

READING #39

class 7CR

Amer. J. Orthopsychiat. 49(2), April 1979

class 7

10

## SHARED PARENTING AFTER SEPARATION AND DIVORCE: A Study of Joint Custody

Alice Abarbanel, Ph.D.

---

*Intensive case studies of four families in which divorced parents have maintained joint custody of their children suggest that this arrangement works well under certain conditions. Components of a successful joint custody arrangement are considered, limitations are discussed, and support is urged for divorcing parents interested in establishing joint custody.*

---

Due to the changes in parenting patterns following a divorce, and because of the question of the children's best interests after a divorce, joint custody of children has emerged as a major topic of concern for legal and mental health professionals. There are no published figures on the current prevalence of joint custody. While joint custody is still relatively uncommon among custody arrangements approved by the courts, some unpublished figures indicate that legally granted joint custody has been increasing since 1968.\* More important, there are indications that shared parenting after separation and divorce is being considered by a growing number of divorcing parents.

\* Data from divorce study conducted by L. Weitzman at the Center for Law and Society, Berkeley, Calif. There are many people who carry out some form of joint custody even if the courts will not legally decree this arrangement.

This article presents the results of an intensive case study of four joint custody families.<sup>1</sup> These are families in which the children live in two homes, in which neither parent is considered the "visitor," and in which both parents actively continue to share parenting responsibilities after they have separated. This study is interested in examining the experience and impact of living in a joint custody situation; hence the precise legal arrangement is not a variable.

The study examines the criticisms of joint custody that claim the children are forced to live in two discontinuous environments and are thereby unsettled and prevented from forming a relationship with a psychological parent. (According to *Beyond the Best Interests of the Child*,<sup>2</sup> one of the major sources of criticism of joint custody, a biological

ALICE ABARBANEL

parent becomes a only from "day-to-c companionship, and s. After a brief over vorce research, this the children's exper assumptions regare joint custody, and teria that can ma useful alternative.

### DIVORCE RESEARCH

What constitutes interests after a div sial legal and clin opinions in the lega literature about h rangements are ju There has been no on the implications of the various cust possibilities.

Research in the tended to see di event that produces changes in the offs search focuses on t over time, and dis the event of separ tended process of Moreover, recent r that the children's a on a configuration c their sex and age at tion, the preseparati the post-divorce ac parents. Finally, n clinicians and resear impact of divorce family member ratt ing—within a syste impact of each pers the whole family. D relationships; it doe

Only in the past been systematic rese

---

*A revised version of a paper presented at the 1978 annual meeting of the American Orthopsychiatric Association, in San Francisco. The author is a clinical psychologist in Berkeley, Calif.*

parent becomes a psychological one only from "day-to-day interaction, companionship, and shared experiences.") After a brief overview of current divorce research, this paper will look at the children's experience, evaluate some assumptions regarding the impact of joint custody, and speculate about criteria that can make joint custody a useful alternative.

#### DIVORCE RESEARCH

What constitutes the children's best interests after a divorce is a controversial legal and clinical question. Most opinions in the legal and mental health literature about healthy custody arrangements are just that—opinions. There has been no systematic research on the implications for children's lives of the various custody and visitation possibilities.

Research in the 1950s and 1960s tended to see divorce as a single event that produces lasting personality changes in the offspring. Current research focuses on the divorce process over time, and distinguishes between the event of separation and the extended process of adjustment to it. Moreover, recent research emphasizes that the children's adjustment depends on a configuration of factors, including their sex and age at the time of separation, the pre-separation family life, and the post-divorce adjustment of their parents. Finally, most contemporary clinicians and researchers focus on the impact of divorce on the individual family member rather than investigating—within a systems framework—the impact of each person's adjustment on the whole family. Divorce alters family relationships; it does not end them.

Only in the past few years has there been systematic research on nonclinical

populations of divorcing families.<sup>3, 4, 6-8</sup> Generally, these studies report that parental separation and the transition to a single-parent family severely affect the children—with the age of the child determining the nature of the impact. Two major factors that contribute to the quality of the impact of divorce on children are: 1) the children inevitably lose one parent, usually the father; and 2) the wife is "shut in with the children and the husband shut out."<sup>5</sup>

All the studies point out that divorced mothers feel overburdened with solo parenting responsibilities and that fathers experience an enduring sense of loss. Many fathers distance themselves from their children to avoid this feeling; some wage custody battles or find other hurtful ways to regain some sense of connection and control. Children as well as parents suffer greatly from this post-divorce family arrangement—a system that is reinforced by both custom and the adversary legal process.

