

INFLUENCING FACTORS AND ADOLESCENT INPUT IN CUSTODY ARRANGEMENT
DECISIONS

by

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B.S., Kansas State University, 2008
M.S., Kansas State University, 2012

AN ABSTRACT OF A DISSERTATION

submitted in partial fulfillment of the requirements for the degree

DOCTOR OF PHILOSOPHY

School of Family Studies and Human Services
College of Human Ecology

KANSAS STATE UNIVERSITY
Manhattan, Kansas

2014

Abstract

This study produces a grounded theory of how parents make decisions regarding the custody arrangements of their children in the divorce process. Eleven parent/adolescent pairs in shared physical and legal custody arrangements were interviewed. Ten factors were found to influence the custody arrangement decisions of divorcing parents: former partner, children, work, new partner, use of a lawyer, role of family, parenting role, place of residence, finances, and divorce. Parents also weighed perceived costs and rewards when making custody arrangement decisions. In addition, an understanding of the involvement of an adolescent in the custody arrangement decisions was gained through this research. The majority of adolescents in this study had some type of input in the custody arrangements at one point or another. Parents and adolescents both expressed concerns with involving adolescents in custody arrangement decisions as well as an appropriate age for adolescent involvement, and how to determine when an adolescent is ready to be involved in the custody arrangement decisions. Custody arrangement decisions are complex decisions that parents and adolescents face; a number of factors are considered and the custody arrangement decision making process varies for all families.

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Dedication

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Chapter 1 - Introduction

Each year a number of couples make the decision to divorce or separate. The rate of divorce for first marriages is roughly 47% and approximately 60% for second marriages (Copen, Daniels, Vespa, & Mosher, 2012), and it is estimated that 40% of all children will experience their parents' divorce (Amato, 2000). Often, when we hear of a divorce or separation occurring within a family, we think of how the children will be affected. We have heard numerous stories of long, drawn out custody battles between parents. We do not typically hear of the custody arrangements that are made amicably between parents. This raises the question as to how parents determine the custody arrangements of their children. Why is the decision making process smoother for some parents and a battle for others?

Context of the Issue

Although the actual divorce rate is not easy to determine due to several states not reporting vital statistics on divorce to the government on a regular basis, it is estimated that 47% of first marriages will end in divorce (Copen et al., 2012), however, this may be lower for marriages that occurred recently (Cherlin, 2010). Twenty percent of marriages will experience a divorce or separation by the five year anniversary. This rate increases to 33% by the 10 year anniversary and 43% by the 15 year anniversary (Bramlett & Mosher, 2002). Roughly half of all dissolving marriages have children involved (Amato, 2000; Krieder, 2005; Raley & Bumpass, 2003). Each year it is estimated that 1.1 million children experience the divorce of their parents (Kreider, 2007). Divorce and separation is not an issue in families that is likely to disappear. This is not to say that the number of divorces or separations may not decline in the years to come, but it is an issue parents and children may face within their lifetime.

The reason why individuals divorce varies. The most common causes for divorce found in one study were infidelity, incompatibility, drinking or drug use, growing apart, personality

problems, lack of communication, and physical or mental abuse. Additional reasons cited were loss of love, not meeting family obligations, employment problems, don't know, unhappy in marriage, financial problems, physical or mental illness, personal growth, interference from family, immature, and other reasons (Amato & Previti, 2003).

The adjustment process of the divorce is affected by the cause of the divorce as well as by who initiated the divorce. Individuals who initiated the divorce were more likely than non-initiators to adjust positively to the divorce (Amato & Previti, 2003). Each parent, child, and family adjusts to the divorce in their own way, based on a variety of factors. A divorce or separation within a family leads to many adjustments and transitions the family must endure (Ahrons, 1980). The custody arrangement is one decision that a family will encounter if minor children are involved. The custody arrangement decision is not one that should be taken lightly as there is an array of research on the positive and negative effects of custody arrangements on children (Bauserman, 2002, 2012; Demo & Fine, 2010; Fabricius & Hall, 2000; Fabricius & Luecken, 2007; Kelly, 1988).

Over time there has been a change in how custody arrangements are awarded in the legal system for divorcing or separating families. Currently, the best interest of the child standard is used to determine the custody arrangements of children following a divorce or separation. Prior to the best interest of the child standard, custody arrangement decisions were based on the tender years presumption, which stated that children under the age of 7 should be placed under the custody of their mother (Kelly, 1994). Paternal preference was given in custody arrangements during the 17th and 18th centuries. During this time, children were viewed as the property of their fathers with mothers having little to no rights (Mahoney, 2006). As the family has changed over

time, so has the legal system in order to adjust to the needs of families today regarding the determination of custody in divorcing or separating families.

Custody arrangements are categorized as sole and shared custody and within these types of arrangements is the determination of legal and physical custody. Physical custody determines with which parent the children will primarily reside. Legal custody determines which parent has the authority to make decisions for the children (Braver, Ellman, Votruba, & Fabricius, 2011).

As there has been an adjustment in the way custody is awarded within the legal system, there has been a change in the type of custody arrangements utilized within families. In previous years, children typically only spent four or five nights a month with the nonresidential parent, usually the children's father (Kelly, 2007). Currently, a shared physical custody arrangement is more likely to occur in divorced or separated families. Many children are living at least one third of the time with each parent. In Arizona and Washington state, between 30 to 50% of children have some type of shared physical custody arrangement (George, 2008; Venohr & Kaunelis, 2008).

In recent years there has been much discussion on the involvement of children in the custody arrangement decision. Many have raised the question: Is the involvement of children in the custody arrangement decision helpful or harmful? Some argue that receiving input from children in determining the custody arrangements only places children in the middle and forces the children to pick sides (Wallerstein & Lewis, 1998) while others believe that the decision impacts the children and, therefore, the input of children should be taken into consideration (Kelly, 2002). There is still much research needed to determine which approach is the most beneficial to both parents and children involved in custody arrangement decisions following a divorce or separation.

Purpose of the Study

Custody arrangements impact all parties involved from parents and children to extended family and friends. In divorced or separated families, the custody arrangements come in all shapes and forms and often times, there are no two custody arrangements that are alike. Custody arrangements that are determined in the legal system vary for each family and differ by county, state, judge, and many other factors that influence custody arrangement decisions. This is also true for custody arrangement decisions made among parents. In order to contribute to the knowledge on the custody arrangements of children following a divorce or separation, I will investigate how custody arrangements are determined for children among divorced or separated parents and the involvement of adolescents in the custody decision making process.

Significance of the Study

The aim of this study is to fill the existing gaps in the literature on how divorced or separated parents determine the custody arrangements of their children. Previous research has provided characteristics of parents that influence the custody arrangement determined in divorced or separated families such as age, education, income, as well as other characteristics. At this time, there is limited research available on the decision making process parents go through to determine the custody arrangements of their children. In addition, there are mixed perspectives on the involvement of children in the custody arrangement decision. This study seeks to fill both of these gaps in the literature, by investigating the custody arrangement decisions of parents as well as the involvement of adolescent children in their decision. This is a vital piece of information to gain in order to better assist families faced with determining the custody arrangements of their children following a divorce or separation. Learning how parents determine the custody arrangements for their children following a divorce or separation would

not only benefit parents and children of divorce, but also practitioners, scholars, judges, lawyers, and many others who assist divorced and separated families each and every day.

Chapter 2 - Literature Review

Divorce occurs for a number of families each year. When divorcing or separating couples have children, parents must decide on the custody arrangement for those children, including the type of custody arrangement and what that custody arrangement will look like for their family. In addition, parents have to determine how they will make decisions surrounding the custody arrangement of their children. For example, will the parents determine the arrangement themselves or will they utilize the legal system, family mediation, or another resource? There has been an array of adjustments made to the determination of custody arrangements within the legal system. With the variety of changes and adjustments made in the types of custody arrangements, how custody arrangements are defined, and how custody arrangements are determined, there are many questions as to how parents make the decision regarding the custody arrangement of their child(ren) during the process of divorce.

Over the years, the language utilized when discussing terms associated with divorce and child custody has stayed relatively the same. Recently, however, there has been a push for professionals to adjust the language and terms used when assisting divorcing parents with determining the custody arrangements of their children to a more appropriate word choice. The terms custody and visitation are widely used, however custody implies that children are their parent's property and visitation conveys that the nonresidential parent is a guest in his or her children's lives who just drops by and only spends time with the children occasionally. Terms such as parenting, parenting plans, parenting time, children's residence(s), and parental decision making are more favorable terms and help to establish a more cooperative, co-parenting relationship (Demo & Fine, 2010; Fabricius, Braver, Diaz, & Velez, 2010). Even though there has been discussion of adjusting the terms used to discuss custody arrangements, the vast

majority of the literature still uses terms such as custody and visitation. Throughout this paper, I will continue to use the terminology of custody arrangements and visitation that are consistent with the literature.

Types of Custody Arrangements

There are various custody arrangements available to divorced parents. The custody arrangement decisions establish “the parameters of each parent’s relationship with the children” (Anderson & Sabatelli, 2011, p. 295). The custody arrangements determined by parents outline the following: “who is responsible for child care, who makes decisions about the children’s welfare, where children will live, and how much time each parent will have with the children” (Anderson & Sabatelli, 2011, p. 295). Each custody arrangement can be divided into physical or residential custody arrangements, which is where the child lives or resides, and legal custody arrangements, which is who has the right to make decisions regarding the child (Braver, Ellman, Votruba, & Fabricius, 2011).

Sole Custody

Sole Physical Custody

Sole physical custody is defined as the children living primarily with one parent and that parent is responsible for the day-to-day care and decisions of the child. In some cases, the court may order visitation for the nonresidential parent (Fox & Kelly, 1995).

Visitation – Parenting time

Visitation, which is also referred to as parenting time, outlines the amount of time nonresidential parents spend with their children (Mensah & Fine, 2008). There is difficulty in determining the amount of parenting time fathers actually have with their children when mothers have primary custody. Variation in the amount of parenting time fathers have with their children exists based on the ages of the children and the father’s economic situation. In terms of the age

of the children, younger children tend to spend more time with their fathers than adolescents (Kelly, 2007). Fathers with a lower socioeconomic status and with younger children typically had contact only during the daytime. The reason for this could be due the negative attitudes of mothers, professionals, and judges regarding overnight stays with their fathers when children are younger and if the living environment of the father is unstable (Smyth, 2005).

There are also conflicting reports regarding the state figures on fathers' contact with their children compared to the national figures, and it has been found that the amount of father contact with children differs depending on who is reporting the data (Kelly, 2007). For example, mothers tend to underreport, while fathers over report the amount of contact fathers have with the children. Currently, there are no reliable measures that exist to accurately record the various contact patterns among parents and children as well as the complex nature of custody arrangements utilized in families. In the United States parenting time tends to follow the traditional pattern of every other weekend for one or two overnights and roughly 14% of time with the nonresidential parent (Kelly, 2007).

Sole Legal Custody

Sole legal custody is when one parent has the rights and responsibilities to make decisions for the children regarding health, education, and welfare. The parent awarded sole legal custody is not required to discuss or consult the other parent regarding the discussions made for the child (Kelly, 2007).

Shared Custody

Shared Physical Custody

Shared physical custody is also referred to as joint physical custody. Shared physical custody means that both parents have significant periods of time that they spend with the child. Both parents are consistently and frequently involved in the child's life and the child has

continued contact with his or her parents (Fox & Kelly, 1995). In shared physical custody, children spend large amounts of time with both parents, but the division of time is not always 50/50. Shared physical custody is typically defined as a dual residence with between 33 and 50% time with one parent, and the rest of the time with other parent (Kelly, 2007).

Shared physical custody arrangements are becoming increasingly more common among divorced or separated parents (Cancian & Meyer, 1998; Maccoby, Depner, & Mnookin, 1990). In the past, about 5 to 7% of children lived with their father one third of the time. Children lived most often with their mothers, and may have spent four or five nights a month with their father (Kelly, 2007). Recently, however, a change has been taking place. Many children from divorced homes are living at least one third of the time with each parent. In two different studies, one conducted in Arizona and one in Washington state, it was found that 30 to 50% of children resided in some form of shared physical custody arrangement (George, 2008; Venohr & Kaunelis, 2008) as well as 30% in Wisconsin between 1996 to 2001 (Melli & Brown, 2008).

Shared Legal Custody

Shared legal custody is also termed joint legal custody. Shared legal custody is when both parents are involved in and responsible for making decisions for the child regarding education, medical care and needs, daily care, emotional and moral development, and religious training (Kelly, 2007). Shared legal custody has become more prevalent and is almost considered to be a given in custody arrangements. In one study examining data from 9,500 divorcing families in Wisconsin from 1980 to 1992, 81% of the cases had shared legal custody arrangements (Melli, Brown, & Cancian, 1997).

Characteristics of Parents and Children Relating to Custody Arrangements

Researchers have found a number of characteristics of parents that relate to their custody arrangement, including income, education, and age (Juby, Le Bourdais, & Marcil-Gratton, 2005). Parents with high incomes are more likely to share physical custody than parents with lower income levels. Income is influential in the determination of custody arrangements as maintaining two living spaces for children could be expensive (Bauserman, 2012; Cancian & Meyer, 1998; Donnelly & Finkelhor, 1993; Nielsen, 2011). The chances of a shared physical custody arrangement are three times more likely if a couple has a total income of \$80,000 when compared to couples with a total income of \$20,000. There is also an increased likelihood of shared physical custody if parents own their home (Cancian & Meyer, 1998). In addition, the pre-divorce income of parents is considered in determining custody arrangements. The high pre-divorce income of one parent increases the chance of that parent gaining sole physical custody of their children (Kelly, Redenbach, & Rinaman, 2005).

The education level of the parents has also been linked to the custody arrangement. Parents with higher education levels were more likely to share physical custody than parents with only a high school education. In addition, the more education an individual has, the more likely he or she is to seek out and obtain additional information and/or resources in order to be more educated and prepared for what might lie ahead in the divorce process (Bauserman, 2012; Fox & Kelly, 1995; Juby et al., 2005). Better-educated parents might also have better negotiation skills and are more likely to supervise their legal counsel by asking questions and voicing their wishes regarding the custody arrangement. Parents with higher education levels than their former partners have been found to be more likely to gain sole physical custody than their less educated former partners (Kelly et al., 2005).

Legal representation also impacts the custody arrangement determined among parents. When fathers are the only parent with legal representation, a shared custody or father-sole custody arrangement is more likely to be the result than mother-sole custody (Cancian & Meyer, 1998).

The age of the mother has been linked to the likelihood of shared physical custody arrangements. Young mothers (i.e., teenage mothers) and mothers around the age of 33 or older were more likely to share physical custody than mothers in their 20s and early 30s (Juby et al., 2005). Bauserman (2012) found that shared physical and/or legal custody mothers were typically older.

A shared physical custody arrangement is more likely to occur when both parents are employed outside of the home (Fox & Kelly, 1995; Pearson & Thoennes, 1990). If fathers are unemployed, the likelihood of them receiving shared physical custody of the children drastically decreases (Cancian & Meyer, 1998).

Characteristics of the children that are linked to shared custody arrangements are age and gender. Fathers are more likely to receive sole physical custody if the children are older and boys. Shared physical custody is more likely for an all-boy family. Fathers are more likely to obtain sole physical custody if the divorce is from a long-term marriage (Cancian & Meyer, 1998). Mothers are more likely to receive sole physical custody when the oldest child is female or if there are high levels of conflict (Cancian & Meyer, 1998; Fox & Kelly, 1995). A great deal is known about the characteristics of parents and children related to custody arrangements, however little is known about how divorcing parents determine the custody arrangements of their children.

Effects of Divorce

There is no definite set of effects or outcomes of divorce on parents and children. Many studies have noted there may be other factors present, or a combination of factors, besides the children's parents divorcing that might contribute to the challenges the children are facing in their lives (Demo & Fine, 2010). It is important to know that effects of divorce will vary for children, and how children are affected by divorce will depend on a number of factors pre-and post-divorce. Children who demonstrated difficulties with adjustment before a divorce are more likely to be negatively affected by the divorce than children who were well-functioning prior to the divorce (Lansford, 2009).

On Children

Not all children of divorce fair poorly; positive outcomes do exist and there is research that provides evidence that the negative effects of divorce can be short-lived. For most children, the effects of divorce have been found to last between 2 to 3 years (Demo & Fine, 2010). This time span following a divorce allows the children time to adjust to the changes and transitions taking place in their family. In cases of high parental conflict or abuse, the mental health of children has been found to improve when they have been removed from that environment (Amato, Loomis, & Booth, 1995; Strohschein, 2005).

After divorce occurs, children have been shown to be affected in regards to social, emotional, academic, and behavioral areas, when compared to children with continuously married parents. Children and adolescents from divorced families experience lower than average levels of psychological adjustment and self-esteem, and they are more likely to experience higher levels of depression and anxiety when compared to peers with two continuously married parents (Amato, 2000). Children have also expressed feeling lonely and mourn the loss of a parent following their parents' divorce. In the adolescent years, they may face a lack of supervision and

minimal protection along with adjusting to new step-parents and step-siblings (Wallerstein & Lewis, 1998). Children whose parents have divorced were found to have lower scores on various measures of academic performance than their peers, such as grade point average, scores on standardized tests, and education attainment level (Demo & Fine, 2010).

On average, children from divorced homes have more behavioral problems such as aggression and disruptive behavior, are more likely to take part in delinquent activities, and have an increased rate of alcohol and drug use than their peers from non-divorced homes (Carlson, 2006). In terms of behavioral outcomes, children who are younger at the time of their parents' divorce are more at-risk than children who are older at the time of the divorce. For academic outcomes and social relationships, especially romantic partners, children who are adolescents at the time of their parents' divorce are at greater risk than younger children (Lansford, 2009). In addition, researchers have also found a link between parental divorce and early sexual activity and childbearing of adolescents (Furstenberg & Teitler, 1994). In one study, a higher rate of sexual activity and early age of engaging in sexual activity for both males and females was found in single-parent families and stepfamilies than their peers in two biological parent homes (Upchurch, Aneshensel, Sucoff, & Levy-Storms, 1999).

A study conducted in New Zealand of adult children who experienced the divorce or separation of their parents as a child or adolescent found that the adult children had problems with self-esteem, self-concept, and trusting and being able to communicate with others. Also, these adults expressed difficulty with managing their emotions and even stated being "too emotional" (Cartwright, 2006). In addition, in the young adulthood years, they are faced with the fear that their own relationship will fail and will end like their parents' (Wallerstein & Lewis, 1998).

Adult children who were interviewed 20 years after their parents' divorce still had a desire for their parents to get along. There are many events or occasions in a child's life such as graduations, weddings, and birthdays of grandchildren, and these adult children of divorce had a desire to share these occasions with both of their parents (Ahrons, 2007). As these adult children grew up, they were still faced with loyalty conflicts, especially when their parents were still hostile towards one another. Some of the adult children discussed that at early life stages when faced with a loyalty conflict, they tended to side with one parent over the other parent. Most of the adult children with parents who remained in conflict with one another discussed the distress they felt as they tried to maintain relationships with both of their parents (Ahrons, 2007). Adult children 20 years after their parents' divorce discussed having improved relationships with their fathers. If the conflict between parents decreased and support increased after divorce, adult children described their relationship with their father as either improving or remaining stable (Ahrons & Tanner, 2003).

Children who experienced the divorce of their parents as a child were found to be impacted in adulthood in terms of the ability to love and be loved in a committed relationship. Wallerstein (2005) found that the divorce these young adults experienced when they were children increased the fear that the same fate was waiting for them in their own relationships. In addition, several intergenerational studies have suggested that when children experience a parental divorce, it doubles the chance of their marriage ending in divorce (Amato, 1996; Amato & DeBoer, 2001; Hetherington & Elmore, 2004). A reason offered to support this idea is that children from divorce are less inclined to hold the belief or expectation that marriage is a lifelong commitment (Amato & DeBoer, 2001). The risk of divorce is increased if both partners experienced a parental divorce (Hetherington & Elmore, 2004).

On Parents

Numerous studies have shown that divorced men and women, on average, report lower levels of physical and mental health than married men and women (Amato, 2000). In addition, divorced individuals demonstrate more depression and anxiety symptoms, more health problems, more substance abuse, and an increased risk of mortality (Bierman, Fazio, & Milkie, 2006; Hughes & Waite, 2009; Lorenz, Wickrama, Conger, & Elder, 2006; Waite, Luo, & Lewin, 2009; Williams & Umberson, 2004). Alcohol abuse and dysthymia, a type of depression, were found to increase after divorce, but not for individuals who left lower quality marriages (Overbeek, Volleberg, de Graaf, Scholte, de Kemp, & Engels, 2006). Alcohol abuse has been found to increase for men following divorce regardless of the involvement of children. For women, there has been an increase in alcohol abuse only when children are school-aged. When preschool-age children are involved in a divorce, there is an increase of depression for both men and women (Overbeek et al., 2006).

