

Dr. Stephen Miller (Clinician)—Mental Health Disorders Pertaining to Alienation

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INTRODUCTORY COMMENTS

Physician whose practice focuses on behavioral medicine, cognitive science, specialized in reasoning, problem solving, and decision making. (Forensic and legal)

Topics from Cognitive Science for Parents or Grandparents in a Legal Setting

Twelve basic principles of cognitive science that can be critical when litigating or dealing with a case of parental alienation. If you don't understand any of these, you are likely to get into trouble. You are walking through a field of landmines. You MUST avoid them; not "step on them gently."

PSYCHOLOGICAL TRIAD: The three components of the triad.

1. Thinking (Cognitive)
2. Feeling (Emotional)
3. Acting (Behavioral)

With these three things, we have a good framework for understanding almost anything in the field of psychology or psychiatry. Ex., Drugs, Analyzing something.

This PSYCHOLOGICAL TRIAD is extremely useful when understanding child alignment and related issues, including parental alienation, estrangement, and pathological enmeshment.

Many alienating parents—and if it is severe, ALMOST ALL alienating parents, have an underlying psychological disorder. MOST COMMONLY, A PERSONALITY DISORDER—typically a borderline, narcissistic, sociopathic personality disorder—or a combination. We need these to understand alienators. So, we look for certain things.

1. Thinking (cognitive) distortions common to BOTH alienators and personality disorders:
 - a. "The parent is 'dangerous.'"
 - b. It may be a FULL DELUSION, a PARANOID DELUSION, or a PSYCHOTIC DELUSION.
 - c. QUESTION: Is there an overlap? YES—over 90 percent overlap!
 - d. These individuals tend to use primitive defense mechanisms, typically (not exhaustive)
 - i. Denial (It's not me, it's him)
 - ii. Projection (It's not me, it's her)
 - iii. Splitting (severe black-and-white thinking; black/white, true/false, all/none, right/wrong, etc.)
 - iv. Typically borderline thinking.

2. **Feeling/Emotional (affective) features common to BOTH alienators and personality disorders:** Emotional dysregulation, such as inappropriate anger and rage, other types of emotional distress, emotional instability, etc.
3. **Acting (behavior) common to BOTH alienators and personality disorders:** Extreme or bizarre behavior. “If you are bewildered because the patient is bizarre, you are probably dealing with a borderline.” (Or possibly a narcissist or a sociopath)

Cluster B Personality Disorders: characterized by dramatic, overly emotional or unpredictable thinking or behavior; **antisocial personality disorder, borderline personality disorder, histrionic personality disorder, and narcissistic personality disorder.**

Alienators tend to have these twelve things (often seen in personality disorders)

Failure to understand these runs rampant in the field. These are BIG problems that go undetected. Evidence-based practice is important. **MOST** medical health professionals and most legal professionals often do NOT know what this means.

These did not make the list, but you should still know about them:

- British Medical Journal, 1998: Evidence-Based Medicine. The best evidence available, NOT “proven” in a lab. You use the BEST AVAILABLE EVIDENCE.

We want EVIDENCE-BASED PRACTICES/SERVICES

Most legal professionals do NOT know what this means.

https://en.wikipedia.org/wiki/Evidence-based_practice

An **evidence-based practice (EBP)** is any **practice** that relies on scientific **evidence** for guidance and decision-making. **Practices** that are not **evidence-based** may rely on tradition, intuition, or other unproven methods.



These are also rampant: Using belief systems, ideology, and speculation, all masquerading at science, is rampant.

Cognitive bias. The court will have some cognitive biases. **BIAS IS ERROR.** Bias does not mean prejudice; it means error. The court will have some cognitive errors—some thinking errors. **The court will have some cognitive ERRORS.** It is NOT pejorative. A cognitive bias is a thinking error. It often is unconscious.

Example: Using a “high-conflict model” in a case of parental alienation is a thinking error.

“Listening to the voice of a child” can be a cognitive bias if the child is alienated and under undue influence.

THESE ARE ERRORS. COGNITIVE ERRORS that the judge needs to be educated about.

Lawyer trick: Do you think so-and-so is biased? Response: Bias = a thinking error, such as confirmation bias. Ex. Confirmation bias.

Is the judge an expert in a medical malpractice case? No.

Pattern recognition. The human brain seeks patterns. You can have good pattern recognition or a bad pattern recognition. You want GOOD PATTERN recognition. When pattern recognition is accurate, it is great. When pattern recognition is bad, it leads to HORRIBLE outcomes.

Problem: Many of the “experts” in the legal profession have bad or ill-informed pattern recognition.

The FOUR C’s of Alienators. Typically, the alienating parent presents with these patterns.

