

Colorado's Child Welfare System Interim Study Committee



NPO-CO Mission

To improve the lives of children & strengthen society by protecting every child's right to the love & care of both parents after separation or divorce.

Vision

- The overarching goal of National Parents Organization (NPO) is to promote shared parenting by educating parents, divorce professionals, and legislators and by reforming family courts and laws in every state. We envision a society where:
- Shared parenting after separation or divorce is the norm
- Children's natural right to be nurtured & guided by both parents is fully honored
- Society treats fathers & mothers as equally important to the well-being of their children
- Children are happier & more successful because their loving bonds to their parents are protected after parental separation or divorce; and,
- The courts arrange finances after separation or divorce so that both mothers & fathers can afford to house and care for their children & themselves.

Survey Results

EXECUTIVE SUMMARY

The Colorado NPO Team worked with an outside research firm to help understand how Coloradoans felt about shared parenting. Here are the results from that survey.

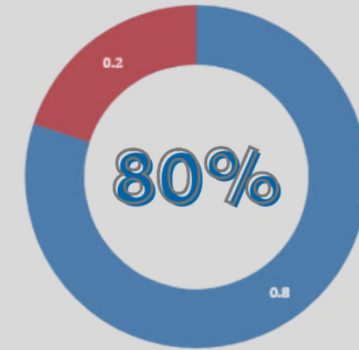
- Independent survey conducted by [Researchscape International](#).
- The results in this report are from an online survey of Coloradans that was fielded from July 20 to 28, 2022. There were 546 respondents to the survey.
- Topline results presented in this report were weighted to be representative of the overall population by the following variables —
 - **Gender:** Woman (50%), Man (50%)
 - **Education level:** Less than HS (8%), HS graduate (21%), Some college (29%), College graduate (30%), Postgraduate (11%)
 - **Age:** Under 20 (3%), 20-29 (19%), 30-39 (19%), 40-49 (17%), 50-59 (16%), 60-69 (14%), 70+ (12%)
 - **Ethnicity:** White, non-Hispanic (62%); Hispanic (17%); Black, non-Hispanic (12%); Asian (6%); Other race (3%)

[Click here to review the full survey](#)

Survey Key Results

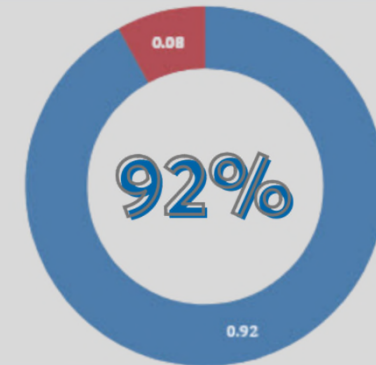
In instances of divorce or separation when both parents are fit and willing to be parents, which arrangement do you think would be better for children?

80% of respondents choose **"It's better for children to have two homes, one with each parent."**



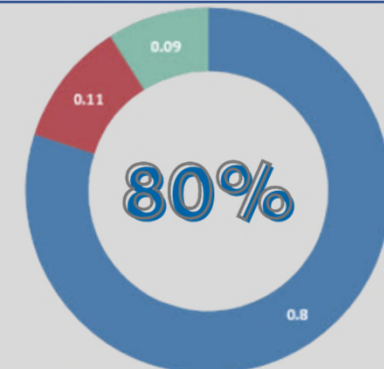
When parents are separating, which arrangement do you think is generally more appropriate?

92% of respondents choose **"Children should have equal or near equal access to and time with each of their parents."**



When there is conflict between parents, do you think awarding sole custody of children to just one parent increases or decreases that conflict?

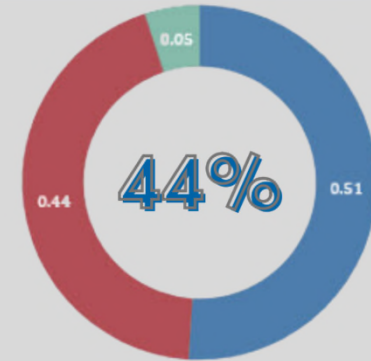
80% of respondents choose **"Both parents should have equal parental rights and responsibilities."**



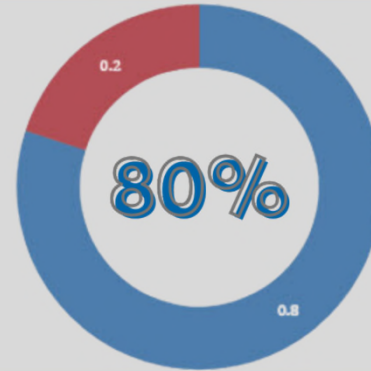
Survey Continued...

Respondents were asked if the courts treated mothers or fathers differently in making custody decisions.

