

# The Emerging Research of International Parental Kidnapping Mediation

## La investigación emergente de la mediación en casos de secuestro parental internacional

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**Abstract:** This article describes mediation in cases of International Parental Kidnapping (IPK) in the context of Hague Convention on Civil Aspects of International Child Abduction adjudication processes. The Hague Conference on International Private Law (HcCH), in cooperation with signatory States' Central Authorities, has determined that mediation is a suitable solution for complex, multi-systemic, multi-level interventions. Notwithstanding this advancement, the article highlights the fledgling methodological status of IPK mediation research. The article evaluates two Reunite International empirical studies of the effectiveness of Hague Abduction Convention mediation and, more broadly, describes the limitations of empirically-based mediation study methodologies. Paths forward for future research are proposed and the pivotal role of social workers in developing evidence-based IPK mediation praxis is noted.

**Resumen:** El presente artículo describe la mediación en casos de secuestro parental internacional (SPI o IPK por su sigla en inglés) en el contexto de los procesos de adjudicación del Convenio de La Haya sobre los aspectos civiles de la sustracción internacional de menores. La Conferencia de La Haya sobre el derecho internacional privado (HcCH), en colaboración con las Autoridades Centrales de los países signatarios, ha determinado que la mediación es una solución apropiada para intervenciones complejas, multisistémicas y a distintos niveles. Pese a estos avances, el artículo pone de manifiesto el estado metodológico en ciernes de la investigación sobre la mediación en casos de SPI. Este artículo evalúa dos estudios empíricos realizados por Reunite International sobre la efectividad de la mediación en el contexto del Convenio de La Haya sobre la sustracción y describe, de forma más amplia, las limitaciones de las metodologías de los estudios empíricos sobre mediación. Se proponen caminos para la investigación futura y se indica cuál es el papel crucial de los trabajadores sociales para desarrollar la praxis de la mediación basada en evidencias en casos de SPI.

**Keywords:** International Parental Kidnapping (IPK). International Parental Child Abduction. Hague Conference on Private International Law (HcCH). Hague Convention on Civil Aspects of International Child Abduction. Mediation research methodology.

**Palabras Clave:** Secuestro parental internacional (SPI). Sustracción parental de menores internacional. Conferencia de La Haya sobre derecho internacional privado (HcCH). Convenio de La Haya sobre los aspectos civiles de la sustracción internacional de menores. Metodología de la investigación sobre mediación.

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## International Parental Kidnapping Mediation (IPK) As Intervention

International Parental Kidnapping (IPK)<sup>1</sup> mediation is an alternative or supplement to legal battles in cases of parental child abductions that have crossed national boundaries. In this paper, this author focuses on IPK mediation when it is a chief intervention and potentially could lead to an agreement between parties that would result in a court order within the processes established by The Hague Convention on Civil Aspects of International Child Abduction (henceforth Hague Abduction Convention). IPK mediation's growth is occurring in the shadow of an institutional movement toward mediation at the Hague Conference on Private International Law (HcCH), which is the international, multi-lateral body that governs IPK. Ninety-three States are parties to The Hague Abduction Convention (Zawid, 2008). The Hague Abduction Convention «establishes a civil mechanism to ensure the prompt return of children wrongfully removed to or retained outside their country of habitual residence» (National Center for Missing and Exploited Children, 2013). In addition, the Hague Abduction Convention provides narrow remedies for wrongful retention of children by a custodial parent in the country of habitual residence (Alanen, 2008). For example, the US implements the Hague Abduction Convention through the International Child Abduction Remedies Act (ICARA), which provides legal authority for state and federal courts to hear Hague Convention cases when a child is either brought into or retained illegally in the US (National Center for Missing and Exploited Children, 2013). The Hague Convention establishes Central Authorities in countries (States) that have ratified it, and they act as the key actors in facilitating mediation. In some States, mediation is privately sponsored and in others made available directly through governments (Zawid, 2008).