- Cool, calm, charming, convincing. Typical of Cluster B Personality Disorders. They are really good at these. In a one-hour interview, they exhibit the four C’s. A naïve evaluator or judge thinks, “What a great person - no wonder why the child wants to be with him or her.” Master manipulator, skilled liar, etc.

The FOUR A’s of Alienated

- Anxious, agitated, angry, afraid. (Rejected parent may have psychological problems, anxiety disorder, score high on a paranoid scale, etc.) Do NOT assume that this is the answer. That would be using pattern recognition to jump to a wrong conclusion. If you are accomplished interviewer, clinician, etc., you can understand that the pattern may indicate an alienated parent.

Pattern recognition: A clinician or an uncommonly skilled legal professional. Judges don’t know.

One parent presents well, the other is bouncing off the wall: We have our answer! NO, YOU DO NOT. DO NOT ASSUME YOU HAVE THE ANSWER. YOU MAY BE COMPLETELY WRONG AND HAVE JUMPED TO THE WRONG CONCLUSION.

IF YOU THINK YOU CAN ACCEPT WHAT YOU SEE AT FACE VALUE, YOU ARE GRAVELY MISTAKEN. DO NOT JUMP TO CONCLUSIONS. DO NOT ASSUME.

Narratives for alienators and alienated.

- An alienated parent.
- A favored parent who is not alienated.
- A favored parent who is an alienator.
- Estranged children.
- Alienated children.

ALIENATED CHILDREN - We know what alienated children look like. Their narrative is completely different than estranged children.

Certain characteristics are highly characteristic.

10, 12, 16 characteristics that point in the same direction = this is what you have. This is a fundamental mathematical fact.

If you believe that you that the manifestations cannot be used to make a diagnosis, you are wrong.

Axiom: a statement or proposition which is regarded as being established, accepted, or self-evidently true. **Axioms are NOT debatable.**

There are typical patterns for alienating parents, alienated parents, estranged parents, protective parents, etc. **THEY ARE DISTINCTIVE.**

THE BIG THREE

1. **Over empowerment of the child or children—especially if it is severe.** Who is over empowering whom? Both parents, a favored parent, etc.? If one parent is over empowering the child and the other parent is reasonable . . . (he doesn't want to see you tonight—it's not an option!)
2. **Boundary violations.** Interpersonal boundary violations often dismissed. Many people don't even recognize a boundary violation, even when it is staring them in the face. Some of those people are mental health professionals. Many of them are lawyers and judges. Ex., Telling a child that there is something wrong with the other parent is a form of boundary violation, which is actually considered a (exploiting and corrupting a child's violation with the other parent is a form of CHILD ABUSE) (page 148, 2018 guidelines). Undermining the child's relationship with the other parent is a boundary violation and is a form of child abuse - and it is often missed.
 - a. **Inappropriate sharing**
 - i. Not age-appropriate
 - ii. Personal information
 - iii. Financial information
3. **Extreme inappropriate or bizarre behavior.** "Extreme extremism." Extremism characterizes Cluster B personalities. (Bouderline, narcissistic, hystronics . . .) WE have people missing extreme extremism. Extreme behavior, even if it is bizarre. Extreme is bad, but extreme extremism is really bad. If you have inadequate pattern, you should NOT be allowed to be within 100 yards of an alienated child.

THE EIGHT MANIFESTATIONS OF ALIENATED CHILDREN - if a child comes in with 6-8 manifestations of alienation, there is a **HIGH PROBABILITY** the child is alienated.

Distinguish between intuition and rational analysis.

BOOK: Working with Alienated Children and Families, Dr. Amy Baker, Copyright 2013.

Book: Thinking, Fast and Slow, 1979 Nobel prize winner

System one: Intuitive thinking—fast, frugal, automatic, easy, effortless, **ERROR-PRONE** (likely to make a LOT of errors). **This is a HUGE PROBLEM with parental alienation, because PA is COUNTER-INTUITIVE. You MUST BE A BONAFIDE SPECIALIST IN THE FIELD.** If you use intuition under parental alienation, you will make **HUGE MULTIPLE ERRORS.** Intuition will lead you down the wrong path with parental alienation. You will get almost every major decision

wrong. You will make VERY SERIOUS ERRORS. DO NOT USE INTUITION unless you actually have specialty level clinical intuition.

System two: Analytical thinking—much more accurate than intuition (especially when you are dealing with scientific issues). Slow, lazy, painful, effort, has to be recruited, difficult, more sophisticated. You often need a rational analysis or a **rational override** of system one when system one is wrong.

Flawed pattern recognition—system two must override. This is the pattern of alienation. If system two fails to override system one in parental alienation, this is a disaster. Alienation v. estrangement.

The ideal is **BOTH** systems working together. Simplistic thinking = oversimplified to the extent that it overlooks things.

