co-opted
- **Child therapist vs. multi-client**
- **Goal oriented, directive and authoritative**
- **Milestones and Timeline after which return to Court**
- **Avoid the “therapeutic alliance” regarding each of therapist/coach for AP and therapist for children**
- **Foundational assertions as Children told that if they are nice to TP in therapy it will be used against AP in Court – instead they actively try to justify their estrangement**
- **Court-Ordered or not – forcing AP to cooperate**
 - ❖ Note that *Healthcare Consent Act / Child and Family Services Act* allow adults and children of 16 years to refuse therapy
 - ❖ Court Order re therapy as a condition of custody/access
- **See Family Therapy Text excerpts**

Strategy in a PAS Case

- Understand the opponent and the dynamic
- Understand the case to be made
- Assemble an evidentiary record related to **Expert Diagnostics and Refuting the Other Side's Theory of the Case – Expert Testimony and Prior Jurisprudence**
 - ❖ Third party affidavits (extended family; acquaintances; friends; nannies; teachers, therapists, coaches)
 - ❖ Historical and current pictures, videos, emails, documents, albums, cards
 - Cards lauding parenting;
 - Letters re breakup unrelated to parenting
 - ❖ Detailed Timeline document showing artificial onset
 - ❖ Daily diary and telephone logs - *Alienators never miss an opportunity to miss an opportunity*
 - ❖ Pre-Trial Depositions

Assessments and Legal Cases Gone Wrong

- **Falling prey to the “Framing Game”**
 - ❖ Issues vs inherent flaws in TP; situational vs actual persona
 - ❖ The relational expectations of compromise and forgiveness
 - ❖ It is irrelevant that the children do well in other areas
 - ❖ Age – these relationships are meant to last a lifetime
- **Falling prey to “mixed Pathology” – overlooks the BUT-FOR test, disproportionality, past non-issues now becoming terminal, failure to weigh disparity of parental behaviours**
- **Failure to conduct-consider collateral interviews, documentation, source of hatred, adult/scripted language**
- **Failure to apply recognized methodologies or to understand family systems and the pathological alliance (AP as self-appointed advocate/protector of the child) or errors in logical or inductive reasoning**

Assessments and Legal Cases Gone Wrong - 2

- **Failure to reflect on failure of prior therapeutic and other interventions**
- **Failure to reflect on why sustainment of the dynamic (no healing)**
 - ❖ Which members of family system are motivated re solutions and prepared to forgive, forget and move on
 - ❖ Who is fixated on blame and co-opting therapists and others
 - ❖ Why no healing in the face of attachment system pressure to return to historical bonding
 - ❖ New cognitive distortions and false allegations
 - ❖ “The Pounce”
- **Failure to consider alternative explanations that have the same effect: maternal gatekeeping, enmeshment, anxiety projection, splitting**

Framing the Case as Emotional Abuse/ Emotional Harm

In *L.M.A.M. v. C.P.M.*, (2012 MBQB 311), the Court accepted expert testimony as to the concept of “parental alienation” in high conflict family dynamics as follows:

“[62] It is a descriptive term that refers to a process. It is not a diagnostic label. It doesn’t appear in any nomenclature about mental health disorders. It is a descriptive term that refers to a process where there is a systematic devaluation, minimization, discreditation of the role of, typically, the other parent in a parental dyad. One parent systematically, through a variety of physical, emotional, verbal, contextual, relational set of maneuvers systematically reduces the value, love, commitment, relationship, involvement of the other parent by minimizing, criticizing, devaluing that parent’s role. It can involve children having their sense of history being “re-written” by a parent’s redefinition of history, reframing things, repetitively talking about things. It can involve sometimes very subtle and sometimes not so subtle suasion, coercion, direction, misrepresentation and so on.