Reunite<sup>2</sup> International is a British non-profit organization that has worked closely with and been funded by the British government and whose work forms the intellectual foundation of the Hague Abduction Conference and Council of Europe's IPK mediation practices (Permanent Bureau of the Hague Conference on Private International Law (HcCH), 2012). Mediation as an intervention in IPK has been formally adopted by the HcCH and the Council of Europe, a leading European human rights organization (Permanent Bureau of the Hague Conference on Private International Law (HcCH), 2012; Vigers, 2011). The Council of Europe claims that IPK mediation in cases of international child abduction: 1) improves communication between members of the family; 2) reduces conflict between parents in the dispute; 3) produces amica-

ble settlements; 4) provides continuity of personal contacts between parents and children; 5) reduces social and economic costs for the parties and the State; and 6) reduces the length of time of the conflict (Vigers, 2011, p. 71). Similar benefits are advertised by the HcCH in its Guide to Good Practice (Permanent Bureau of the Hague Conference on Private International Law (HcCH), 2012, p. 21).

Currently, given the high conflict nature and peculiarities of IPK mediation, the associated scholarly community is lacking analytical tools that can go beyond descriptive qualitative studies to evaluate IPK mediation outcomes in a rigorous fashion. This author evaluates two empirical studies of the effectiveness of Hague Abduction Convention IPK mediation structures by Reunite International. The only comprehensive study, Buck's (2102) work, is not peer reviewed (personal communication, Reunite International, November 1, 2013). Moreover, Robert Emery, Lisa Parkinson and Joan Kelly (as cited by Vigers 2011) stated that beyond the Reunite International studies, there is no empirical data regarding IPK mediation effectiveness due, they believe, to the lack of mediated international cases within the Hague Abduction Convention system. In a literature review, this author found no other relevant empirical data that directly addressed IP mediation evaluation. For that reason, this paper briefly examines the state of empirical research related to U.S. domestic family mediation, which dates back to the late 1990s and early 2000s (Kelly, 2004). This old and thin evidence base then leads me to borrow from an empirical research study regarding simulated workplace mediation in order to suggest how its methods could be transplanted to the realm of IPK mediation (Jameson, Bodtger, Porch, & Jordan, 2009). In such a way, I discuss building blocks in order that IPK mediation evidence base can grow and travel far.

## Theory of Change

Zemans (2014) discussed three causes for IPK in the literature: 1) legal process weakness; 2) intrapsychic and interpersonal conflict among parents; and 3) a breakdown in communication between them. The theory of mediation is built on improving the odds of overcoming impediments to a working agreement between parties (Stulberg, 1981) and would therefore appear on its face to be a well-suited intervention for IPK. The following is a quick examination of the theory. In IPK mediation, «a third person, neutral to the dispute, engages the parents in a conversation, guiding them by proposing questions, re-framing the parents' communication in a productive way, and helping the parents consider alternatives, solutions,

<sup>1</sup> This author calls parental kidnapping and abduction «kidnapping» due to its impact on victims. For elaboration, see Alanen (2008, FN 1). The acronym is not standard. <sup>2</sup> Reunite International uses the convention of not capitalizing the first letter of their name. Here, this author respectfully takes the liberty of capitalization

and the practicality of their situation» (Kucinski, 2012, p. 81). The American Bar Association, U.S. lawyers' professional aggregation, (as cited by Kucinski, 2012, p. 81) helped put IPK mediation in context through its *Model Standards of Practice for Family and Divorce Mediation*. The impartial third party neutral<sup>3</sup> «facilitates the resolution of family disputes by promoting the participants' voluntary agreement. The family mediator assists communication, encourages understanding and focuses the participants on their individual and common interests. The family mediator works with the participants to explore options, make decisions and reach their own agreements» (Kucinski, 2012, p. 84, fn.3). Kucinski reported that there is a movement under way of groups working toward creating a U.S. mediation structure for intervention in IPK cases. Mediation advocates are looking for a holistic approach to involve all stakeholders. This process will include IPK mediation evaluation, «to ensure that the structure is sound, always with a view towards improvement (2012, p. 84).