Men with higher incomes tend to pay more child support (Arditti, 1992) than men with lower incomes. Men who pay child support consistently may do so because of the positive attachment felt between them and their child. In addition, agreement between former partners on childrearing has been linked to both parents' satisfaction with child support. This agreement may be related to how the money is spent on the children as well as the belief that the father is fulfilling his role as a parent by helping support and raise the children instead of supporting his former spouse (Arditti, 1992).

Women have been found to adjust better to divorce than men for two reasons: (a) better role change adjustment (i.e., maternal custody: the mother remains actively involved while the father may experience confusion due to the ambiguity of the new nonresidential parent role), and

(b) report higher satisfaction with the numerous aspects of the divorce settlement (Braver, Shapiro, & Goodman, 2006).

Effects of Custody Arrangements

The effects of custody arrangements are far reaching. Not only are the children affected by the custody arrangement, but so are the parents.

On Children

There is much variation on the effects of custody arrangements on children. One thing to keep in mind is that the custody arrangement determined is not the sole factor to consider when determining the effects of a child's adjustment after a divorce (Kelly, 1988, Demo & Fine, 2010).

Recent research has provided support for shared physical and/or legal custody arrangements of children after a divorce or separation. One reason for this is due to the research on the benefits of continued contact with both parents following a divorce or separation. Children have been found to adjust more effectively to the divorce or separation of their parents when a shared physical and/or legal custody arrangement occurs (Demo & Fine, 2010). Adult children of divorce who did not have equal time with both parents growing up expressed a desire to have had the opportunity to have more contact with their nonresidential parent (Fabricius & Hall, 2000). Furthermore, when one parent is unavailable to the children following a divorce or when there is a high level of conflict between the parents, the emotional security of the child is affected and the child may feel as though that parent does not care for or love him or her anymore (Fabricius & Luecken, 2007).

A shared physical custody arrangement provides both parents, especially fathers, the opportunity to be more involved in their children's lives than parents with sole custody arrangements (Bauserman, 2002). Children who have more contact with their father after divorce

are more likely to receive consistent financial contribution from their father (Juby et al., 2005). Also, fathers with shared physical or legal custody are found to be more involved and more satisfied with the relationship with their children and the custody arrangement (Bauserman, 2002). When children who live with their mothers have the opportunity to spend overnights with their father, it helps to establish a closer relationship between the father and child (Cashmore, Parkinson, & Taylor, 2008).

For 800 young adults in one study, their perspective regarding their living arrangements with their parents after divorce was clear in that as children they would have liked to have spent more time with their father growing up. These young adults also expressed their belief that it is best for children to have equal living time with both parents (Fabricius & Hall, 2000). During childhood, frequent contact with a nonresidential father was linked to numerous positive outcomes for children including having better feelings toward both of their parents (Fabricius & Luecken, 2007) and less blaming from children towards their fathers for causing the divorce (Laumann-Billings, & Emery, 2000).

Three years after a divorce, the actual living arrangement of children in shared physical custody arrangements in one study was found to be consistent with the physical placement order. Children in a shared placement were found to spend more time with their father than children with a sole mother placement. The living arrangements of children in a shared placement setting were as stable as or more stable than children with a sole mother placement (Berger, Brown, Joung, Melli, & Wimer, 2008). There is little evidence to suggest that shared physical placements are linked to a maternal drift (Berger et al., 2008), which is when the level of physical care mothers provide for their children slowly increases (Maccoby & Mnookin, 1992).

Time is also a relevant factor in examining the effects of custody arrangements on children. Maccoby and Mnookin (1992) found that 4 years after a divorce, adolescents from a dual residence arrangement tended to be better off academically, emotionally, and psychologically when compared to children in sole residence arrangements. Similarly, children from a shared parenting arrangement were found to demonstrate fewer depression symptoms, health problems, and stress-related illnesses, and identified feeling more satisfied with their living arrangements when compared to children in sole residences (Melli & Brown, 2008).

Research from the 1980s has demonstrated that there were challenges for children and mothers when children were in the sole physical custody of their mothers compared to children with continuously married parents and those in shared physical custody arrangements. For example, when children were in the custody of their mothers following a divorce they were found to demonstrate more antisocial behavior, acting out, aggression, anxiety, increased depression, difficulty with peer relationships, and behavior problems at school than children in non-divorced homes (Hetherington, Cox, & Cox, 1982). In addition, custodial mothers have been found to experience difficulty in disciplining their children after divorce. In regards to having patience, being consistent, and firm, mothers with sole custody have more difficulty than mothers and fathers in non-divorced homes (Hetherington et al., 1982; Maccoby, Depner, & Mnookin, 1988).

Sole custody may be beneficial in that it provides an escape for the children if the relationship between the parents is abusive or highly conflictual (Bauserman, 2012). In addition, there have been concerns raised regarding children transitioning from home to home in a shared physical custody arrangement. Research is still needed in this area to investigate the effect this has on children. There is a belief that shared physical arrangements will be unsuccessful and a

sole physical arrangement is better for families because the arrangement is stressful and problematic for the family. Along the same lines is the idea that children in shared physical custody arrangements feel stressed, unsatisfied, insecure, unstable, and troubled by have two living spaces (Nielsen, 2013).

On Parents

Parents typically have the most control in determining the custody arrangements of their children and, therefore, can be greatly impacted by the selected custody arrangement. The custody arrangement has been found to affect parents in a variety of ways.

Bauserman (2012) conducted a meta-analysis on the following three areas: parental satisfaction, adjustment, and relitigation after divorce in shared custody versus sole custody arrangements. Shared legal and shared physical custody were grouped together in Bauserman's meta-analysis of 50 research reports, which included 30 journal articles, 14 dissertations, and 6 book chapters or books. It is important to note that in this meta-analysis, the amount of time children actually lived with each of the parents was not specified, therefore it cannot be determined which children were in joint legal custody arrangements versus children that lived at least 33% of the time with each parent.

Bauserman (2012) found that shared physical and/or legal custody was linked to an equal or better adjustment for divorced or separated parents than other families with sole maternal custody. Shared custody mothers reported experiencing less stress and burdens associated with parenting (Bauserman). Both mothers and fathers with shared custody arrangements reported less conflict with their former partner as well as more emotional support and positive feelings toward the former partner than parents with sole custody. In shared legal and/or physical custody cases, relitigation was often less frequent when compared to other types of custody arrangements. There were not significant differences found between shared custody and maternal custody

parents on measures of the overall psychological adjustments or self-esteem. Shared physical and/ or legal custody mothers reported being less satisfied with the custody arrangement than maternal custody mothers (Bauserman).

A vast majority of the research on the effects of custody arrangements on parents focuses on how fathers are affected because in most cases fathers are the nonresidential parents and may have less contact with the children than mothers typically do following a divorce (Fabricius & Luecken, 2007). When fathers are awarded nonresidential custody, they are no longer able to have open and unlimited access to their children. The time nonresidential fathers are able to spend with their children is defined and limited to the terms stated in the custody arrangements (Troilo & Coleman, 2012). The limited time a child is able to spend with a father on weekends or short weekday visits does not allow the father and child to develop a bond (Nielsen, 2011). Nonresidential fathers report a strong desire to have continued involvement with their children (Braver, Ellman, & Fabricius, 2003). Children also report these same desires to maintain contact and involvement with their nonresidential fathers (Fabricius & Hall, 2000).

Fathers with shared physical and/or legal custody tended to be more involved with their children and reported having a more satisfying relationship with their children, and shared custody fathers were more satisfied with the child custody arrangements (Bauserman, 2012). The satisfaction a father feels towards his custody arrangement depends on a variety of factors. The father's perceived hostility of the divorce experience, the type of relationship the father had with the children prior to the divorce, and the father's perception of his visitation with the children in terms of length and frequency effect how the father feels about the custody arrangement (Arditti, 1992). In terms of visitation, the more dissatisfied fathers felt about their visit (e.g., too short or infrequent), the less the fathers saw their children. The negative perceptions and irritation in

some cases turned into a physical withdraw. The feelings of closeness fathers felt towards their children after divorce was related to their perceptions of how well the visits went. A father who felt he had become closer to his children since the divorce occurred was more likely to feel better about the visits (Arditti, 1992).

The frequency of parenting time for nonresidential fathers was related to the feelings fathers had regarding the time spent with their children (Arditti, 1992). The more time children lived with their fathers following a divorce, the better long-term relationship the children had with their fathers. This was also true for families with high parental conflict prior to the divorce to 5 years later and also for low conflict families (Fabricius & Luecken, 2007).

Shared physical custody may not be the desire of all parents, and in some cases this is especially true for fathers. Fathers who had close relationships with their children prior to the divorce may desire shared physical or legal custody and may be more satisfied with a shared custody arrangement (Arditti, 1992). Fathers who were not particularly close with their children before the divorce occurred may be satisfied with a nonresidential parent arrangement (Arditti, 1992), although in other cases, it may be possible that fathers who were not involved in their children's lives prior to the divorce may desire to share physical custody. Some argue that policies that assume shared legal or physical custody arrangements are the wants and desires of both parents may not be the case and this assumption does not address the variety of relationships between fathers and children or the post-divorce experiences of fathers (Arditti, 1992).

Sole custody arrangements might be more psychologically satisfying for parents, even with the extra stress and burdens involved, such as managing all of the daily care and responsibilities of the child. This could be due to the parents feeling a sense of control over the

child, or the feeling that the parent won over the parent in the “competition” of custody or both of these could influence the parent’s feelings towards a sole custody arrangement (Bauserman, 2012). There are numerous studies that discuss the effects of the different types of custody arrangements on parents and children, but it is unknown as to how parents decide on the custody arrangement of their children.

Determination of Custody Arrangements

Custody arrangements are determined in a variety of ways and for various reasons, either in the legal system or outside of the legal system. Of divorcing parents, between 2 and 10% have their custody arrangements determined by a judge (Maccoby & Mnookin, 1992). One reason the legal system might not be utilized in some cases is due to the uncertainty and lack of control parents feel they have towards a judge determining the custody arrangement for them (Kelly, 1994).

Custody Arrangement Determinations in the Legal System

There is much variation in how custody arrangements are made in the legal system. Each state has a guide and standards for judges to utilize when determining the custody arrangements of children and the future parenting plans for a family after divorce (Demo & Fine, 2010).

Changes in Custody Arrangements in the Legal System over Time

The determination of custody arrangements in the legal system has changed over the years. There has been much debate and discussion on the approaches, standards, guidelines, and methods used in determining the custody arrangements of children.

Prior to the 1970s, the gender of a parent played a major role in determining the custody arrangement of the children. Early on, children were viewed as the property of their fathers, and mothers did not have any rights to their children. During the 17th and 18th centuries, after a

divorce, fathers were usually awarded custody of the children with mothers having minimal or limited access to the children (Mahoney, 2006).

The “tender years” doctrine was established in the British Act of 1839 and it stated that custody should be awarded to mothers with children under the age of 7 (Kelly, 1994). The doctrine also stated that children, especially young children, needed their mothers daily. The need for a mother’s care was assumed to be greater and more vital to the child than the need of fathers. Another assumption at this time was that one parent, typically the mother, should fulfill the primary custodial parent role, not both parents (Demo & Fine, 2010).

The maternal preference lasted until about the 1960s when the divorce rate increased. In the 1970s the Uniform Marriage and Divorce Act was established and provided the child’s best interest standard and has been utilized, but in various forms. This adjustment in the ways to determine child custody was a breakthrough as this was the first time custody decisions were based on the best interest of the child not on the gender or rights of the parents (Demo & Fine, 2010; Kelly, 1994).

How Custody Arrangements are Currently Made in the Legal System

The standard used currently in the legal system to decide custody arrangements among divorcing or separating parents is the child’s best interest (Braver et al., 2011). The child’s best interest standard is considered to be “egalitarian, fair, and simple” (Braver et al., 2011, p. 213), and flexible (Warshak, 2007). The standard of the child’s best interest is focused on the child’s needs and his or her best interests (Demo & Fine, 2010). Continued contact with both parents following divorce is considered to be in the best interest of the child (Fabricius et al., 2010; Kelly, 2012; Maccoby et al., 1990). Therefore, shared physical and legal custody arrangements among divorced parents have become more common (Cancian & Meyer, 1998; Maccoby et al., 1990).

The child's best interest standard may be widely used in the legal system to determine child custody arrangements, but there are still criticisms of this standard. One of the main criticisms is that judges are allowed to use their discretion when determining the custody arrangements for children. This provides judges with the opportunity to insert their own values and beliefs regarding parenting and childrearing practices into the custody arrangement of other parents (Braver et al., 2011; Demo & Fine, 2010; Mnookin, 1975). Just as the values and beliefs are different regarding parenting and childrearing practices among individuals and parents, the same is true for judges. A second criticism is that the child's best interest standard does not provide specific detailed guidelines or suggestions on how to apply or determine custody arrangements for children, which can make it difficult to apply (Kelly, 1994). Because of this, decisions made in the legal system can be unpredictable and, in some cases, one parent is left at more of a disadvantage than the other parent in the negotiating process (Braver et al., 2011).

Wallace and Koerner (2003) interviewed family court judges and found there were numerous child and family factors that influence the judicial decisions made in contested custody cases. The four categories determined were: "(a) age and development status, (b) parental fitness, (c) stability, (d) other parent-related factors" (p. 183). The age and development of the child influences how much the child's wishes will be considered. The wishes of older children receive more consideration than the wishes of younger children. In addition, the age and development of the child influenced the consideration of young children remaining with the primary caretaker.

Most judges in Wallace and Koerner's (2003) study discussed the importance of parental fitness. The judges discussed if there was abuse or other signs of parental unfitness, then these issues weighed heavily in the custody arrangement decision. Stability was one factor that the judges noted was a need for children during the transition. The judges discussed the need to keep

consistency in both the child's life and the relationships with others in their life. Along the same lines, the judges discussed the need to have continued contact with both parents, unless contact with one parent was not healthy or in the best interest of the child. In terms of other parent-related factors, the judges explained that the parents' ability to meet the needs of the child was essential. Also, parental alienation impacted the custody arrangement determined. When one parent demonstrates parental alienation tactics or tendencies, in some cases, custody is awarded to the other parent (Wallace & Koerner).

How Custody Arrangements are made among Parents

Parents who determine their custody arrangements outside of the legal system may reach private agreements, use mediation, or use a "do your own divorce" approach (Kelly, 1994). The use of alternative methods to the adversary system provides hope for minimizing the animosity and encourages cooperation among the parties involved (Arditti, 1992). A private agreement is when parents make the decision regarding custody and visitation between themselves. In a private agreement, there is no paperwork filed in the legal system. Utilizing private agreements allow parents the opportunity to focus on the needs of their children and the resulting agreement reflects "those needs, parental desires, and family values" (Kelly, 1994, p.125). A private agreement is an option that is minimal in cost (Kelly, 1994). When parents determine custody arrangements themselves, they do so by "bargaining in the shadow of the law," which means that the laws and statutes of the state influence the custody arrangements determined by the parents (Mnookin & Kornhauser, 1979). Decisions made by parents may be determined without all of the information regarding potential options available and without regard for the long-term implications and adjustments (Kelly, 1993).

Mediation is an alternative option utilized by parents when they are unable to reach an agreement among themselves. Divorce mediation has been found to decrease the adversarial

nature of the divorce process, encourage cooperation, and promote the consideration of various options instead of the traditional custody and visitation arrangements (Arditti, 1992). The role of the mediator is to assist parents in determining a custody arrangement for their children that both parents mutually agree on and is acceptable to both parties (Kelly, 1994).

Divorce mediation in some fashion (e.g., voluntary, mandated, or at discretion of the judicial system) exists in almost every state in the United States (Johnson, Saccuzzo, & Koen, 2005). Mediation is mandatory in 12 states for disputed custody cases and family court judges in an additional 33 states are encouraged to mandate mediation for divorcing couples. In some states, mediation may be mandated in certain counties or by particular judges (Johnson et al., 2005).

Parents who use the mediation process to determine parenting agreements have been found to reach shared legal agreements more frequently and the details surrounding the shared decision making are more clear (Emery, 1994; Kelly, 1993, 2004). Also, when mediation is used, contact between the parent and child is more likely to be maintained (Amato, 2000; Maccoby & Mnookin, 1992) and parents have more involvement with their children compared to nonresidential parents who litigated to determine their custody arrangement (Emery, Laumann-Billings, Waldron, Sbarra, & Dillon, 2001). Contact between parents and children is more likely to continue when there is low parental conflict, when the nonresidential parent feels he or she has some type of control in the decisions being made regarding his or her children, and when the child is a boy (Amato, 2000; Maccoby & Mnookin, 1992).

A third option is the “do your own divorce (in pro per)” for parents (Kelly, 1994, p. 126). The do your own divorce approach is when parents reach an agreement on their own and file the divorce paperwork without the involvement of attorneys or others. With this approach, there is a

decrease in the use of attorneys and the cost is minimized for parents. In addition, this approach allows for the outcome to be the desires of the parents (Kelly, 1994).

Parent education is another option available to parents to use when determining custody arrangements. The purpose behind parent education courses is to assist with the negotiations between parents, prevent litigation, and improve the agreement reached (Pollet & Lombreglia, 2008). Parent education has become popular within the court system even though there is little evidence available of the potential effects of the course (Douglas, 2006). In addition, when fathers attend parent education courses, they are more likely to negotiate more parenting time (DeLusé, 1999).

Changes in Custody Arrangements in Families over Time

The change in child custody arrangements over time within families is twofold meaning that changes have occurred in the actual custody arrangements (e.g., sole custody to shared physical and legal custody) in the United States, but also the custody arrangements determined within a family change over time (e.g., spending more time with the nonresidential parent). A change made to custody arrangements is not necessarily a bad thing. Changes or adjustments to custody arrangements made by parents may demonstrate the parents' acknowledgement of the needs of the children and being flexible to what is occurring within the family (Smyth, 2009). As custody arrangements may change over time, the amount of communication between parents regarding the children has been shown to decrease over time. Maccoby, Buchanan, Mnookin, & Dornbusch (1993) found the percentage of shared physical custody parents who reported they communicated with the other parent at least once a week declined from 67% to 40% in the 3 years of the study.

Throughout the years there has been a shift from the dominant maternal sole custody to an increased number of shared physical and legal custody arrangements being awarded (Nielsen,

2011). One reason for this shift to more shared custody arrangements is due to the research examining and discussing the importance of continued contact with both parents after a divorce (Menno, 2003). This idea of continued contact among parents and children after a divorce is also a perspective shared by some divorcing couples. In one study, mothers reported they chose to share physical custody with their former partner because they believed that both parents should have equal access and involvement in their child's life. Also, these mothers felt that sharing custody was the right thing to do for their children (Markham & Coleman, 2012).

Changes in custody arrangements within families may be due to a number of reasons. One reason custody arrangements may be reevaluated is due to the developmental needs of the children. An example would be if a boy reaches puberty, he might need to spend more time with his father if shared physical custody is not in place. It has been suggested that an automatic reevaluation of custody arrangements occur within the family when children reach adolescence (Lux, 2010), but this has not yet been implemented. An increase in parenting time for fathers has been shown during adolescence (Maccoby & Mnookin, 1992). If needs of the children or family arise that create problems or difficulties, it is important to adjust the custody arrangement at the time. For example, if one or both parents are experiencing behavioral difficulties with a child, it might be beneficial to reevaluate the custody arrangement.

Relocation of one or both parents may create challenges in carrying out a shared physical custody arrangement; this is found to be especially true if the relocation is more than 75 miles and causes difficulty in maintaining the parent-child relationship (Ahrons & Tanner, 2003). Custody arrangements may need to be adjusted in order to allow children to have continued contact and maintain a relationship with the parent who has moved. The geographical distance between the parents has been found to be a significant predictor of the frequency of visits and the

perception of how the visitation went (Arditti, 1992). If abuse is present in the family, relocation may be beneficial in that it puts distance between the abuser and the victim(s). Also, if there are high levels of conflict in the family, then adjustments might need to be made to the custody arrangement and the distance may alleviate some of the conflict occurring (Braver et al., 2003).

In terms of the number of moves children make between parental residence(s), it has been suggested that parents be a bit cautious and try to limit the number of times a child moves between parental residence(s). In addition, parents and professionals are encouraged to seek to understand the motives and desires of children to change residence(s) or to adjust the custody arrangement before making the final decision to change the arrangement (Coleman, Ganong, Killian, & McDaniel, 1998).

Families who use mediation to determine their custody arrangements were more likely to make adjustments to the child's living arrangement than families who used litigation. This supports the idea that parents who use mediation tend to be more flexible in adjusting the living arrangements when compared to parents using litigation. Families that used mediation were encouraged to make changes and adjustments to the living arrangements of their child according to the developmental needs of the child and the child's wishes (Emery, 1994, 2012; Emery et al., 2001).

It is known that some divorcing or separating families will use the legal system to determine the custody arrangement while other families will use a different approach. There is little to no research that examines how parents decide on the custody arrangements for their children. Parents have an array of custody arrangements that they utilize following a divorce, but it is unknown what factors influenced the custody arrangement decision.