It is an abusive practice. It is child abuse when it occurs. It is emotionally abusive. It cripples and stunts children’s development because the reality they knew at one point is undermined by this process. It is dangerous for the development because in an ideal situation, children should feel free to love and interact with the adults who are important in their lives, unencumbered by twisted turns of relational loyalties that are, unfortunately misplaced in this situation.” (Emphasis added.)

Framing the Case as Emotional Abuse/ Emotional Harm - 2

- **Insights from Prof. Bernet's Powerpoint**
- **Insights from A.F. v. J.W, 2013 ONSC 4272**
 - ❖ **A.F. acted in reckless disregard for the emotional damage she was causing her children by speaking to J.W. and S.W. this way in the presence of her children. This sort of behaviour strikes at the children's soul. While the injuries are not visible, they are obvious and extreme.**
 - ❖ **[81] This incident is yet another example of horrible emotional abuse the children suffer at the hands of A.F. She has forced them to feel such venom, hatred, disrespect, and fear about their father, that it is extremely unhealthy for them.**

We hold these truths to be self-evident,

1. PA is emotional abuse

- ❖ A pattern of behaviour that conveys to child that they are only of value in meeting the aligned parent's needs and whose behaviour and thought processes are controlled, like a cult, through coercion and manipulation – fits the *APA (1998) Guidelines for Psychological Evaluations in Child Protection Matters*
- ❖ *Children's Aid Society of Waterloo v. A(B)* 2005 ONCJ 220 (CanLII); *Ampuero v. Ampuero*, [2007] W.D.F.L. 37, 34 R.F.L. (6th) 208; *JKL v. NCS*, 2008 CanLII 47477 (ON S.C.); *Pettenuzzo-Deschene v. Deschene*, 2007 WL 2298464 (Ont. S.C.J.), 2007 CarswellOnt 5095; *Rogerson v. Tessaro*, 2006 CanLII 15126 (ON C.A.); *Orszak v. Orszak*, 2000 CanLII 22529 (ON SC) *A.F. v. J.W.*, 2011 ONSC 1868; *A.F. v. J.W.*, 2013 ONSC 4272, *S. v. N.*, 2013 ONSC 556 (S.C.J.)

2. Targeted parent parenting capacity impairments rarely rise to the level of material causes, particularly given the high standard for what is emotional abuse and the wide range of parenting styles that are within acceptable norms

EMOTIONAL HARM – CHILD PROTECTION ISSUE

- **Makes the case for urgent and forceful intervention.**

Case law elevates these factors:

- ❖ Undermining of parental authority; divisive actions; PA to cause erosion of behaviour; lack of support for corrective actions; non-compliance with access; aggressive campaign of demonization; false allegations; fostering over-empowerment of kids; rewarding children for improper behaviour; projection of anxiety, fear or other psychoses onto children; corrupting the child – fostering cognitive distortions; fostering anti-social behaviour; fostering lack of respect and empathy; conflict in front of kids; enmeshment in all its forms; making transitions difficult – induces splitting; loyalty conflicts incl. step parents; kids taught to be abusive
- ❖ Baker diagnostic; Fidler diagnostic
- ❖ A.F. v. J.W. 2011 and 2013 Decisions

ALIENATORS ALWAYS MAKE KEY MISTAKES

- They always go too far and their tactics and the resultant behaviour of the children is fairly easy to relate to a proper diagnostic for PAS
- The exclusionary behaviour and tactics will, because of their nature and the AP's refusal to accept responsibility for their actions, continue even in the face of judicial admonishments. Justifies reversal of custody
- Alienators *“never miss an opportunity to miss an opportunity”* – The “waiter” analogy
- Every day is another opportunity for the AP to rethink their internal working model of the other parent as collateral affidavits, therapists, judges and others validate their former spouse as a parent – but they maintain a fixed false belief system despite contrary evidence

Positive vs Negative Covenants

▪ Insight from media reports of *Tamra Barney (RHOC star) – Simon Barney dispute Oct. 2014*

