

Parental Alienation, Identity Manipulation, and Psychological Harm: A Child-Protection Framework for Family Law and Custody Disputes

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Abstract

Parental alienating behaviours present a difficult challenge for family courts because psychological harm may arise through patterns of relational interference that do not involve physical violence or conventional forms of neglect. This article examines when such conduct may become legally cognizable psychological harm and how courts should distinguish it from justified estrangement arising from abuse, neglect, family violence, or other legitimate concerns. Using an interdisciplinary doctrinal approach, the study analyses relevant Florida statutes and judicial decisions together with scholarship in developmental psychology, attachment theory, child welfare, and post-separation family studies. The analysis finds that communication interference, narrative control, identity-related manipulation, relocation, and digitally mediated relational exclusion may acquire legal significance when they are persistent, cumulative, and supported by reliable evidence. The article develops a behaviour-based child-protection framework consisting of six connected stages: observable conduct, persistent pattern, child impact, differential assessment, evidentiary sufficiency, and proportionate judicial protection. It argues that existing family-law and child-protection principles can provide a sufficient basis for judicial intervention without requiring parental alienation to be recognised as an independent clinical or legal category. The framework offers a more cautious and evidence-sensitive basis for protecting children from serious psychological and relational harm while reducing the risk of unsupported alienation claims.

Keywords: Parental alienation; psychological harm; child protection; family law; child custody; digital parenting.



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Introduction

Divorce and child-custody disputes frequently generate intense interpersonal conflict, yet not every form of post-separation conflict presents the same implications for children. In some cases, disagreement between parents remains primarily an adult dispute concerning parenting time, decision-making authority, or communication. In

other cases, however, the conduct of one parent may progressively interfere with the child's relationship with the other parent through denigration, obstruction of communication, false narratives of abandonment, pressure to reject the other parent, or attempts to substitute another adult into the parental role. The literature commonly discusses such conduct under the concepts of *parental alienation* or *parental alienating behaviours*.¹ The legal significance of these behaviours arises when parental conflict moves beyond disagreement between adults and begins to affect the child's attachment relationships, emotional security, identity development, and capacity to maintain meaningful relationships with both parents.

The difficulty for family courts is that these forms of harm are not always visible in the same manner as physical violence or conventional neglect. Psychological harm may develop gradually through repeated messages, restricted communication, manipulation of family narratives, or symbolic practices that alter the child's understanding of parental relationships. This distinction is particularly relevant in Florida law. Florida's child-protection framework defines abuse in terms that include willful acts or threatened acts that cause, or are likely to cause, significant impairment to a child's physical, mental, or emotional health. Its criminal child-abuse provisions likewise recognize intentional conduct capable of causing physical or mental injury to a child.² Family law therefore already possesses legal concepts capable of addressing psychological injury even where no physical violence has occurred. The more difficult question is how these standards should be applied when the alleged harm arises from sustained interference with a child's relationship with a parent.

The concept of parental alienation itself nevertheless remains contested. Some scholarship characterizes severe parental alienating behaviours as a form of psychological maltreatment or family violence because the child's perceptions, attachments, and emotional responses may be deliberately manipulated against another parent.³ Other scholars urge greater caution. Johnston⁴ favours a

¹ Joan B. Kelly and Janet R. Johnston, "The Alienated Child: A Reformulation of Parental Alienation Syndrome," *Family Court Review* 39, no. 3 (2001): 249–66, <https://doi.org/10.1111/j.174-1617.2001.tb00609.x>; Jennifer J. Harman et al., "Parental Alienating Behaviors: An Unacknowledged Form of Family Violence," *Psychological Bulletin* (US) 144, no. 12 (2018): 1275–99, <https://doi.org/10.1037/bul0000175>; A. J. L. Baker, *Adult Children of Parental Alienation Syndrome: Breaking the Ties That Bind* (W. W. Norton, 2010), <https://books.google.com.co/books?id=5IeubEMdGTYC>.

² Florida Statutes § 39.01 – Definitions, Fla. Stat. Florida Statutes § § 39.01 (2025), <https://www.flsenate.gov/Laws/Statutes/2025/39.01>; Florida Statutes § 827.03 – Abuse, Aggravated Abuse, and Neglect of a Child; Penalties, Florida Statutes § § 827.03 (2025), <https://www.flsenate.gov/Laws/Statutes/2025/Chapter827/All>.

³ Harman et al., "Parental Alienating Behaviors"; Edward Kruk, "Parental Alienation as a Form of Emotional Child Abuse: The Current State of Knowledge and Future Directions for Research," *Family Science Review* 22, no. 4 (2018), <https://doi.org/10.26536/EVMS9266>.

⁴ Janet R. Johnston and Matthew J. Sullivan, "Parental Alienation: In Search of Common Ground For a More Differentiated Theory," *Family Court Review* 58, no. 2 (2020): 270–92, <https://doi.org/10.1111/fcre.12472>.

differentiated analysis centred on observable behaviour, while Meier⁵ and Rao⁶ warn that alienation allegations may be misapplied in custody litigation, particularly where allegations of domestic violence or abuse are also present. This distinction is critical. A child's rejection or avoidance of a parent does not necessarily establish alienation. Resistance may arise from substantiated abuse, neglect, fear, harmful parenting, or other circumstances that provide a legitimate basis for estrangement. The legal inquiry should therefore not begin by assuming that every rejected parent has been alienated. Rather, courts must determine why the relationship has deteriorated and whether identifiable conduct by one parent has caused or materially contributed to the child's rejection of the other.

This controversy suggests that the more appropriate legal inquiry is not whether parental alienation should be recognised as a distinct psychological diagnosis, but whether identifiable patterns of parental conduct have caused, or are reasonably likely to cause, significant impairment to the child's mental or emotional well-being. Recent scholarship cautions against excessive reliance on psychodiagnostic labels in family-court proceedings and instead favours a more contextual and behaviour-based assessment of parent-child contact problems.⁷ Such an approach requires courts and evaluators to examine observable conduct, its persistence and severity, the surrounding family dynamics, and alternative explanations for the child's rejection of a parent, including family violence, adverse parenting, or justified estrangement.⁸ This distinction is important because empirical research has associated sustained exposure to parental alienating behaviours with anxiety, depression, insecure attachment, diminished self-esteem, and other forms of psychological distress.⁹ From an evidentiary perspective, family courts should therefore focus on documented patterns of conduct—such as denigration, obstruction of contact, interference with parenting time, repeated negative narratives, and pressure on the child to distrust or reject the other parent—rather than treating the label of parental alienation as dispositive in itself. This evidentiary orientation is consistent with research on judicial responses to alienation claims, which indicates that courts are more likely to substantiate such claims when they are supported by custody evaluations or child-protection evidence rather than by allegation alone.¹⁰

⁵ Joan S. Meier, "U.S. Child Custody Outcomes in Cases Involving Parental Alienation and Abuse Allegations: What Do the Data Show?," *Journal of Social Welfare and Family Law* 42, no. 1 (2020): 92–105, <https://doi.org/10.1080/09649069.2020.1701941>.

⁶ Alyssa G. Rao, "Rejecting 'Unjustified' Rejection: Why Family Courts Should Exclude Parental Alienation Experts," *Boston College Law Review* 62, no. 5 (2021): 1759–94.