Child Input in Custody Arrangement Decisions

Throughout the years there has been much discussion on the involvement of children in the custody arrangements determined among divorcing parents, and currently there are mixed feelings as to how much and what type of involvement children should have in the decisions made regarding the custody arrangement. Children of divorcing parents have a desire for their parents to consider their input in the custody arrangements and to be flexible with the arrangement, but the wishes and desires of the children are rarely taken into consideration (Kelly, 2002). Adolescents have been found to desire contact with both parents on a regular basis (Parkinson, Cashmore, & Single, 2005). In one study, roughly half of children and adolescents expressed a desire for an increase in the amount of contact with their fathers and one third desired for the contact to last longer (Smith & Gallop, 2001; Smith, Taylor, & Tapp, 2003). Similarly, when Maccoby and colleagues (1993) asked adolescents why they visited their nonresidential parent, 88% of the adolescents responded that they visited them because they wanted to and they liked spending time with their nonresidential parent.

Hearing from the children in child custody matters is an area of much disagreement. Some argue that children should not be brought into the discussion and forced to choose sides while others feel that children are impacted by the custody decisions and, therefore, should have a say in what occurs (Kelly, 1994). Australia practices “child inclusive” divorce mediation. This is when a child meets with the mediator individually, and the mediator then conveys the child’s wishes and concerns to the parents (McIntosh, Wells, Smyth, & Long, 2008). Some divorce professionals support receiving the children’s input into the type of living arrangement that will occur in the years to come following the separation and/or divorce of their parents. A caveat is that children should not be expected or forced to choose between parents (Kelly, 2007).

The involvement of children in divorce decisions that affect them has been found to lead to resentment and anger in the child, which may damage the parent-child relationship (Wallerstein & Lewis, 1998). Fabricius and Hall (2000) noted that children have the potential to be exposed to conflict surrounding the issue of the living arrangements of the children. Children in the study reported observing their fathers' desire for more time with them, which then created a dilemma. If fathers tried to assure the children that they desired more time with them, this had the potential of making the child feel caught in the middle. On the other hand, if fathers tried to hide their desire for more time with their children, this had the potential to make the children feel that their fathers did not reciprocate their feelings of wanting more time together. In addition, a father's desire for more time with his children led to an increase in parental disagreements regarding the living arrangements if the mother disagreed or was unwilling to adjust the living arrangements (Fabricius & Hall, 2000).

Although there are mixed perspectives on adolescent input in custody arrangement decisions, little research has been done to investigate how much involvement adolescents actually have in determining custody arrangements. Few studies have investigated adolescents' involvement in the custody arrangement decision making process and most of this research has been conducted in Australia. Parkinson, Cashmore, and Single (2005) interviewed 60 adolescents and young adults between the ages of 12- and 19-years-old in Australia and found that roughly half of the participants gave the response of "no say at all" in where they would reside after the separation of their parents. Participants that were adolescents at the time of their parents' separation or divorce were more likely to report having "some say" in the living arrangement decisions than participants that were 5-years-old or younger at the time of the divorce or separation. Adolescent participants who described higher levels of parental conflict were more

likely to report having a say in their place of residence than children in homes with little conflict. The researchers also found the more say a participant felt he or she had in the arrangements the more likely they were to report they were happy with the arrangement (Parkinson et al., 2005).

Receiving input from a child regarding the custody arrangement decision is an area with mixed perspectives. Parkinson et al., (2005) gained some insight into the say an adolescent had in their living arrangement, but the responses were scaled. For example, adolescents selected responses such as “no say at all” or “some say.” There was little information gained from the amount or type of involvement of the adolescent. In addition, there are varying reasons for the involvement of the adolescent as well as why the adolescent was not involved in the custody arrangement decision. The feeling of the adolescent on their involvement or lack of involvement in the custody arrangement decisions has not been examined. In addition, little is known as to why some parents receive input from their adolescent while other parents do not seek out input from their adolescent.

Theory

Social exchange theory was used to guide the thinking and questions asked regarding how parents determine the custody arrangements of their children in this study. According to Nye (1978), there are four basic assumptions of the social exchange theory: (a) self-interest motivates individuals, (b) choices individuals make can restrict them, (c) individuals are rational beings, and (d) interdependence is a characteristic of social relationships.

A few of the primary terms and concepts of the social exchange theory are rewards, costs, profit, comparison level, level of alternatives, reciprocity, and distributive justice, fairness, and equity (Nye, 1978). Rewards are any satisfaction, pleasure, status, or relationship an individual enjoys and due to the enjoyment would like to take part in more frequently. A cost is something that discourages an individual from taking part in an activity, relationship, or status. Profits are

the outcomes of the rewards and costs experienced. The comparison level is when an individual compares the costs and rewards he or she experienced and evaluates the feelings experienced based on what an individual feels is a fair outcome. The level of alternatives is when individuals compare their outcomes with other relationships, statuses, or other things that are available.

Reciprocity is the social expectation that one should provide help or assistance to those who have helped or assisted them. Also, one should not injure or damage someone who has helped him or her, but when an individual feels hurt by another, it is rewarding for the individual to inflict costs on the individual that hurt them. The last concept of distributive justice, fairness, and equity means that the relationship between two people for the most part should be equal (Nye, 1978).

Social exchange theory is a fitting perspective to use when examining the decision making process, such as parents deciding the custody arrangements of their children. Based on the tenets of Social Exchange Theory it is assumed that divorcing parents faced with the decision of determining the custody arrangement of their children will weigh the pros (rewards) and cons (costs) of the array of custody arrangements in hopes of reaching a conclusion that provides a profit to both parents and the children. Most of the time, parents will want to obtain the custody arrangement that fits their wants and needs. Both parents will compare the custody arrangement decision made with what they think is fair, which is the comparison level in the social exchange theory. In terms of the level of alternatives, divorced or separated parents will examine the custody arrangements determined by others in the legal system, in mediation, or among other divorced or separated parents. Reciprocity is fitting for divorced parents determining the custody arrangements of their children in that if one parent compromises on an aspect of the custody arrangement, then that parent will expect the other parent to return the favor. When parents are

determining the custody arrangement of their children, the parents will expect an equal and fair outcome, however, their ideas of what is equal and fair may differ.

The Present Study

The custody arrangement of divorced families has been examined in various formats and settings. In the literature currently there is research on characteristics (e.g., income, education, etc.) of parents and children related to custody arrangements and how custody arrangements affect the well-being of parents and children. At this point in time, however, there are no studies that investigate the process of how parents determine the custody arrangement for their children following divorce or separation. Previous studies have examined adult children's perspectives on their thoughts or wishes of the custody arrangement they had growing up, but little is known about the involvement of adolescents in the custody arrangement decisions. The proposed study was one of the first, to my knowledge, to interview adolescents about their involvement in determining custody arrangements both when the initial custody arrangement was created and when changes occurred in the custody arrangements over time. The purpose of the proposed study was to investigate how parents determine the custody arrangements of their children and the type of involvement adolescent children have in the custody arrangement decision. The overarching research question for this study was: How are custody arrangements determined in divorced and separated families? Specifically, (RQ₁): How do parents decide on the custody arrangements for their children? (RQ₂): What type of involvement do adolescents have in the decisions regarding custody arrangements?

Chapter 3 - Methods

To obtain an understanding of the process of how parents determine the custody arrangements of their children following divorce, a grounded theory approach was employed. Grounded theory is an inductive method used to collect research with symbolic interactionism origins. A grounded theory approach utilizes the perspective that people negotiate their reality and it is constantly changing and evolving (Blumer, 1986). Grounded theory seeks to gain an understanding of “what is going on or what is happening (or has happened) within a setting or around a particular event” (Morse, Stern, Corbin, Bowers, Charmaz, & Clarke, 2009, p. 14). The researcher is able to gain an understanding of the processes and changes that occur over time when using grounded theory methods (Morse & Richards, 2002).

The purpose of grounded theory is to “generate or discover a theory” (Creswell, 1998, p. 56), and the theory is developed through an “intimate relationship with the data” (Strauss, 1987, p. 6). When a grounded theory approach is utilized, it is adapted and adjusted to address the research question being asked (Morse et al., 2009). Hypotheses are not determined beforehand, but are generated as the data are gathered and analyzed (Strauss & Corbin, 1990). In addition, the methods used to collect and analyze data demonstrate a determination to gain an understanding of the ways reality is socially constructed (Morse & Richards, 2002).

Grounded theory procedures were used to develop an integrated set of concepts that provide a theoretical explanation of how parents determine the custody arrangements for their children following a divorce or separation and the involvement of adolescents in this determination. The use of grounded theory in this study was an appropriate method to use due to the lack of research on how parents determine the custody arrangements of their children following divorce or separation. This method provided the opportunity to gain a more in-depth and detailed picture of how parents go about determining the custody arrangements for their children during the divorce or separation

process. Additionally, there is a need to develop substantive theory regarding this topic as it enhances our understanding of families determining custody after divorce, which in turn provides researchers the opportunity to assist and make recommendations that are appropriate for these families to practitioners, policy makers, educators, lawyers, judges, and others working in the field (Lavee & Dollhite, 1991).

Theoretical Sensitivity

In grounded theory, theoretical sensitivity is what the researcher brings into his or her work (Strauss & Corbin, 1998). A researcher's level of sensitivity depends on the literature he or she has read, other research he or she has conducted, and other work he or she has completed on the topic being studied (Strauss & Corbin, 1990). In grounded theory research, the researcher is a measurement tool; therefore it is essential for the researcher to acknowledge his or her levels of sensitivity to the topic being researched.

For me, the experiences I bring to the table are that my parents divorced when I was graduating from college. Although I was at an age when custody arrangements were not needed, I have seen several situations in which the custody arrangements determined have had an impact on the children in my family. In one situation the adolescent was in high school at the time of the divorce of his parents. This adolescent was left to fend for himself as both parents chose to move on and live their lives separate from their child. In another situation, I have seen a child beg to live with her father; however, the mother will not even discuss this possibility as it would impact the amount of child support she would receive and was concerned about what others would think of her as a mother if her child chose to live with her father. In these two cases I have seen the impact the custody arrangement has had not only on the children, but also the parents and extended family.

My interest in this area also increased after completing a Divorce and Child Custody course. The course focused on the use of mediation in divorce and children custody cases. I have also increased my understanding on the topic area of divorce and child custody as I have been reading the literature for some time. Additionally, I have served as a research team member for a study entitled “Communication among Parents Who Share Physical Custody after Divorce or Separation.”

In the course I completed and the research I have conducted, it is evident that an array of custody arrangements exist in families. One thing that has continued to intrigue me is how parents determine the custody arrangements for their children following a divorce or separation. For example, why do some parents choose a sole physical custody arrangement over a shared physical custody arrangement? In addition, a shared physical custody arrangement will look different for each family, meaning that for one family the children will reside with the mother one week and then with the father the next while in another family a shared custody arrangement may be the children residing with the mother Monday through Thursday and with their father Friday to Sunday. Furthermore, in the past several years, there has been an increase in support in the research and among practitioners for shared physical custody arrangements due to the potential benefits this type of custody arrangement provides children. For parents who choose a shared physical custody arrangement what are their motives or the factors that influenced this decision? These are the questions that have come to my mind as I have researched this topic.

Sampling and Sampling Strategy

Purposeful sampling was used to obtain information-rich cases from individuals who had experienced the phenomena and were strategically and purposefully selected (Patton, 2002). Criterion sampling was also used. This sampling method was used to examine cases that met the

predetermined criteria that sought to answer the following questions: Who fits into this category and who doesn't? and What are the boundaries of the sampling criteria? (Patton, 2002).

Men and women who fit the following criteria were recruited to participate in the study:

(a) divorced or separated from the fathers/mothers of their children; (b) had an adolescent child between 12- and 17-years-old; and (c) they had shared physical and legal custody arrangements. Shared physical custody was operationally defined in this study as when a child resides with or spends a minimum of 33% of the time with one parent and a maximum of 66% of the time with the other parent. In shared physical custody arrangements both parents are providing care for the child daily and the child resides with both parents. Shared legal custody was defined as both parents having the rights and authority to make decisions for the child regarding education, health and medical needs, and religious training. The rationale for the use of shared physical and legal custody in this study is due to the increase in the use of shared custody arrangements. Shared custody is becoming increasingly more common and, therefore, this was the population that was sought to be investigated. The custody arrangement utilized by the family was used to determine the custody arrangement rather than the arrangement listed in the divorce decree. Previous researchers have found that the custody arrangement followed is not always the same arrangement outlined in the decree (Maccoby et al., 1993).

Adolescent children of the interviewed parent who fit the following criteria were recruited:

(a) between 12- and 17-years-old; (b) parents were divorced or separated; and (c) parents had shared physical and legal custody arrangements. Adolescents from divorced households were the focus of this study for a number of reasons. Adolescents between the ages of 12 to 17 are better able to articulate their thoughts and feelings regarding their custody arrangement. Adolescent children over the age of 17 were not included in this study as there is a chance the adolescent may live on his or her own and a custody arrangement may not be utilized. In cases in which

multiple adolescents within a given family fit the criteria, the oldest adolescent was selected to be interviewed, if he or she agreed. If the oldest adolescent was not available or did not want to participate then the next oldest adolescent was selected. In one case, twin boys were in the family and both adolescent males were interviewed.

Unit of Analysis

There are multiple units of analysis in this study. According to Patton (2002), “The key issues in selecting and making decisions about the appropriate unit of analysis is to decide what it is you want to be able to say something about at the end of the study” (p. 229). One unit of analysis was the parent being interviewed and another unit of analysis was the adolescent who participated in the study. In addition, the family is another unit of analysis that was examined in the study.

Participant Recruitment

Prior to recruiting participants, approval of the Kansas State University Institutional Review Board was sought. Once approval was received, recruitment of participants began. In order to obtain participants for this study, a number of recruitment methods were utilized. One method was the circulation of flyers (see Appendix A) through both email and by posting in various locations on the Kansas State University campuses at both Manhattan and Salina as well as the surrounding communities. The superintendents of six area school districts (i.e., Wamego, Manhattan, Riley County, Clay Center, Rock Creek, and Topeka) were contacted and asked to circulate a flyer for both parents and adolescents to view. A post on the K-State Today email for faculty, staff, and students was requested and sent to the K-State community on all campuses. In addition, a post was placed on the K-State Salina Newsletter for faculty and staff. An email seeking participants was sent out on the National Council on Family Relations (NCFR) listserv. In a number of cases the recipients of the email forwarded it to others or posted in their office,

website, Facebook, etc. A post was made on Facebook requesting participants and was shared with a number of people. An email was also sent out to the faculty and staff in the College of Human Ecology at K-State. Recruiting through the NCFR listserv proved to be the most beneficial recruitment method. All flyers were removed following data collection.

Snowballing sampling techniques (Patton, 2002) were used in addition to the purposeful sampling method in order to recruit participants. Snowball sampling was used by asking participants if they know of others who might fit the criteria and then seeking those individuals out to participate in the study. In addition, Mark Gleeson, Director of Trial Court Programs at the Office of Judicial Administration of the Kansas Supreme Court, was contacted and asked to pass along or provide additional individuals to contact regarding participating in the study.

The recruitment materials provided information on the study, inclusion criteria, amount of compensation, and how to contact the author. Individuals interested in participating called or emailed the author, and each participant was screened using the inclusion criteria. If an individual fit all the criteria, an interview was scheduled. Sixteen participants did not fit the criteria and were not interviewed. All 11 adult participants and 12 adolescents participated in at least one interview.

Participant Demographics

The sample of adult participants was made up of seven mothers and four fathers (see Table 1). The ages of the mothers ranged from 30 to 53 years ($M = 40$ years), and the fathers ranged in age from 36 to 47 years ($M = 41.5$ years). Eight participants were White/European Americans, two were Black, and one was Hispanic. All participants had graduated from high school, 18% had Associate's degrees, 36% had Bachelor's degrees, 27% had Master's degrees, and 9% had Doctorate degrees. The length of the relationship with their ex-partners ranged from 18 months to 23 years and 8 months ($M = 13.51$ years), and the time separated ranged from 4

months to 13 years ($M = 5.41$ years). The participants' children ranged in ages from 3 to 24-years-old ($M = 13.8$). All participants had a shared legal and physical custody arrangement. The sample of adolescent participants was made up of five females and seven males who were children of the adult participants (see Table 1). The females ranged in age from 13 to 17 years ($M = 14.6$ years), and the males ranged in age from 12 to 17-years-old ($M = 13.86$ years).

Table 3.1 Participant Demographics

#	Sex	Age	Yrs. Partnered	Yrs. Separated	Child Age/Sex	Repartnered	Ex Repartnered	Race
Nancy	F	39	10 yrs. 5 mo.	9 yrs.	F(14)*, F(13)	N	Y	Black
Barbara	F	43	11 yrs.	9 yrs.	F(17), F(13)*, F(6), F(5)	Y	Y	White
Robert	M	47	22 yrs.	4 yrs.	M(17), F(14)*, F(12)	N	Y	White
Sarah	F	40	10 yrs.	10 yrs.	M(17)*, F(10)	N	N	Black
Laura	F	53	23 yrs.	6 yrs.	M(24), M(21), M(15)*, M(15)*	Y	Y	White
Michael	M	42	13 yrs. 6 mo.	6 yrs.	M(12)*	Y	N	White
Jennifer	F	37	18 mo.	13 yrs	M(19), M(13)*, F(7), M(4)	Y	Y	White
Ashley	F	38	15 yrs.	3 yrs.	M(18), M(13)*, F(8)	N	Y	White
Karen	F	30	12 yrs. 5 mo.	11 mo.	M(13), M(12)*, M(9), F(8)	N	Y	Hispanic
William	M	41	13 yrs.	7 yrs	M(14)*, M(11), 8(F)	Y	Y	White
Donald	M	36	13 yrs. 2 mo.	1 yr. 5 mo.	M(13)*, M(12), F(11), F(9)	Y	N	White

* denotes the adolescent that was interviewed.

Theoretical Sampling

I used theoretical sampling, a data collection method that focuses on the concepts and themes that come from the data. The concepts of the research drive theoretical sampling, which starts at the beginning of the first analytic session and continues to the end of the research process. The purpose of theoretical sampling is to test, refine, and elaborate on the relevant concepts. Theoretical sampling continued until all of the categories were saturated, meaning that no new or substantial data emerged and each of the established categories were thoroughly developed (Corbin & Strauss, 2008).

In a grounded theory study, a researcher strives to obtain a sample that has variation among the participants in order to have a broad range of data to use when developing theory (Patton, 2002). Theoretical sampling was used in this study in that both mothers and fathers were sought out as participants. In addition, participants from an array of socioeconomic statuses as well as participants with a variety of shared physical custody arrangements were obtained in this study.

Theoretical Saturation

Participants were recruited and interviewed until saturation was reached per the use of grounded theory procedures. Data were gathered until theoretical saturation (i.e., “all categories are well developed in terms of properties, dimensions, and variations”; Corbin & Strauss, 2008, p. 263) was met; the point at which additional data does not provide new insights. In order to reach theoretical saturation follow-up interviews were conducted with nine of the parent participants and two additional parent/adolescent pairs were interviewed.

Procedure

Once participants were identified as fitting the criteria of the study, interviews were scheduled either by phone or email, whichever was the preferred method of the participant. The

interviews took place at the participants' homes or on the Kansas State University campus. Interviews also took place using phone, Skype, or FaceTime depending on where the participants were located. Parents and adolescents were interviewed separately. Parents were asked to be interviewed first to help parents gain an understanding of what types of questions were going to be asked in order to increase the comfort level of the parent in allowing their adolescent child to be interviewed without being present.

A brief description of the study was read aloud to the parent participant. The parent participant was provided a copy of the consent form and I read the form aloud. The parent participant was given an opportunity to ask questions about the study, and then were asked to sign the consent form. I kept the signed consent form for my records and a copy of the form was provided to the parent participant. I asked the participant if he or she agreed to the interview being recorded. The interview then began in a separate room away from the adolescent. The parent interview lasted 45 to 90 minutes. At the conclusion of the interview, parents were told they would receive a copy of the findings of the study.

Upon completion of the parent interview, the parent and adolescent were asked to come together, and the consent form was read aloud to the parent and adolescent. The parent and adolescent were both asked to sign the consent form stating they agree to the adolescent participating in the study. A signed copy of the consent form was kept for my records and a copy of the consent form was given to both the parent and adolescent. After receiving consent from both the parent and adolescent, the adolescent and I went to a separate room to begin the interview. The adolescent was asked if he or she agreed to the interview being recorded. Once the adolescent agreed to the interview being recorded, the interview began. The adolescent

interviews lasted from 20 to 45 minutes in length. Each of the interviews was digitally recorded. The digital recordings were stored on a jump drive in a locked file cabinet.