Studies of divorce agree that children do well when *both* their parents are involved with them, and when there is minimal conflict between the parents and maximal agreement about child-rearing. When the custodial parent feels supported by the noncustodial parent, the children benefit.

In *The Disposable Parent*, a book that argues for the presumption of joint custody, Roman and Haddad<sup>5</sup> concluded:

Unfortunately, most researchers do not take into account the role of the *present* arrangements in producing the *currently* negative impact of divorce. (p. 73)

Perhaps, as Roman and Haddad suggested, many of the effects of divorce on children are a result of the way custody arrangements are traditionally practiced, and are not inherent in the divorcing process. When reflecting on

the research evidence of the effects of divorce on families, it is clearly incumbent upon us to explore and design nontraditional custodial alternatives that may improve the possibility of creating an organized, stable, and nurturant post-divorce family life.

#### A CASE STUDY OF FOUR JOINT-CUSTODY FAMILIES

##### *Design and Method*

Because there was no research on joint custody families, and because of the controversy about the effects of this arrangement, an intensive case study approach was chosen. This approach provides a data base from which to generate hypotheses for research with larger samples.

For this study, families were defined as joint-custody families if the children or the other no longer than two weeks at a time, and the parental division of child-care responsibility ranged from 50/50 to 67/33. (Two families had a one week/one week arrangement; one

had a four day/three day arrangement; and one had a nine day/five day schedule.)

The four families were chosen with respect to three major characteristics—length of parental separation, age of children, and the above criteria for joint custody. Research evidence suggested that the post-divorce adjustment process takes about two years, with the one-year mark being the point of highest stress; thus, two joint-custody families were located for the study who had been separated approximately one year and two who had been separated at least two years. Children were at least four years old, old enough to "speak for themselves." The sample was controlled for race and class—all four families are white and middle-class.

Parents and children were interviewed separately. (See TABLES 1 and 2 for descriptive information about the

#### ALICE ABARBANEL

families.) These in-depth views with each family followed by a home visit with children present—eight parental homes, and with the children's teacher view material was supplemented by questionnaire data on values and perceived sense of the Bem Sex-Role Inventory and informal observation.

##### *The Children's Experience Evaluation of Assumptions*

At the time of the study, the children appeared generally well-adjusted with no severe behavior problems reported or observed. Over time, they responded appropriately to separation; they were not repressed anger and sadness passed, the children renewed their ability to function. All reported normal school adjustment, after a period of some stress.

All the children reported living in two homes and "at home" in both. The children in the study disliked moving forth, but definitely felt place in both households. Children, like most children, expressed a wish that they could reconcile, yet all of them could not make this happen. The one child whose parents were sure they would remain together, the others seemed convinced their parents would not get together. None of the children sensed the severe loss of

Table 1  
DEMOGRAPHIC DATA

NAME	AGE <sup>a</sup>	EDUCATION	RELIGION	LIVING ARRANGEMENT <sup>b</sup>	OCCUPATION	FAMILY INCOME PRESEPARATION	CURRENT <sup>c</sup> INCOME
Peter Johnson	30	1 year college	None	Alone	Carpenter	\$16,000-12,500	\$7,500-10,000
Laure Johnson	30	B.A.	None	Alone	Conductor of community organization	18,000-12,500	7,500-10,000
Isaac Sorayan	37	B.A. plus graduate work	Atheist	Alone	Priester, currently unemployed	10,000-12,500	7,500-10,000
Nancy Sorayan	35	B.A.	None	With Brian for 5 months	Secretary	10,000-12,500	4,000-7,500
Michelle Evans	32	M.A.	None	Just moved in with Bob and his daughter Leah	Child development consultant, currently unemployed	12,500-20,000	Fluctuates between 4,000-10,000
Jeffrey Evans	32	Law degree	None	Alone	Attorney	12,500-20,000	Over 20,000
Ellen Schiff	29	2 1/2 years college	Jewish	In house with other adults	Media worker	7,500-10,000	4,000-7,500
Michael Schiff	34	B.A. plus graduate work	Jewish	Alone	Suit weaver	7,500-10,000	4,000-7,500

<sup>a</sup> In November 1976.