A heuristic is a rule of thumb—not an infallible rule.

THE TRIAD

NOTE: Humans tend to be POOR STATISTICAL THINKERS.

Humans tend to be poor statistical thinkers when they think intuitively rather than analytically.

In addition, the human brain **DOES NOT DO WELL** sorting out true positives and false positives, and true negatives and false negatives. You can have false positives and false negatives, but making these distinctions do not come naturally to the human brain. You can have false positives and false negatives, but the human brain does not recognize them well.

THE HUMAN BRAIN IS WIRED TO FAVOR FALSE POSITIVES. It tends to see patterns where they do not exist. **IT IS A SURVIVAL MECHANISM. THE HUMAN BRAIN IS LIKELY TO BE WIRED IN FAVOR OF YOUR INITIAL HYPOTHESIS. CONFIRMATION BIAS.**

For example, you will tend to affirm an initial hypothesis, such as a false positive of abuse, false positive of sexual abuse, false positive about alienation.

Meta cognition - thinking about thinking. Am I using the right kind of thinking and logic? Am I falling prey to cognitive conclusions, distortions, wrong conclusions, etc.?

The more you employ meta cognition, the more you are less likely to make errors.

We ALL have **BIASES**. We have to recognize our biases and debias ourselves - some good, some bad. We need to know our cognitive biases to recognize them in ourselves or others. Know the common errors.

COUNTER-INTUITIVE

PARENTAL ALIENATION IS ONE OF THE MOST COUNTER-INTUITIVE THINGS I HAVE EVER SEEN IN PSYCHOLOGY AND MEDICINE. “I do not know of anything that is more counter-intuitive in medicine.”

Many mental health professionals and legal professionals do not understand what it means to be counterintuitive. If something is counter-intuitive, we are NOT saying, “be careful”; we are saying that **YOU CANNOT USE INTUITION**, unless you are very highly trained in the science.

COUNTER-INSTINCTUAL

It is counter-instinctual for children to reject a parent. Children are instinctual creatures. Children will RARELY do it in the absence of a powerful alienating influence. **Children DO NOT reject their parents for minor reasons.**

We surveyed 338 therapists who work with children who were physically abused, even SEVERELY abused children. The physically-abused children RARELY displayed FOUR of the EIGHT manifestations. **NONE that exhibited all eight.** If a child exhibits six or more, you can be assured that it is parental alienation. **Children, in the absence of an alienator, DO NOT REJECT A PARENT.**

The **TWELVE SPECIFIC CONCEPTS—TWELVE CLINICAL AXIOMS—every one of these is a VERY BIG DEAL (VBD).** If you miss one, you will likely get it wrong. **ARROGANCE.**

1. **Anchoring.** Very big deal (VBD). This is very powerful. For example, an in-camera interview You tend to be anchored to your initial hypothesis and won't change your hypothesis, in spite of how much evidence is in front of you. Anchoring with inadequate adjustment. **This runs RAMPANT in the field—especially in court (among judges), among attorneys, custody evaluator, etc.**
2. **Theory of Mind** (ToM). This is a complicated concept. Sophisticated versus unsophisticated. Conscious v. unconscious. A scale - a continuum. Avoid a bad dichotomy. Many alienated parents fall prey to the tricks of the alienator and may lose it. When they talk to others, they lose the argument. They end up triggering the fundamental alienation and spontaneous trait transference come into play. (Mind reading. I know that you don't know what I know, so I can lie to you. Self-control.) When someone displays the 4 A's, he or she will likely lose.
3. **Attribute Substitution.** The mind encounters a problem it has difficulty solving, it tends to substitute something else and solve it. This is usually unconscious and this runs rampant in the field of parental alienation, pathological enmeshment, etc. Judges OFTEN USE Attribute Substitution: NOTE: Intuitive thinkers tend to have incredible confidence in their intuition. That's a HUGE PROBLEM, especially with parental alienation. The judge will say: "This is too complicated for me, so I will rely on this expert." (He's written more, appears more professional, etc.) However, YOU CANNOT USE INTUITION TO SOLVE COUNTER-INTUITIVE PROBLEMS. Intuitive thinkers have great confidence in their intuitive thinking, yet parental alienation is COUNTERINTUITIVE (and reject science). (These people should not be allowed in family court.) If you do not have specialty level intuition, you should not be doing this. Instead, the judge considers which expert
 - a. Do I like better?
 - b. Do I know better?
 - c. Lives locally?
 - d. E
 - e. F