⁷ Donald T. Saposnek and Dan Berstein, "The Uses and Abuses of Psychodiagnostic Terms in Family Court Cases: Beyond Labels to the Humanity Beneath," *Family Court Review* 63, no. 2 (2025): 265–85, <https://doi.org/10.1111/fcre.12851>; Benjamin D. Garber, "A Structured Rubric for Evaluating the Many Systemic Variables That Can Contribute to Parent-Child Contact Problems (PCCP)," *Family Court Review* 62, no. 2 (2024): 343–58, <https://doi.org/10.1111/fcre.12785>.

⁸ Matthew J. Sullivan et al., "Parent-Child Contact Problems: Family Violence and Parental Alienating Behaviors Either/or, Neither/nor, Both/and, One in the Same?," *Family Court Review* 62, no. 1 (2024): 68–85, <https://doi.org/10.1111/fcre.12764>.

⁹ Paloma Miralles et al., "Long-Term Emotional Consequences of Parental Alienation Exposure in Children of Divorced Parents: A Systematic Review," *Current Psychology* 42, no. 14 (2021): 12055–69, <https://doi.org/10.1007/s12144-021-02537-2>.

¹⁰ Amylie Paquin-Boudreau et al., "Family Court Responses to Claims of Parental Alienation in Quebec," *International Journal of Law, Policy and the Family* 36, no. 1 (2022): ebac014, <https://doi.org/10.1093/lawfam/ebac014>.

Florida provides a particularly useful legal setting for this inquiry because its statutory framework connects the best interests of the child with the preservation of close and continuing parent–child relationships, regulates relocation affecting time-sharing, addresses interference with lawful custody, and recognises substantial impairment of a child’s psychological functioning as legally cognisable mental injury through Fla. Stat. §§ 61.13, 61.13001, 787.03, and 827.03.¹¹

Within this broader problem, the present article gives particular attention to identity manipulation. For purposes of this study, identity manipulation refers to patterns of conduct through which a child’s understanding of family relationships is deliberately reshaped through narrative framing, symbolic substitution, naming practices, or communication arrangements that influence the child’s perception of parental roles. Such conduct may include encouraging a child to identify a step-parent or romantic partner as “Dad” or “Mom,” referring to a biological parent only by a first name, or creating communication identities that use the surname of a substitute parental figure. Considered in isolation, some of these practices may appear insignificant or may arise innocently within blended families. Their legal relevance becomes more serious when they form part of a sustained pattern involving communication obstruction, denigration, relocation, or exclusion of the other parent from major aspects of the child’s life. The concern is therefore not the isolated use of a particular name or family practice, but the cumulative relational message conveyed to the child.

The development of digital family life further complicates this problem. Parent–child relationships are now mediated not only through physical contact but also through email, messaging platforms, school portals, social-media accounts, usernames, photographs, and publicly constructed family narratives. The manuscript identifies digital identity manipulation as a comparatively underexplored dimension of alienating conduct, because digital environments may provide additional means of presenting another adult as the primary parental figure, excluding one parent from the child’s public family identity, or reinforcing narratives of parental replacement. At the same time, geographic relocation can magnify these dynamics. Once regular in-person contact has been reduced, the parent with whom the child primarily resides may exercise greater control over communication, access, and the narratives through which the child understands the absent parent. The interaction between relocation, narrative control, identity substitution, and digital communication therefore raises a child-protection concern that cannot be adequately assessed by treating each behaviour as an isolated parenting disagreement.

Existing scholarship has examined parental alienating behaviours and their potential psychological consequences for children, including emotional distress, disrupted parent–child relationships, and longer-term difficulties associated with exposure to alienating conduct.¹² Other studies have focused on parent–child contact

¹¹ Fla. Stat. § 61.13-Support of Children; Parenting and Time-Sharing; Powers of Court, Florida Statutes § 61.13 (2025), <https://www.flsenate.gov/Laws/Statutes/2025/61.13>; Fla. Stat. § 61.13001-Parental Relocation with a Child, Florida Statutes (2025), <https://www.flsenate.gov/Laws/Statutes/2025/0061.13001>; Fla. Stat. § 787.03-Interference with Custody, Florida Statutes § 787.03 (2025), <https://www.flsenate.gov/Laws/Statutes/2025/787.03>; Florida Statutes § 827.03 – Abuse, Aggravated Abuse, and Neglect of a Child; Penalties.

¹² Miralles et al., “Long-Term Emotional Consequences of Parental Alienation Exposure in Children of Divorced Parents”; Sullivan et al., “Parent-Child Contact Problems.”

problems in high-conflict custody disputes and on the difficulties faced by courts and family-law professionals in distinguishing alienation from family violence, adverse parenting, and justified estrangement.¹³ This literature demonstrates continuing disagreement over terminology, evidentiary interpretation, and the extent to which parental alienation should operate as a distinct explanatory construct in family-court proceedings. In particular, empirical research on family-court decision-making indicates that allegations of alienation require careful evidentiary scrutiny and are more likely to result in judicial findings when supported by professional custody evaluations or child-protection evidence rather than by parental allegation alone.¹⁴ Recent scholarship has also examined divorce-related relocation as a separate source of psychological and relational disruption for children,¹⁵ while emerging research shows that digital communication technologies increasingly shape post-separation parenting, communication, conflict, and the maintenance of family relationships.¹⁶ These bodies of scholarship, however, remain largely compartmentalised. What remains insufficiently integrated is a legal framework capable of connecting observable alienating behaviours with relocation, identity-related manipulation, communication interference, and digitally mediated narrative control, while simultaneously assessing those behaviours against existing standards of psychological harm and child protection. The gap addressed in this article is therefore not the absence of research on parental alienation itself, but the absence of a sufficiently integrated, behaviour-based legal framework for determining when a documented pattern of parental conduct becomes sufficiently persistent, severe, and harmful to justify protective intervention by a family court.

Against this background, this article examines how parental alienating behaviours may be assessed through a child-protection framework rather than through reliance on a contested diagnostic label. It asks two related questions: first, under what circumstances may sustained alienating behaviours, including identity manipulation, communication interference, narrative control, and unauthorized relocation, amount to legally cognizable psychological harm to a child? Second, how should family courts distinguish such conduct from justified estrangement arising from substantiated abuse, neglect, or other legitimate concerns? To address these questions, the article adopts an interdisciplinary doctrinal approach that integrates Florida statutes and judicial decisions with scholarship in developmental psychology, attachment theory, and child-welfare research.

¹³ Marsha Kline Pruett et al., “The Use of Parental Alienation Constructs by Family Justice System Professionals: A Survey of Belief Systems and Practice Implications,” *Family Court Review* 61, no. 2 (2023): 372–94, <https://doi.org/10.1111/fcre.12716>.

¹⁴ Amylie Paquin-Boudreau et al., “Family Court Responses to Claims of Parental Alienation in Quebec,” *International Journal of Law, Policy and the Family* 36, no. 1 (2022): ebac014, <https://doi.org/10.1093/lawfam/ebac014>.

¹⁵ Loran Kostense, “The Consequences of Divorce-Related Relocation: A Scoping Review on the (Lack of) Knowledge of the Topic,” *Marriage & Family Review* 60, no. 4 (2024): 210–35, <https://doi.org/10.1080/01494929.2024.2328245>.