<sup>b</sup> All parents also live with their children.

<sup>c</sup> Names of all family members

families.) These in-depth clinical interviews with each family member were followed by a home visit and meal—with children present—in each of the eight parental homes, and by interviews with the children's teachers. The interview material was supplemented with questionnaire data about parental values and perceived sense of influence, the Bem Sex-Role Inventory, and with informal observation.

*The Children's Experience:  
Evaluation of Assumptions*

At the time of the study the children appeared generally "well-adjusted," with no severe behavioral problems reported or observed. Overall, they responded appropriately to their parents' separation; they were upset and expressed anger and sadness. Yet, as time passed, the children experienced renewed ability to function. Their teachers all reported normal to excellent school adjustment, after an initial period of some stress.

All the children reported that they lived in two homes and that they felt "at home" in both. The one adolescent in the study disliked moving back and forth, but definitely felt that he had a place in both households. The younger children, like most children of divorce, expressed a wish that their parents reconcile, yet all of them knew they could not make this happen. Except for the one child whose parents were not sure they would remain separated, all the others seemed convinced that their parents would not get back together. None of the children seemed to experience the severe loss of one parent re-

ported in traditional custodial arrangements, yet all missed "the other parent" (*i.e.*, the one they were not with at the moment).

For two of the three "only children," aged four and five, joint custody was accepted simply as their way of life. Both children have been actively cared for by both parents, before and after the separation (in each case when the child was three). The third child, who was eight years old, did not see her life as "how life is." Her parents separated when she was six, and she remains strongly attached to both. She has gradually resigned herself to her parents' separation and, in spite of logistical difficulties, understands that the joint custody arrangement allows her to live with them both.

The three Saroyan\* children all expressed some distress about their parents' separation. In this family it is difficult, however, to distinguish the impact of joint custody from the following factors: there are three children, rather than one; pre-separation family life was chaotic; the mother has been living with a new partner for five months; and one child has always been a "difficult" child. Whereas the younger children are at home in both houses, Kevin, their adolescent brother, is angrily critical of the impact of his parents' separation on his life. For him, moving back and forth between two homes is compromising, both in terms of negotiating peer relationships and in terms of his struggle to gain autonomy and control over his own life. As the agreed that Kevin could have one primary home base with open and frequent access to his other parent.

\* Names of all family members referred to in this paper are pseudonyms.

Table 2  
MARITAL HISTORY

NAME	NUMBER OF YEARS			CHILDREN		
	IN RELATIONSHIP	MARRIED	SEPARATED <sup>a</sup>	NAMES	DATE OF BIRTH	CURRENT AGE <sup>a</sup>
Peter & Laura Johnson	10½	7½	1	Aaron	5/72	4½
Izaak & Nancy <sup>b</sup> Saroyan	7	6	1	Kevin Valerie Jordan	3/63 1/71 5/72	12½ 5¾ 4½
Michelle & Jeffrey Evans	11	7½	2	Gloria	10/71	5
Ellen & Michael Schiff	9	7	2	Annie	5/68	8½

<sup>a</sup> As of November 1976.

<sup>b</sup> Nancy's first marriage lasted 6 years.

A common assumption about joint custody ended Kevin and his parents is that two different and discrete home environments cause an instability and lack of continuity in children's lives. This study suggests that preadolescent children tend to do well when the discrepancy between the two homes is minimal, and when the shifting is accomplished with parental cooperation and predictability. When the two environments are, in fact, dissimilar, children will do better when their parents openly acknowledge their differences and share information about the children.

In all four families there was cooperation and "routine" in handling the shifts from home to home. Schedules were fixed, regular, and predictable, yet flexible enough to accommodate vacations or sickness. These schedules and the rituals and arrangements of the transition from home to home have evolved over time since the separation, changing as the needs of all family members changed. Each family had an

organized and stable way of living with the necessary custodial transitions.

Each set of parents in the study agreed on child-rearing values and priorities, and provided an accepting and loving environment for their children. However, within each couple, personalities, life-styles, and manner of carrying out parental tasks did differ. There is no question that the children in each family enter a different world each time they move from one parent's household to the other's.