4. **Availability heuristic** = availability error. VBD. **This relies on attribute substitution.** You are making judgments based on how recent things are in your memory. You are making huge mistakes in your thinking. Two high conflict issues are NOT all alike. For example, a judge uses a HCM and when dealing with alienation. (High-conflict people we judge using the High-Conflict Model). Relies on attribute substitution. "I've seen this before; I know what is going on." **DO YOU REALLY?** Alienation cases are the exception to the rule, and using availability error will lead to a HUGE error. This leads to a HUGE ERROR.
5. **Representative heuristic** (a stereotyping error). VBD. **This relies on attribute substitution.** You mistake an alienating parent as a good one because the alienator has the four C's. You mistake pathological enmeshment with healthy bonding. You think something is something that it is not. Again, this is a serious judgment error that relies on attribute substitution.
6. **Confirmation bias.** You give too much weight to things that confirm your bias. You give too much weight to something that supports your initial bias. In a bad case, you seek things that confirm your bias. Confirmation bias is a bias - an error. **YOU EITHER WRONGLY WEIGHT THE EVIDENCE OR SEEK EVIDENCE THAT CONFIRMS YOUR BIAS.** Confirmation bias means you may not seek evidence that refutes your initial bias. If all you see is white swans, that does NOT prove that there are no black swans! All you need is ONE SINGLE BLACK SWAN to disprove your theory that all swans are white.
7. **The Fundamental Attribution Error.** This is the most important thing for parents to know. This error runs rampant in the field. When you are looking at behavior that is external, environmental, or situational, we are hard-wired to believe that he or she is wired that way. Example: When you see a person who is angry, so you think he or she is wired that way. "He is an angry person," versus why is he angry today?" If you use fundamental attribution error in an alienation case, you will get it wrong EVERY TIME. This runs rampant in the field. Parental alienation is child abuse. The alienator has the 4 C's; the alienated has the 4 A's. The alienator can be a charming, manipulating narcissist. The alienated appears angry, etc. Question: Was Moses an angry man, or did he just get angry once?" Do all you can to NOT trigger fundamental attribution error.
8. **Spontaneous trait transference.** The way you describe people is the way that other people will think of you. You are an innocent parent, but when speaking with mental health professionals, if you say all bad things about the other - even if it is well justified - the person will probably think this is true of you. **This is a pretty well-established outcome.** If you say things negatively about the other person, other people will think badly about you. This is a NO WIN SITUATION. Be concise, brief, accurate, adequate—but don't go over the top and cross the line. You cross this line and you are in trouble. This is a no-win situation. (1998 study)

9. **Cognitive dissonance.** You are trying to hold two contradictory thoughts in your mind at the same time and they don't play well together. (1956 study) When the world didn't end, her followers were the last people who wanted to follow the new evidence. They rejected the new evidence and clung more tightly to her. When prophecy failed, they looked for new evidence to believe the false prophet. They did not consider the real, contradictory evidence. Pseudo-science v. real science. Implication: "Bringing an alienated parent in contact with a child will make the child see the light." WRONG. Over relied on. **Book: When Prophecy Fails**

10. **Children start to lie at a very young age—age two—and adults are very poor at detecting it.** Kids are VERY GOOD at lying. Mental health and legal professionals are VERY BAD at detecting lying children. This is a fact. "I have never seen a mental health or a legal professional who are involved in a parental alienation case that are GOOD at detecting lying in a parental alienation case!" FBI, CIA, and Secret Service people are a little better than others—by carefully gathering evidence. They are not doing it by "reading the people." They look at and ask about objective facts. TED TALK, Dr. Ted LEE, https://www.ted.com/talks/kang_lee_can_you_really_tell_if_a_kid_is_lying?language=en,

If someone thinks they are good at this, they should not be within 100 yards of a parental alienation case.

BOOK: "Buy the Lie" https://www.amazon.com/Spy-Lie-Former-Officers-Deception/dp/1250029627/ref=sr_1_1?crid=PL41619NTZZR&keywords=spy+to+lie&qid=1578278687&srefix=spy+to+lie%2Caps%2C189&sr=8-1 They do a meticulous assessment and ask about inconsistencies, etc.

11. **Base rate, base rate neglect.** The probability that something is true before you look at the evidence. Base rate neglect is to not pay enough attention to the base rate and is deadly and runs rampant. It is dangerous to ignore. IT IS VERY RARE THAT YOU CAN WIN A CASE WITH A TWO-DAY TRIAL. **The problem is not that you cannot present the case in two days, but that others can't learn it in two days.** You usually need at least five days. Unless they really know the field well, they (Judges, attorneys, custody evaluators, etc.) will probably get it wrong about 95 percent of the time. Too often they believe pseudo-science or junk science. If you don't talk truth to power, you will probably lose. If he only gives you three days, you will probably lose. Base rate neglect is HUGE for the lawyer. Even the VERY BEST JUDGE CAN'T LEARN IT.

12. When you encounter a strong emotional argument, you should counter it with an analytical argument and **an even stronger emotional argument.**