¹⁶ Genevieve Heard et al., “The Use and Misuse of ‘Everyday’ Communication Technologies in a Family Law Setting: An Exploratory Study of Post-Separation Experiences,” *Journal of Social Welfare and Family Law* 46, no. 3 (2024): 306–25, <https://doi.org/10.1080/09649069.2024.2382516>; Yue Qian and Yang Hu, “The Digitalization of Family Life: A Multilevel Conceptual Framework,” *Journal of Marriage and Family* 86, no. 5 (2024): 1160–83, <https://doi.org/10.1111/jomf.12983>.

The article advances the argument that severe parental alienating behaviour should be evaluated primarily through observable conduct and demonstrated or foreseeable effects on the child, rather than through conclusory use of the label *parental alienation*. The proposed framework therefore directs attention to the nature, persistence, and cumulative effect of the conduct; its relationship to the child's emotional and developmental functioning; the existence of alternative explanations for the child's resistance; and the evidentiary basis for judicial intervention. Its contribution is twofold. Conceptually, it situates identity manipulation and emerging digital forms of alienation within the broader framework of psychological maltreatment and child welfare. Legally, it demonstrates that existing principles concerning psychological impairment, the best interests of the child, parental relocation, custody interference, and continuing parent-child relationships can provide a basis for intervention without requiring courts to recognize parental alienation as an independent clinical diagnosis. In this way, the article seeks to reconcile two equally important concerns: protecting children from serious psychological manipulation while preventing unsupported alienation allegations from displacing legitimate evidence of abuse or justified estrangement.

Method

This study employs an interdisciplinary doctrinal legal research approach to examine how parental alienating behaviours may be assessed within a child-protection framework. The doctrinal analysis focuses on legal rules governing child custody, parental responsibility, relocation, psychological harm, and interference with lawful custody, using Florida as the principal jurisdiction because its statutory framework incorporates the best interests of the child, close and continuing parent-child relationships, parental relocation, mental injury, and custody interference. The primary legal materials include relevant provisions of the Florida Statutes, particularly §§ 39.01, 61.13, 61.13001, 787.03, and 827.03, together with judicial decisions concerning interference with parent-child relationships, relocation, custody modification, and evidentiary requirements. Cases including *Schutz v. Schutz*,¹⁷ *Perez v. Fay*,¹⁸ *Ogilvie v. Ogilvie*,¹⁹ *Arthur v. Arthur*,²⁰ and *Hill v. Hill*²¹ are examined to identify principles concerning obstruction of contact, undermining the other parent's relationship with the child, unauthorized relocation, and allegations of alienating behaviour, while relevant constitutional authorities are considered where necessary to address the balance between parental autonomy and child protection.

The interdisciplinary component draws on peer-reviewed scholarship in developmental psychology, attachment theory, child welfare, and family-law studies. Recent scholarship is prioritised where available, while foundational studies are

¹⁷ "Schutz v. Schutz (Fla. 1991)," Justia Law, accessed September 16, 2026, <https://law.justia.com/cases/florida/supreme-court/1991/72471-0.html>.

¹⁸ "Perez v. Fay (Fla. Dist. Ct. App. 2015)," Justia Law, accessed September 16, 2026, <https://law.justia.com/cases/florida/second-district-court-of-appeal/2015/2d13-4217-0.html>.

¹⁹ "JENNIFER OGILVIE v. DALE DEAN OGILVIE (Fla. Dist. Ct. App. 2007)," Justia Law, accessed September 16, 2026, <https://law.justia.com/cases/florida/first-district-court-of-appeal/2007/06-2673.html>.

²⁰ "Arthur v. Arthur," vLex, accessed September 16, 2026, <https://case-law.vlex.com/vid/arthur-v-arthur-no-885854240>.

²¹ "Hill v. Hill," vLex, accessed September 16, 2026, <https://case-law.vlex.com/vid/hill-v-hill-no-888840843>.

retained to explain established concepts such as attachment, identity development, and parent–child contact problems. The literature is used not to establish parental alienation as a clinical diagnosis, but to identify observable behavioural patterns and their potential developmental implications, including denigration, communication interference, obstruction of parenting time, identity substitution, narrative control, unauthorized relocation, and digitally mediated interference. The materials are analysed through a thematic and functional legal analysis by identifying applicable legal standards, extracting recurring behavioural patterns, assessing them against legal thresholds for intervention, and considering persistence, severity, cumulative effects, evidentiary support, and reasonably foreseeable psychological harm. Alternative explanations for a child’s rejection or resistance—including substantiated abuse, neglect, adverse parenting, family violence, and justified estrangement—are also considered, so that rejection of a parent is not treated, by itself, as evidence of alienation.

The findings are synthesised into a behaviour-based child-protection framework for family-court assessment. The framework considers whether documented conduct constitutes a continuing pattern, whether it is associated with demonstrable or reasonably foreseeable impairment of the child’s emotional or developmental functioning, whether credible alternative explanations exist, and whether the evidence is sufficiently reliable to justify judicial intervention. Relevant evidence may include communication records, visitation histories, relocation records, school or medical communications, expert evaluations, and other documentation capable of establishing continuity and context. The study does not seek to estimate the prevalence of parental alienation, diagnose individual children or parents, or establish psychological causation in particular disputes, nor does it treat Florida law as representative of all U.S. jurisdictions. Florida is instead used as an illustrative legal framework for examining the interaction between existing family-law principles and emerging forms of psychological and relational harm. As the research relies exclusively on publicly available legislation, reported judicial decisions, and published scholarly literature, it involves no human participants or collection of personal data.

Reframing Parental Alienation as a Child-Protection Issue: From Diagnostic Controversy to Observable Harm

Parental alienation occupies a difficult position at the intersection of developmental psychology, child protection, and family law. The underlying concern is readily recognizable: following parental separation, a child may become strongly aligned with one parent and resist or reject the other, sometimes in the context of repeated denigration, interference with communication, or negative narratives concerning the rejected parent. Yet the explanation for such rejection is not necessarily straightforward. A deteriorating parent–child relationship may result from many interacting factors, including ordinary adjustment to parental separation, problematic parenting, interparental conflict, domestic or family violence, substantiated abuse, or sustained behaviour by one parent that undermines the child’s relationship with the other. Recent scholarship therefore increasingly conceptualises these cases as parent–child contact problems requiring differentiated assessment

rather than as situations that can be resolved by the immediate application of a single diagnostic label.²²

This distinction is particularly important because the scientific and legal status of *parental alienation* remains contested. Some researchers maintain that parental alienation represents a sufficiently developed field of inquiry and point to an expanding empirical literature concerning alienating behaviours, child rejection, and damaged parent–child relationships.²³ Others caution against treating parental alienation, and particularly the earlier concept of *parental alienation syndrome*, as an established clinical diagnosis or as a self-explanatory account of why a child refuses contact with a parent. Critics emphasise the danger that an alienation allegation may obscure other explanations, especially where domestic violence, child maltreatment, or harmful parenting is alleged.²⁴ The disagreement is therefore not merely terminological. It concerns the evidentiary and conceptual risks that arise when a disputed psychological construct enters a legal process in which decisions can substantially alter custody, residence, and parent–child relationships.