In two of the homes the discrepancy was minor. The mother's and father's parental styles, as well as their use of their parenting time, differed but did not diverge widely. Their children had similar routines in both parental homes.

Although the other two couples generally agreed about areas of parenting influence and goals of child-rearing, there was a greater environmental discrepancy between the mother's and the father's homes. The strongly contrasting personality and living styles of the Saroyans caused their two younger chil-

## ALICE ABARBANEL

dren some initial difficulty with their weekly routine in two homes causes more stress than the fact that the routines are so different. Still, a comparison of Saroyans' lives before and after the transition suggests that, for the Saroyans, it is better to have the parents' lives clear and demarcated in each home than the cause of conflict under one roof.

The differences between the households and personalities of Ellen Schiff were also apparent. The parents were painfully aware of their differences. They had agreed, "and they attend to the gap by communicating as much as possible about their children." Annie seemed to accept the differences although with some reservations. She did not substantially change her interests, personality, or behavior when she moved from home to home.

It is a striking statement that in the two families the most discrepant environment was the parent made special effort to communicate with the other about their children, and thus in some way to bridge the gap of extended family. In the Saroyan families, the children kept in touch with the "off-duty" parent while at the other parent's house. Also, in the Saroyan families, although the two parents are separate and quite different from each other, each household maintains consistency and continuity in the child's life. Each welcomes the child to their place in that household. Schiff commented:

Annie doesn't go to a brand new house one week and a brand new

dren some initial difficulty adjusting to their weekly routine. On the other hand, their 12-year-old son said that living in two homes caused him more stress than the fact that his parents were so different. Still, a comparison of the Saroyans' lives before and after separation suggests that, for them at least, it is better to have the parents' differences clear and demarcated in separate households than the cause of chaos and conflict under one roof.

The differences between the households and personalities of Michael and Ellen Schiff were also dramatic. The parents were painfully aware of their differences. They had "agreed to disagree," and they attempted to bridge the gap by communicating as fully as possible about their daughter Annie. Annie seemed to accept her situation, although with some discomfort, and did not substantially change her interests, personality, or behavior as she moved from home to home.

It is a striking statement of adaptation that in the two families with the most discrepant environments, each parent made special efforts to inform the other about their children's lives, and thus in some way to create a kind of extended family. In these two families, the children kept in touch with the "off-duty" parent while at the other parent's house. Also, in each instance, although the two parental households are separate and quite different from each other, each household has a consistency and continuity of its own and each welcomes the child to his or her place in that household. As Michael Schiff commented:

Annie doesn't go to a brand new environment one week and a brand new environment an-

other week. It's not like new, new, new. It's like A, B, A, B, A, B. She's got two consistent homes.

Another common assumption about children of divorce is that they have to lose one psychological parent. This is not true for the children in this study. Rather, each of them has two psychological parents. Each child lives in two homes. Each parent leads a normal family life when the children are present in her or his home. The children experience each parent in daily routines and limit-setting activities, as well as in vacation and at play.

All the children in the study have a realistically "mixed experience," living alternately with both their parents. This creates for them an environment in which they can experience the ambivalence toward each parent that is a prerequisite for healthy development. None of the parents in the study played into the potential of the children to split their perceptions of their parents by making one parent all "good" and one parent all "bad." (This splitting is often reported to be an inevitable consequence of divorce.) Rather, these parents actively encouraged the children to have a realistic relationship with both psychological parents, expressing both loving and hostile feelings with the parent in question.

#### WHAT MAKES JOINT CUSTODY WORK?

Joint custody appears to be working effectively in the four families in the study. Four major factors have contributed to its success: commitment to the arrangement; the parents' mutual support; flexible sharing of responsibility; and agreement on the implicit rules of the system.

*Commitment.* The parents were all committed to joint custody. Every parent had considered the drawbacks to the arrangement, but believed that other alternatives would cause more problems and a greater sense of severance and loss than joint custody. It was at worst a compromise, and at best an ideal combination of a life that includes parenting and child-free personal time.

*Support for the other parent.* The parents all supported their children in having an active and separate relationship with the other parent. While the definition of "separate" varied for each couple, they were firm in their commitment to endorse and sustain each other's availability to their children.