Participants were interviewed once; after the data were collected and analyzed, nine of the early parent participants were contacted and follow-up interviews were conducted to verify the data. Data collection and analysis took place simultaneously, which allowed for the data to be verified. Participants were asked to verify the data and information emerging from the data analysis process. For example, I found a number of factors that influenced the custody arrangement decision making process. In the second round of interviews conducted with the participants, I shared these findings with the participants and asked if they felt the factors were relevant in their situation.

A semi-structured interview guide was used to discuss the custody arrangements among divorced or separated parents (see Appendix B). Topics covered in the interview process included how the custody arrangement was determined, the impact the custody arrangement has on the parent and adolescent, the involvement of the adolescent in the custody arrangement decision, and what resources were utilized in determining the custody arrangement (see Appendix C). Probing questions were asked throughout the interview process to seek further explanation from the participant or to clarify a response. Demographic data were also collected from the parent participants at the end of the interviews. Demographic questions asked of the adult participants included age, sex, length of marriage, who initiated the divorce, length of separation, current relationship status, education, occupation, income, racial and ethnic group, and the age and sex of their children. The demographic questions were read aloud to the adult participants and their oral responses were recorded on the demographic information sheet by the interviewer (see Appendix D). The same information was asked regarding the participants'

former partner. No demographic questions were asked of the adolescent participant. Although funding was not received for the study, each participant was paid \$10 for each interview.

After the interviews were conducted, they were transcribed verbatim into a Microsoft Word document. To assist with the transcribing process, the software Express Scribe was used to listen to the recording of the interviews. In addition, the software program NVivo was used in the data analysis process. NVivo is a software program that is helpful in collecting, organizing, and analyzing data in qualitative research.

Data Analysis

Grounded theory methods were used to develop an integrated set of concepts that help provide a theoretical understanding of how parents determine their custody arrangements following divorce or separation (Corbin & Strauss, 1990). The data were collected and analyzed as an integrated process, and therefore data collection, analysis, and theorizing were done simultaneously (Corbin & Strauss, 2008). Hypotheses were not developed prior to conducting the study so that the theory developed could be driven from the data collected. From a grounded theory perspective, a phenomenon is constantly changing and it is vital to examine the process taking place (Corbin & Strauss, 2008).

Coding

In grounded theory research, there are three types of coding: open, selective, and axial (Corbin & Strauss, 1990). Each of these phases of coding contribute to the analysis process and was utilized in this study.

Open coding is part of the interpretive process in which the data are analytically broken down. A main purpose for utilizing open coding is to gain new insights into looking at the data instead of using the standard ways of thinking about and interpreting a phenomena (Corbin & Strauss, 1990). Open coding was the process of analysis when transcripts were read and coded

line by line. As each line was read, a code or category was assigned to it to describe or identify what was occurring in the data. The codes determined during the open coding phase were the initial themes or essential elements of the theory being developed. In the open coding phase, the key categories and subcategories were identified. For example, after reading through the transcripts it was noted that custody arrangements were changing and adjusting over time in families; therefore a category was established called changes in arrangements. Themes were determined to be salient if similar thoughts were being expressed by multiple participants. In addition, themes were determined to be salient after much discussion among the analysts as well as data verification with second round interviews and new participant interviews.

Axial coding is the phase in which the concepts and categories are related or linked to each other. The properties, which are the “characteristics that define and describe the concepts,” and the dimensions, which are the variations within the properties that determine the specifics and range of the concepts, were determined in this coding phase (Corbin & Strauss, 2008, p. 159). Categories continued to be developed in this phase. Data continued to be collected while the data were analyzed. Axial coding was the step of the coding process in which concepts were related to one another. For example, a number of factors were found that influenced in the custody arrangement decisions, one of those factors was new partners. The concept new partner was then further broken down into two more specific concepts of former partner’s new partner and participant’s new partner.

Selective coding is when the categories identified are combined under one central category. The core category determined was a representation of the phenomenon being studied. Categories that need additional explication were discussed in descriptive detail (Corbin &

Strauss, 1990). During the selective coding phase, the codes were consolidated into one category or stand alone. The categories were expanded upon and described in detail.

Analytic Tools

A number of analytic tools were utilized to enhance the coding process. Analytic tools are “thinking devices or procedures” that are used to facilitate coding (Corbin & Strauss, 2008, p. 45). Analytic tools serve a number of purposes when analyzing data, including they allow the analyst to: (1) separate herself from the literature and her personal experience that might cause her difficulties in seeing the new possibilities in the data, (2) think outside of the standard way of thinking, (3) enhance the inductive process, (4) consider all aspects and not take things for granted, (5) provide the opportunity for clarification and exposing the assumptions of both the researcher and the participants, (6) listen not only to what participants are saying, but also to what they are doing, (7) decrease the chances of missing “diamonds in the rough” in the data, (8) force questions to be asked to change the way of thinking about the phenomena, (9) enable productive labeling of potential concepts and categories, and (10) recognize the properties and dimension of categories (Corbin & Strauss, 2008, p. 67). The analytic tools that were utilized in this study are discussed in more detail below.

Memoing

The transcripts were read and memos were compiled to discuss emerging themes and categories. Memos are written documents developed while analyzing the data. Memo writing provides a record to be kept and added to from the beginning of the analysis process to writing at the end. Memos allowed for each of the analysts to track and maintain their thoughts, ideas, and analysis of the data. Each analyst continued to write and develop memos as interviews were being conducted, transcribed, and analyzed. Memos allowed for a lengthier and more in-depth picture of what was occurring as well as the tracking of one’s thoughts regarding the data during

the analysis phase (Corbin & Strauss, 2008). All analysts used and shared the memos developed from their analysis of the data.

Use of Questioning

The use of questioning was an analytic tool that was essential to the analysis of data of this study. Asking questions provided the opportunity to “probe, develop provisional answers, think outside the box, and become acquainted with the data” (Corbin & Strauss, 2008, p. 69). This analytic tool was helpful through the analysis process, from the beginning to the end.

One type of questioning that was used was sensitizing questions, which are the who, what, when, where, why, and how questions. A sensitizing question example is “What is taking place here or how are situations defined?”

Theoretical questions were also utilized to try to assist with making connections with concepts and to gain understanding of the process taking place. Examples of theoretical questions are “What is the relationship between concepts or what might happen if x, y or z occurs?” Example theoretical questions that were asked in this study were “How do the factors surrounding the divorce influence the custody arrangement decisions?” or “How does the involvement of an adolescent change overtime?” or “Is there an ideal age for adolescents to be involved in custody arrangement decisions?”

Practical questions were useful in developing the theory. An example of a practical question used was “Which concepts are thoroughly developed and which concepts are not developed?”

The last type of question used was guiding questions. These types of questions evolved overtime. At the beginning questions were open ended; as the research process continued, the questions became more narrowly focused (Corbin & Strauss, 2008).

Comparisons

Data were analyzed using constant comparisons; pieces of data were compared for similarities and differences (Corbin & Strauss, 2008). The data analysis method of constant comparative is drawing on information collected from the data and comparing it to the emerging categories (Creswell, 1998). Incidents that were similar were grouped together into a category and were given a conceptual label.

Additional Analysts

As a way to ensure that my potential bias of my parents' divorce did not impact this study, two additional analysts, one of my major professors, Dr. Markham, and Kali Summers, a fellow graduate student, were used to analyze the data. Dr. Markham has researched numerous aspects of divorce and co-parenting. She is married and has not experienced a divorce herself or of her parents. Kali Summers is a master's student in family studies. She is also married and her parents are still married. As co-analysts, Dr. Markham and Kali assisted me throughout the analysis process and provided feedback, ideas, and verification of the findings in the data.

Chapter 4 - Results

The results chapter will address the two research questions of this study: (a) “How do parents decide on the custody arrangements for their children?” and (b) “What type of involvement do adolescents have in the decisions regarding custody arrangements?” The following themes emerged regarding how parents decide the custody arrangements of their children: custody arrangement decision making process, the costs and rewards of the custody arrangement decisions, and the factors relating to the custody arrangement decisions. Ten subthemes were found regarding the factors relating to the custody arrangement decisions: former partner, children, work, use of a lawyer, new partners, role of family, parenting role, place of residence, finances and divorce. In terms of the adolescent involvement in custody arrangement decisions the following themes emerged: level of adolescent involvement, input vs. decision, adolescents’ desires to have input, age and maturity, ideal age for adolescent involvement, and concerns regarding adolescent involvement in the custody arrangement decisions. Participant pseudonyms are listed in Table 1 and are included with each participant quote.

Parents Deciding on Custody Arrangements

Determining the custody arrangement for children after a divorce is not a simple task. Parents described what the custody arrangement decision making process was like for them, including how they weighed the costs and rewards of the custody arrangements they were considering. Ten factors were found to influence the custody arrangement decisions of parents. Determining the custody arrangement is complex and parents considered multiple factors while weighing the costs and rewards.

Custody Arrangement Decision Making Process

A number of parent participants described what the custody arrangement decision making process was like for them. Multiple parent participants described giving up and not wanting to fight anymore during the custody arrangement decision process or they were fearful of what their former partner would do. Nancy (Black female) explained that she was tired of fighting and she was pretty much throwing in the towel to end all of the arguing. “Literally it was waving a white flag and giving up. Just tired of the fighting, tired of the back and forth, tired of the intimidation...”. She also remembered a question her lawyer asked and she stated she just wanted the divorce process and determining custody of her children to be over.

We were testifying about the custody arrangement and his lawyer said, “Do you really think this is in the best interest-- or, do you agree that this is in the best interest of the children?” And I distinctly remember saying “No. But if it means that this can be over, then I’m fine with it.”

Laura (White female) expressed that she was fearful of what her former partner would do when they were making their initial custody arrangement decisions.

When we first got a divorce I would say I was fearful, mostly because I didn’t trust my ex-partner to have my children’s best interest in mind. It was like based on what was best interest for him, and so I didn’t trust that then, and he’s really kind of lightened up now so it’s a lot better now.

Donald (White male) expressed that the changes that were occurring in his family once the separation occurred was a difficult part of the custody arrangement decision making process. His former partner and he did their best to make it easy on the children, but it was still hard.

It was difficult. It meant less time with my kids, it meant a changed relationship, it meant pain, but because we were intentional about it, because we approached it

with reason, it was a lot easier than most people probably go through, I think. But it was still hard.

William (White male) felt the initial decision making process went well considering the circumstances. It was stressful, but he and his former partner were able to move past those feelings and do what was best for their children.

It was fine. I mean on the initial get go, it was a stressful situation because you don't want to be apart from them. I guess once you put your feelings aside and it is what is best for them. It all works out. Just the stress of not having them all the time.

There were a number of feelings and emotions connected to the custody arrangement decision making process, and how each family made their custody arrangement decisions varied.

Costs and Rewards

In alignment with Social Exchange Theory, parent participants reported weighing the costs, or negatives, and rewards, or positives, of the custody arrangements. Some participants considered and weighed the costs and rewards for themselves, while other participants weighed the costs for both themselves and their children. Nancy (Black female) provided a list of both the personal costs and rewards she weighed when making the initial custody arrangement decision; she sought to maximize her rewards.

Stability. Stability is a con. Security is a cost. In the beginning, anxiety, because one of the main goals from this custody arrangement was that he and I never needed to be in the same place at the same time. I do appreciate the fact that this has tried to minimize the amount of interaction that we had to have. Anticipating, are they gonna come today? Are they not gonna come today? Is he telling the truth about not going to work? Is he being deceptive? So, you know, your

stomach gets tight on a day that I know he's supposed to go to work, and then they don't show up after school and I'm calling and saying, "Where are you?" and they're like, "Oh, Dad picked us up." Communication is a cost, because there is none.

Michael (White male) explained that he started to weigh the costs and rewards for himself when his former partner asked for a divorce.

When I was approached by my ex-wife and she asked for a divorce, I agreed that we should divorce. You know my first thought of the parenting time, I'm the man and the husband and typically the husband ends up with the least amount of time with the children. So I was trying, I was preparing myself mentally to deal with that aspect that I wouldn't be as hands on with our son as I was.

As time went on Michael's former partner requested less time with their son and was wanting the participant to be more of the primary parent. Michael viewed the rewards of the custody arrangement as being able to have more of an influence in his son's life and be more involved. "I was able to have more time with my son and more influence in his life, and be able to watch him grow up more than just kinda short visits and short time frames with him." Both Nancy and Michael weighed the costs and rewards from their perspectives and how the decision would affect them and their lives.

William (White male) explained his perspective on the cost of the initial custody arrangement decisions. He felt the main cost was not having sole custody of his children. However, a reward was that his children would be able to attend the school where his former partner lived and that outweighed the cost. In this situation, William was willing to endure a cost in order for his children to be able to have the reward of a better school.

Well the disadvantage was not having them completely and solely. One of those decisions was the school that they were attending. It was just a better school than the one in the area I was in. So, as far as the court is concerned, it is 50/50 so they could have gone to school with me or where I was, but obviously the decision was made that they were in a better environment, better school for them.

Sarah (Black female) also weighed her costs with the rewards for her child both when making the initial custody arrangement as well as when making changes to the custody arrangement. She felt that she was the mean parent all the time as she had her son during the week. She did not have him much on the weekends and this limited the amount of fun things they were able to do together. She felt this was a cost, however she felt the quality time her son was able to spend with his father outweighed the cost for her.

During the week, it's like, bedtime, homework, whatever. So for a while, I was the mean parent. Because all they did at my house was bedtime, homework, whatever. So I would've loved to have weekends where we had nothing, but fun stuff to do. I also understood the benefit of him spending quality time with his father who he didn't get to see as much when he was smaller just because of when he would go to bed and that kind of stuff. And that he couldn't be over there all day during the day by himself, if his dad was gone somewhere. I think the exchange of time that I had with him, I gave up time and believed that it would be more important, with him being a boy, to spend quality time with a good role model.

These participants were willing to endure a cost regarding their custody arrangement decision in order for their children to reap the rewards of the custody arrangement.

Costs

A number of parent participants explained the costs they weighed in making the custody arrangement decisions. Time was viewed as a cost in two ways for the participants: (a) giving up time with the child, and (b) having the children the majority of the time and how this affected participants' social lives.

The time parents gave up with their children was a cost expressed by several participants. Laura (White female) explained that giving up time with her children was tough as well as trying to plan and schedule things for her family.

Well, like the time that I had to give up with [my children]. So we came to a head to give up the inconvenience of [scheduling events and activities]. That's still an issue. If I wanna plan something and then it falls on his weekend and usually he's pretty good about it like, "Yeah, that's fine. We can trade or you can have them, or whatever."

Time was expressed differently by Donald (White male). He explained that when making the initial custody arrangement decisions, he would have his children the majority of the time. By doing this, it created challenges with him having time in his life for things such as dating, however, he wanted his children to be raised in his faith so that outweighed the cost of the time commitment.

When it came down to things like if I don't have the kids every weekend, they might not go to church. Most people who are doing a joint custody relationship or have equal time [would say], "Okay, you have one solid week and I have one solid week and that's the way we're gonna split it up." But that would be the Sunday with them not going to church, and that was important to me. So yeah, weighing the costs and benefits, I set myself up to have my kids every weekend

without a break, and so one of the costs of that is I knew that when it came time to dating, that was going to be very difficult, cause I wasn't going to have custody or have my time with my kids and then put them with a babysitter when I went out on a date. I wouldn't wanna do that. So I knew very much a huge cost that I agreed to with that arrangement, but it was important to me for them to be raised in the faith.

Time as a cost was viewed in two different ways. For some participants, it is difficult to not have their children all the time whereas for others having their children the majority of the time impacted their social lives.

Rewards

The rewards of custody arrangements were expressed by several participants. What parents considered to be rewards varied on their custody arrangements and other factors in their lives. Karen (Hispanic female) voiced a reward regarding her initial custody arrangement was the consistency of her custody arrangement. She liked that her children could look at the calendar and know when they would be spending time with which parent. She felt the predictability was a reward for everyone.

This one [custody arrangement] currently [is] the same every week, well except with the alternating weekends. Let's say the kids were with Dad Monday, Wednesday, Friday one week and then Tuesday/Thursday the other. To me, the age my kids are at would not make much sense. So, it's predictable. The kids can look on the calendar and say okay, "That's Dad's weekend, Mom's weekend." They've done that already when there's been birthday party invites, and "Oh, hey, that's a weekend I'm gonna be with Dad. I need to tell Dad that..."

Nancy (Black female) voiced that not fighting and gaining stability were the main rewards from the initial custody arrangement decisions.

What do I consider to be a reward? We're not fighting more, like we were.

There's no more police calls, there's no more restraining orders. There is a certain level of, just like I worry about stability, there is a certain level of stability because they know that this week is Mom's week, this week is Dad's week. The counter side of that is, since it's Dad's week, is he going to work today, or are we going to Mom's today, or things like that. At least they know, this is Mom's week, this is Dad's week, if I need to do something, I need to ask this parent or I need to ask that parent. So there, while it's unstable, it's more stable than it was before.

Time was expressed as a reward for a number of participants. Robert (White male) explained that each parent was able to see their children as well as work with the demand of each parent's career. "For one, we both got to see or have the kids a fair amount of time and it was flexible and fits both of our professional requirements, or demands, I should say."

Multiple parents discussed that a reward was that both parents received equal time with their children. For example, Ashley (White female) felt like in the long run her children would appreciate that they were able to have equal time with both parents.

I guess some of the advantages are that they have equal time with both parents.

They do have some good times with their dad and they know that on certain days they get to spend time with Mom, on certain days they get to spend with Dad and so they have that to look forward to. I think it also gives them a little change too so they don't get bored easily because they are going back and forth. They have

certain routines with me and certain routines with their dad so there's some advantages there. Advantages that are yet to be seen is that, you know, I think that long-term they'll never feel like they were jilted out of time with either parent because they were able to see us equally.

Donald (White male) said:

The benefit is that they got as equal, split time as possible with their parents, given the circumstances that nobody wanted, nobody asked for, especially them. They got the best possible scenario that we could come up with, that included time with both parents, separately, and time with parents together. We have that planned in as well, where we still do family dinners and things.

The custody arrangement decision making process is multifaceted and parents often weigh the costs and rewards of the custody arrangements as they make the decisions for where their children should live. Ultimately, parents try to maximize the rewards of the custody arrangement for themselves and their children.

Factors Relating to the Custody Arrangement Decisions

Parents not only weighed the costs and rewards while making decisions regarding custody arrangements, but they also were influenced by a number of factors. Ten factors emerged from the data in this study that influenced the custody arrangement decisions of parents following a divorce or separation including: former partner, children, work, the use of a lawyer, new partners, the role of family, their parenting role, place of residence, finances, and divorce. Each factor will be discussed in detail.

Former Partner

For all 11 adult participants in the study, their former partners influenced the custody arrangement decisions. The influence of the former partner for some participants was negative

while for other participants the influence was positive. Nancy (Black female) discussed how the bad relationship she and her former partner had influenced the initial custody arrangement decisions as well as changes to the custody arrangement.

I think it impacted it a lot. Because I think a lot of it was done out of spite. I think a lot of it was done out of anger, and like I said, a great part of his decision to split custody the way that we did was based on his desire to reduce the amount of child support that he has to pay to take care of his children.

William (White male) discussed that he wanted a cordial relationship with his former partner as he felt that would make things easier.

It makes it a lot easier. When people get along you can pretty much get any situation worked out... I think it impacts it quite a bit because there's that line of communication so if something doesn't work out, you can discuss it with the other person and come to other arrangements. It is not black and white. I guess that's the best way to put it.

Donald (White male) described how his relationship positively influenced the way he and his former partner treated each other during the custody arrangement decision making process. "I mean-- we've always treated each other, even in spite of the pain we've caused each other, with general respect and care. And so all that went into the conversation about custody."

For Michael (White male), the mental health of his former partner at the time of the divorce influenced the custody arrangement decisions.

My ex-wife was going to go commit suicide in [name of location]. She had told me prior to leaving that would most likely happen and to be able to have everything [such as arrangements for their child and other living matters] in place,

to kind of take care of it. She was suffering from depression and bipolar and things. She said she wanted me to have sole custody and I was not going to fight her on that... I said, "I'll take the full sole custody, but we'll also share the time when you're available to share the time."

Michael and his former partner used sole custody terminology in their paperwork, however, the arrangement the parents follow is a shared custody arrangement.

Children

All 11 of the participants discussed a number of ways their children influenced their custody arrangement decisions. A number of participants shared that it was important to both their former partner and themselves to do what was best for their children. Barbara (White female) voiced,

I did think that he wanted what was best for the girls and what I felt was best for the girls. I'm not about to try to take a child from their parent. I thought it was best for them to have a dad in their life. If he wanted to be there, then I needed to give him that opportunity.

This was similar for another participant who discussed doing the best for his children and working together with his former partner. Robert (White male) explained, "I think we went through the divorce feeling like we were trying to do the best we could for the kids. And like I said, to maintain what we had to do to support the family."

William (White male) shared throughout the interview that his primary focus was on his children. He discussed wanting the children to live with him, however his former partner lived in a better school district and neighborhood so the decision was made for the children to live primarily with his former partner. "Again it's just their well-being, I mean their education, their

livelihood, opportunities present itself, you always want the best for your kids so... like I said I think generally it was just based on what was best for the kids.”

