

DIVISION OF
SCHOOL PSYCHOLOGY
American Psychological Association



"Children First for 50 Years"

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June 14, 1995

Dr. John Guidubaldi
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U. S. Commission on Child and Family Welfare
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Dear Dr. Guicubaldi:

I am very pleased to convey to you a preliminary report on the research concerning joint custody. The report has been reviewed and approved by the Operating Committee of Division 16 (School Psychology) of the American Psychological Association. Dr. Joe Perry, of the University of Akron, provided us with this initial draft and I have asked him to chair a task force to provide a more extended report on this same topic in the near future. That report will also be forward to you upon its completion. We appreciate this opportunity to support the very important work of the Commission.

Sincerely,

Beth Doll, PhD.

Vice President for Social and Ethical Responsibility and
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Division 16 (School Psychology)
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Preliminary Summary

Empirical Research describing Outcomes of Joint Custody

As per the request of Dr. John Guidubaldi, this report from Division 16 (School Psychology) of the American Psychological Association (APA), summarizes and evaluates the major research concerning joint custody and its impact on children’s welfare. Although Dr. Guidubaldi also requested an assessment of empirical studies concerning father involvement in childrearing, specific research on this topic was not currently reviewed **due** to time constraints of the June Commission meeting. However, father involvement was addressed within the context of joint custody research. This preliminary report extends the testimony to the Commission provided by APA representatives, Donald K. Freedheim, PhD., and Joseph D. Perry, PhD. on April 20, 1995 in Cleveland, Ohio. Additional representatives with expertise in these topics will review this report and a more comprehensive review will be submitted to the Commission in the future.

Summary of Joint Custody Research

A search of the empirical research specific to joint custody was conducted. Major data-based studies available at the time of this review have been individually summarized and evaluated relevant to findings and adequacy of the methodology as requested. While flawless studies on such a complex subject are extremely rare as indicated by the evaluations, the goal of this report is to provide a synthesis so that the Commission’s policy recommendations may be predicated on the best available empirical base. To minimize some of the confusion in such a highly charged area of study, this review focused on the weight of evidence as determined by both replication of findings and consideration of methodological rigor.

Reviews of the joint custody literature (e.g., Ferreiro, 1990 & Kelly, 1994) have identified issues that are typically considered in supporting or refuting joint custody. These include the impact of joint custody on (a) father involvement with children; (b) best interest of the child standard; (c) child support; (d) relitigation and costs to the family; and (e) parental conflict. The synthesis of the research is reviewed relevant to these issues.

Father Involvement with Children

The weight of evidence from the studies reviewed unambiguously found increased father contact and involvement with children in joint custody versus sole maternal custody divorced **families** (Albiston Maccoby, & Mnookin, 1990; Arditti 1992, 1992a; Buchanan Maccoby, & Dornbush, 1991; Greif, 1979; Johnston, Kline & Tschann, 1989; and Luepnitz, 1986). Several of these studies in addition to others (e.g., Emery & Wyer, 1987; Emery, Mathews, & Wyer, 1991; and

Shrier, Simring, & Shapiro, 1991) have indicated increased father satisfaction with joint versus sole maternal custody.

A major advantage of joint custody may be its ability to address the high rate of current father absence subsequent to divorce documented by Kelly (1994). The conclusion that joint custody has been correlated with increased father involvement was also reported by both Ferreiro (1990) and Kelly (1994) following reviews of the research. This finding generally supports father involvement as related to the second request for information on this topic.

Best Interest of the Child Standard

The research that included child adjustment criteria concerning the study of joint custody will be used relevant to this issue. The two studies with the best methodology (Buchanan, Maccoby, & Dombush, 1991; Burnett, 1991) indicated that joint custody versus sole maternal custody was associated with adolescents' positive adjustment. This finding was replicated for children by Abarbanel(1979). Greif (1979), and Luepnitz (1986) but not Johnston, Kline & Tschann (1989) and Kline, Tschann, Johnston & Wallerstein (1989). It is concluded that the present research supports joint custody for facilitating children's adjustment.

The above conclusion is supported by the more generalized research with optimal methodology concerning children's divorce adjustment. Several studies found that increased and reliable visitation by the noncustodial parent (usually the father) predicted positive adjustment of children (e.g. Guidubaldi, Cleminshaw, Perry & Nastasi, 1984; Hetherington, Cox & Cox, 1982; and Wallerstein & Kelly, 1980).

Child Support

Kelly (1994) pointed out that feminists are opposed to joint custody due to concern that child support to mothers will be reduced when compared to sole maternal custody. The consensus of studies that addressed this issue found that child support to mothers is either increased in joint custody families or not significantly different from those with sole maternal custody (Arditti, 1992a; Emery & Wyer, 1987; Emery, Matthews, & Wyer, 1991; Luepnitz, 1986; and Shrier, Simring, Shapiro, 1991).

Relitigation and Costs to the Family

The emotional and financial relitigation costs to families and judicial systems is often cited by both proponents and opponents regarding joint custody. The studies reviewed that investigated this issue consistently indicated decreased relitigation for joint custody versus sole maternal custody (Dudley, 1991; Emery & Wyer, 1987; Emery, Matthews, & Wyer 1991; and Luepnitz, 1986).

Parental Conflict

The replicated finding and the weight of evidence were that joint custody results in either less or no greater conflict than sole maternal custody (Albiston et al., 1990; Arditti, 1992a; Buchanan et al., 1991; Burnett, 1991; Greiff, 1979; Kline et al., 1989; Luepnitz, 1986; and Maccoby et al., 1990). The earlier review of decreased relitigation for joint custody versus sole maternal custody also supports this conclusion. The sole exception to these findings was by Johnston, Kline and Tschann

(1989) but as Ferreiro (1990) pointed out, this study included a biased sample of divorced families referred due to high conflict.