The parents were able to provide this support for a variety of reasons. First, each couple agreed on child-rearing values and trusted each other's parenting intentions. Even though some disagreed with aspects of the other parent's child rearing, none felt the other parent was harmful to the children. Another motivation for this parental support is that a child's realistic, separate relationship with each parent works to preclude elaborate fantasies or scapegoating of the other parent. Finally, the mutual knowledge that each is encouraging two separate attachments, and not trying to draw the children into an alliance, has enabled the parents to sustain their support even when they feel angry or mistrustful.

*Flexible sharing of responsibility.* The parents in the study maintained a working relationship that enabled the logistics of joint custody to go smoothly. Joint custody does not require that parents have frequent contact, but they do need to coordinate a multitude of scheduling details. Not only do *daily*

child-care responsibilities need to be allocated, so too do such intermittent tasks as who takes the children to the dentist, who buys the shoes, who stays home when the children are sick. Both parents must feel satisfied with the allocation of routine care, and there must be some means of dealing with emergencies.

*Agreement on the implicit rules.* This fourth factor is critical, and calls for some elaboration. This agreement means more than the successful negotiation of the logistics of child care, more than an ability to separate their relationship as parents from other aspects of the former marital connection. This factor involves the implicit rules of the post-divorce family—parental agreement on issues of power, autonomy, and control as well as on the pacing and expression of the process of psychological separation.

To agree on the implicit rules means to work out mutual definitions of such issues as how much contact to have, both as parents and as people; how much to overlap the two households; what kind, how much, and how to share information; whether and how to give the other parent critical or positive feedback about his or her parenting.

These issues are not necessarily articulated directly, but they may become severe stumbling blocks if the two parents have divergent expectations or if similar expectations and needs surface at different times. There has to be a willingness and ability to negotiate. Each parent must trust that the other will be open to compromise, or at least listen to his or her position. Paradoxically perhaps, parents need to sustain a potential for contact while simulta-

neously creating separate families.

In all four families each parent's expectations changed over time as the separate psychological changes in expectation diverged. Although in content and rhythm caused anger and disapproval. In general couples came to understand differences, and were able to negotiate. They were all able to negotiate when they differed, heard and some mutual and realistic compromise reached.

Commitment, supporting of responsibility, and implicit rules provided which all the family make joint custody work to mutual benefit. However, to face their own mixed joint custody. Each has separate perceptions of the mate, and as a parent stick to their resolution children as go-between. They had to accept parental control over daily decisions of children's lives. (This was for those who had been parent before the separation the children were under of separation.) Yet, as the arrangement stabilized families the advantage weigh the problems of

#### STRUCTURAL IMPEDIMENTS

Even when there is cooperation, flexible sharing, and implicit rules, and a bivalent acceptance of

neously creating separate lives and families.

In all four families, the content of each parent's expectations of the other changed over time as they became more separate psychologically. However, changes in expectations occurred at different speeds. Although this difference in content and rhythm inevitably caused anger and disappointment, in general couples came to accept their differences, and were willing to negotiate. They were all able to trust that, when they differed, each would be heard and some mutually acceptable and realistic compromise could be reached.

Commitment, support, flexible sharing of responsibility, and agreement on implicit rules provided the context in which all the family members could make joint custody work for their mutual benefit. However, the parents had to face their own mixed feelings about joint custody. Each had to keep separate perceptions of the ex-spouse as a mate, and as a parent. They had to stick to their resolution not to use the children as go-betweens or weapons. They had to accept partial loss of control over daily decisions in their children's lives. (This was especially true for those who had been the primary parent before the separation, and when the children were under five at the time of separation.) Yet, as time passed and the arrangement stabilized, for all four families the advantages came to outweigh the problems of joint custody.

#### STRUCTURAL IMPEDIMENTS

Even when there is commitment, support, flexible sharing, agreement on the implicit rules, and a relatively unambivalent acceptance of the arrangement,

structural issues may complicate or compromise joint custody.

Firstly, age, number, and age range of the children may present problems. As children get older, they may insist on more control, and request the continuity of one home base; however, if a child has been moving back and forth for a long time and is accustomed to it, he or she may not feel the disruption reported by the one adolescent in this study. Older children may resent being tied to younger siblings' rules and schedules. It may be that the negative effects of moving back and forth between two homes increase with the number of children. Or it may be that home rotation *with* one's siblings provides a ballast.