- ❖ Father unsuccessfully asked for increase in the current 50/50 timeshare but justified attempt as *“hopefully she will become a better mother” ... “I would have been remiss if I did not fight to protect our children”*.
- ❖ Issues raised seemed minor, transitory and tactical. *“The Pounce”*.
- ❖ Regarding 15 year-old daughter completely estranged from mother and living with father – hearing pending for Dec. 2014: *“Once I have physical custody of Sidney, I look forward to helping her foster a relationship with her mother”*.
 - Rhetorically, *“but why not now?”*
 - *“I do believe that Sidney should have a relationship with her mother – but at the present time and in the recent past, it has been a relationship that is not good for the well-being and health of my daughter”*.
- ❖ If the issue is teenaged embarrassment and mother-daughter conflicts isn't that still “normative” and withdrawing doesn't teach relationship skills

Logical Flaws in AP Theory of the Case

- Their allegations would never have lead to a complete rupture in the first place – no child abuse or unsubstantiated
- Refuse interim family reconciliation therapy yet unilaterally take the child to an “aligned therapist” who then cannot speak with the TP
- Refuse to engage a parental coordinator with arbitral powers
- Refuse any interim contact they don’t control/supervise; Don’t share cell phone numbers, etc.; calls on speaker
- Offer no solution other than that the TP “get therapy and change” but then offer no ability for the TP to demonstrate to the children that they “have changed” or “never needed to change” in the first place
- Refuse to consider why the children's attitudes don't soften with time – Use of anger and fear and confusion to suppress historical attachment bonding.
- Everything is a priority for the children and aligned parent other than reconciliation or compliance

ALIENATORS ALWAYS MAKE KEY MISTAKES

▪ **Logical Flaws in Their Theory of the Case**

- ❖ **Cannot demonstrate the use of appropriate guidance, boundaries, incentives and consequences regarding the children**
- ❖ **Refuse to present a “united front” to the children**
- ❖ **Refuse to change their parenting practices as the estrangement drags on from month to month**
 - **We should see an escalation of guidance, boundaries, incentives and consequences as previous parenting doesn't procure the change in the children's behaviour**
 - **No sense of urgency**
- ❖ **No ability to admit that the children are wrong, disrespectful, cruel and over-empowered – will just validate their “feelings”**
- ❖ **Cannot explain why the children refuse to open up and embrace the TP even after the TP makes requested compromises**

ALIENATORS ALWAYS MAKE KEY MISTAKES

- **Key Cross Examination at Trial or in Pre-Trial Depositions**
 - ❖ Guidance, Boundaries, Incentives and Consequences
 - ❖ Escalation/Urgency
 - ❖ Cannot Reconcile their hate-filled affidavits and their emails and statements to third parties and testimony or depositions with their statements that they nonetheless “encourage” the children to see the TP
 - ❖ Refusal to make a United Front to challenge children’s behaviour
 - ❖ Missed Opportunities/Choices at each interaction (hockey analogy)
 - ❖ If the Judge doesn’t agree with you, how will your parenting change? Why not now?

The Law of Contempt of Court and Compliance Orders

- **Trial of an issue is a right of the accused only re civil contempt – but they must ask for it at the time of the Motion. Key conclusions from the jurisprudence:**
 - ❖ You cannot leave the decision up to the children; You must offer incentives and impose consequences; An order is an order and is valid and deemed in the best interests of the children until varied; There is a broader societal issue at stake – respect for the law; Remedies cannot wait until trial; Court-ordered therapy for parents can be ordered as a condition of custody and access; Use of children to demand travel consents is not acceptable; The job of a parent is to parent. Children must be compelled; A parent cannot hide behind the expressed position of the children; It is not up to the parent with the children to determine whether reasons exist for them not to comply with a Court Order; Even a benign motive for disobeying a Court Order is no defence; The length of denial of access by Contempt is irrelevant to the need to comply; Parents have a duty to shield their children from their own poisonous attitudes towards the other parent; Judicial Notice of long term harm to children estranged from a parent; Parent-child bonds are fostered by frequency of access and avoidance anxiety sets in the longer the extended absence; The burden of proof to satisfy that all reasonable efforts have been taken to comply is on the defendant once the Clear Court Order and fact of non-compliance is established; Even a 15 year old child is compellable