In his classic article, *Mediation—Its Forms and Functions*, Lon Fuller wrote, «[T]he central quality of mediation [is] its capacity to reorient the parties toward each other, not imposing rules on them, but by helping them to achieve a new and shared perception of their relationship, a perception that will redirect their attitude and dispositions toward one another» (Fuller, 1970). Put a shorter way, «The mediator's job is to structure effective communication among the parties» (Stulberg, 1981). For Fuller, dyads have particular difficulty reaching agreement (Fuller, 1970). Arguably, no dyad is more difficult to deal with when it is malfunctioning than a couple arguing over children. IPK conflict is notorious for its high degree of emotionality and intractable nature (2007). Within this high conflict context, mediators utilize their power in a few important ways to attempt to reach agreement. As Stulberg (1981) indicated, a mediator is a catalyst, educator, translator, resource gatherer, bearer of bad news, agent of reality and scapegoat and their ability to play these roles is crucial to the success of the mediation (Stulberg, 1981). As Kucinski (2012) underlined, mediators are not substitutes for family lawyers. They are neutrals, not advocates of either parent. In some cases lawyers participate in mediations and in some cases the parties merely consult with a lawyer for a variety of reasons, including court ratification of mediation agreements in the form of court orders or «mirror» orders in two countries (U.S. Department of Justice, Office of Justice Programs, 2007). Experts in psycho-social interactions (including clinical social workers) often co-mediate in these matters due to the high conflict, emotional elements of the mediations, and because children are involved (Kucinski,

2012) Within particular countries' mediation traditions, mediators can intervene at the request of parties before, during and after legal processes or instead of them. As William Duncan, the Deputy Secretary General of the HccH, pointed out, there are strong incentives for parents to reach a mediated agreement in these cases, including the prospect of a secure agreed visitation regime, re-characterization of the abduction and the possibility of limiting damage to the child (Reunite, 2006, p. 1).

«The argument goes that the relative intimacy and voluntariness of mediation is also regarded as deeply empowering for the parties, giving them the freedom to air deep-rooted emotional grievances, thereby clearing the way for more reasoned negotiation of the issues at stake» (Stulberg, 1981, p. 156). However, mediation styles, modus operandi and the understanding of it among mediators, judges and lawyers can differ drastically within and between countries (Kucinski, 2012). Zawid (2008) celebrated the Reunite-British model, which she viewed as the most comprehensive and peer reviewed. Germany has a well-developed IPK mediation structure that is favored by Kucinski (2012). Kucinski (2012) noted that Germany regulates its mediation interventions in a way that centers around the daily life of the child and honors the need to «structure the mediation as a mechanism to rebuild trust, goodwill and open communication between two parents»<sup>4</sup>. In much the same way as the practice of psychotherapy, since its founding, a common understanding of mediation intervention has been elusive (Stulberg, 1981). Nevertheless, there appears to be a belief among many professionals in the area that mediation is unquestionably better than litigation. Pawlowski (2007) who admittedly is an extreme prophet of mediator ethos, wrote «Indeed, mediation never fails because it causes the parties to define the facts and issues under dispute...» (Pawlowski, 2007, p. 307).

### Analysis of the Empirical Literature on IPK Mediation

Pawlowski's theory –that causing parties to define the facts and issues, ipso facto, is a better alternative to litigation—is clearly overly simplistic. By utilizing the lens of Evidence-Based Practice (Gambrill, 2008), social worker scholar-practitioners in the field of IPK can better test the theories behind mediation and move toward best practices in mediation for the parents and children affected by this devastating social bad. Empirical analysis in IPK mediation began with Reunite International's (2006) pilot study, *Mediation in International Parental Child Abduction, the reunite Mediation Scheme*, funded by the Nuffield Foundation, an organization dedicated to

<sup>3</sup> Often a social worker, as per this author's first paper <sup>4</sup> This author contacted Reunite directly. Trevor Buck's (2012) study is not peer reviewed.

promoting social well-being. As the study's name implies, this qualitative *pilot study* was exploratory in nature and also the first of its kind. One of the main purposes of this qualitative study was to secure funding in order to determine the effectiveness of the Reunite mediation model in conformity with the Hague Abduction Convention processes. The authors of this survey of mediation abductor/Left-Behind parent participants reported placing a high value on the safety of research participants. As Vigers (2006) noted, mediation in the Hague Convention is strictly delimited so as not to denude the legal process. In the Reunite International study, mediation commenced «after the court proceedings had begun, the child was secure and the parent's positions were secure and controlled by the legal process» (Vigers, 2006, p. 10). The research process was reported as in conformity with British custody law. The Central Authority of England was highly involved. In addition, Permanent Bureau of the Hague Conference requested that the time frame in this mediation context be restricted to a period of 6 weeks (Vigers, 2006). Researchers only began research after an initial hearing that included court-ordered safeguards for the children involved. Agreement enforceability was assured through court approved Memorandums of Understanding once the interventions had taken place.