For family-law purposes, however, this controversy does not require courts to choose between accepting parental alienation as a clinical diagnosis and disregarding potentially harmful conduct altogether. A more defensible approach is to separate the diagnostic controversy from the legal relevance of observable behaviour. Sullivan, Pruett, and Johnston argue that assessment of post-separation parent–child contact problems should consider family violence, severe parental alienating behaviours, ordinary problematic parenting, and developmentally expected reactions concurrently rather than treating these explanations as mutually exclusive.²⁵ Garber similarly cautions against binary reasoning in which alienation and estrangement are approached as competing, mutually exclusive explanations. His ecological model instead requires evaluators to consider the wider network of parental behaviour, relational dynamics, practical circumstances, and child-specific factors that may contribute to resistance or refusal of contact.²⁶ These approaches are especially useful for legal analysis because they shift attention away from categorical labelling and toward facts capable of being investigated and proved.

The developmental significance of such conduct nevertheless remains important. Children ordinarily construct emotional security and a sense of relational stability through continuing relationships with caregivers. Attachment theory provides a foundational explanation of why stable and responsive caregiving relationships matter to children’s emotional development.²⁷ Identity development similarly involves the gradual construction of a coherent sense of self within family

²² Sullivan et al., “Parent-Child Contact Problems”; Garber, “A Structured Rubric for Evaluating the Many Systemic Variables That Can Contribute to Parent–Child Contact Problems (PCCP).”

²³ Jennifer J. Harman et al., “Developmental Psychology and the Scientific Status of Parental Alienation,” *Developmental Psychology* (US) 58, no. 10 (2022): 1887–911, <https://doi.org/10.1037/dev0001404>.

²⁴ Johnston and Sullivan, “Parental Alienation”; Meier, “U.S. Child Custody Outcomes in Cases Involving Parental Alienation and Abuse Allegations”; Rao, “Rejecting ‘Unjustified’ Rejection.”

²⁵ Sullivan et al., “Parent-Child Contact Problems.”

²⁶ Garber, “A Structured Rubric for Evaluating the Many Systemic Variables That Can Contribute to Parent–Child Contact Problems (PCCP).”

²⁷ John Bowlby, “Attachment and Loss: Retrospect and Prospect,” *American Journal of Orthopsychiatry* (US) 52, no. 4 (1982): 664–78, <https://doi.org/10.1111/j.1939-0025.1982.tb01456.x>.

and social relationships.²⁸ The original manuscript therefore correctly identifies loyalty conflict, role confusion, and disruption of parent–child attachment as potential developmental concerns when a child is repeatedly placed in a position of rejecting, fearing, or devaluing one parent. These theoretical perspectives remain relevant, but contemporary scholarship also urges caution in translating general developmental principles directly into conclusions about an individual custody case.

Recent attachment scholarship is especially instructive in this respect. Forslund et al. emphasise that attachment research can provide useful framework evidence for family courts, including the importance of familiar non-abusive caregivers, continuity of sufficiently good care, and networks of attachment relationships. At the same time, attachment measures should not be treated as simple diagnostic tools for deciding which individual parent is “better” or for mechanically determining custody. They make a similar distinction between the legitimate use of attachment research as general scientific background and the much more limited capacity of attachment assessment to provide individualised diagnostic conclusions.²⁹ This distinction supports the approach adopted in this article: developmental psychology can illuminate why sustained interference with a safe parent–child relationship may matter, but it cannot eliminate the need for case-specific legal evidence.

Empirical research also suggests that exposure to parental alienating behaviours can be associated with adverse psychological outcomes. The original manuscript draws on studies reporting associations with anxiety, depression, identity confusion, difficulties with trust, guilt, and shame.³⁰ More recent research supports the need to take such associations seriously while avoiding overly deterministic conclusions. Portilla-Saavedra, Pinto-Cortez, and Moya-Vergara,³¹ in a study of young adults exposed to parental alienating behaviours during childhood or adolescence, found higher levels of anxiety, depression, somatisation, and general psychological distress, including after accounting for other adverse childhood experiences. Research in this area therefore supports the proposition that repeated relational interference can be psychologically significant, but it does not establish that every case of contact refusal has the same cause or that every alleged alienating behaviour produces the same developmental outcome.

This distinction between risk of harm and automatic diagnosis is central to child-protection analysis. The legal concern should arise when parental conduct becomes sufficiently persistent, severe, and developmentally consequential that it threatens the child’s mental or emotional welfare. Conduct commonly discussed in the literature includes denigration of the other parent, obstruction of communication,

²⁸ John P. Kemph, “Erik H. Erikson. Identity, Youth and Crisis. New York: W. W. Norton Company, 1968,” *Behavioral Science* 14, no. 2 (1969): 154–59, <https://doi.org/10.1002/bs.3830140209>.

²⁹ Tommie Forslund et al., “Admissibility of Attachment Theory, Research and Assessments in Child Custody Decision-Making? Yes and No!,” *New Directions for Child and Adolescent Development* 2021, no. 180 (2021): 125–40, <https://doi.org/10.1002/cad.20447>.

³⁰ Baker, *Adult Children of Parental Alienation Syndrome: Breaking the Ties That Bind*; Harman et al., “Parental Alienating Behaviors”; Suzanne Verhaar et al., “The Impact of Parental Alienating Behaviours on the Mental Health of Adults Alienated in Childhood,” *Children* 9, no. 4 (2022): 475, <https://doi.org/10.3390/children9040475>.

³¹ Diego Portilla-Saavedra et al., “Psychological Distress in Young Chilean Adults Exposed to Parental Alienating Behaviors during Childhood/Adolescence,” *European Journal of Investigation in Health, Psychology and Education* 13, no. 9 (2023): 1707–16, <https://doi.org/10.3390/ejihpe13090123>.

interference with parenting time, false or distorted narratives concerning abandonment or danger, and pressure on the child to reject or distrust a parent.³² The original manuscript also identifies symbolic and relational practices, including attempts to replace the parental role or reshape the child's understanding of family relationships, as potentially relevant when they form part of a broader pattern rather than occurring as isolated events. The key legal point is therefore not that any individual behaviour necessarily constitutes psychological maltreatment, but that the cumulative pattern may become relevant where it is supported by evidence and connected to significant impairment or a substantial risk of such impairment.

Florida child-protection law provides a useful normative bridge between developmental evidence and this behaviour-based legal inquiry. Florida's statutory framework recognises mental and emotional injury within its conception of harm to children, while its criminal child-abuse provisions encompass intentional conduct causing, or reasonably expected to result in, mental injury (Fla. Stat. §§ 39.01, 827.03).³³ The significance of these provisions for the present study is not that they expressly classify parental alienation as child abuse; they do not. Rather, they demonstrate that psychological injury is already a legally cognisable category of harm. Accordingly, a family court need not first determine that parental alienation constitutes an accepted clinical syndrome before considering whether particular acts have caused, or are likely to cause, substantial impairment to a child's psychological functioning.