The schedule of the children and ensuring that their children are able to be active in their social lives and other activities was influential in the decision making process of the custody arrangements of some participants. Nancy (Black female) explained, “They’re girls, they’re busy. They have social lives and activities, they have hair, shopping, you know, all of those girl things that people do.”

Michael (White male) shared that he was concerned about the lack of a bond that had been formed between his former partner and his son. He discussed that he was worried about how his son would be impacted by not bonding with his mother.

My ex-wife never bonded with him [my son]. That’s one thing that the therapists were trying to get her to do was to actually bond and form a close relationship with him. She wasn’t able to do so and knew it. She knew her relationship with him wasn’t as close as my relationship with him. So that affected it quite a bit.

Both in her decision and in my decision.

Sarah (Black female) explained that the gender of her child influenced the custody arrangement decision at the beginning of the divorce and when changes were made to the custody arrangements. She felt because her child was male, it was important for him to be able to spend time with his father in order to learn how to be a man.

He’s a daddy’s boy. He really is, tried and true, really tight with his father. The fact that he’s a boy, I really think that he needs to spend as much time with his dad as possible cause his dad teaches him how to be a man so that played a huge role as well.

For Sarah, she felt it was important for her son to spend time with his father as his father teaches him how to be a man and is a role model.

Work

The work schedules of the participants and their former partners influenced the custody arrangement decisions for all of the participants. Two participants explained that the initial custody arrangement was created around their former partner's work schedule. Nancy (Black female) explained,

Well his job schedule was most important because I feel like if you're going to be their father then you need to be there and there's no point in raising two children in a house by themselves, while you're at work all day. And if that was one of the things the judge said, "So you're just gonna leave work and go check on them? And if between leaving work to check on them and going to a fire, how do you choose which one you're gonna do?" She wasn't real enthusiastic about allowing him to keep them when he was supposed to be at the fire station.

This was also voiced by Barbara (White female) in that the custody arrangement was designed to fit her former partner's work schedule. Barbara described that when meeting with the lawyer and discussing possible arrangements as they were divorcing, her former partner said that the arrangement would not work because he would be working.

We did the custody arrangement for certain purposes that worked around his job when we divorced. And then, you know, we looked at if it suit—then he started saying, "Well, but I work that day, I work that day. You know, I'm not gonna be home." So, that's when we kind of... just finagled it from there.

For Robert (White male) and his former partner's work schedules both influenced their initial custody arrangement decisions.

I wanted the kids more than just the Wednesday and every other weekend, so that's why I did Tuesday, Thursday...She works at two different [locations] and she's the school counselor where the kids go to school. They go to a private school...And she's the school counselor there. And then she's also an LPC where she has partners and sees clients on Tuesdays and Thursdays...So I decided on that with her because that fit with her schedule...It gave me time to be with the kids more. It does do a little bouncing back thing, but the kids have been very adaptable with it. And to be able to congregate those to aggregate those days and pull them all together instead of splitting up. It is just extremely difficult for me considering my profession and travel demands and such.

Robert also discussed that due to his work schedule, he is not able to have the custody arrangement he desired. "The demands of my job... I would have been able to take them a week at my house, a week at her house that type of deal, but I just I have a very demanding job."

Three participants explained that the flexibility in their work schedule and availability influenced their custody arrangement decisions initially as well as when changes were made to the custody arrangement. Ashley (White female) explained:

I have a basic 9 to 5 job, but [her work is] also flexible so that I'm able to go in early on some days so that I can leave earlier on the other days that [my daughter] gets off the bus so I can be there when she gets home.

Sarah (Black female) explained her past work experiences as a Social Worker and seeing parents fight over children in custody battles influenced her initial custody arrangement decisions.

[I worked] as a family preservation social worker and so I was tired of getting cases where he did this to her and just for custody reasons and so I knew then that I'd never need any of that stuff because I had to threatened to take people's kids away if they didn't stop acting like children.

The experiences Sarah had encountered with her previous employment influenced how she decided custody for her son. She did not want her son, her former partner, or her to have to go through those types of experiences.

Use of a Lawyer

A lawyer was the most common resource that was utilized by participants that was influential in the custody arrangement decisions. Nine participants utilized a lawyer in determining their custody arrangements, but four of the participants described how their lawyer influenced their custody arrangement decisions. Some participants expressed that their lawyers discussed their previous experiences they had with the judge and other custody cases the lawyer had fought for sole custody. Nancy (Black female) discussed that her lawyer had explained that the judge would want her former partner to have time with his children and it was unlikely she would be awarded sole custody. From these discussions and the past experiences of the lawyer, Nancy agreed to a shared custody arrangement.

He tried to fight for the best interest of the girls. But at the same time, he said that because of their father's work schedule, it was very hard to get-- and his knowledge of the judge-- very hard to get the full custody arrangement that I was requesting, because she was going to allow the father to have some time with them.

Laura (White female) discussed using her lawyer as a sounding board. She described talking things out with her lawyer and then figuring out the next steps.

She was very helpful. I bounced stuff off of her. I said, “This is what I think it should look like,” and she played a big role in it like, “Ok I think we should do this. What do you think?” I mean we kinda figured it out together, her and I.

Jennifer (White female) voiced that her lawyer pressured her to make decisions regarding her custody arrangement in order to not go to court and argue the decision. She felt that she did not get the best advice and assistance from her lawyer. She explained, “He convinced me that if by going to court that’s what the judge would decide versus just being willing to go to court.”

Robert (White male) shared that his lawyer had minimal influence in the custody arrangement decisions. He explained that he and his former partner made the decisions and received little bits of advice from the lawyer on certain aspects such as the holiday schedule.

We did a noncontested process and so basically they said, “Here’s the options, here’s how people do it differently, you know, you decide on what you want to do.” And then the only thing he gave structure to really was the holiday schedule, who gets them when, so we have a pretty well defined holiday schedule.

Although some of the participants were influenced by their lawyers in the custody arrangement decision making process, Barbara (White female) explained that she did not allow her lawyer to influence her, even though he tried. She said that the lawyer (whom she shared with her former partner) told her that she needed to try to receive more child support or other things.

He was actually concerned. I mean he was like “Oh man we got to go get him and I know I’m working for both of you, but you don’t want to do this,” and the child support was very lacking and he’s like, “You gotta go for this.” It’s almost like he was a bulldog wanting to go after him, and I was like, “Okay I don’t think you get

it. I don't want to do that because if I do that, then that's animosity, that's fighting. That's not good for the kids. You know, I'll be okay with what we've set up, I'll be okay. That's all that matters and the girls will be okay."

Two other participants did not use a lawyer. William (White male) discussed that he and his former partner received a packet of information to fill out regarding their wishes and desires of custody arrangements. William and his former partner sat together and discussed things as they completed the packet together. There was minimal to no influence from the legal system.

None I mean we were given the packet and we filled out the packet and we sat together um to fill out the packet. And discussing things as we were going through it so you know by the time a judge had gotten it you know he asked us a few questions to determine if it was on our sole decisions and that was it.

William and his former partner determined the custody arrangement for their children. There was minimal involvement from the legal system, only to sign off on the decisions made by William and his former partner.

New Partners

The new romantic partners of both the participant and his or her former partner's new partner were influential in the custody arrangement decisions of parents.

Former Partner's New Partner

For some participants, a new partner was positive, in that the participant felt that their former partner's new partner was a good caregiver and was comfortable with the new partner's involvement. Often times the new partner was influential after the initial custody arrangement had been determined and was a part of changes or adjustments made to the custody arrangement. For example, Jennifer (White female) explained:

When we went to [another state], I was more okay with [my child] going to stay with his dad for the school year because of his partner. If he would have still been with [his previous partner], there would have been no options. I would not have let him go back up there because she was just not a good person. Where this one is a good person, but she had no influence like in our current [custody arrangement].

Ashley (White female) had a similar perspective of her former partner's new partner. She discussed that she would not allow her children to spend as much time with her former partner if it weren't for his new partner.

I would have to say, and this is probably not an answer that you would often hear of, but if she was not in the picture, and it was just him when the kids went over there, I'm not so sure that I would have gone for a joint custody arrangement. I would have fought tooth and nail probably for full custody even if I would have lost because they wouldn't have been able to prove you know mental, physical, or sexual abuse. I mean there was enough from therapy and stuff that there would have at least been suspicion of emotional distraught to the kids and that maybe I could have one because I don't think that they're in the best hands with their father, you know, 50% of the time without somebody being there that actually gives a shit.

Ashley continued to share her appreciation for her former partner's new partner and she was glad that her former partner's new partner is involved in her children's lives.

Well, she does a lot of what he should be doing. Like I said before, if it's his weekend and the kids are there and the kids have activities and I go and show up

at the activities, like [my child] has a basketball game, for example, his girlfriend will take [our child] to the basketball game. If there's something going on at the school, rather than him taking the kids, she'll take them so she's kind of stepped into his role.

Other participants discussed negative aspects of their former partner's new partner and the influence their new partner had on the custody arrangement. For example, Nancy (Black female) discussed wanting to limit the time her children were exposed to her former partner's new partner.

She's crazy. Part of me felt like she didn't have custody of her own children, so why would you then trust her of the custody of your children? So limiting their exposure to her was also important to me...I was attempting to prevent her exposure in the beginning because she treated them like dolls rather than people, and I think part of that was just because she was so excited to have two girls because all she has is boys. They would dress up, and they would do hair, and they would do makeup and all those things you do with your dollies when you're little. And I was concerned that these were actual people that you're dealing with.

Laura (White female) explained that her former partner's new partner is difficult and her children don't get along with her very well. She provides her children with suggestions and advice for how to handle their concerns with their father's new partner.

Well, she's very difficult. She's not difficult for me, like we talk just fine, but she's very defensive and kinda paranoid and just upsets easily and that kind of thing and everything has to kinda be her way and so that makes it hard on the boys. Mostly what I know is just what they tell me. And they'll say, "You know

she really gets under our skin and we can't..." and you know they'll give me examples. It's just kinda silly stuff. But, because they're upset, that makes me say to them "Well, I think you oughta talk to your dad and maybe you could tell him that you only have this much time to spend with him," or, actually, I told [my son] last weekend "You need to sit down with your dad and you need to tell him, 'Dad I like spending time with you. I wanna see you, but [your new partner] makes me feel like this and so that's making it hard for me to want to be there,' and the space issues and the hoarding and all the other things that are bothering you."

The former partner's new partner can create challenges to the custody arrangement. Laura's children did not want to be around their father's new partner and the new partner impacted the amount of time her children wanted to spend with their father.

Participant's New Partner

The participants' new partners often were not influential in the custody arrangement decisions when the initial custody arrangement was determined, but the new partners influenced future arrangements and changes to the custody arrangements. Barbara (White female) shared that her new partner is involved and flexible with the custody arrangement of her children. "He'll do whatever works. Very easy going. He's divorced himself and has a very good relationship with his ex and they do the same thing we do."

Laura (White female) shared that she discusses things regarding her custody arrangement with her former partner. Her new partner offers input and advice in the discussion surrounding the custody arrangement decisions.

I discuss things with him [my new partner]. He has a big interest in the boys and what's best for them and he provides financially everything for them. So my ex-husband is not paying child support. We had an arrangement when I sold the

house. My husband now weighed in on that and said “You know, I think that we should let him out of the child support because I think he’s gonna declare bankruptcy and we won’t see that child support anyway. And then in exchange for that he can, like give up his portion of the house when we sell the house that we were living in before.”... So my new husband does weigh in on the decisions. I do talk to him. Also, my twins have told me that if anything ever happened to me that they would like to stay with my new husband. They wouldn’t want to live with their dad. I don’t know if the state would ever let that happen, but...

William (White male) voiced that his new partner does not have much influence on the custody arrangement, but once the new partner and participant are married, his new partner will start to have more of an influence once they are committed.

None really I mean she has her opinions about things...I mean she’ll have her opinions and I’ll listen to them, but I’ll generally make whatever decision needs to be done... I mean once we’re married you know she’ll have more authority over situations.

William would hear out his new partner regarding her thoughts on the custody arrangement, but she would not have a say or be influential in the decisions made until they were married.

Role of Family

In this theme, there were three ways the participants’ or their former partners’ extended family influenced the custody arrangement decisions of the parents: (a) Family backgrounds of the participants and their former partners, (b) consulting extended family members regarding custody arrangements, and (c) the role extended family members played in their children’s lives.

Family Backgrounds

Eight participants had experienced the divorce of their parents growing up and two participants were raised by a single mother. Four participants' former partners had faced a divorce of their parents in their life. The experience of their parents' divorce or their former partner's experience of divorce was very influential in determining the custody arrangement decisions. Participants that experienced the divorce of their parents voiced not wanting their children to have the same experience. Donald (White male) discussed that he did not want his children to go through what he did when his parents divorced and this impacted the initial custody arrangement decisions he made as well as changes to the custody arrangement in the future.

So my experience of my parents' divorce was a huge influence on arranging our custody decisions, because I didn't want the experience that I had for my children.

I wanted them to have more access to me than I felt I had to my parents, and to their mom, for that matter. So, that was a big one. Um, probably the biggest.

Barbara (White female) described her experience as a child watching her parents' divorce influenced her initial and future custody arrangement decisions. She knew that she did not want her children to have the same experience she did as a child.

I never had a dad around when I was little and then my stepdad had taken off like 10 years after my mom and he was the only dad I ever knew. And then after they divorced, a couple years after that, he had met a new, well I think they had met before, but they got married and moved on about their business and she did not like the fact that I was still involved in his life. She said I wasn't really his kid. So I think the fact that I felt like you know as a kid my "dad" or dad I ever knew was stripped away from me. I don't want to do that to my kids.

Sarah's (Black female) father was not involved in her life growing up. Because of this, she wanted her former partner to be involved as much as he wanted to be in their child's life.

I would say that I didn't have a lot of interaction with my dad as a kid, and so I didn't want that for [my son]. So I definitely wanted him to have him as often as he wanted to, 'cause I knew that was important. So I would just say the lack of contact with my father as a child made me really even bend over and my mom always says, "What, you don't have your kids again?" and I'm like, "They want to be with their dad. Nothing I can do about it." So, I think that's the biggest piece.

William (White male) described how his experiences with his father influenced his view of the father figure he wanted to fill for his children and, therefore, impacted the decisions he made regarding his initial and future custody arrangements.

My dad wasn't around; he was kind of a drunk. That was a good indication of what not to do. It was pretty easy from that point...It was major. I mean that's why you make the decisions that you do in life. It's just because of things that you encounter along the way.

The family background was a factor for a number of participants and how they determined the custody arrangements of their children. Many parents expressed not wanting their children to go through what they did as a child and wanting to make it better for their children.

Consulting Extended Family

Participants also consulted extended family members in determining the custody arrangement of their children. Barbara (White female) discussed that she and her former partner talked with their parents about the initial custody arrangement prior to making a decision as their parents would be assisting with watching and caretaking of the children if needed. "Then grandparents to a degree because we knew that they'd be helping out with watching the kids and

not that we asked their opinions, but we considered when were they off from work, when were they not.” Consulting one’s extended family to assist with providing child care for their child was one way the role of family was a factor in determining the custody arrangements of children.

Role of Extended Family in Children’s Lives

The role extended family played in the lives of their children was also influential in the custody arrangement decisions. Donald (White male) and his former partner discussed continuing to involve their extended families in the lives of their children after the divorce. Donald and former partner decided that each other would attend family reunions with the kids and former partner after the divorce. This was met with mixed feelings by their families who did not quite understand.

There was always the belief that grandparents needed to still be involved, regardless. And so, if there was a family reunion or grandparents passing through town, or my mom lives here locally where we are now. There was always the expectation that extended family would still be involved. Initially, there was always discussions that we’d still attend each other’s family reunions together, under the idea that, like, for my family reunion for example, if my children are invited then their mother is, also. And some of my extended family didn’t really understand that, or like that, or appreciate that, but I didn’t care. This was about my kids.

Donald wanted to ensure that extended family members would continue to be involved in their children’s lives. He felt this was what was best for his children and took steps to enable his children to maintain and build those relationships with extend family members.

Parenting Role

There were multiple layers in regards to the parenting role factor. The parenting role was defined as the role the parent felt he or she fulfilled for their children. The parenting role factor is a combination of the participants' view of their parenting role as well as their former partner's parenting role. One aspect of the parenting role participants discussed was the role of being the primary caretaker for the children. Nancy (Black female) discussed that she was, and continues to be, the primary caretaker of her children.

Because I was doing everything. I still do everything. I still show up for practices when it's not my days, I still have to take care of things when it's not my week. And I'm okay with that because I kind of know that if I don't, it won't get done, but, that was, again, if I have to do it full-time, I might as well have them full-time, was my mentality.

Laura (White female) described that she was the parent that was responsible for meeting her children's needs and, therefore, when deciding the custody arrangement, she sought for her children to spend the majority of time with her.

Well I think I thought that as the mom I was probably the nurturing one and I thought they needed more of that so I thought they should be with me more of the time. And I was the one that took care of most of their needs.

Another aspect of the parenting role factor was in relation to how the participant felt about their former partner's parenting role. Nancy (Black female) felt that her former partner is a good dad and loves his children. Knowing this played a role in her custody arrangement decisions.

He's a good dad. I'm not gonna say that he's not a good dad. He's a good dad. He makes some questionable decisions, but, you know, we all do. He loves his

daughters, and I knew that. And that was one of the things that I told my attorney is, you know, whatever happens, I know that he loves them. Now, does that mean that they need to be with him all the time? Probably not. But he does need to have a significant amount of time with them because I know that he does love them.

Sarah (Black female) discussed her feelings toward her former partner and his parenting role. She was confident in his abilities to care for their child and did not have concerns for the safety of their child, therefore, she was willing to have a shared custody arrangement and for her children to spend a substantial amount of time with their father.

The fact that he was a good parent influenced it a lot. I knew he would always put my son first, and so, I never had to worry about him at all with [my son]... I never had to worry about his safety or influences or anything like that when it came to him being with his dad. I knew he would always be safe and there would never be anything going on.

Laura (White female) shared that she had concerns for how her former partner would parent and care for their children. Due to this she tried to limit the time her children spent with their father.

Well in that I thought he was lousy at it. I just thought he didn't, he doesn't do the dad thing well so I just, you know again, I didn't trust him so I really limited how much time I wanted him to have them. He's not good at providing needs or any of that so...

For two male participants they shared that their custody arrangement decisions were influenced by their desire and need to fulfill the father figure role for their children. William (White male) said:

I mean obviously they needed a father figure so that was me and since the time they were young it was it was kind of my thing to come home and play with them and do things with them and that was important to keep up.

A similar point of view was voiced by Donald (White male). He felt both he and his former partner's roles were important and could not be replaced or filled by someone else.

I've done a lot of exploration of the role and importance of fathers. And so that was a big deal to me, to know the impact of father absence. So that was a big part of making sure that-- and, also because I wanted to. I wanted to be with my kids, they're my life. But I also wanted them to have their dad, I know that that's a big deal. Not that the mom's not important, but just for my role, it was very important for me to be a consistent part of their live.

Donald went on to share his perspective of the role his former partner fills for their children.

"She has a very important role as their mother that's irreplaceable, even with a very loving and quality and dedicated stepmother that they have now. Nobody could ever fully replace their biological mother." Donald felt that his former partner fulfilled a vital role and wanted to make certain that she nor their children felt that she was replaced.

Place of Residence

There were three ways the theme place of residence was demonstrated in this study: (a) living within close proximity to their former partner, (b) home environment, and (c) location of where a parent resides.

Close Proximity

A few of the participants lived in close proximity of their former partners. In some cases this was within a few miles or even a block or two. This close proximity allowed for the parents to be flexible when deciding their custody arrangement as well as throughout the years with

adjustments that needed to be made to the custody arrangement. Robert (White male) bought a home close to his former partner to allow his children ease in traveling to each parent's home as well as being able to see each parent as often as the children and parents would like.

I went so far as to when she bought a home, then I purchased another home about three quarters of a mile from them. For the purpose of them, because when they were younger if they had to ride their bike or walk, if they had to get from one home to another they could. And we worked very well like that together.

Robert explained that living close together allowed him to see his children as much as possible.

He will soon face a change with his former partner and children moving 20 minutes away.

Robert described the changes to the custody arrangement he thought would happen once his former partner and children move.

With my son, he'll probably at times just choose not to come over because of paying for gas. He drives a big truck. So I mean it's a \$7.00 round trip every time and then just the convenience and the amount of time that I actually get to spend with them is gonna be decreased by just being in a car, well you know what I mean, quality time, and there will probably be more of those incidences and as the girls get older. [My daughter], the one you talked to, is now 15 and so when she drives, she'll probably say, "I'm not going to drive that far."

The close distance for Sarah (Black female) allowed for the parents to be flexible and adjust the schedule of the arrangement if needed.