Co-mediators were selected with knowledge of the cultures and countries involved. A convenience/purposive sample (as determined by this author) of research subject parent abductors and Left-Behind Parents came from a variety of European and some other countries in Africa, and Latin America (Reunite International Child Abduction Centre, 2006). The Reunite study (2006) used a non-randomized selection process in 80 cases referred to Reunite, usually by a lawyer or judge. For a variety of reasons, 39 clients could not continue to an initial screening review (for example, when a parent decided s/he did not want to mediate). Thus, this survey might have suffered from problems of non-response before the sample was selected, creating a problematic N for the purposes of external validity. However, Rubin & Babbie (2013, p.137) indicated that modern response rate theory focuses more on biases in response than response rate.

If it were a quantitative study, this author would characterize the values for the Independent Variable (IV) in the Reunite (2006) study as «treatment/non-treatment.» The authors did an excellent job of sharpening the definition of mediation as an intervention beyond what this author described of Hague mediation above (Reunite International Child Abduction Centre, 2006, p. 6). However, per research design theory, the specificity of this definition of mediation as an IV limits external validity given that it will be quite different from the IVs in non-Hague mediations (Rubin & Babbie, 2013). The Dependent Variable (DV) could best be described

as «parental satisfaction.» According to William Duncan, «success [of the Mediation Pilot Scheme] rates [of parental satisfaction] speak for themselves» (Reunite International Child Abduction Centre, 2006, preface). The reliability and the validity of the operationalized value—the questionnaire—were not tested. The sample was non-randomized, post-test only and there were no comparison groups. Thus, the Reunite study (2006) was a pre-experimental design of one-shot case study without a control group and does not control for any threats to internal validity. As a post-test only design without SSR qualities, by definition, it also cannot be used to assess variation pre- and post-IV and therefore cannot assess causation (Rubin & Babbie, 2013, p. 185).

Reunite's research evaluator, Trevor Buck (2012, p.20), pointed out that the 2006 study also potentially suffered from «closure» and «outcome» effects that would lead to artificially positive results for IPK mediation. His efforts were broader than merely showing long-term participant satisfaction, however. «The overall aim [of the 2012 study] was to determine whether the [mediation] agreements reached in mediation had proved, over time, to be 'successful' according to a number of criteria» (Buck, 2012, p. 20). In this qualitative study, Buck (2012) attempted to prove «long-term effectiveness.» Note that the language used by the author is that of cause and effect («effects,» «consequences,» «success» all point to an attempt to determine effectiveness of an IV, not merely describe a process) (p. 20). In this author's view, the study neither established «long-term effectiveness» nor strong association and oversold its descriptive, qualitative nature. There was no inferential statistical analysis. The research was presented as if it were qualitative but made claims beyond the limitations of its design. Again, the study was not peer-reviewed. For these reasons, this author is surprised by the Council of Europe and HccH's reliance on this research.

By using a quantitative analytical framework to make sense of Buck's (2012) work, this author demonstrates its threats to internal and external validity and limitations its claims about causation. The IV was the Reunite mediation model (values= treatment/non-treatment) and the DVs were related to the level of «success» regarding three variables: DV1) legal/administrative consequences; DV2) relationship development within the family; and DV3) parental perceptions of the overall abduction experience and its outcomes (p. 21). These values were operationalized primarily through a questionnaire and secondarily (it is unclear how) supported by case records.

The research design appeared to be a modified version of the 2006 Reunite study design. Buck (2012) attempts to avoid closure and outcome effects, inter alia, through a longitudinal study, simply by administering a single case study

post-test substantially ex-post IV. There were apparently no baselines or follow-up. In this sense, the design fawned a time series approach but suffered from lack of multiple post-test administrations. This study therefore did not protect against any threats to internal validity.

Additionally and crucially, for some reason, Buck (2012) determined that it would be useful to divide the case analysis into groups of «resolved» and «unresolved» cases. However, it appears this dichotomy created a fundamental confusion in the research design. Are the «resolved» and «unresolved» cases to be treated as IVs, in which case the research would resemble a comparative treatment model or nonequivalent comparison group, or, rather, are they merely divisions of DV results into categories that are descriptive post-IV administration and irrelevant to causation? If «resolved» and «unresolved» cases post-intervention were to have been treated as IVs, the categories would have been tautological because by definition they would have been both subjected to the IV and defined by it. If they were to have been treated as DVs, the analysis would have only been trivially true because of course resolved cases would have had resolved qualities and unresolved cases would have had unresolved qualities. Either way, the study appears not have construct validity.