The same behaviour-based orientation is visible in family-law jurisprudence concerning interference with parent-child relationships. In *Schutz v. Schutz*, the Florida Supreme Court stressed the obligation of a custodial parent to support rather than undermine the child's relationship with the other parent. The original manuscript also relies on *Perez v. Fay* to illustrate circumstances in which sustained interference with that relationship became relevant to modification of custody arrangements. These authorities are significant not because they judicially validate a psychiatric construct of parental alienation, but because they demonstrate that family law already treats certain forms of sustained interference with parent-child relationships as legally relevant to the child's best interests. The legal analysis can therefore proceed from established duties concerning parenting conduct and child welfare rather than from the contested status of a psychological label.

A child-protection perspective must nevertheless preserve an equally important safeguard: child rejection is not itself proof of parental alienation. Children may have legitimate reasons for resisting contact with a parent. The original manuscript appropriately recognises that not every rejected parent is an alienated parent and that children's resistance may be related to abuse, neglect, family violence, or adverse parenting. Recent scholarship reinforces this caution. Sullivan et al.³⁴ argue for concurrent assessment of parental alienating behaviours and family violence because both may occur within the same family system. Garber³⁵ similarly

³² Kelly and Johnston, "The Alienated Child: A Reformulation of Parental Alienation Syndrome"; Harman et al., "Parental Alienating Behaviors"; Sullivan et al., "Parent-Child Contact Problems."

³³ Fla. Stat. § 39.01; Florida Statutes § 827.03 – Abuse, Aggravated Abuse, and Neglect of a Child; Penalties.

³⁴ Sullivan et al., "Parent-Child Contact Problems."

³⁵ Garber, "A Structured Rubric for Evaluating the Many Systemic Variables That Can Contribute to Parent-Child Contact Problems (PCCP)."

rejects premature classification and requires assessment of multiple interacting causes. Empirical analysis of family-court cases also demonstrates the importance of corroboration: Paquin-Boudreau, Poitras, and Bala,³⁶ examining reported Quebec family-law decisions, found that courts did not automatically accept alienation allegations and that judicial findings were associated with substantiation by custody evaluators or child-protection professionals. The implication is that legal intervention must be grounded in evidence of conduct and context rather than inferred from the child's alignment with one parent alone.

The appropriate analytical move is therefore from label to conduct, and from conduct to harm. The court's inquiry should begin with identifiable behaviour: what occurred, how frequently it occurred, how long it persisted, and in what relational context. It should then consider whether the behaviour is connected to measurable or reasonably foreseeable impairment of the child's emotional security, identity development, attachment relationships, or psychological functioning. Finally, it must test alternative explanations for the child's resistance and evaluate whether the available evidence is sufficiently reliable to justify intervention. Such an approach neither dismisses research describing parental alienating behaviours as potentially harmful nor assumes that the contested concept of parental alienation supplies its own proof.

Accordingly, the child-protection significance of parental alienating behaviour lies less in whether *parental alienation* is ultimately accepted as an independent diagnostic category than in whether sustained and evidenced parental conduct compromises a child's psychological welfare. This reframing establishes the analytical foundation for the remainder of this article. It permits family courts to take psychological and relational harm seriously while maintaining the evidentiary caution required in high-conflict custody disputes. It also provides the basis for examining the more specific patterns addressed in the next section—communication interference, narrative control, identity manipulation, relocation, and digitally mediated forms of relational exclusion—according to their nature, persistence, context, cumulative effect, and demonstrated or reasonably foreseeable impact on the child.

Patterns of Alienating Conduct and Their Developmental and Legal Significance

A behaviour-based approach requires attention to the specific forms of parental conduct through which post-separation parent-child relationships may be impaired. Such conduct should not be assessed through isolated incidents or predetermined assumptions about parental alienation. Parent-child contact problems may develop through multiple interacting circumstances, including parental conflict, problematic parenting, family violence, practical barriers to contact, and sustained efforts to undermine a child's relationship with one parent. Contemporary approaches therefore favour a contextual assessment that examines how particular behaviours operate within the broader family system and whether they form a persistent pattern capable of affecting the child's emotional and relational functioning.³⁷ The relevant legal inquiry is consequently cumulative: whether identifiable conduct, considered in its context and over time, materially interferes

³⁶ Paquin-Boudreau et al., "Family Court Responses to Claims of Parental Alienation in Quebec," 2022.

³⁷ Garber, "A Structured Rubric for Evaluating the Many Systemic Variables That Can Contribute to Parent-Child Contact Problems (PCCP)"; Sullivan et al., "Parent-Child Contact Problems."

with a child's relationship with a parent and creates a demonstrable or reasonably foreseeable risk to the child's welfare.

One of the most readily observable forms of relational interference is communication obstruction. It may take the form of repeatedly preventing telephone or video communication, cancelling scheduled contact without adequate justification, withholding information necessary for parenting time, excluding a parent from school or medical communications, or otherwise frustrating ordinary opportunities for parent-child interaction. These behaviours require contextual evaluation because separated families frequently experience scheduling difficulties, disagreements, and imperfect communication. Legal significance arises not from occasional disruption, but where interference becomes repeated, unilateral, and disproportionate, particularly when it appears directed toward diminishing the child's relationship with the other parent. The original manuscript already identifies obstruction of communication, interference with parenting time, and exclusion from significant aspects of the child's life as conduct capable of forming part of a broader pattern.

Persistent interference with contact may be particularly significant when accompanied by changes in the child's beliefs about the other parent. Parental alienating behaviours have been associated in the literature with changes in children's perceptions, memories, and understanding of parental relationships, as well as broader experiences of relational and personal loss.³⁸ These findings do not establish that every restriction of contact constitutes alienation or psychological maltreatment. They do, however, support closer examination where practical interference is sustained and occurs alongside other behaviours that portray the other parent as unimportant, uncaring, dangerous, or unworthy of trust.

Closely related to communication interference is narrative control. Following separation, children often depend heavily on parents for explanations concerning changes in residence, parenting arrangements, family conflict, and the conduct of the other parent. Such explanations may legitimately include difficult information, particularly where a parent must address safety concerns, previous abuse, neglect, or harmful behaviour. The legal problem arises when information becomes systematically distorted or repeatedly framed in a manner that encourages rejection of an otherwise safe parent. Severe parental alienating behaviour has been described as involving ongoing negative messaging through which the other parent is presented as irrelevant, disinterested, dangerous, or fundamentally untrustworthy.³⁹ Changes in children's beliefs, perceptions, and memories may therefore become relevant when they occur within a sustained pattern of parental conduct rather than as evidence of alienation in themselves.⁴⁰

Narrative control should nevertheless be distinguished carefully from legitimate parental communication. A child may reject or fear a parent for valid reasons, and truthful discussion of abuse, neglect, violence, substance misuse, or unsafe parenting should not be recharacterised as alienation simply because it produces a negative view of that parent. The child's resistance may also reflect ordinary developmental responses to separation, strained parenting relationships, or

³⁸ Jennifer J. Harman et al., "Losses Experienced by Children Alienated from a Parent," *Current Opinion in Psychology* 43 (February 2022): 7–12, <https://doi.org/10.1016/j.copsyc.2021.05.002>.

³⁹ Sullivan et al., "Parent-Child Contact Problems."