The locality of it, I think, played a large role. Because we're so close together, there have been times when we literally have lived two minutes apart from each other. Like, around the corner, or whatever. So, because we're so close together, it

makes it easier. So, okay, tonight you can stay here, it's not a big deal, you're going to the same school, stuff like that. Doesn't change things a lot, so I think that plays a big difference-- a major role.

Karen (Hispanic female) shared that because they live close, the arrangement is feasible and that it would not be if she and her former partner lived in different areas.

I think because both Dad and I are in the area, it was reasonable and possible to do the every other weekend and like I said, if we were in a different state, every other weekend would not be possible. So, it would probably be 50% of the summer and maybe a week between Christmas and New Year's.

Living in close proximity allowed for some participants to be flexible with their custody arrangement as they were near one another and could work things out easily.

Home Environment

The home environments of the participants was also influential in the custody arrangement decisions. A number of participants discussed that the living arrangements and where their children would sleep or whether or not their former partner had a stable home for them to live in was influential in the custody arrangement decision. Two participants shared their concerns regarding the home environment of their former partner was not something they were comfortable with. Nancy (Black female) did not feel her former partner was able to provide a stable home for their children.

In my opinion, he was not providing a stable home, because they were moving, like, every two years, to accommodate the situation or whatever. Having him tell me that if he was going to be forced to pay child support then my children would become homeless was a great influence on my decision. And then the repercussions of that, it was a lot.

Along the same lines, Laura (White female) discussed that she was concerned with her children not having space or a place to sleep at her former partner's house and, therefore, wanted the children to primarily reside with her.

I needed to keep them most of the time, because I had the space. He did not have the space... He didn't even have beds for them really. They slept on the couch and I don't know. It was terrible. He only had a one bedroom apartment.

Laura wanted her children to have space of their own and places to sleep. She wanted them to feel as if it were their home. Her former partner was not providing this type of home environment for her children and, therefore, she felt her children should spend the majority of their time with her.

Location of Where a Parent Resides

The location of where a few of the participants lived was a deciding factor on the determination of the custody arrangement. For two participants the school district their former partners lived in had a major impact on the decision. William (White male) wanted the children to reside primarily with him, however, he changed his mind in order for his children to attend a better school and be in a better neighborhood. "Honestly she was in a better area, better school district, so that influenced it."

Ashley (White female) shared that her living outside of the school district impacted her decision to share custody. She did not want her children to switch nor did her children want to switch schools.

Where I lived at the time of the divorce and everything was out of the school district so that did play a factor in me wanting to make sure the kids were able to remain in their schools. So not knowing exactly when I was going to be able to move back to the school district where I am now, that did play a factor as well.

Barbara (White female) shared that she moved out of the family home, which her lawyer told her was odd, so that her children would want to go home and see their dad. She was concerned if she kept the house that her children would not be interested in going to see their dad if he lived in another place or house.

I let him keep the house. And my lawyer thought that was very odd. He said, “You gotta go fight for that house,” and I said, “No because he’s gonna have a really hard time having a relationship with these kids ‘cause that’s not his strong suit and they’re not close with him. They need to be comfortable when they’re with him and if they’re going to Daddy’s in some apartment or some other place, they’re not comfortable there.” So I told him, “I want you to keep the house.”

The neighborhood and school district a parent resides in was a factor considered for some participants in making their custody arrangement decisions. Parents wanted their children to attend the same school or go to a good school after the divorce or separation. In addition, parents also wanted their children to grow up in a neighborhood and community.

Finances

Two participants reported that their financial status influenced their custody arrangement decisions. Both of the participants expressed that due to financial reasons they were unable to receive the custody arrangement they desired. The participants explained that fighting for the custody arrangement they desired was and would be expensive.

Jennifer (White female) explained that she was forced to make a final decision regarding her custody arrangement due to the cost of her lawyer and trying to get her former partner to agree to the custody arrangement she outlined with her lawyer. “Settling outside of court, so that it could attempt to minimize [the cost], which I’m not sure that it did.” By settling outside of

court, she was and continues to be unhappy with the decisions made regarding their custody arrangements.

Ashley (White female) reported that she was unhappy with the custody arrangement she currently has, but is unable to change the custody arrangement because she is unable to afford it. She hopes in time she is able to save up enough money to be able to seek and obtain legal custody of her daughter.

It [finances] has affected it since [the divorce was finalized] because there has been enough combativeness with him with regards to my daughter's medical care and her health care. I would take him back to court today if I had the money. To press for full legal custody 'cause now I have enough evidence for a judge to say "Ok yes, this is what needs to take place," but I can't 'cause I can't afford it.

Although finances was an influential factor for some participants, others did not feel that their finances influenced the custody arrangement decisions of the child. Barbara (White female) explained that she was working part-time so there was not a great deal of money available, but that did not affect the decisions made regarding custody arrangements.

I was part-time at the time, so there was not a lot of money coming through, but I don't know that the custody would have necessarily changed. It changed the way that we set up money, but it didn't necessarily change custody.

Sarah (Black female) shared that she and her former partner had similar financial statuses and, therefore, it was not an influential factor in determining their custody arrangements. "We were both poor, so it didn't really play a role in whether or not, who got him, or, like, whoever gets him." William (White male) simply said, "It wasn't in the determination at all." Finances

were not a factor for some participants whereas for others, they were unable to seek the custody arrangement they desired due to their financial state.

Divorce

The reasons or issues surrounding the divorce was an influential factor for five participants. Karen (Hispanic female) discussed that due to her former partner's unfaithfulness, she should get to have her children as she was not the one that chose to leave the marriage or family. Karen said: "Okay, so personally I think of myself as the victim of an affair. I felt like Dad chose to leave with another woman, so the kids and I are right here, and I should raise my children."

Ashley (White female) shared that her divorce with her former partner was tense and ugly. The negative aspects of the divorce influenced her decisions to seek shared custody with her former partner.

The divorce itself was really ugly and there was a lot of parental alienation on their father's part. And I mean I can't say that I didn't say an ugly thing here or there either, or at least not that wasn't overheard usually not specifically to the kids, but there was a lot of ugliness going on and so the divorce itself the way that it went down and the way that it was impacting the kids. I guess that somewhat influenced my decision to go with the joint custody. Also again because I thought that it would best for them to have their own experience and their own knowledge to base their own decisions and judgments.

The ongoing divorce proceedings and fighting that occurred with Nancy's (Black female) former partner impacted her shared custody arrangement decisions.

The fact that I just wanted it to be over. I was tired of fighting, and I needed closure. I needed to be able to move on. And it, you know, festered for four years

and it turned into pretty much everything that I lived and breathed, and I was ready for it to be done...So, pretty much whatever they said at that point, that's what I was going to agree to. 'Cause I was ready to move on.

The six other participants voiced not allowing factors surrounding their divorce to influence their custody arrangement decisions. Robert (White male) shared that infidelity occurred for both him and his former partner, but both were able to focus on the children and not let the factors of the divorce intervene in determining the custody arrangement of their children.

We didn't allow any of that to happen and to be honest I mean we were both unfaithful... Regardless of whose feelings were hurt, and both of our feelings were hurt, I own what I did and I can't speak for her on anything, but we tried our best to keep that between us and not the kids.

The reasons and issues surrounding the divorce or separation carried over and influenced the custody arrangement decisions for some parents. For other parents, they made sure to not let the reasons and issues for their divorce or separation influence their custody arrangement decisions.

Adolescent Involvement in Custody Arrangement Decisions

Regarding the second research question, "What type of involvement do adolescents have in the decisions regarding custody arrangements?" The type of involvement an adolescent had in the custody arrangement decisions varied from family to family. Parents and adolescents explained that there is a distinct difference in receiving input from the adolescent regarding the custody arrangement decision versus allowing the adolescent to make the custody arrangement decision. Adolescents also voiced their desire to have input in the custody arrangement decisions as well as their view of fairness in the custody arrangement decisions. The number one factor that emerged regarding adolescent involvement was the age and maturity of the adolescent. Both

parents and adolescents believed that an adolescent needed to be of a certain age (although that age was difficult to pinpoint) in order to be included in the custody arrangement decision making process. Finally, concerns from both parents and adolescents were described regarding involving adolescents in the custody arrangement decisions.

Level of Adolescent Involvement in Custody Arrangement Decisions

Adolescents and parents both offered their perspectives regarding receiving input from adolescents in custody arrangement decisions. The level of adolescent involvement in custody arrangements varied. Nine of the 12 adolescent participants were involved in the custody arrangement decisions in one way or another at some point in time. One adolescent participant came up with the arrangement that was followed in her family at one time, three adolescent participants had increasingly more involvement in determining the custody arrangements over time, and three adolescent participants were told what the custody arrangement was going to be and were allowed to express their thoughts and opinions. Another adolescent participant had a unique level of involvement; he was not involved in the custody arrangement decisions initially, then he was allowed to choose which parent he resided with for one year, and then he was not allowed to be involved in the custody arrangement decision. One adolescent participant met with a psychologist who then conveyed the adolescent's wishes to the judge; the judge then determined the custody arrangement. Three adolescent participants did not have any involvement in the custody arrangement decisions.

Adolescent Perspectives

Adolescents described the type of input they had in their custody arrangement decisions. In this study, only one adolescent, at one point in the custody arrangement decision making process, determined the custody arrangement that was followed for a short period of time. Her parents later adjusted the custody arrangement. Nancy's daughter, age 14, explained,

For a while we had one I came up with that I don't remember what it was, but then our dad was like "wouldn't it be easier if we did every other week" and me and my sister both agreed, so he did ask us first.

Some adolescents did not determine the custody arrangement, but their feelings about the custody arrangement were sought by their parents. For example, Ashley's son, age 13, recalled his parents sitting down and asking if he and his sibling agreed with the custody arrangement that was determined. "I remember them sitting down at the table and they were like, 'Here's the schedule. Do you agree with this all?' and we were like, 'Yeah, sure' 'cause it will split directly in half."

Other adolescents were not involved in the custody arrangement decisions at all. Robert's daughter, age 14, explained, "I was really young so it wouldn't really matter anyway." Adolescents had an array of involvement in their custody arrangement decisions from making the decisions regarding the arrangement to no involvement at all.

Parent Perspectives

Parent participants shared their perspectives regarding involving an adolescent in the custody arrangement decisions, and a number of parents discussed the positives and negatives of involving an adolescent. Sarah (Black female) felt that custody decisions are adult decisions. She was uncertain about involving her adolescent, but her former partner felt her son should have a say in the custody arrangement decisions. When the initial custody arrangement was determined, her son did not have any involvement, but as he got older he was involved when the custody arrangement was changed.

Well, I think for the most part I was a little on edge at first 'cause I'm kinda like, "That's adult decision making. This should be decisions between adults," but his father [was] like, "Ya know, he's 17-years-old, or at the time he's 16 years old, he

should be able to have a say in what's going on in his life," and I was like, "Well, okay." So, a little weary, but kind of understanding the process of, ya know, if I wanted to be able to make a decision as an adult then I have to kinda listen to his decisions now at this point to see kinda how good they are. So [I was] a little uneasy at first, but overall I think it's important that he is involved and gets a say to where he wants to be and why.

Laura (White female) shared a similar perspective of feeling that her adolescents were starting to become adults and should be able to have a voice in the custody arrangement decisions. She explained that she and her former partner had differing views of allowing their adolescents to have a voice in the custody arrangement decisions. Her former partner felt that parents should be the authority figure and tell their adolescent what they will be doing.

Because they're 15 and I feel like they're on their way to becoming adults and they should have some say in the matter now. It's interesting you would ask that because my ex-husband felt like one of the things we had argued about for a while was "Well we're their parents and we should tell them what they're going to do," and I just said, "I think you have to pick your battles. And I they should be able to make some of their own decisions, and I want them to be happy with the arrangement." And I will tell you sometimes when they come back, they've been really stressed and upset. And so, I just feel like giving them more say in the situation helps that.

Some participants did not involve their children at all in the custody arrangement decisions. Karen (Hispanic female) explained why she did not involve her children in their initial custody arrangement decisions.

I think we just didn't decide to involve them. Not that we sat and thought, "Well the kids shouldn't have a say in this." I don't know if, and of course, Dad isn't here to answer that, but I think in my opinion it was a matter that, I mean not even the adults were gonna decide, like the court system was gonna decide this. And then we'd notify the kids. Like I said, maybe if we only had one child we would have wanted their input, but with having four, I just think there would have been so many different opinions and even then no child has say-- even a parent doesn't have complete say over all that comes down from the judge. So I just think we didn't ask the kids "What would you like?" I don't think Dad did, either. So, they were just notified of what was happening.

Parents expressed reasons for including their children as well as not including their children in the custody arrangement decisions.

Input vs. Decision

Parent and adolescent participants both expressed that they felt there was a difference between receiving input from an adolescent and allowing the adolescent to make the custody arrangement decisions. Input for the participants meant the adolescent was able to express their opinions and feelings about the custody arrangement being implemented. Decisions meant that the adolescent had the final say and made the decision about what the custody arrangement would be followed by the family. Barbara (White female) discussed that she felt that her children should have some say, but not make the decision. "I think it's important that they have some, I don't wanna say choice in it, but we need to consider their feelings on it." This was similar to the thinking of Sarah (Black female) in that she felt that her child should be able to express his opinion, but the child knew his parents would make the final decision.

At a certain age they do get to help participate in that decision and so I didn't want him to feel like he didn't have a say, or he couldn't voice his opinion, but it was made clear he wasn't the final decision maker, that was for us.

Ashley (White female) shared that she felt it was important for adolescents to feel that they are being heard and allowed to speak their opinions. She felt parents should make the final decision about the custody arrangement.

It's very important, I think, to at least hear them out and discuss it with them and try to explain some of the adult perspective, why certain decisions have to be made even if they don't necessarily agree with them. But hearing them out and letting them know that their concerns are important, and that once they're being of a particular age that we can revisit this. So they understand that their feelings and their perception of everything is still really important. I don't think it'd be good to just blockade them, and say, "Well this is just how this goes period." End of story, don't discuss it. You know, I think it's very important to be able to sit down and talk with your kids about how they feel, why they feel that way, and let them know that their feelings matter. But just like any other case where the parent has to make a rule about something, you still have to have that upper hand and say, "This is why, because this is what's best for you."

This was echoed by Donald (White male) who shared that he and his former partner felt their role was to be the decision makers in the family, but that their children were allowed and encouraged to speak their minds and feelings about the custody arrangement.

We believe in the idea that we're the authority figures and we're allowed to make those decisions for our children... We expect them to kind of conform to ourselves

as parents, but they're allowed to talk about it and vent and validate their feelings as much as possible. So I would say that we're kind of, I think that's referred to as a consensual family. So how do I feel about it? I feel that we always give them opportunity to express and communicate and be angry or sad or happy or whatever. It doesn't necessarily mean that they'll always get what they want out of it.

William (White male) shared that his children are always consulted about the custody arrangement decisions. For this father, allowing his children the opportunity to speak their opinions was very important to him.

They're always asked what they want to do, how they feel about things, and they're the first priority when it comes to decisions... Well for me I'm particular about courts or any other official place dictating how we're going to live our lives. For the kids, I think they have some major oppositions so for me it's important that they have a voice as to where they are gonna be and what they wanna do.

Donald's son, age 13, expressed that he would like to provide input into the custody arrangement decision, but did not want to make the final decisions. When asked further about providing input in the custody arrangement the adolescent voiced that the felt adolescents would like to give input, and shared why he felt this way. "Yes... Like I said, I like it. I like to give my input, because I have stuff to say." The participant was then asked about making the decision. He said he did not want the decision. He felt that there was a difference between giving input and making the decision. There is a difference in receiving input and making the decisions from both the adolescent and parent perspectives.

Adolescents' Desire to Have Input

A number of adolescents voiced why they should have input in their custody arrangement decisions. The adolescents discussed if potential changes were made to their custody arrangements in the future, how they would like to be involved the decisions. Some of the adolescents stated specifically what they would change if they had input in the custody arrangement decisions. One of Laura's sons, age 15, said, "I would [like to have input] because I would like to know how the schedule would be worked around accordingly. So we that we wouldn't have to make so many practical choices." He also shared how he would like to be involved in the decision.

Involved enough that I could be able to have my schedule with other activities work with what the custody arrangement says. So like, I can't go over there if I have an event at the school. I just want to be involved enough that I wouldn't go over there if I have to do something at the school that weekend or something.

Jennifer's son, age 13, shared his point of view regarding his involvement in the custody arrangement decisions in the future. He was unhappy with his custody arrangement and was hoping to see a change in the future.

I would want to be in it 100%. I would be on my dad's side. Because I've been here [with my mom] for 3/4 of a school year and its way different from when I was in [my dad's state] and I like [my dad's state]. I had freedom. I had responsibility while here I don't. I get treated like I'm a kid here. When in [my dad's state] I got treated like I was an actual teenager.

Karen's son, age 12, explained that if his custody arrangement were to change in the future or if he could choose where he wanted to live, it would be with his mother. "I'd want to have some say in it because I would always want to be with my mom because she's raised me."

In some cases, adolescents were very vocal in their wishes and desires regarding with which parent they would like to reside.

Ashley's son, age 13, expressed his desire to attend court in order to ensure his voice was heard regarding the custody arrangement decisions if it were to change in the future. "Well I would like to be at the court and hear what was being said and speak up if I don't feel like something was right about it." When asked why he would want to be so actively involved he explained, "Just because I think I should have a say in where I go and what I do."

When asked what advice the adolescent would give to parents about determining the custody arrangements of their children, Ashley's son, age 13, explained that he would like adolescents to have a say in custody arrangement decisions as well as to attend court to let their voices be heard by the judges.

Oh, advice, I would say let their kids be [in court]. I think they should be 13 or older, just because if you're a kid then I think that you will have mixed emotions on either parent like my sister. So I think it should be a certain age, and it is a certain age to attend the court, it's like 16 or 17 or 18, I'm not even sure. My brother was able to go, I'm pretty sure. Um, but I mean it should be at least like 13.

Donald's son, age 13, felt parents might not know what their children need and, therefore, adolescents should be able to have a voice and express how they feel about the custody arrangement decisions.

I do think they should because I know parents have been adolescents too, but every teenager's life is different so they need to make their own decisions based on what they need and the parents might not always know that.

Barbara's daughter, age 13, offered the following advice for professionals such as lawyers, mediators, and judges: "Instead of listening to what the parent's say as much, try to listen to the kids because they're the ones that have to live with it." Adolescents expressed wanting to have their voices heard and listened to by not only their parents, but professionals such as lawyers, mediators, and judges. Adolescents discussed wanting to at least be able to share their wishes and desires with their parents regarding their custody arrangement.

Age and Maturity

Age and maturity was a common theme that emerged among both parents and adolescents when discussing the involvement of adolescents in custody arrangement decisions. In addition, parents and adolescents both voiced their thoughts on what the ideal age for adolescent involvement in custody arrangement decisions would be.

Adolescent Perspectives

A number of adolescents shared that their parents started to seek their input as they got older. Nancy's daughter, age 14, explained, "Just when I started getting older and could understand more is when I started like getting to participate in the decisions and getting to know what's going on."

A number of adolescents were young at the time of the divorce of their parents and when the initial custody arrangement was determined. Karen's son, age 12, shared that he did not think he was old enough at the time of his parents' divorce and was not included in the custody arrangement decisions. He did share about a friend of his who was involved in his own parents' custody arrangement decisions when he was older.

I think because I wasn't old enough. One of my brother's friends, he's like 13 and

I think [his parents] asked him questions about it. And then when he is 13 or 14

he's going to have to choose who he has to live with.

Barbara's daughter, age 13, discussed that at the time of her parent's divorce she was young. "I was fairly young so I didn't really understand at the time so I just kind of went with it." When asked if she would have liked to have more input at the time, she felt she was too young and that was the main reason for her lack of involvement. "No, I think I was just so young that I just kind of became part of what happened." The age of the adolescent was when the custody arrangement was determined was a factor in the amount and type of involvement an adolescent had in the custody arrangement decisions.

Parent Perspectives

The parent participants also shared their perspective regarding the age and maturity of their adolescent as a factor of their involvement in custody arrangement decision. Barbara (White female) felt that children have to be older in order to be involved in the custody arrangement decisions, and that younger children would not make the best decisions. She provided an example about the child wanting to be with the parent that lets them get away with more or do whatever the child wishes. As a child gets older, she does feel they should have some say in the custody arrangement decisions.

I think if they're old enough. I don't think you can involve little kids, like when they were little, at age four and eight, they had no business, they didn't know what was best for them. And you know, they're making decisions on 'Okay, well, who's gonna let me sit on the computer more?' And 'I wanna go to so-and-so's house because I can play on the computer all day.' Or whatever. But now that they're older, I think it's important that they have some... I don't wanna say choice in it but we need—we need to consider their feelings on it.

Barbara felt that children needed to be older in order to be involved in the custody arrangement decisions. She raised concerns about how children would decide which parent they wanted to reside with.

Ideal Age for Adolescent Involvement

When asked what is the ideal age for an adolescent or children to be involved in custody arrangement decisions, parents and adolescents offered varying perspectives. There is no clear consensus on what an ideal age is for children to start being included in the custody arrangement decisions.