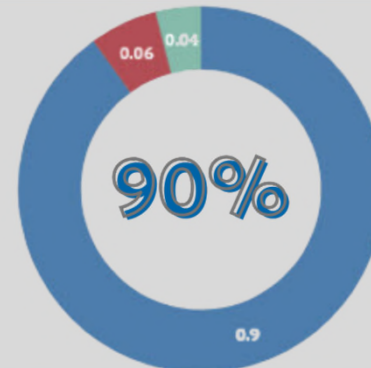
51% of respondents felt it was fairly equal between mother's and fathers. 44% feeling the courts favor mothers and less than 5% felt the courts sided with fathers.



80% of respondents Support a change in Colorado Law that creates a rebuttable presumption that shared parenting is in the best interest of a child after a parental separation.



90% of the Coloradans who responded to the survey felt both parents should have equal right and responsibilities.



States with Equal Shared Parenting Laws

State	Bill #	Year	House		Senate	
			Yes	No	Yes	No
Arizona	SB 1127	2012	46	9	28	0
Kentucky (Temporary Orders)	HB 492	2017	97	0	38	0
South Dakota (Temporary Orders)	SB 140	2018	64	0	35	0
Kentucky (Final Orders)	HB 492	2018	81	2	38	0
Arkansas	SB 18	2021	71	16	33	2
West Virginia	SB 463	2022	82	14	24	8
Florida	CS/HB 1301	2023	105	7	34	3
Missouri	SB 35	2023	114	9	30	4

Kentucky Three Year History Family Court and Domestic Violence Filings



ADMINISTRATIVE OFFICE OF THE COURTS Research and Statistics

19_RS7018

Family Court Cases Filed by Case Category
07/14/2016 - 07/14/2019 STATEWIDE

	7/14/2016 - 7/14/2017	7/14/2017 - 7/14/2018	7/14/2018 - 7/14/2019
Domestic & Family	22,512	21,847	19,991
Domestic Violence	16,317	16,069	15,624
Grand Total	38,829	37,916	35,615

[Click here to view the full document.](#)

Power & Control Wheel



What is Parental Alienation?

Parental alienation is a strategy whereby one parent intentionally displays to the child unjustified negativity aimed at the other parent. The purpose of this strategy is to damage the child's relationship with the other parent and to turn the child's emotions against that other parent.

- Loyalty conflicts
- Coercive Control
- Bad Mouthing
- Threats and Intimidation
- Emotional and Psychological Abuse
- Using children as a weapon
- Limiting contact



Five Factor Model

Factor 1: the child manifests contact resistance or refusal, i.e., avoids a relationship with one of the parents and that parent's family, grandparents, aunts and uncles, and cousins.

Factor 2: the presence of a prior positive relationship between the child and the now rejected child.

Factor 3: the absence of abuse, neglect, or seriously deficient parenting on the part of the now rejected parent.

Factor 4: the use of multiple alienating behaviors on the part of the favored parent.

Factor 5: the child exhibits many of the eight behavioral manifestation of alienation.

[Link to Dr. William Bernet Five Factor Model.](#)

Link to Dr. Jennifer Jill Harman's research - [Parental Alienating Behaviors: and Unacknowledged Form of Family Violence.](#)

Myths about Parental Alienation

Parental alienation (PA) is just a legal defense used by abusive fathers

In over half of the cases where PA was found to have occurred, there were no allegations of other forms of abuse. Research indicates that mothers and fathers are just as likely to be alienated parents: PA is a form of abuse that does not discriminate based on gender.

Harman & Lorandos, 2020; Harman, Leder-Elder, Biringen, 2019

Mothers do not alienate children: They protect them from abusive fathers.

Parents who use their child as a weapon against the other parent, regardless of gender, are committing psychological abuse when it results in severe PA. There are ways to protect children from abuse without causing psychological harm. Research indicates that there is a double standard to accept and justify a mother's parental alienating behaviors while sanctioning fathers for the same behavior.

Harman, Biringen, Ratajack, Outland, & Kraus, 2016; Harman, Kruk, & Hines, 2018

PA should be not be recognized because it will be misused by abusers.

For any type of abuse, there is always a risk of abusers pretending to be victims. This risk creates the need for clear standards and reliable screening and assessment tools to prevent misuse. The Five-Factor Model provides that standard by requiring that abuse and neglect are not present before PA can be diagnosed.

Bernet, 2020; Lorandos & Bernet, 2020

The alienated parent must be abusive for a child to reject them so strongly.

Children who are abused by a parent tend to engage in behaviors to preserve and protect the relationship: they do not seek to destroy it. Children in foster care usually yearn for their birth parents and frequently minimize the maltreatment that their birth parents perpetrated against them. The rejection of a healthy parent is not normal and is an outcome that is encouraged and often rewarded by the alienating parent.

Baker, Creegan, Quinones, & Rozelle, 2016; Baker, Miller, Bernet, & Adeyaho, 2019

Both parents are responsible for PA.

Researchers have found that the alienated parent's behaviors are not typically the cause of the child's rejection. It is the alienating parent's behaviors that are largely responsible for the child's PA, and these behaviors are usually not reciprocated by the alienated parent.

Harman et al., 2019; Warshak, 2015

Research on PA is not "scientific"

Clinical, legal, and scientific evidence on PA has accumulated for over 35 years. There have been over 1,000 peer-reviewed articles, chapters, and books published on the topic, and the empirical research on the topic has expanded greatly, leading to what has been considered a "blossoming" of the scientific field.