Targeted Parent Advice

- ***“The first great rule in life is to put up with things; the second is to refuse to put up with things; and the third, the hardest, is to be able to distinguish between the two. Sydney J. Harris***
- ***“Life isn’t about waiting for the storm to pass. It’s about learning to dance in the rain”.***
- ***2014 American Academy of Pediatrics called sleep deprivation the most common important and potentially remediable public-health risk among adolescents – moodiness and their behaviour***
- ***Also see “Five misconceptions about teens”, Toronto Star, Oct. 13, 2014 p.E5***

Targeted Parents and Resilience

- **The Ken Burns PBS DVD on Thomas Jefferson is fantastic. In it, he quotes Jefferson as follows:**

“Perfect happiness I believe was never intended by the deity to be the lot of any one of his creatures in this world. The most fortunate of us frequently meet with calamities which may greatly afflict; and to fortify our minds against the attacks of these misfortunes should be one of the principal studies and endeavors of our lives”.

- **It is the duty of parents to teach resilience to their children – yet another burden for a targeted parent.**
- **Every day is another opportunity to better model resilience.**

Mistakes in Targeted Parent Strategy

▪ **Overplaying your hand**

- ❖ If some flaws in the case, such as TP contribution to the estrangement, take a softer approach regarding the rhetoric and the remedy requested
- ❖ Blustering about going to Trial knowing that the money is not there
- ❖ Not having the logistical arrangements to care for the children full-time even if custody awarded
- ❖ Living out of town
- ❖ Reversal of custody after years of no or limited contact is not likely. Better is to ask for return to the very Court order that has been violated, with additional protections and remedies

▪ **Not having the work schedule and/or logistical and family support to properly parent the children even if you got more time with them**

- ❖ Assessors want to know your Plan of Care
- ❖ Come in prepared with a fully-developed Plan

Working With the Targeted Parent

- **Epiphany once hears of PAS – but don't become a public evangelist about it – solve your own case first**
- **Assessment coaching – manage carefully to avoid artificiality but ensure presentation ties in to Diagnostic and “theory of the case”**
- **Parenting skills (you need a license to drive a car but ...)**
 - ❖ Gould text re state-of-the-art parenting capacity
 - ❖ Jayne Major's “Breakthrough Parenting” course
 - ❖ Other courses and books – influential with Judges
 - ❖ Give up activities; make choices; delay new relationships
learn to compromise and pick your spots
- **Dealing with alienated children through unconditional love, no guilt, move forward and a thick skin**
- **Educate TP and extended family – often they are counter-rejecting or too eager to make up for lost time**

TRIBAL WARFARE

- **Aligned friends, family, neighbours – all divided, conflicted and turncoats**
- **Step parents who fail to observe appropriate boundaries**
- **Schools and extra-curricular activities and daycare get drawn in and told not to share information**
- **The family doctor is also the AP's doctor (BC); Aligned professional is part of a practice group – bad referrals**
- **Many can be successfully cross-examined about prior favourable relationship with the TP**
- **Make sure assessor discounts blindly-aligned collaterals**

Tribal Warfare #2 – The Aligned Therapist

- See: *“Is the Child’s Therapist Part of the Problem”*, 37 Fam. L.Q. 241 2003-2004
- The “rent-a-therapist” - lessons learned (DD; BS; JC; JW)
- Certain assertions by them or on their behalf by AP’s counsel arguably involve a breach of the *Regulated Health Professions Act* (Ontario). Under that statute, only licensed psychologists, licensed social workers, medical doctors and [pending amendment – licensed practitioners under the *Psychotherapy Act, 2007*] from:

“Communicating to the individual or his or her personal representative a diagnosis identifying a disease or disorder as the cause of symptoms of the individual in circumstances in which it is reasonably foreseeable that the individual or his or her personal representative will rely on the diagnosis”.