Secondly, geographical proximity is critical to the success of joint custody as defined in this study, where children spend no more than two weeks in each parent's household. All the parents in the study were committed to staying in close geographical proximity.

Thirdly, frequent moving back and forth may be too unsettling for a "difficult" child. Some children may simply need one home base rather than two.

Finally, the impact of a parent's living with a new partner and the creation of a blended family in one or both of the children's homes is at this point an unknown factor.

#### LIMITATIONS OF THE STUDY AND SUGGESTIONS FOR RESEARCH

A major limitation of this study, besides the issues of generalizability and reliability inherent in case studies of a small sample, is that of making long-term predictions. Long-range probabilities—for adults or children—cannot be ascertained from a single exposure, and



cross-sectional data are limited in their power to compare subsamples. Longitudinal research is called for to understand the process of divorce.

Many kinds of divorce and custody-related research are necessary for the future. For example, statistically representative surveys can generate demographic, attitudinal, and personality data that will provide a needed context in which to put more intensive case studies.

It will be essential to examine families in which joint custody is working in contrast with families who have tried it unsuccessfully and substituted another form of custody. This comparison might highlight the crucial decision-making junctures that joint-custody families face. Future joint-custody research must also control for length of separation, age of children, number of children, and type of joint-custody arrangement—both physical and "responsibility" joint custody.

#### CONCLUSION

The results of this investigation suggest that joint custody offers advantages and disadvantages to all family members. While the long-term consequences of custody arrangements have not been systematically compared, there is reason to believe that joint custody is at least as good an arrangement as any other. It is neither "good" nor "bad;" it works under certain conditions.

This study found that the discrepancy between environments (if it is significant at all) can be managed well if the parents cooperate and share important information about their children's welfare. There was no evidence

of an exacerbation of loyalty conflicts when the parents differed. Routine shifting between homes was disruptive; yet, except for the one adolescent, this disruption was mitigated by the length of stay and the fact that the shifts were routine.

There is no doubt that joint custody yields two psychological parents, and that the children do not suffer the profound sense of loss characteristic of so many children of divorce. The children maintained strong attachments to both parents. Perhaps the security of an ongoing relationship with *two* psychological parents helps to provide the means to cope successfully with the uprooting effects of switching households.

It is important that legal and mental health professionals keep an open mind about joint custody and support clients who have chosen or are considering this option. We must realize that this arrangement can work for the benefit of every family member and hence for the family system as a whole.

#### REFERENCES

1. ABARBANEL, A. 1977. Joint Custody Families: A Case Study Approach. Unpublished doctoral dissertation, California School of Professional Psychology.
2. GOLDSTEIN, J., FREUD, A. AND SOLNIT, A. 1973. Beyond the Best Interests of the Child. Free Press, New York.
3. HETHERINGTON, E., COX, M. AND COX, R. 1976. Divorced fathers. *Fam. Coordinator* 25:417-428.
4. KELLY, J. AND WALLERSTEIN, J. 1976. The effects of parental divorce: experiences of the child in early latency. *Amer. J. Orthopsychiat.* 46(1):20-32.
5. ROMAN, M. AND HADDAD, W. 1978. *The Disposable Parent*. Holt, Rinehart and Winston, New York.
6. WALLERSTEIN, J. AND KELLY, J. 1974. The effects of parental divorce: the adolescent experience. *In The Child i*

children as a Psychiatric Risk and C. Koupernik, eds. New York.

7. WALLERSTEIN, J. AND KELLY, J. 1974. The effects of parental divorce

perience. *In The Child in His Family: Children as a Psychiatric Risk*, Vol. 3, E. Anthony and C. Koupernik, eds. John Wiley, New York.

7. WALLERSTEIN, J. AND KELLY, J. 1975. The effects of parental divorce: experiences of the

preschool child. *J. Child Psychiat.* 14(Autumn):600-616.

8. WALLERSTEIN, J. AND KELLY, J. 1976. The effects of parental divorce: experiences of the child in later latency. *Amer. J. Orthopsychiat.* 46(2):256-269.