

## Monthly Training Announcement

October 2021: “It’s a Custody Case” Assumptions & Myths

### CORRECTING ASSUMPTIONS

As you can read and hear about in the resources below, due to gender bias and stereotypes about family court, a “Child Sexual Abuse Penalty” exists for mothers whose children allege abuse during custody disputes (Meier & Dickson, 2017). In 68% of cases when child sexual abuse is alleged against the father by the child/mother, custody is then switched to the father (Meier & Dickson, 2017). These allegations actually increase a father’s likelihood of “winning” custody to 81% (Meier & Dickson, 2017). This study also found that when fathers claimed “parental alienation”, this often trumped validated allegations of abuse and custody was awarded to the father (Meier & Dickson, 2017). **Overall, mothers are significantly likely to lose custody when their child alleges abuse.** This data is contrary to the stereotype or myth that parents (usually mothers) fabricate abuse allegations in order to alienate the father and “win” custody.

Contrary to the “coaching”/“fabricating” labels that tend to be used in these cases to discredit allegations of abuse, **there are many credible reasons why children disclose abuse during custody disputes and/or new custody arrangements:**

- Increased questioning—the child may be asked more frequently about what occurred and/or how they felt at the other parent’s household.
- The offender may have more access to the child one on one.
- The child may experience more time away from the offending parent and feel safer to disclose what is happening to them.
- Concerns of abuse may be the underlying reason for separation in the first place.

Keep in mind also that child sexual abuse is prevalent, occurring in 20% of women and 10% of men. In Wisconsin, 58% of alleged offenders in sexual abuse cases are a parent, stepparent, or parent’s significant other. It is also shown in research that the vast majority of disclosures are not false.

*The information above comes from “‘It’s a Custody Case’: Accurately Evaluating Child Sexual Abuse Disclosures in Family Court Settings” Webinar from Children’s Hospital of Wisconsin.*

### ARTICLES

Meier, J. & Dickson, S. “[Mapping Gender: Shedding Empirical Light on Family Courts’ Treatment of Cases Involving Abuse & Alienation.](#)” *Minnesota Journal of Law & Inequality* 35(2), 2017.

Saunders, D., Faller, K., & Tolman, R. “[Child Custody Evaluators’ Beliefs About Domestic Abuse Allegations: Their Relationship to Evaluator Demographics, Background, Domestic Violence Knowledge and Custody Visitation Recommendations.](#)” US Department of Justice, 2011.

Summary of this study found [here](#)

### WEBINARS/VIDEOS

Documentary “[Allen v. Farrow](#)” Episode 3 [Available on HBOMax] Recap of the episode found [here](#)

### PODCASTS

“[Bitter Custody](#)” Podcast Episode from *Reveal*

“[Gender Bias and the Myth of Parental Alienation](#)” Podcast Episode from *One in Ten*