Tribal Warfare #2 – The Aligned Therapist

- **If engaged solely by AP, they may have breached professional standards of practice in five respects:**
 - (I) The need for a balanced and unbiased analysis whenever opinions or recommendations are offered with respect to parenting disputes
 - (II) The need for multiple sources of information
 - (III) The obligation of a professional not to offer evaluative opinions about a person not directly involved in the process with the professional
 - (IV) The need to avoid multiple roles – child therapist vs. party-retained expert
 - (V) The importance of specific experience and training – children of divorce exhibiting a “splitting dynamic” are a “special population”

Neuroscience and *The Teen Brain*

- Prof. Laurence Steinberg (*“Age of Opportunity”* and *“Adolescence – 10th ed.”*) and Dr. Dan Siegel (*“Brainstorm”*)
- Jurisprudence re weight of children's views vs. adolescence extending to age 24
 - ❖ Also relevant to never giving up on older teens, since these relationships are meant to last a lifetime
- Pruning of the pre-teen brain at 10-11 coincides with PA onset
Loss of old favourable memories
 - ❖ Effect of invalidating environment on new brain growth
 - “ruts in the road”
 - Maintenance of cognitive distortions
 - ❖ Impaired critical thinking skills
- Higher risk of PA as individuation is already a programmed developmental step – easy to divert
- The teen’s search for New and Exciting experiences
- Physical changes and sleep deprivation

Neuroscience and *The Teen Brain* - 2

- **See “Mental Health Advocates Aim for Cure”, *National Post*, Oct. 7, 2014 p.A4**
 - ❖ *In a knowledge-based economy, “brain health” is “brain capital”*
 - ❖ *Many mental illnesses are organic - caused by abnormalities in the way the brain is structured or functions, rather than psychodynamic Freudian disorders*
 - ❖ *Transforming diagnosis by incorporating genetics, imaging, cognitive science and others*
- ***PA - The child’s brain is under stress at a particularly “plastic” stage of development - query our understanding of just how damaging this dynamic actually is and whether emotional harm PLUS physical harm in a child protection sense***

Children's Needs, Responsibilities vs Wants

- **Children have duties to assist the family in restructuring after divorce and in adapting to two homes.**
- **It is normative and expected for children to adapt to normative parenting rather than over-empowering the children just because of the separation**
- **Children must not play one parent off against the other**
- **It is not acceptable for children to dictate the access schedule**
- **Children must accept the inconveniences of transiting back and forth**
- **There are standards for acceptable children's behaviour**

CHILDREN'S COUNSEL ISSUES

- **Pits the child against the targeted parent. A key indicator of aligned parent manipulation**
- **Budget (documents, collaterals, depth of analysis) and independence – child representation vs. investigation**
- **Guidance vs. getting involved on a granular level**
 - ❖ Negotiate access; Negotiate parenting decisions; Overrule decisions of school vs. hockey?; Accepting/validating complaints
- **Transparency vs. going behind the parent's back**
 - ❖ Showing up unexpectedly at school
- **Contesting – bringing Motions/ Aligning with one party**
- **Undermining Court Orders**
- **Sole voice of the child or just one of many (assessment, parents, therapist, Judicial interview)**

Need for an Integrative and Updated Understanding of Parental Alienation

- **Baseball transformed by analytics movement (i.e. “Moneyball”)**
 - ❖ NFL on the way with transponders in shoulder pads and overhead cams
 - ❖ NHL “old school” still resistant but about to yield to analytics movement, referee-cams and overhead cams
- **PA discourse needs to be updated to reflect:**
 - ❖ Understanding of failed therapy and failed legal interventions
 - ❖ Understanding of emotional harm issues
 - ❖ Understanding of successful therapy and legal interventions
 - ❖ Understanding of neuroscience

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