⁴⁰ Harman et al., "Losses Experienced by Children Alienated from a Parent."

other family-system factors. A behaviour-based analysis must therefore examine the factual basis of the narrative, the manner and frequency with which it is communicated, the developmental capacity of the child to understand it, and its relationship to the child's subsequent behaviour. Contemporary research on parent-child contact problems strongly supports this differentiated approach because alienation, estrangement, family violence, and problematic parenting should not be treated as mutually exclusive or mechanically competing explanations.⁴¹

The analysis becomes more complex where parental conduct affects the child's understanding of family identity and parental roles. This article uses the term *identity manipulation* as an analytical category for sustained practices through which a child's understanding of parental belonging or relational identity is deliberately reshaped in a manner that marginalises an existing parent. Examples discussed in the original manuscript include encouraging the child to treat another adult as a replacement parent, referring to the other parent in ways that symbolically diminish the parental role, or altering names and family identifiers as part of a wider pattern of exclusion.

Such conduct must be distinguished from ordinary and healthy developments within blended families. Children may form meaningful emotional bonds with step-parents, grandparents, partners of a parent, or other caregivers without diminishing their relationship with their biological or legal parents. The use of "Mom," "Dad," or other affectionate parental terms is therefore not inherently evidence of manipulation. Contemporary attachment research likewise emphasises the value of networks of familiar, non-abusive caregivers rather than suggesting that children should maintain only one exclusive parental attachment.⁴² The legal concern is consequently not the existence of an additional attachment figure but whether symbolic practices are deliberately used, together with other exclusionary behaviours, to displace or erase a safe and legally recognised parental relationship.

Identity-related conduct becomes more relevant where symbolic substitution interacts with communication obstruction, denigration, exclusion from decision-making, or repeated messages that the other parent no longer occupies a meaningful parental role. The concern is cumulative rather than categorical. A surname change, altered parental terminology, or presentation of a step-parent as an important caregiver may have an innocent or developmentally beneficial explanation when viewed independently. The same conduct may require closer scrutiny when it occurs alongside repeated barriers to contact and attempts to convince the child that the other parent has abandoned the family or should no longer be regarded as a parent.

This distinction is important because the developmental significance of family identity should not be overstated. Severe disruption of parent-child relationships has been associated with broader losses involving individual identity, extended family, community, and meaningful developmental experiences.⁴³ Nevertheless, current evidence does not justify treating every alteration in family terminology or identity markers as psychologically harmful. The more defensible proposition is that identity-

⁴¹ Garber, "A Structured Rubric for Evaluating the Many Systemic Variables That Can Contribute to Parent-Child Contact Problems (PCCP)."

⁴² Tommie Forslund et al., "Admissibility of Attachment Theory, Research and Assessments in Child Custody Decision-Making? Yes and No!," *New Directions for Child and Adolescent Development* 2021, no. 180 (2021): 125-40, <https://doi.org/10.1002/cad.20447>.

⁴³ Harman et al., "Losses Experienced by Children Alienated from a Parent."

related practices may acquire significance when they contribute to an evidenced and sustained process through which a child's existing parental relationship is progressively weakened.

A structurally different form of relational interference may arise through parental relocation. Geographic separation can alter the practical conditions under which an existing relationship is maintained by reducing spontaneous interaction, increasing travel burdens, limiting participation in everyday routines, and making frequent parenting time more difficult. The original manuscript identifies unauthorized relocation as one mechanism through which a parent may obtain greater control over the child's contact, schedule, and information environment.

Relocation cannot, however, be treated as synonymous with alienation. Parents relocate for legitimate reasons that include employment, economic necessity, housing, education, remarriage, family support, and safety. The available empirical literature also requires caution. A recent scoping review found indications that divorce-related relocation may be associated with short-term psychological, relational, and behavioural consequences for children, while also emphasising the limited quantity and quality of the evidence and the need for further longitudinal research.⁴⁴ The legal significance of relocation therefore depends on factors beyond geographic distance itself.

A more relevant inquiry considers whether the move complies with applicable legal procedures, how substantially it affects existing parenting arrangements, whether meaningful alternative contact has been facilitated, and how the relocating parent behaves before and after the move. Relocation may become part of an alienating pattern where geographic separation is accompanied by repeated cancellation of contact, refusal to facilitate communication, withholding of information, or other measures that effectively transform physical distance into relational exclusion. Conversely, a relocation accompanied by meaningful efforts to preserve communication and parenting time may not support such an inference.

Florida law provides a useful framework for examining these distinctions. Florida Statute § 61.13001 regulates parental relocation where a proposed move affects established time-sharing arrangements and provides procedures intended to protect both the child's welfare and existing parental relationships. The manuscript also identifies *Arthur v. Arthur* and *Hill v. Hill* as illustrating the importance of judicial scrutiny and statutory compliance in relocation disputes. Violation of relocation requirements may therefore constitute legally relevant conduct, but it should not automatically be equated with psychological maltreatment. Its significance within the present framework lies in whether the relocation forms part of a broader, evidenced course of behaviour that foreseeably undermines a safe parent-child relationship.

The increasing digitalisation of family life introduces an additional dimension. Contemporary family relationships are maintained through messaging services, video calls, email, school portals, social-media profiles, shared calendars, and other digital platforms. These technologies may preserve parent-child relationships across geographic distance, facilitate parenting coordination, and provide children with continued access to both parents. At the same time, digital environments can become sites through which communication is restricted, family

⁴⁴ Kostense, "The Consequences of Divorce-Related Relocation."

narratives are managed, and relational boundaries are controlled. Digitalisation now influences family functioning, contact, identity presentation, and the ways in which family relationships are performed and displayed in everyday life.⁴⁵

Post-separation communication technologies illustrate this dual function particularly clearly. Text messages, emails, social media, and related platforms may improve coordination between separated parents but can also become vehicles for conflict or misuse.⁴⁶ Digital technologies have likewise been shown to facilitate continuing forms of coercive and controlling conduct after separation, including behaviours that expose children to denigration and parental conflict.⁴⁷ These findings are relevant to family-law analysis because they demonstrate that interference with parental relationships does not necessarily occur only through physical denial of contact.

The original manuscript develops the further concept of digitally mediated identity manipulation, including the creation of accounts, identifiers, or public profiles that symbolically associate the child with a substitute parental figure while excluding the other parent. This category should be treated cautiously because existing empirical research has not yet established *digital identity manipulation* as an independently validated form of parental alienation. Its principal value at this stage is analytical. It draws attention to the possibility that digital practices may reinforce offline patterns of relational substitution, exclusion, or narrative control and identifies an area requiring further empirical investigation.

The same evidentiary caution that applies to offline conduct should therefore govern digital practices. A username, social-media post, profile description, photograph, or altered digital identifier should not independently establish psychological maltreatment. Family members routinely curate digital identities in ways that are incomplete, symbolic, or context dependent. Legal concern becomes stronger where digital conduct is repeated, strategically coordinated with other forms of exclusion, and connected to observable deterioration in the child's access to or understanding of the other parent. In this respect, the significance of digital evidence may lie not only in the alleged conduct itself but also in its capacity to document patterns across time. Messages, emails, platform records, school communications, call histories, and other digital materials may provide contemporaneous evidence relevant to whether interference is persistent rather than episodic.