The study commissioned by Reunite International unfortunately does not fare too much better in regard to external validity. The sampling frame is limited to conflicting parties residing in two countries that voluntarily choose mediation within the context of Hague Abduction Convention proceedings already initiated by the Left-Behind parent (Buck, 2012). It is unclear and unarticulated how this very specific sample can be generalized at all. Furthermore, the population of the study included parents who had participated in the 2006 study (making testing effects a potential threat to internal validity as well) or the Reunite service, between December of 2003 and December of 2009. The entire population consisted of the 120 individuals who populated Reunite's database. Of this 120 total individuals who met the date criteria, 43 percent or 52 individuals were interviewed, a potentially insufficient percentage for sampling accuracy (Rubin & Babie, 2013) and therefore external validity, although the logic of external validity is discussed and relatively well defended. Nevertheless, because the use of even descriptive statistics was limited in analysis of the study sample (rather general wording was used to group questionnaire answers in vague cohorts) in this author's assessment, the research findings at best a rough view of the Reunite cases in the sampling frame<sup>5</sup>.

In fairness to Reunite (2006) and Buck (2012), their studies were path-breaking for IPK mediation research. Moreover, IPK mediation research is extremely difficult due to the sensitive nature of the subject matter as well as the tremendous complexity of the case variables and relatively small quantity of cases.

This author now turns to a classic work on empirical results of mediation within a U.S. national family mediation context in order to find some answers about mediation's effectiveness in a national context, which could help further justify its use in IPK mediation beyond the significant advance of the Reunite studies. Joan Kelly (2004, p.3) describes how, when it emerged on the national level in the 1980s, family mediation was sold as a more humane and satisfying method of enhancing problem-solving skills and resulting in better adjustment for children in divorce. Yet, she noted that these claims were made in the absence of empirical studies to assess fairness and impact of both mediation and litigation. Kelly contributed one of the only literature reviews of all the empirical research on the theme through the early 2000s. She noted that «variations in research populations, methodologies, measures and dispute settings have been the norm, making it problematic to generalize about family mediation or rely on any single study» (Kelly, 2004, p. 3). Similar to IPK mediation research, early national research focused on: 1) settlement rates; 2) client satisfaction; 3) time and cost efficiencies, comparison of outcomes, compliance and, to a lesser extent, impacts of parental conflict, communication, cooperation and psychological adjustment» (Kelly, 2004, p. 3). Yet, she claimed that on some findings there is convergence, replicability and robustness. Kelly's (2004) literature review focused on a convenience/purposive group. As such, research was not randomly selected and therefore: a) cannot be considered a meta-analysis; and b) was subject to all the threats of internal validity of pre-experimental design. Kelly selected four custody mediation programs in the public sector, two comprehensive divorce mediation studies and three mediation programs connected to the court systems. She concluded:

the nine studies described suggest strong support for the use of mediation in family disputes... family mediation has been consistently successful in resolving custody and access disputes, comprehensive divorce disputes, and child protection disputes. Mediation has given evidence of its power [by numerous measures] to settle complex, highly emotional disputes and reach agreements that are generally durable. (Kelly, 2004, p. 3).

<sup>5</sup> The trivially true results can be found on the Nuffield Foundation's website as well: <http://www.nuffieldfoundation.org/mediation-and-international-parental-child-abduction>. It is noteworthy the extent of political influence internationally such research has had.

Kelly (2004) noted that no empirical «second-generation research has been done to compare the efficacy of different mediation models. However, contrary to Vigers (2011) Kelly stated that there was an exception related to high conflict and violent partners who continue to «chronically litigate» (Kelly, 2004, p. 30). This exception could be a fruitful area for analogizing to IPK. However, these studies are now decades old and like Kelly's analysis are likely not to be more than descriptive. Thus, national mediation empirical studies do not help us arrive to a strong evidence base for IPK mediation.