Adolescent Perspectives

The adolescent participants offered a range of ages that they felt children should be in order to be involved in custody arrangement decisions. William's son, age 14, was concerned that younger children might not understand what was included in determining the custody arrangement decisions. "Some might be too young to know what they're doing or something, know what they're talking about. But yeah, they should have a say." When asked what age children should be involved, William's son shared his thoughts. "When they're old enough to know what's going on, I guess. Like, five or six."

One of Laura's sons, age 15, shared a similar thought regarding the age of involvement of children in custody arrangement decisions. "As long as they're old enough, I mean like they're not like three-years-old or something." When asked why adolescents should be involved, Laura's son gave the following response, "Probably because I mean everybody has a brain and they can, they might not like what all they're thinking. They should be able to have some say in their life." Adolescents' express being old enough to participate in the custody arrangement decisions, however no clear consensus was found as to what the ideal age for adolescent involvement in custody arrangement decisions would be.

Parent Perspectives

Parents also had a difficult time identifying what the ideal age of children is to involve them in custody arrangement decisions. Many discussed their thoughts and feelings on establishing a certain age for involvement; one of the main concerns was that not all children develop at the same rate. Nancy (Black female) discussed,

That's part of my problem with how the system works, because, at least here, it seems to be that if they aren't at least 13, they shouldn't have any input in the decision. And I feel like that's not fair, because there are some 13-year-olds who aren't in a position to make a decision or have input. And there are some 10-year-olds who are very insightful and very logical and would make a great decision.

Laura (White female) offered high school age as the ideal age to involve adolescents in custody arrangement decisions. She felt that at this age, adolescents are taking on more responsibility and should be able to make decisions in their lives.

I would say high school age. I mean you just have to set a guideline kind of...we have to do that with driving so, make rules and guidelines and things like that and I would say like 15, but I want to start having something before that but I would say really it's been in the last year that I've had them doing a lot of the decision making.

Michael (White male) felt that around 12 or 13 would be a good age to start receiving input from adolescents. He discussed the concerns he has with involving younger children.

I would probably have to say you know 12 maybe 13 years of age to when they start really giving input as far as where they wanna go with their teenage years and life. The younger kids than that I don't know how much weight you would put on their input or not as far as just being able to say, "Hey, this is the decision

Mom and I came up with or Mom and Dad came up with and this is how it is going to affect you and your life.”

Jennifer (White female) really felt that involving children in the custody arrangement decisions would depend on the child. She did not think there was a certain age as she felt it varied for each child and family.

I think that it would be very variable. I would think that once you get to be a teenager that having more say would help deal with it if you were really close with your family. But if you are in a negative situation where you have a 9-year-old that’s been raising their siblings because Mom or Dad was a druggie or an alcoholic. They are going to have more responsibility then and more say so I mean I guess it just depends on the situation. Like it could vary so much, but I think that it could help a teenager if the situation was not hostile. I think I could it help them deal with it, but I don’t think that there’s like one set age.

Ashley (White female) voiced that children of all ages should be involved in the custody arrangement decisions. She discussed that the conversations and discussions with the child would have to be had on the child’s developmental level. She felt that there would be repercussions if children were not involved in the custody arrangement decisions.

I think all ages, I mean even as young as, you know, three or four-years-old. I mean certainly you have to present the situation on a different level to them at that age, but I think that even at three or four-years-old a child is able to know whether or not their thoughts and their emotions, their feelings matter. And I think that if you avoid it altogether and the kids just come home one day and they’re three, four, five-years-old and they go, “Wait a minute. What the hell just happened?

Mom's not here anymore. You didn't even talk to me about it, you know?" And then they feel unimportant and then they feel jilted and angry and revengeful and everything else so I don't think there is a, a golden age to it.

A wide range of ages for the involvement of children in custody arrangement decisions was offered by the participants. There was not a certain age provided by all participants. Participants did express that if involving a children in the custody arrangement decision, it would need to be developmentally appropriate.

Concerns Regarding Adolescent Involvement

Parent and adolescent participants both voiced their concerns regarding the involvement of an adolescent in the custody arrangement decisions. Overall, parents and adolescents both expressed concerns regarding choosing sides, feeling pressure to decide, and manipulation of parents by an adolescent.

Parental Concerns

Several parent participants shared their concerns regarding the involvement of adolescents in custody arrangement decisions. Parents voiced concerns over the adolescent picking sides or feeling pressured to choose one parent over the other parent. Barbara (White female) shared that because she and her former partner did not want their children to be put in the middle, they were able to work together and do what was best for their children. The adolescent in this family had involvement in changing nights or times spent with her father, but was not involved in the initial arrangement.

I think if we don't ever want to put them in the middle of it so the fact that we do get along, I think we can get their opinions because he and I are both kinda like, "Hey, we want what's best for them, so if there's something that they want to do." And you know, it's not just, "Okay, I wanna stay here because the sky is blue."

But even if that was it, even if [my daughter] just called and said, “Hey, I just wanna stay at Mom’s tonight ‘cause I’m tired and...I just want to.” He would not have an issue with it.

William (White male) shared his concern regarding younger children and being manipulated by one parent or the other.

Yeah, I mean as they get older they are better able to make better decisions. You know at a younger age, they are easily manipulated by one or the other. It is easy if you are trying or you are not, so I think when they are older, old enough to understand the situation, they are able to make those intelligent decisions as far as what is good for them is good for the whole family.

The concerns parents had regarding manipulation or choosing sides is a reason Donald (White male) voiced not involving his children in the custody arrangement decisions. He informed his children and allowed them to express their opinions, but did not want them to feel like they were choosing sides.

Informed, probably is the best word. Informed of what was going on, not necessarily-- we probably asked their opinion, but we also knew that we needed to make a decision for them. We didn’t want to put them in a position of trying to decide between Mom or Dad.

Parents expressed their concerns regarding involving their adolescent in their custody arrangement decisions. Parents worried about their children choosing sides or feeling in the middle of the divorce.

Adolescent Concerns

Adolescents also expressed concerns they had about offering input in the custody arrangement decisions. Donald’s son, age 13, reported that he felt an adolescent would feel a

great deal of pressure if asked to decide the custody arrangement. “I don’t know who would wanna get involved... It might just be too much pressure on them or something.”

Barbara’s daughter, age 13, offered advice to other children regarding choosing sides. “Try to not be on one parent’s side because then you’re stuck in the middle.” Karen’s son, age 12, shared a similar perspective regarding involving children in the custody arrangement decisions as he was concerned that an adolescent would feel like he or she is choosing one parent over the other parent. Karen’s son did not think adolescents should be involved. “No, because I think that would be like hard to choose and I don’t think they would want to give an answer.”

Ashley’s son, age 13, discussed that he felt adolescents should be involved, but from his experiences in his family, he had concerns about involving adolescents in the custody arrangement decisions. His sister had mental health issues and at certain times she liked or preferred one parent to the other. He felt that things like this might create challenges with allowing adolescents to be involved in custody arrangement decisions.

Well yes and no... Yes because I think the child should be involved in what he or she is going to do and no because at the time that child might like one of the other parents more than the other. Like my sister she, well we think she’s bipolar, but she’s too young to classify it so like it isn’t determined whether she is or not, and for a long time she liked my dad more than my mom and for like just out of the blue she’ll like my mom more than my dad and my sister wanted to be involved in making the decision in court with dad and that would be bad.

Fairness of the custody arrangement was a concern expressed by William’s son, age 14. William’s son spoke of his desire to have time with each of his parents and to be fair in how that time was divided between his parents. He felt that professionals such as lawyers, mediators, and

judges should receive advice regarding fairness with custody arrangements, and had the following advice, “Well, make sure it’s fair. Each parent has the same amount of time, or something.” Adolescents had concerns with being involved in the custody arrangement decisions. Adolescents also desired for their custody arrangements to be fair and to have time with each parent.

Chapter 5 - Discussion

Divorce occurs each year for a number of couples and, in some cases, children are a part of these marriages ending in divorce. With the number of divorces that occur each year, this study is important as it increases our knowledge of how parents determine the custody arrangements for their children in the divorce process, and the type of involvement received from adolescents in custody arrangement decisions. There are a number of factors that influence custody arrangement decisions, and parents weigh the costs and rewards when deciding on a custody arrangement. Additionally, adolescents sometimes provide input regarding custody arrangements, but there are concerns regarding adolescent involvement in these decisions and adolescents need to be “old enough” to provide input. Two theoretical models were developed from the results of this study (see Figures 5.1 and 5.2).

Former Partner

The former partner is a positive influence for some participants and a negative influence for others. The former wife, and mother of the children, is a factor that impacts the involvement of a father after divorce (Hamer, 1998). Divorcing women may engage in maternal gatekeeping, which is “a set of complex behavioral interactions between parents, where mothers influence father involvement through their use of controlling, restrictive and facilitative behaviors, directed at father’s childrearing and interaction with children on a regular and consistent basis” (Puhlman & Pasley, 2013, p. 177). Three dimensions were identified in the maternal gatekeeping model developed by Puhlman and Pasley (2013): control, encouragement, and discouragement. All three of these maternal gatekeeping dimensions were found in this study. Mothers limit, control, discourage, and encourage father involvement in their children’s lives by encouraging or discouraging their former partner to spend time with their children.

Fathers have complained that their former partners create challenges and difficulties for the father to be able to see his children (Lehr & MacMillan, 2001). Similarly, some of the participants in this study face challenges with their former partner (e.g., conflict, personality differences) that influence their custody arrangement and the amount of time they spend with their child. For example, when there is high conflict between the two parents, one parent will avoid the other parent and this in turn may affect and decrease the amount of time a child spends with the other parent. High conflict between parents contributes to a decrease in father involvement (Braver, Wolchik, Sandler, & Sheets, 1993; Kruk, 1991).

An important aspect of parental involvement is parents acting as a role model. Troilo and Coleman (2013) reported that divorced fathers discussed being role models for their children and demonstrating how to behave appropriately. In this study, some parents identify their former partner as a role model for their children and want their children to have a relationship with their former partner. Participants feel that their former partners are good parents and know their children are well cared for when the children are with their former partner. This is similar to the findings of Markham and Coleman (2012) who found that when mothers felt the fathers of their children were responsible, they were more likely to want the father of their children to be involved and sought to share physical custody with their former partner.

Some participants have negative feelings and emotions towards their former partners that influence their custody arrangement decisions. This is similar to research on the causes of divorce. Incompatibility with one's partner was the second most common reason cited for divorce, just below infidelity (Amato & Previti, 2003). The incompatibility was defined in the study as growing apart, personality differences, lack of communication. This incompatibility experienced by divorced parents might carry over into the custody arrangement decisions. In this

study, participants express not getting along with their former partners and being unable to be near each other, let alone communicate with one another.

Children

Currently the legal system uses the best interest of the child (BIOC) standard in determining custody arrangements for children. The BIOC standard focuses on the child and involves the consideration of a number of factors in determining where and with whom a child should reside (Buehler & Gerard, 1995). Parents also seek to do what is best for their children. Often times maintaining contact and a relationship with both parents following a divorce is considered to be what is best for children (Demo & Fine, 2010). Parents in this study focus on their children when determining their custody arrangement and try not to allow other factors to influence their custody arrangement decisions. Some participants focus on their children to enable them to be able to deal with their former partner in determining their custody arrangements. Conflict among parents has been linked to an increase in a child's emotional distress, poor peer relations, and academic performance, as well as difficulties with physical health (Grych, Harold, & Miles, 2003). Parents in this study seek to minimize conflict in order to do what is best for their children.

Work

Work is an influential factor in custody arrangement decisions for all of the parents, work schedules in particular. In a previous study, work hours was examined as divorced parents needing to balance work and home responsibilities (Melli & Brown, 2008). This was different than how parents view work as being influential in this study. Parents in this study often determine their custody arrangement, including when the children would be with each parent, based on their work schedules.

Use of a Lawyer

Troilo and Coleman (2013) found that the legal system was a barrier to father involvement. Participants perceived the court to favor mothers and this impacted fathers' involvement in their children's lives (Troilo & Coleman). Even though a number of divorced noncustodial fathers express a desire to spend time with their children (Fischer, 2002; Lehr & MacMillan, 2001), lawyers often discourage fathers from seeking full or joint custody of their children (Hawthorne, 2003; Kruk, 1991). This negative perception of the legal system might support why two of the male participants in this study did not utilize the legal system or limited the amount of involvement from the legal system in their custody arrangement decisions.

New Partners

When examining the introduction of new partners in divorced families, often times the assumption is made that there is increased conflict and difficulties experienced. The introduction of new partners, whether they were in the picture pre-or post-divorce, can be a powerful influence in the relationships between parents and children as well as former partner relationships (Walzer & Oles, 2003). When a former partner remarries, women often report continued anger, resentment, and competitiveness towards the new partner (Hetherington & Kelly, 2002). In this study, however, in a number of families the new partner, especially their former partner's new partner, is a positive experience. Participants, especially women, feel more comfortable and at ease knowing their former partner's new partner is providing care for their children. The construct of *intensive mothering* is applicable here. The ideology of intensive mothering holds that the mother must be the central caregiver and that mothers should know how to raise her children and do it "right" (Hays, 1996) because mothering is instinctual (Braverman, 1989). Given this ideology, a mother may feel that another woman has the mothering instincts and abilities to care for her children more so than their father. Because of this, mothers may feel

more comfortable with their former partner having shared custody as they feel the new female partner will provide care and participate in the child rearing. This is an interesting dynamic that is not often considered among divorced families especially in regards to the determination of custody arrangement. The assumption is often made that there is conflict and tension when new partners enter the picture of a divorced family, however, mothers may feel more at ease with a new partner emerges into the family.

Other participants do not have a good relationship with their former partner's new partner. Previous research has examined the causes of divorce, and the most commonly reported cause is infidelity (Amato & Previti, 2003; Amato & Rogers, 1997). Five participants in this study experienced infidelity by their former partner; three of these participants expressed not liking their former partner's new partner. The cause of infidelity might give insight into the challenges between the participant and the former partner's new partner. The difficulties experienced in the relationship might be the result of how or when the former partner's new partner entered into a relationship with the former partner. In addition, the feelings experienced from the infidelity might continue to carry over, even after the divorce has occurred.

Role of Family

Family plays a role in the lives of divorced couples and their children. The family background of a number of participants is influential in the custody arrangement decisions. Participants who experienced the divorce of their parents or who did not have a parent involved in their lives as a child state that this influences their custody arrangement decisions. A number of studies have examined the intergenerational transmission of divorce; adult children of divorced parents are at an increased risk of their marriages ending in divorce (Amato, 1996). While experiencing the divorce of one's parents is influential, so is the custody arrangement and relationship the parent had with their parents following their parents' divorce or separation. The

participants in this study often want their children to have a relationship with both of their parents because they wanted to have a relationship with both parents, but could not. The decisions that parents make in their lives are based off of their previous experiences.

Divorced mothers may rely on their parents at some point following a divorce; sometimes it is for economic assistance and in some cases mothers live with their parents at some point following a divorce (Hetherington & Kelly, 2002). In addition, residential mothers and fathers may seek the support of their family of origin for child care and emotional support (Cherlin & Furstenberg, 1994). A number of participants seek out their parents when making custody arrangement decisions as their parents, or the grandparents of the children, assist with providing care for their children. In addition, participants consult their family when determining the custody arrangement of their children. Consulting others regarding their decisions is common. Hetherington and Kelly (2002) found that 75% of individuals that initiated the divorce reported discussing with an adult confidant, such as a friend or family member, about their decision to leave the marriage. Seeking advice and consulting others not only occurs with the decision to leave the marriage, but also the custody arrangement decisions, as demonstrated in this study.

Parenting Role

The parenting role of both parents is a factor. Mothers in this study often continue to fulfill the caretaker role and be actively involved in their children's lives as they have been, which is similar to the findings of Maccoby et al., (1993). Father involvement, on the other hand, has been shown to change after divorce (Minton & Pasley, 1996). Troilo and Coleman (2012) examined father identities following a divorce, and identified three types of fathers. Two fathers in this study who have a high degree of involvement with their children regardless of whose home the children are in fall into the full-time fathers category. The other two fathers in this study fit in the category of part-time full-time fathers as they are involved with the children when

the children are staying with them, but these fathers they are focused on their own lives when the children are not staying with them. None of the fathers in this study fit into the part-time father category.

Place of Residence

Geographic location or relocation is an area often researched and discussed with custody arrangements. In this study three aspects of the participants' or their former partner's place of residence are influential in custody arrangement decisions: (a) close proximity; (b) home environment; and (c) location of where a parent resides. Melli and Brown (2008) examined families post-divorce and found two factors relating to the living conditions of shared physical custody families: residential stability (the number of residential moves for children following a divorce) and residential adequacy (the quality of living arrangement following a divorce). While Melli and Brown's residential adequacy factor is similar to the home environment factor found in this study, the aspects of close proximity and the location of where a parent resides were unique findings of this study. The flexibility afforded to former partners when they live in close proximity of one another as their children grow up with their custody arrangement is an aspect for parents to consider as they decide their custody arrangement. In addition, parents want to ensure their children attend the best school and, therefore, where a parent resides plays a part in the custody arrangement decisions.

Finances

Money is often viewed as a source of conflict among divorced couples, especially in regards to child support and spousal maintenance. Previous research has found financial problems to be a common stressor for couples (Amato & Previti, 2003), and it is believed that financial troubles are one of the main causes of divorce, however, few studies examine and support this claim. One study conducted by Britt and Huston (2012) found that arguments

regarding money between partners was predictive of negative outcomes such as lower relationship satisfaction and increased chance of divorce. Money and finances, when examined in terms of divorced couples, is often viewed as conflictual. In this study, however, parents discuss money and finances differently. Participants express the expense and cost of the utilization of the legal system and a lawyer. In a few cases, participants are unable to afford and seek the custody arrangement the parent desires.

Divorce

Previous research has found a link between the divorce process and the coparenting relationship. Coparenting relationships tend to be worse the longer and more conflictual the divorce proceedings are (Baum, 2003). This is similar to the findings of this study in that the issues and reasons for the divorce of the parents influences the custody arrangement decisions they make for the children. Parents may not be able to separate their feelings and emotions that were connected to their divorce and, therefore, it influences their custody arrangement decisions.

Social Exchange Theory

There is currently no research that utilizes social exchange theory to examine custody arrangement decisions. In general, people aim to increase their rewards while minimizing costs (Nye, 1978). Based on the tenets of social exchange theory, it is assumed that most participants would make custody arrangement decisions that provide the greatest rewards with the fewest costs for themselves, which is the logic a few participants in this study use to make their custody arrangement decisions. This is not the case, however, for all of the participants.

Some of the participants weigh the costs and rewards for not only themselves, but also for their children. Interestingly, a few participants are willing to endure a cost in order for their child to reap the reward of the custody arrangement decision. This is incongruent with the assumptions of the social exchange in that individuals seek to gain the most profit and make decisions in

order to do so. It is important to recognize that parents' desires for their children often outweigh their own personal wishes. When making custody arrangement decisions, parents seek for their children to profit from the decisions made regarding the custody arrangement.

In some cases, parents seek certain custody arrangements due to their feelings towards their former partner. This is similar to the ideas of social exchange theory, in that people will seek to impose costs on someone who hurt them (Nye, 1978). For example, participants who were hurt by the reasons or issues surrounding their divorce let those things impact the custody arrangement decisions they made. From the hurt experienced by their former partner, one partner might seek to limit the time his or her former partner has with their children.

Adolescent Input

In this study, adolescent participants had an array of involvement from determining the custody arrangement, to some involvement, to no involvement. This is consistent with previous research that has found that there is an array of involvement with adolescents in custody arrangement decisions from none at all to some involvement. Rarely are adolescents given free rein in determining the custody arrangement decisions (Parkinson et al., 2005). In this study most of the adolescents provided some kind of input regarding the custody arrangement at some point in time, but they rarely determine the custody arrangement. Only one adolescent in this study determined the custody arrangement that was followed by her family. The custody arrangement was later changed by her parents to suit their schedules.

Parkinson and colleagues (2005) found that adolescents did not want to make the actual custody arrangement decisions, but wanted to provide input; only 13 of the 60 participants in the study stated that the children should decide where they will reside and the type of contact they will have with their parents (Parkinson et al., 2005). This is true for some of the adolescent participants in this study. The adolescents feel they should be able to give input into the custody

arrangement decisions, but do not want to make the final decision because there would be too much pressure.

Parent and adolescent participants both have concerns regarding receiving adolescent input in the custody arrangement decisions. Concerns identified in this study include that the adolescent would feel pressured to choose sides and that the adolescent may manipulate his or her parents or that adolescents make decisions in order to please a parent. Other researchers have also identified concerns with involving adolescents in custody arrangement decisions. These concerns include that adolescents would just tell each parent what they want to hear (Garrity & Baris, 1994), that children would be forced to choose one parent over the other (Kelly, 1994), and that adolescents' opinions and feelings fluctuate often and their response might not reflect thinking of the bigger picture, but be more focused on whether or not one parent or the other made them angry that day (Wallerstein & Kelly, 1980).