Harman, Bernet, & Harman, 2019; Lorandos & Bernet, 2020; Lorandos, 2020

PA theory was created by a "pedophile"

Dr. Richard Gardner coined the phrase "parental alienation syndrome." His clinical descriptions of sexually abused children have been mischaracterized by child abuse and domestic violence advocates to portray him as a pedophile. Such advocates have engaged in ad hominem attacks by taking his writings out of context to further an agenda that denies PA is real.

Harman & Lorandos, 2020; Rand, 2013



Statements from AFCC and NJFCJ

The AFCC and the NJFCJ put out a joint problem statement. As the leaders for judges in family courts and conciliation courts, they explain: “Children are at greater risk when parent-child contact problems are not effectively addressed and when family law professionals and others echo and intensify the polarization within the family.”

[NCJFCJ-AFCC-Joint-Statement.pdf](#)

Child Fatality Review Board Recommendations

DHS Task force bans mention of parental alienation

B. Identified Risk and Contributing factors that may have led to the incident:

- Domestic Violence
- Parental Alienation
- Isolation
- Undiagnosed Mental Health Issues
- Lack of communication between the three judicial systems (Dependency and Neglect Case, Domestic Relations Case, and Domestic Violence Criminal Case) working with the family.

F. Recommendations from the review of the incident:

1. The CFRT recommended the development of a workgroup that can review domestic violence cases in Colorado to see if there are better ways to work with perpetrators and victims in order to prevent further lethal outcomes for children and families.
2. The CFRT did not make a formal recommendation regarding the lack of understanding and/or appropriate management of domestic violence perpetrators, especially when the perpetrator uses coercive control rather than physical violence.
3. The CFRT recommended creating dual track court systems for families involved in multiple court actions (i.e. domestic relations, criminal, and civil). This would allow for professionals to collaborate and coordinate services, case management, and participation/compliance with the families involved.
4. The CFRT recommended proposing and supporting a legislative change for domestic violence and parental alienation to be included in the Colorado Children's Code definitions of abuse and neglect.



COLORADO
Office of Children,
Youth & Families
Department of Human Services
Minna Castillo Cohen, Director

Colorado Department of Human Services
Domestic Violence and Child Welfare Task Group

Task Group Values Statement Regarding Parental Alienation and False Allegations of Domestic Violence and Child Abuse

Task Group Purpose

The purpose of the Domestic Violence Department of Human Services that are facilitators, take this purpose very seriously. Toward this end, we wish to set clear false allegations of abuse.

Task Group Values

As Task Group facilitators, we must embrace our [Services Strategic Plan](#). We believe that all children whose children are abused or who are and yet are often discredited and untrusted public trust that we take parents seriously supporting families who struggle with

Task Group Conduct Expectations

During the September meeting, several the concepts of parental alienation and energy on these topics. The meeting agenda, and at times were perceived

After considerable discussion among the several individuals who reached out to parental alienation and false allegations our purpose. Moving forward, individuals about parental alienation and/or false once and may be removed from the meeting

Action Steps

As facilitators and stewards of the public issues and those experiences are imposed several opportunities for the Task Group

In the meantime, Brooke Ely-Milen will this statement or any issues pertinent to the Task Group scope. The office hours will be held on October 20th from 2:00pm - 4:00pm. Anyone interested in participating in the office hours will need to email Brooke at: Brooke.ElyMilen@state.co.us Office hour participants will be given a ten-minute window on a first-come, first-serve basis.

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Jared Polis, Governor | Michelle Barnes, Executive Director



After considerable discussion among the facilitators, reviewing information available on these issues, and speaking with several individuals who reached out to the facilitators after the September meeting, the facilitators have determined that parental alienation and false allegations of abuse will not be the dominant themes of the Task Group. They distract us from our purpose. Moving forward, individuals who choose to use the meeting space to make statements or post information about parental alienation and/or false allegations of abuse that are deemed off-topic by the facilitators will be warned once and may be removed from the meeting if necessary.

[View the CFRT Recommendations](#)

[Read the Letter from the Colorado Office of Children, Youth & Family](#)

Suggested Amendments to Current Laws to Promote Equal Shared Parenting

- Add a survivor of psychological abuse & a survivor or parent child contact problems to the Task Force as it relates to HB23-1108.
- Add representative of statewide organization representing survivors psychological as a form of child abuse re HB23-1108 & 1178
- Consider adding child psychological abuse and physical abuse to HB23-1108
- Add the current gap in understanding parent child contact problems and consequences in custody decisions re HB23-1108
- Add Use of a Child and other power and control tactics (as indicated on the DV wheel) re HB23-1108 & 1178
- Consider negative attachment or bonding as pathogenic. HB23-1178
- Add parent-child contact problems & child psychological abuse as part of court personnel training HB23-1178
- Include Rebuttable Presumption of Shared Parenting to the Best Interest of the Child Statute

Thank you!

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