This author turns instead to a case study of alleged experimental design in mediation in order to examine what it can contribute and its limitations for IPK research. Jameson et al. (2009) explored the role of emotion in conflict transformation, which, in theory, is particularly salient in IPK mediation, as evidenced above. Their literature review theoretically supported the salience of emotion in conflict transformation and the importance of third party involvement, a finding relevant to the role of social workers as mediators. The authors' central hypothesis was that when emotions are addressed in workplace mediation, conflict transformation is more likely to occur. They contrasted mediation to negotiation interventions in these settings. «Mediation agreements included reference to the ongoing relationship, whereas negotiated agreements included tit-for-tat arrangements» (Jameson et al., 2009, p. 167). Even more interesting for the purposes of this paper, however, was their research design. They used a treatment comparison design to contrast mediation interventions in the workplace to negotiation interventions. This was relatively analogous to IPK mediation versus litigation, a treatment comparison that is difficult or impossible to replicate under experimental conditions because it cannot be simulated. Their result, among others, was that in mediation, positive affect showed a significant increase and decreased negative affect a significant decrease. Perceptions of the other improved significantly. «The results also support previous assumptions that transformation is more likely if a third party is involved» (Jameson et al., 2009, p. 185).

There were 18 mediation simulations and 16 negotiation simulations by different groups of students. IV1 was mediation and IV2 was negotiation. IV values were treatment or no treatment. As this author analyzes it, the DV --conflict transformation-- was operationalized as the degree participants in the comparison groups (Value 1) reported, both pre- and post-test increased positive affect; (Value 2) decreased negative affect, and (Value 3) improved perception of other following simulation (Jameson et al., 2009, p. 167). Values 1 and 2 were measured by the administration of the Positive and Negative Affect Scale (PANAS), which utilizes a Likert system. Value 3 was measured based on a seven point semantic

differential scale. SPSS was used on the data for analysis. The study used more than one rater with 82.5 percent agreement, was blind and included 68 participants. The internal validity of such an approach seems to be limited mostly by the fact that the authors did not establish that there was randomized assignment of participants (classroom students) between the two treatment groups but only as regards the choice of mediator (confederates) and roles played *within* the mediation treatment group. They seemed not be able to rightfully claim, therefore, that theirs was a true experimental design. Rather, limitations related to non-equivalent comparison groups applied because there apparently was not randomization between mediation and negotiation groups. Thus, selection, interaction and regression to the mean—appear not to be controlled (Rubin & Babbie, 2013). As in the Reunite study (2006), recent history could affect results, with a fade out over time. However, significant association measures on all of these values might have partially made up for research design weaknesses if they would have run them.

In regard to external validity, the authors claimed that in the field of conflict resolution, simulations such as theirs are standard (Jameson et al., 2009). However, they pointed to methodological traps regarding external validity: 1) use of role plays and university students as proxies; and 2) inability to replicate the emotions of the conflicts with precision (which could also be considered a potential error of internal instrumentation validity). Yet, they suggested these limitations had been partially addressed. Role plays were normative for conflict scholars; and the students worked and were familiar with the emotions of the scenario (Jameson et al., 2009).

## Conclusions

With the number of IPK cases exploding and the expense of legal interventions in these cases skyrocketing one would think there would be new incentive for conflict research in the area of IPK. For the sake of parents and children embroiled in IPK around the globe, the IPK elephant needs to be viewed and explained with rigor from different directions and disciplines in order to build strength and continue the long journey toward evidence-based practices. There is a special place for leading social worker scholar-practitioners in the burgeoning field of IPK mediation. Social work scholars could fill crucial roles doing the IPK research that lawyers tend to use as the relatively unquestioned starting points of their practice. While lawyers have much to offer in terms of procedural knowledge, we generally do not do deep social research. My hope is that, building on the work of Kelly (2004), Reunite (2006), Jameson et. al. (2009) and Buck (2012), social work researchers will more fully embrace IPK mediation systems analysis, person-in-environment approaches and ev-

idence-based-practices. It is time for the social work scholars to co-lead IPK mediation interventions.

Creative and synergistic mixed methods are needed in order to solve the complex problems of developing best evidence for IPK mediation research. Each of the studies above contributed knowledge for better IPK evidence. Building blocks on the research above and possibilities for further research could be the following. A follow-up study to Buck (2012) could correct mediation research design flaws and measure litigants' outcomes (resolved and unresolved) in a non-equivalent comparison group design, perhaps combined with a multiple time series approach. Kelly's (2004) research needs to be updated to the extent possible and a meta-analysis of some sort created if this is possible even though none of the research Kelly examined used inferential statistics. The high conflict studies she cited could be explored by IPK researchers. Vigers (2011), for example, apparently missed them. Finally, with more preparation, simulated IPK could be done in analogous form to Jameson et al.'s (2009) rigorous quasi-experimental design. Perhaps even an attempt at simulated Hague Abduction Convention litigation could be initiated. More likely, simulations for national level mediation could be further developed. Empirical testing similar to that Jameson et al. (2009) partook within a workplace mediation setting could facilitate a new generation of empirical rigor in IPK mediation research. In such a way, not only could the efficacy of IPK mediation be validated, so too could different versions of IPK mediation intervention be studied to determine which have better results.