These forms of conduct should consequently be understood as interacting dimensions rather than a checklist of alienation indicators. Communication interference may reinforce narrative control; narrative control may support identity substitution; relocation may increase one parent's practical ability to regulate communication; and digital platforms may allow the same narratives and exclusions to continue beyond physical settings. The cumulative interaction among these practices may be more legally significant than any single act considered independently.

⁴⁵ Qian and Hu, "The Digitalization of Family Life."

⁴⁶ Heard et al., "The Use and Misuse of 'Everyday' Communication Technologies in a Family Law Setting."

⁴⁷ Anna Nikupeteri et al., *Coercive Control and Technology-Facilitated Parental Stalking in Children's and Young People's Lives*, Journal of Gender-Based Violence, October 1, 2021, <https://doi.org/10.1332/239868021X16285243258834>.

This cumulative approach also protects against over-identification. An isolated cancelled call, a child's affectionate relationship with a step-parent, a lawful relocation, or an unusual digital identifier should not be converted automatically into evidence of parental alienation. The relevant distinction lies between ordinary post-separation family adaptation and a sustained pattern of conduct that progressively restricts a child's relationship with an otherwise safe parent without adequate justification. Assessing that distinction requires consideration of the nature of the conduct, its factual context, frequency, persistence, interaction with other behaviours, developmental consequences, and the availability of legitimate alternative explanations.⁴⁸

The legal significance of these behaviours therefore arises only when the evidence establishes more than interpersonal disagreement between separated parents. A pattern becomes relevant to child protection when it materially interferes with a safe parent-child relationship and is associated with actual or reasonably foreseeable impairment of the child's emotional or psychological welfare. This formulation preserves the central contribution of a behaviour-based approach: courts can evaluate communication interference, narrative control, identity-related manipulation, relocation, and digitally mediated relational conduct without treating any of them as automatic proof of a disputed psychological diagnosis. The next question is evidentiary—how a court should determine whether the alleged pattern is sufficiently reliable, severe, and causally connected to harm to justify legal intervention.

Evidentiary Thresholds and Differential Assessment in Family-Court Adjudication

A behaviour-based child-protection framework requires more than identifying conduct that resembles parental alienation. Family courts must determine whether the alleged behaviour is sufficiently established, persistent, and harmful to justify intervention. This evidentiary requirement is particularly important because parent-child rejection may arise from different causes, including family violence, abuse, neglect, harmful parenting, ordinary post-separation adjustment, loyalty conflict, or sustained interference by another parent. The child's rejection of a parent should therefore be treated as a fact requiring explanation rather than as proof of alienation in itself.⁴⁹

The appropriate inquiry is consequently one of differential assessment. Courts should evaluate competing explanations for the deterioration of the parent-child relationship before attributing it to alienating conduct. Evidence of fear, resistance, or refusal of contact must be examined in light of the child's developmental stage, prior relationship with each parent, allegations of abuse or violence, parenting behaviour, and the circumstances surrounding the breakdown in contact. Alienation and justified estrangement should not be approached as mutually exclusive categories at the outset, because family systems may contain several interacting causes of parent-child contact problems.⁵⁰ This approach reduces the risk that an alienation

⁴⁸ Garber, "A Structured Rubric for Evaluating the Many Systemic Variables That Can Contribute to Parent-Child Contact Problems (PCCP)"; Sullivan et al., "Parent-Child Contact Problems."

⁴⁹ Sullivan et al., "Parent-Child Contact Problems."

⁵⁰ Garber, "A Structured Rubric for Evaluating the Many Systemic Variables That Can Contribute to Parent-Child Contact Problems (PCCP)."

allegation will prematurely displace credible evidence of abuse while also allowing genuine patterns of relational interference to be investigated.

The evidentiary focus should therefore remain on observable conduct rather than conclusory labels. Relevant evidence may include repeated obstruction of communication, unexplained cancellation of parenting time, denigration of the other parent, exclusion from school or medical decisions, relocation records, refusal to comply with parenting arrangements, and communications demonstrating efforts to weaken the child's relationship with the other parent. The original manuscript already identifies emails, text messages, visitation records, school communications, witness testimony, and professional evaluations as potentially important forms of corroboration. The value of such evidence lies in its capacity to establish continuity and context rather than merely documenting isolated incidents.

Pattern evidence is particularly important because psychological and relational interference often develops gradually. A single cancelled call or hostile statement may be insufficient to establish legally significant harm. Repeated conduct occurring across different settings may present a different evidentiary picture, especially where the same pattern is reflected in communication records, parenting-time history, relocation decisions, or third-party observations. The manuscript accordingly emphasises continuity, consistency, and the relationship between parental conduct and the child's emotional functioning. This pattern-oriented approach is also consistent with the broader child-contact literature, which favours contextual assessment over categorical conclusions based on individual behaviours.⁵¹

Professional evidence may strengthen this analysis, but it should not substitute for factual proof. Custody evaluators, psychologists, guardians ad litem, and child-protection professionals may assist courts in interpreting family dynamics and assessing the child's functioning. Their opinions should nevertheless be linked to observable evidence and reliable principles rather than resting on the assumption that parental alienation has already occurred. Empirical research on reported family-law cases supports this cautious approach. Judicial findings of alienation have been associated more strongly with substantiation by custody evaluators or child-protection services than with parental allegation alone, illustrating the importance of corroboration in contested cases.⁵²

Florida case law provides a useful illustration of this evidentiary orientation. The original manuscript relies on *Schutz v. Schutz*⁵³ and *Perez v. Fay*⁵⁴ to show that persistent interference with a child's relationship with the other parent may become relevant to custody and time-sharing determinations. At the same time, *Ogilvie v. Ogilvie*⁵⁵ is used to emphasise that findings concerning alienation should not rest on speculation or vague communication difficulties. Read together, these authorities support a broader principle: courts may respond to sustained relational interference, but intervention should be based on competent evidence demonstrating a meaningful pattern rather than on the label attached to the dispute.

⁵¹ Garber, "A Structured Rubric for Evaluating the Many Systemic Variables That Can Contribute to Parent-Child Contact Problems (PCCP)."

⁵² Paquin-Boudreau et al., "Family Court Responses to Claims of Parental Alienation in Quebec," 2022.

⁵³ Justia Law, "*Schutz v. Schutz* (Fla. 1991)."

⁵⁴ Justia Law, "*Perez v. Fay* (Fla. Dist. Ct. App. 2015)."

⁵⁵ Justia Law, "*JENNIFER OGILVIE v. DALE DEAN OGILVIE* (Fla. Dist. Ct. App. 2007)."

Digital evidence may increasingly contribute to this assessment. Messaging records, emails, call histories, social-media communications, school portals, and other electronic records may document patterns of obstruction or narrative control over time. Their existence does not automatically establish psychological harm, but they may provide contemporaneous evidence of frequency, consistency, and context. The evidentiary value of digital material is therefore greatest when it corroborates conduct observable through other sources rather than functioning as a single isolated indicator.

A sufficiently rigorous evidentiary threshold should also require a connection between the conduct and the child's welfare. Proof that one parent behaved uncooperatively does not necessarily establish psychological maltreatment. The court must consider whether the conduct has caused, or is reasonably likely to cause, significant impairment to the child's emotional or psychological functioning. This distinction prevents ordinary parental conflict from being transformed into a child-protection finding merely because the relationship between the adults is hostile. It also directs judicial attention toward the child rather than toward assigning moral blame between parents.