Conclusions

The research reviewed supports the conclusion that joint custody is associated with certain favorable outcomes for children including father involvement, best interest of the child for adjustment outcomes, child support, reduced relitigation costs, and sometimes reduced parental conflict. Kelly (1994) recommended joint custody for increasing the access of both parents which has consistently been shown to promote positive adjustment of children. Kelly (1994) also noted that misinterpretation of research conclusions could be due to political distortion as reflected by the following statement:

The current practice of feminist writers and fathers' rights groups to use a particular research finding to bolster a political or gender-linked point of view while ignoring other data makes it difficult for legislators, judges, attorneys or parents to obtain a balanced, informed view. (p. 128)

It is hoped that this report provides the Commission with a 'balanced and informed view' based on the empirical research evidence. The need for improved policy to reduce the present adversarial approach that has resulted in primarily sole maternal custody, limited father involvement and maladjustment of both children and parents is critical. Increased mediation, joint custody and parent education are supported for this policy. Comprehensive research on these topics with effective methodology is also critically needed.

References

- Albiston, C. R., Maccoby, E. E., & Mnookin, R. R. (1990). Does joint legal custody matter? Stanford Law and Policy Review, 2, 167- 179.
- Arbarbanel, A. (1979). Shared parenting after separation and divorce: A study of joint custody. American Journal of Orthopsychiatry, 49, 320-329.
- Arditti, J. A. (1992). Differences between fathers with joint custody and noncustodial fathers. American Journal of Orthopsychiatry, 62, 186-195.
- Arditti, J. A. (1992a). Factors related to custody, visitation, and child support for divorced fathers: An exploratory analysis. Journal of Divorce and Remarriage, 17, 23-42.
- Braver, S. H., Wolchik, S. A., Sandler, I. N., Foagas, B. S., Zvetina, D. (199 1). Frequency of visitation by divorced fathers: Differences in reports by fathers and mothers. Journal of Orthopsychiatry. 6 1, 448-454.
- Buchanan, C. M., Maccoby, E. E., & Dombush, S. M. (1991). Caught between parents Adolescents experiences in divorced homes. Child Development. 62. 1008-1 029.
- Burnett, M. C. (199 1). Impact of joint versus sole custody and quality of co-parental relationship on adjustment of adolescents in remarried families. Behavioral Sciences and the Law, 9, 439-449.
- Donnelly, D., & Finkelhor, D. (1992). Does equality in custody arrangements improve the parent-child relationship? Journal of Marriage and the Family. 54, 837-845.

Donnelly, D., & Finkelhor, D. (1993). Who has joint custody? Class differences in the determination of custody arrangements. Family Relations, 42, 57-60.

Dudley, J. R. (1991). The consequences of divorce proceedings for divorced fathers. Journal of Divorce and Remarriage, 16, 171-193.

Emery, R. E., & Wyer, M. M. (1987). Child custody mediation and litigation: An experimental evaluation of the experience of parents. The Journal of Consulting and Clinical Psychology, 55, 179-186.

Emery, R. E., Matthews, S. G., & Wyer, M. M. (1991). Child custody mediation and litigation: Further evidence on the differing views of mothers and fathers. The Journal of Consulting and Clinical Psychology, 59, 410-418.

Ferreiro, B. W. (1990). Presumption of joint custody: A family policy dilemma. Family Relations, 39, 426-429.

Greif, J. B. (1979). Fathers, children and joint custody. American Journal of Orthopsychiatry, 49, 31-39.

Guidubaldi, J., Cleminshaw, H. K., Perry, J. D., & Nastasi, B. K. (1984). Impact of family support systems on children's academic and social functioning after divorce. In G. Row, J. Defrain, H. Lingren, R. MacDonald, N. Stinnett, S. VanZant, & R. Williams (Eds.), Family strengths: Continuity and diversity (pp. 191-207). Newton, MA: Education Development Center.

Hetherington, E. M., Cox, M., & Cox, R. (1982). Effects of divorce on parents and children. In M. E. Lamb (Ed.), Nontraditional families (pp. 223-288). Hillsdale, NJ: Lawrence Erlbaum.

Johnston, J. R., Kline, M., Tschann, J. M. (1989). Ongoing postdivorce conflict: Effects on children of joint custody and frequent access. American Journal of Orthopsychiatry, 59, 576-592.

Kelly, J. B. (1994). The determination of child custody. The future of children: Children and divorce, 4, 121-142.

Kline, M., Tschann, J. M., Johnston, J. R., & Wallerstein, J. S. (1989). Children's adjustment in joint and sole custody families. Developmental Psychology, 25, 430-438.

Luepnitz, D. A. (1986). A comparison of maternal, paternal, and joint custody: Understanding the varieties of post-divorce family life. Journal of Divorce, 9, 1-12.

Maccoby, E. E., Depner, C. E., & Mnookin, R. H. (1990). Coparenting in the second year after divorce. Journal of Marriage and the Family, 52, 141-155.

Shrier, D. K., Simring, S. K., & Shapiro, E. T. (1991). Level of satisfaction of fathers and mothers with joint or sole custody arrangements: Results of a questionnaire. Journal of Divorce and Remarriage, 16, 165-170.

Wallerstein, J. S., & Kelly, J. B. (1980). Surviving the breakup: How children and parents cope with divorce. New York: Basic Books.