## References

- Alanen, J. (2008). When human rights conflict: Mediating international parental kidnapping disputes involving the domestic violence defense. *The University of Miami Inter-American Law Review*, 40(1), 49-108.
- Buck, T. (2012). *An evaluation of the long-term effectiveness of mediation in cases of international parental child abduction*. Leicester, UK: Reunite International Child Abduction Center. Retrieved from <https://dora.dmu.ac.uk/handle/2086/6329>
- Fuller, L. L. (1970). Mediation--its forms and functions. *Southern California Law Review*, 44, 305-309.
- Gambrell, E. (2008). Evidence-based (informed) macro practice: Process and philosophy. *Journal of Evidence-Based Social Work*, 5 (3-4), 423. doi:10.1080/15433710802083971
- Jameson, J. K., Bodtker, A. M., Porch, D. M., & Jordan, W. J. (2009). Exploring the role of emotion in conflict transformation. *Conflict Resolution Quarterly*, 27(2), 167-192.
- Kelly, J. B. (2004). Family mediation research: Is there empirical support for the field? *Conflict Resolution Quarterly*, 22(1-2), 3-35.
- Kucinski, M. A. (2012). Creating a successful structure to mediate international parental child abduction cases. *American Journal of Family Law*, 26(2), 81-85. Retrieved from <http://search.proquest.com.libproxy.usc.edu/docview/1018694676?accountid=14749>
- National Center for Missing and Exploited Children. (2013). International family abductions. Retrieved from <http://www.missingkids.com/LegalResources/International>
- Pawlowski, R. (2007). Alternative dispute resolution for Hague convention child custody disputes\*. *Family Court Review*, 45(2), 302-321.
- Permanent Bureau of the Hague Conference on Private International Law (Hcch). (2012). *Guide to good practice: Mediation*. The Hague, The Netherlands: Hague Conference on Private International Law 2012. Retrieved from [http://www.hcch.net/upload/guide28mediation\\_en.pdf](http://www.hcch.net/upload/guide28mediation_en.pdf)
- Reunite International Child Abduction Centre. (2006). *Mediation in international parental child abduction*. Leicester, United Kingdom: Author. Retrieved from <http://www.reunite.org/edit/files/Library%20-%20reunite%20Publications/Mediation%20Report.pdf>
- Rubin, A. & Babbie, E. (2013). *Essential research methods for social work* (Brooks/cole empowerment series). Belmont, CA USA: Brooks/cole. Cengage Learning.
- Stulberg, J. B. (1981). Theory and practice of mediation: A reply to professor Susskind. *Vermont Law Review*, 6, 85-117.
- U.S. Department of Justice, Office of Justice Programs. (2007). *A family resource guide on international parental kidnapping*. Author.
- Vigers, S. (2006). Note on the Development of Mediation, Conciliation and Similar Means to Facilitate Agreed Solutions in Trans frontier Family Disputes Concerning Children Especially in the Context of the Hague Convention of 1980, Hague Conf. on Private Int'l Law 1, 16. Retrieved from [http://hcch.evision.nl/upload/wop/abd\\_pd05e2006.pdf](http://hcch.evision.nl/upload/wop/abd_pd05e2006.pdf)
- Vigers, S. (2011). Mediating international child abduction cases: the Hague Convention. Hague Convention on the Civil Aspects of International Child Abduction, Oct. 25, 1980. HCCH, [http://www.hcch.net/index\\_en.php?act=text.display&tid=21](http://www.hcch.net/index_en.php?act=text.display&tid=21)
- Zawid, J. (2008). Practical and ethical implications of mediating international child abduction cases: A new frontier for mediators. *The University of Miami Inter-American Law Review*, 40, 1.
- Zemans, A. (2014). Understanding international parental abduction: a social worker's review of the reviewers. Unpublished manuscript. University of Southern California.