The resulting assessment can therefore be expressed through five related questions: what conduct occurred; whether it formed a persistent pattern; whether it is independently corroborated; whether credible alternative explanations exist; and whether the conduct is connected to actual or reasonably foreseeable harm to the child. These elements do not constitute a rigid legal test, but they provide a disciplined method for distinguishing harmful relational interference from ordinary conflict or justified estrangement.

This evidentiary approach also preserves proportionality. A court should not move directly from an allegation of alienation to drastic intervention. The strength of the evidence, seriousness of the harm, persistence of the conduct, and availability of less intrusive measures should shape the response. The central legal question is therefore not whether a parent can be labelled "alienating," but whether a sufficiently reliable evidentiary record demonstrates a sustained course of conduct that threatens the child's welfare and warrants protective judicial action.

A Behaviour-Based Child-Protection Framework for Judicial Intervention

The preceding analysis suggests that family-court intervention should not depend on whether *parental alienation* is accepted as an independent psychological diagnosis. The more relevant legal inquiry is whether the evidence establishes a sustained pattern of parental conduct that materially interferes with a safe parent-child relationship and creates actual or reasonably foreseeable psychological harm. A behaviour-based child-protection framework allows courts to assess such conduct without first resolving the broader scientific controversy surrounding parental alienation.⁵⁶

The first element is identifiable conduct. Judicial analysis should begin with observable behaviour rather than labels. Relevant conduct may include persistent communication interference, obstruction of parenting time, repeated denigration, exclusion from important decisions, strategic relocation, or sustained narrative

⁵⁶ Garber, "A Structured Rubric for Evaluating the Many Systemic Variables That Can Contribute to Parent-Child Contact Problems (PCCP)"; Sullivan et al., "Parent-Child Contact Problems."

practices that marginalise the other parent. Identity-related and digitally mediated practices may also be relevant where they form part of a broader pattern of relational exclusion. No single act, however, should be treated as inherently harmful without regard to its context and possible legitimate explanation.

The second element is pattern and persistence. Family law must distinguish ordinary post-separation conflict from sustained relational interference. Repeated conduct occurring across different settings may become more legally significant when communication obstruction, denigration, relocation, or narrative control reinforce one another over time. The manuscript already recognises continuity and consistency as important in determining whether parental conduct has moved beyond ordinary conflict.

The third element is impact on the child. The central question is not whether one parent has behaved unfairly toward the other, but whether the conduct has affected, or is reasonably likely to affect, the child's emotional, psychological, or developmental welfare. Relevant indicators may include persistent anxiety, relational withdrawal, identity confusion, or deterioration in a previously safe parent-child relationship. Developmental research can inform this assessment, but it should not be used mechanically to determine causation in individual custody disputes.⁵⁷

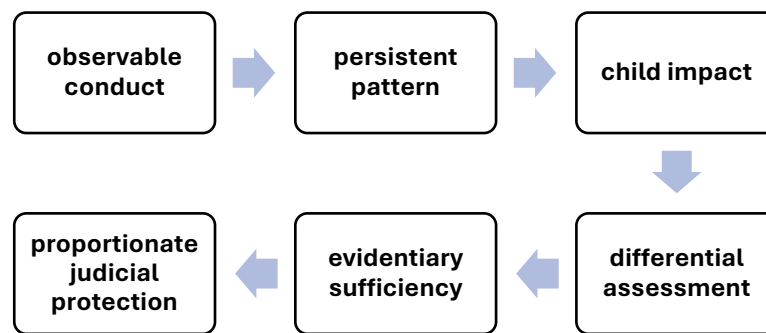
The fourth element is differential assessment and evidentiary reliability. Courts should consider whether the child's resistance may instead arise from substantiated abuse, neglect, family violence, harmful parenting, or other legitimate concerns. This prevents alienation allegations from displacing credible evidence of justified estrangement. Reliable corroboration may include communication records, parenting-time histories, school or medical records, relocation documentation, witness testimony, and professional evaluations.⁵⁸

The fifth element is proportional judicial response. Even where harmful conduct is established, remedies should correspond to the severity and persistence of the conduct and the risk to the child. Less intrusive measures may include clearer communication requirements, enforcement of parenting schedules, compensatory time-sharing, or counselling. More serious cases may justify relocation remedies, restrictions on decision-making authority, contempt, or modification of parenting arrangements. The manuscript already identifies these measures as possible responses to sustained interference with the parent-child relationship.

Florida law provides a useful legal foundation for this framework. Existing rules governing the best interests of the child, parenting relationships, relocation, mental injury, and interference with custody already permit courts to address harmful parental conduct without recognising parental alienation as a separate clinical or legal category. Florida case law also demonstrates that sustained interference may become relevant to parenting determinations, provided that substantial intervention rests on competent evidence. The framework can therefore be expressed as follows:

⁵⁷ Forslund et al., "Admissibility of Attachment Theory, Research and Assessments in Child Custody Decision-Making?," 2021; Portilla-Saavedra et al., "Psychological Distress in Young Chilean Adults Exposed to Parental Alienating Behaviors during Childhood/Adolescence."

⁵⁸ Paquin-Boudreau et al., "Family Court Responses to Claims of Parental Alienation in Quebec," 2022; Sullivan et al., "Parent-Child Contact Problems."

Chart 1. Behaviour-Based Child-Protection Framework for Judicial Assessment of Parental Alienating Conduct

This sequence allows courts to respond to serious psychological and relational harm while preserving safeguards against unsupported alienation claims. It also accommodates emerging concerns such as identity manipulation, digital narrative control, and strategic relocation without treating any of them as automatic proof of parental alienation. The focus remains on reliable evidence, child welfare, and proportionate protection.

Conclusion

This article argues that the legal significance of parental alienating behaviour should not depend on whether *parental alienation* is accepted as a distinct psychological diagnosis. The more relevant inquiry is whether identifiable conduct forms a sustained pattern that materially interferes with a safe parent–child relationship and causes, or creates a reasonably foreseeable risk of, significant psychological or emotional harm. Communication interference, narrative control, identity-related manipulation, relocation, and digitally mediated relational exclusion may therefore become legally relevant when they are persistent, cumulative, and supported by reliable evidence. The proposed behaviour-based child-protection framework addresses this problem through six connected stages: observable conduct, persistent pattern, child impact, differential assessment, evidentiary sufficiency, and proportionate judicial protection. This structure requires courts to consider alternative explanations for the child’s resistance, including substantiated abuse, neglect, family violence, harmful parenting, and justified estrangement, before intervention is ordered. It therefore protects children from serious relational and psychological harm while reducing the risk that unsupported alienation allegations displace credible evidence of abuse or other legitimate concerns.

The article’s main contribution is to integrate psychological harm, relational interference, relocation, identity manipulation, and emerging digital forms of family conflict within a single legal framework grounded in existing child-protection and family-law principles. Florida law demonstrates that rules concerning the best interests of the child, psychological impairment, relocation, custody interference, and continuing parent–child relationships can already support judicial intervention without creating a separate legal category of parental alienation. Further empirical and comparative research is nevertheless needed, particularly on identity-related manipulation, digitally mediated narrative control, and the interaction between relocation and communication technologies in post-separation parenting.

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