

MEIER ET AL. BRIEF REBUTTAL OF HARMAN/LORANDOS PAPER

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- **MEIER ET AL FCO STUDY METHODOLOGY WAS THOROUGH AND CONSCIENTIOUS.**

The Family Court Outcomes Study was subjected to peer review before federal funding was approved. Our methods are thoroughly documented in the DOJ's Archives and in regularly required reports to DOJ. **In contrast, H/L's study had no pre-review.** Posting on an Open Science website is frankly irrelevant to quality, and failed to identify a multitude of serious flaws in their dataset, coding and analyses.

- a. H/L appear ignorant of federally funded research procedures and treated our final study report as though it was a scholarly paper; in fact it met particular federal requirements. For no known reason they did not review the published article describing the FCO study.

- **FCO's dataset and codings are both transparent and meticulously objective.** Contrary to H/L's assertion, rather than "cherry-picking" our comprehensive 11-line search string ensured we identified *all relevant cases* within the most recent ten-year period. Our search produced 15,000 cases, which were triaged down to 4388 cases that met our criteria (parental alienation and/or abuse allegations between private custody litigants). Coding was thorough, careful, objective, and repeatedly double-checked, and intelligent explanations for our codes, dataset, and categories are detailed in the Study documentation. In contrast, **H/L offer no explanations for their frankly bizarre choices of codings and analyses** (see below).

- H/L declined to use our comprehensive search string (stating it was too big) and just collected cases (appellate only) involving parental alienation, using only simple search terms. H/L's search went back 34 years (while using a far narrower search string), meaning their data include changing practices in courts since 1984. Rather than screening out cases that confound the core questions about impact of abuse or alienation claims, such as child welfare/state cases and neglect claims (neither reflective of private custody), they created a "fruit salad" dataset – containing such varying types of cases and issues that it is impossible to know whether their outcomes were driven by alienation, abuse or any number of other significant factors they mixed into their dataset.

- **H/L appear to have misunderstood that they did not and could not "test" our study by only collecting alienation cases.** The FCO Study has both alienation and non-alienation cases, which allowed us to analyze the impact of the alienation defense. They may have mixed up our final study with our published pilot study (which only analyzed alienation cases).

- **H/L's own study conclusions are deeply flawed and likely wrong, for numerous reasons. Here are a few:**

- a. They use contradictory and gender-biased codings and analyses. For instance, they treat men's losses of visitation as equivalent to women's losses of custody. A series of additional coding/analytic inconsistencies combine to create a gender-biased and incorrect analysis of "custody losses."

- b. Their analyses of “founded alienation” actually **prioritizes evaluators’ opinions over judges’ opinions** about whether alienation is true; it treats even those cases where judges disagreed with the evaluator as “founded” alienation.
 - c. Their empirical analyses conflate appellate and trial court opinions, without accounting for the obvious differences in posture, determination, and meaning.
 - d. Their conclusion that, contrary to the FCO Study’s finding, GALs and Evaluators do not tilt outcomes, is intrinsically defective. First, for no apparent reason they analyzed only cases where the neutral professional *found* alienation. Second, without comparing these to cases without GALs/Evaluators, as the FCO Study does, they cannot draw this conclusion.
 - e. They misinterpret statistical significance from their own regressions, stating outcomes are significant when they are not.
- **Two of H/L’s findings actually converge with ours:** First, while their own anti-woman rhetoric may have confused them, their finding that mothers’ abuse allegations are considered false more often than fathers’ is consistent with ours (and with their own hypothesis, which they incorrectly state was not supported). Second, their finding that credited alienation trumps credited abuse for both genders was an explicit finding in the FCO Study. They falsely state that it contradicts the latter. These findings also support the abuse field’s critiques of family courts, regarding giving known abusers unfettered access to children and of PA claims being an effective strategy for abusive fathers. H/L refused to acknowledge these convergences, even when one was pointed out.
 - **Whose study is infected by confirmation bias?** Meier is an academic and the rest of the team consists of established social scientists; we do not stretch or distort the evidence. In fact, we coded and analyzed everything as conservatively as possible to ensure that no bias to support our hypotheses crept in. **Lorandos’s attack on Meier’s research “credibility” (in webinar) because she is a domestic violence lawyer or cites to those who report family court problems is, to put it kindly, laughable.** He himself is a notorious parental alienation lawyer who specializes in defending against “false claims” of sexual abuse. He repeatedly (unsuccessfully) sued a highly regarded child welfare clinic. He has been sanctioned for unethical conduct as a lawyer and psychologist and is known for leveling *ad hominem* attacks on female abuse scholars. For her part, Harman has acknowledged that her own interest in parental alienation stems from personal experience. (Documentation of these statements is available.)
 - a. The objectivity of the FCO Study is supported by the Study’s inclusion of two findings that **support alienation proponents’** positions, stemming from recognition that alienation claims are brought by mothers against fathers in a significant minority of cases. These are:
 - That when a court deems a parent an alienator mothers and fathers lose custody at comparable rates (71%) – as noted above; and
 - That when alienation is alleged and abuse is *not* alleged, outcomes appear to be roughly gender-equal.

In contrast to the FCO Study’s even-handed presentation of findings, H/L decline to recognize that any of their findings are similar to the FCO Study or consistent with the abuse field’s concerns. In this, as in many other things, they are a “pot calling the kettle black.”