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Guidelines for Judges Talking to Alienated Children

The following are some specific ideas for what a judge might tell children, when it has been decided that access must occur. These practical suggestions are based on two other summaries I have written: *Parental Alienation: How a Judge Can Help* and *The Dangers of Choice in Alienation/Splitting Reactions*. It is assumed that you have read these.

1. **I'd begin by acknowledging to the children that they have been through a lot.** "There's been lots of trouble in your family. Your parents' divorce has been very disturbing. There has been lots of blaming and lack of respect. You have often been caught between the two people you love the most and need the most. At times it has looked like the end of your family. But this is not true. You are still a family. Your parents cannot get back together, but we are going to see to it that you all become a good divorced family. We are going to help your parents get back in charge of running the family."
2. **Next I'd try to focus on what we all know about a family.** "Sometimes, when there has been too much trouble, families forget some basic things. They forget that everyone needs to be respected. They forget that you cannot expect family members to make choices about love or loyalty. They forget that parents never choose between their children. Parents do not ignore one child and love the other. Parents do not send one child away and keep the other. Even if they forget about this because they get so frustrated, we won't let them do it. Your trouble with (alienated parent) is telling us that some of these things have been forgotten in your family. We won't let this happen. We are going to see to it that your family returns to respecting each other, and that you do not lose one of your parents."
3. **Next, I'd let the children know we are going to deal with the problems that led to their refusal of access. Some of these will be specific to each family history. But in general I'd touch base with what we know are the main issues.** "We are going to help your parents stop arguing and blaming each other. We are going to help them, and require them, to get back to managing the family more cooperatively. You have shown them and us how necessary this is. Even if they don't love each other anymore, they have to respect each other, because they created you. That way you won't get caught in the middle anymore. Your part is going to be to start seeing your (alienated parent) again. We are going to insist on this, and so is your (favored parent). We are going to require these things because you

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are still a family. We let marriages end, but we will not and cannot let families end. Your trouble has reminded us of this.”

4. **Finally, I'd encourage you to use your authority, and to take away the idea of choice.** “I know you feel sometimes you don't want to do this. I know you didn't want your parents to divorce. But you have to do this. Just like you have to go to school even if you don't feel like it. Just like you have to go to the doctor or dentist, even if it might be hard or hurt. Being a family and having two parents is more important than school or doctors. So you do not have a choice in this. You have to do it. We will give the family a helper to stop the arguing and blaming, and to encourage respect and teamwork. But you are going to have to do your part. You've done your part to raise the alarm about what is happening to your family, and now you have to do your part to make things better. It will only be hard at first, and then it will get easier.”

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