Parents and adolescents feel children should be of a certain age to be involved in custody arrangement decisions, but the "right age" for this involvement varies greatly. Currently, in the legal system, the older children are, the more likely their voice will be heard (Kelly, 1994). The common response among child custody evaluators when asked what age they would seriously consider the preference of a child in custody decisions is 12-years-old (Bow & Quinnell, 2001). Less consideration was given to the wishes of younger children, typically 5-years-old or younger, in custody arrangement decisions (Gould, 1998).

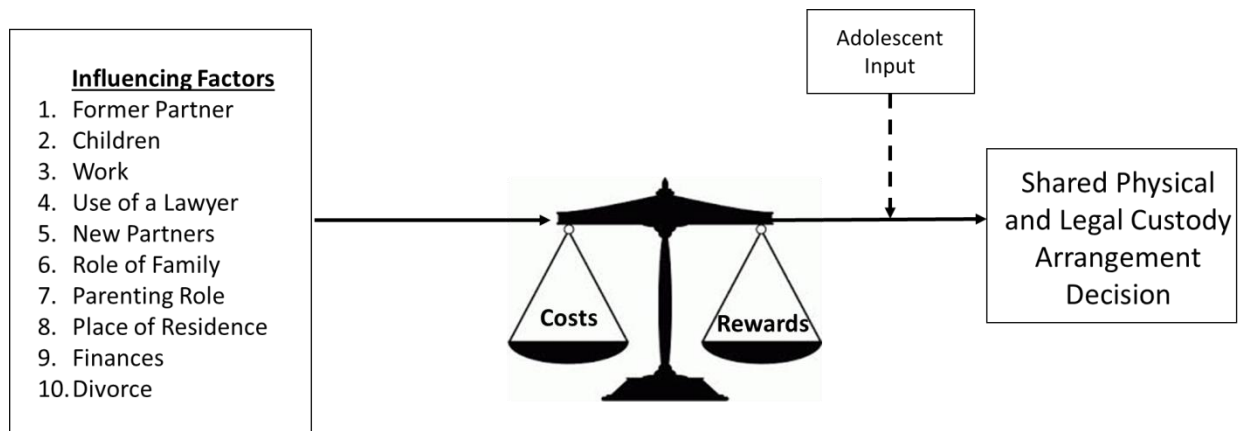
Theoretical Propositions for Custody Arrangement Decisions Making Model

Based on the findings from this study, a number of theoretical propositions can be made:

- (a) a number of factors influence custody arrangement decisions of parents in varying degrees,
- (b) parents weigh the costs and rewards when making custody arrangement decisions, (c) what is considered a reward in one family may be considered a cost in another family, and (d) adolescent

input may be sought to an extent, however parents have the final say in the making the decision (see Figure 5.1).

Figure 5.1 Custody Arrangement Decision Making Model

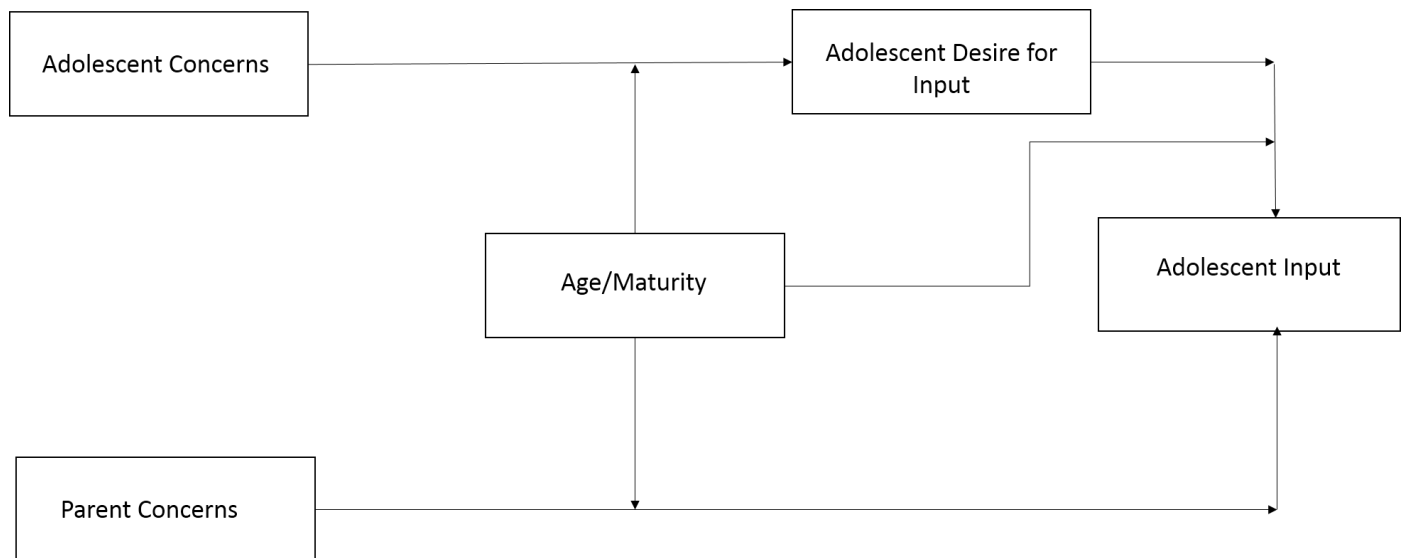


Theoretical Propositions for Adolescent Input Model

From the findings of this study, a number of theoretical propositions can be made regarding the adolescent input that is received in custody arrangement decisions:

(a) adolescents have concerns and seek fairness with the input given in custody arrangement decisions, (b) parents have concerns about receiving input from adolescents in custody arrangement decisions, (c) the concerns parents have regarding receiving adolescent input influence if adolescent input is sought (d) the adolescent concerns influence the desire an adolescent has to give input in the custody arrangement decisions, (e) adolescents have a desire to provide input in the custody arrangement decisions, and (f) the age and maturity of the adolescent is considered when seeking adolescent input (see Figure 5.2).

Figure 5.2 Adolescent Input Model



Implications for Practitioners

The identification of factors that influence custody arrangements allows professionals who work with divorcing families to have a better understanding of the custody arrangement decision making process. Family practitioners can address and discuss the 10 influential factors prior to determining the custody arrangement of the children following a divorce in the family. Family life educators (FLEs) can educate parents on the factors that influence parents' decisions surrounding custody arrangements and work with parents to address the factors in a healthy manner. In a parent education course, for example, FLEs can educate parents on the factors that influence custody arrangement decisions. FLEs can provide parents advice on how to not let these factors influence the custody arrangement decisions as well as offer suggestions on what factors the parents should focus on and consider when determining the custody arrangements of their children.

Mediators and lawyers will have knowledge of what is influencing parents' custody arrangement decisions and have the opportunity to convey this information to divorcing or

separating parents. It would be beneficial for families to receive the information regarding the custody arrangement decision making process and the 10 influencing factors related to custody arrangement decisions as soon as the decision to divorce or separate is made. If parents receive this information in the beginning, the goal would be that the parents will focus on appropriate factors and not let other factors hinder or influence their custody arrangement decisions. As these professionals are working with parents as they are making custody arrangement decisions, the professionals can try to limit the impact the factors have on the custody arrangement decisions. For example, if a participant's former partner was unfaithful, this factor might influence one parent's custody arrangement decisions as that parent may seek to limit the time the children can spend with their former partner. Mediators and lawyers working with the parents should address how this factor is influencing the custody arrangement decision and explain to the parents how letting this factor influence their decisions will affect their children's lives as well as their own over time.

The study also provides valuable information regarding receiving input from adolescents in the custody arrangement decisions. Given the concerns of adolescents and parents with adolescent input, mediators and lawyers can use this information to help them identify if the parents and adolescent are comfortable with obtaining adolescent input in the custody arrangement decisions. Age and maturity of an adolescent are important factors to consider when determining whether or not to involve adolescents in the custody arrangement decisions. If parents and/or adolescents voice concerns regarding seeking adolescent input, it is the responsibility of mediators and lawyers to address these concerns and ensure that the concerns of the adolescent and parents do not come to fruition. Having this knowledge and understanding of

adolescent input gives mediators and lawyers a foundation to help advise parents on the potential value and implications of allowing adolescent input in the custody arrangement decisions.

FLEs can educate parents on the developmental cognitive abilities of their children to use as a gauge for whether their adolescent is mature and able to be involved in the custody arrangement decisions. FLEs can also educate parents on how to communicate and discuss with their children about their custody arrangement decisions. When communicating with their children about the custody arrangement decisions, the conversation should be developmentally appropriate. Parents should also be educated on how to communicate and discuss in a way that does not make the adolescent feel pressure to choose sides. Children should also be encouraged to express and voice their thoughts and feelings surrounding the custody arrangement. In addition FLEs can work with parents to address their concerns as well as the adolescents' concerns regarding adolescent involvement.

FLEs can offer advice and suggestions for seeking adolescent input in custody arrangement decisions. Advice FLEs might offer to parents is to provide an environment in which their child feels he or she can openly express their concerns and desires about their custody arrangement. Parents should be encouraged to have a conversation and communicate with the adolescent together, if possible, about their custody arrangement decisions. This will allow for all parties to hear and have the same understanding. In addition, adolescents will not feel caught in the middle as both parents are there and the information is being presented by both parents not just one. At the beginning of the conversation, parents may also ask their adolescent what type and the amount of involvement the adolescent would like to have in the custody arrangement decisions. Parents can then consider the feelings and thoughts of their adolescent before moving forward with their involvement in the custody arrangement decision. FLEs might

also suggest to parents to allow their children to express their concerns and desires about the custody arrangement and the decisions being made. In the end it will be vital for the parents to communicate to their children that their wishes and desires will be considered, but that the parents will make the final decision regarding the custody arrangements. Parents should also express the value and importance of their children speaking openly and honestly about their feelings regarding the custody arrangement at the time of the decision and going forward. Hopefully by establishing an open and honest environment from the beginning of the decision making process, children will feel they are able to communicate in the future about their custody arrangement.

A number of states require divorcing parents to complete a parent education course. It would be recommended that the parent education course offered to parents are tailored to the age of the children. The content delivered to a parent of an adolescent should focus on how to involve the adolescent in the custody arrangement decision, and what language should be used to make sure adolescents do not feel caught in the middle of their parents' divorce. The information conveyed to parents of younger children should focus on ways to communicate with the child and inform the child of the transitions that will be occurring with the divorce. In each of these courses, role playing activities may be beneficial for parents to practice with others how to talk with their children about custody. The parent education course might be more valuable if they are gaining information on how to educate, inform, and potentially involve their children in the custody arrangement decisions.

Limitations and Future Research

Although valuable information was gained from this research, there are some limitations of this study. This study only examines the custody arrangement decisions of heterosexual parents who divorced. Additional research is need on parents that were never married, those who

cohabitated, and gay and lesbian couples. In addition this study only investigated parents with shared custody arrangements, so it is currently unknown if the same 10 factors influence the custody arrangement decisions for those with sole custody arrangements. Are the same 10 factors present or are there additional factors that influence the custody arrangement decisions in families with sole custody arrangements? Additionally, only one parent and one adolescent from a family were interviewed (with the exception of #106 where twin boys were interviewed along with the parent). It would be useful to have perspectives from both parents and multiple children. While multiple perspectives were heard in this research, additional family members would provide a clearer picture of the various viewpoints involved in custody arrangement decisions. Finally, although some of the adolescents were young adolescents at the time of their parents' separation or divorce, others were much younger. Future research should investigate the adolescent soon after their parents' divorce or separation to obtain an understanding of the involvement of adolescents in the custody arrangement decisions.

Future research should also seek to examine the involvement of children of all ages in the custody arrangement decisions. Also, future research should examine the link between resources utilized such as mediation, lawyer, etc. and the involvement of an adolescent in the custody arrangement decisions. For example, what happens if a resource (e.g., a lawyer) does not want the adolescent to be involved in the custody arrangement decisions, but the parents do? How will this influence the custody arrangement decision making process?

Conclusion

The way in which parents determine the custody arrangements of their children is multifaceted. The custody arrangement decision making process evokes a number of feelings and emotions for parents. The feelings and emotions may depend on their relationship with their former partner, reason for divorce and many other factors. Parents weigh the costs and rewards

for themselves and their children when making custody arrangement decisions. Parents may seek to maximize the rewards for themselves or their children and try to minimize the costs for both themselves and their children. This study identifies 10 factors that influence the custody arrangement decisions of divorced parents: former partner, children, work, use of a lawyer, new partners, role of family, parenting role, place of residence, finances and divorce. The amount of influence these 10 factors have on the custody arrangement decisions vary from family to family.

There is a range of adolescent involvement in this study, from having no involvement, to providing input about how they feel about the custody arrangement, to making the custody arrangement decisions. The reasons for adolescent involvement depend on the family and their circumstances. Parents and adolescents both feel there is a difference between receiving input from an adolescent and an adolescent making the custody arrangement decision. Parents and adolescents feel hearing from adolescents is beneficial, but do not feel an adolescent should be pressured to make the custody arrangement decision. Parents and adolescents also feel an adolescent should be of a certain age before being involved in the custody arrangement decisions. No clear consensus was determined for the age of adolescent involvement. Parents and adolescents both express involving and hearing from adolescents during the process of determining the custody arrangements of children following a divorce or separation. Custody arrangement decisions are complex and are not decisions that parents make lightly.

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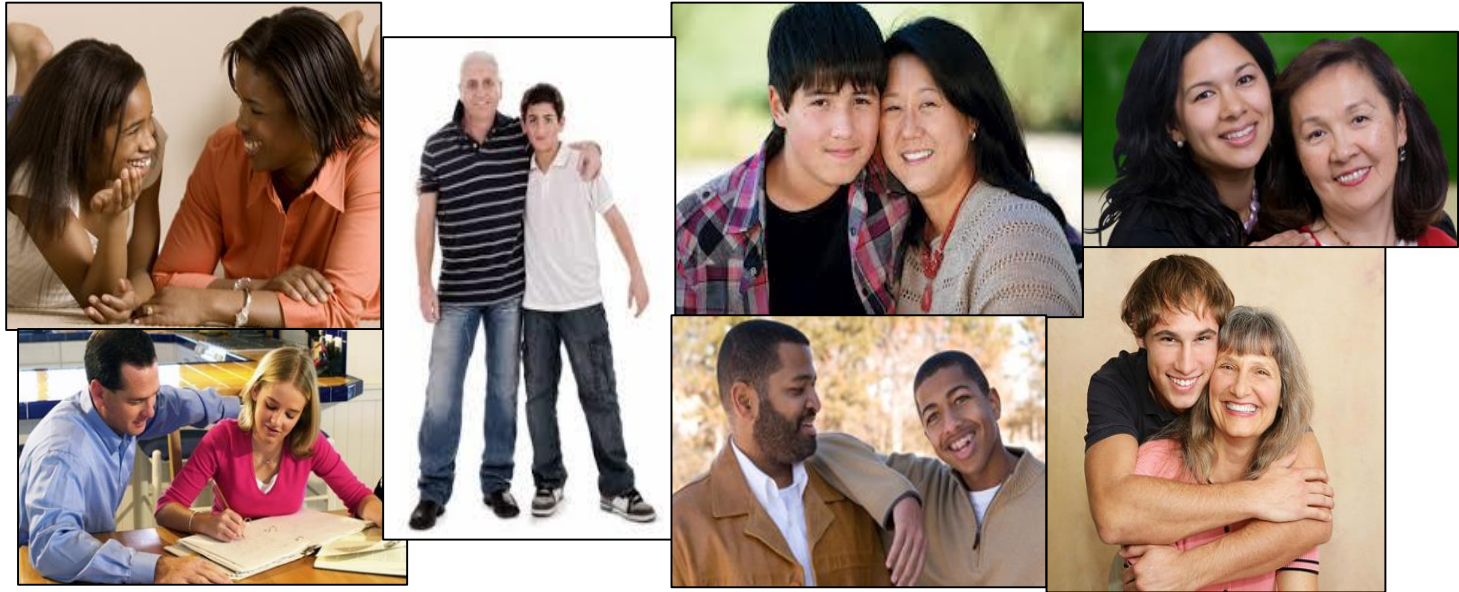
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Appendix A - Recruitment Flyer

PARTICIPANTS NEEDED



- Are you a parent?
- Do you have an adolescent child between the ages of 12 and 17?
- Are you divorced or separated from your child's parent?
- Do you share custody of your child with your former partner?

If you answered yes to the four questions above, you may qualify to participate in a study to better understand how parents determine their custody arrangement of their children following divorce or separation. One parent and one adolescent from the family would both be interviewed.

Volunteers will be interviewed and will receive \$10 for participating.

If you are interested in participating in this study, please email Jaimee Hartenstein at jkeister@ksu.edu for more information. This study has been approved by K-State IRB.

Appendix B - Parent Interview Guide

Introduction

- I am interested in your experiences and feelings about determining the custody arrangement of your child(ren). Please feel free to speak openly as there are no right or wrong answers.
 - Please stop me at any time if you need a question clarified.
1. When did you and your former partner divorce or separate?
 - a. Who initiated the divorce or separation?
 - b. What were the reasons for the divorce or separation?
 2. What type of custody arrangement would you say that you have?
 3. What is your current custody arrangement?
 - a. How often do you see your child(ren)?
 - i. How many days a week do you see your child(ren)?
 - ii. How do you handle holidays and summers?
 - b. How long have you had your current custody arrangement?
 - c. How do you perceive your custody arrangement to be?
 4. What is the custody arrangement that you and your former partner have on paper?
 - a. If the custody arrangements the parent's follow is different from what is outlined in the paperwork, why do the parents have a different custody arrangement?
 5. What is outlined in your custody arrangement? Holidays? Summer?
 6. Has your custody arrangement changed over time?
 - a. If so, how has your custody arrangement changed?
 - i. Was your custody arrangement changed in the legal system? Between parents?
 - ii. Was your child involved in the decision to change the custody arrangement?
 1. If so, how did you feel about your child's involvement in this decision? Why did you decide to involve your child?
 - b. If not, why has your custody arrangement stayed the same?
 7. Do both parents attend events and activities (e.g., sporting events, plays, birthdays, holidays) or does the parent who has your child the day of the event the only one who attends?
 - a. If so, do you interact with your former partner at these events?
 - b. If so, do you interact with your former partner's new partner at these events?
 8. Do you both attend parent-teacher conferences together?
 - a. If so, why?

- i. How long have you attended the conferences together?
 - b. If not, why not?
- 9. How do you and your former partner handle discipline of your children?
 - a. What kinds of things do you discuss regarding discipline?
 - b. What kinds of things do you not discuss regarding discipline?
 - c. Does discipline carry over to your former partner's home if you discipline the child and vice versa?
 - i. If so, why?
 - ii. If not, why not?
- 10. How do you keep track of the custody arrangement schedule? How do you determine the schedule for your children?
- 11. How do you exchange your child?
 - a. How did you determine how your child would be exchanged?
 - b. Do you communicate with your former partner during these exchanges?
 - c. What do you discuss?
- 12. How did you decide on this arrangement?
 - a. What things were you considering when you were making the custody arrangement decision?
 - b. What did you discuss with your former partner?
 - c. What did you discuss with your adolescent?
 - d. What did you like about your custody arrangement decision process?
 - e. What would you change about your custody arrangement decision process?
- 13. What was the custody arrangement decision making process like for you?
 - a. Do you weigh the costs and rewards?
 - b. What did you consider to be a cost?
 - c. What did you consider to be a reward?
- 14. What individuals were involved in your custody arrangement decision?
 - a. Was your child involved in your custody arrangement decision?
 - b. If so, how did you feel about your child's involvement in this decision? Why did you decide to involve your child?
- 15. Do you think an adolescent should be involved in the custody arrangement decision?
 - a. If so, why?
 - b. If not, why not?
 - c. How do you know when an adolescent is ready to be involved in the custody arrangement decision?
 - d. If children should be involved, is there an ideal age for them to start being involved in the custody arrangement decision process?

16. When deciding on the custody arrangement of your child(ren) what type of resources did you use? (i.e. Parent Education Course, Mediation, Lawyers, etc.)
 - a. If you used these resources, how did they affect your custody arrangement decisions?
 - b. Were these resources helpful or harmful in determining the custody arrangement of your child(ren)? Why?
17. Are there any additional resources (e.g., books, Internet blogs, support groups, etc.) that you have found helpful during your divorce or separation?
 - a. How have these resources affected how you determined the custody arrangement of your child(ren)?
18. How would you describe your relationship with “name” (former partner)?
 - a. How did the relationship you have with your former partner impact the custody arrangement determined for your children?
 - b. How did the relationship you have with your former partner impact the custody arrangement decision making process?
19. Is your former partner remarried or living with a new partner?
 - a. If so, how does your former partner’s new partner influence your custody arrangement of your child(ren)?
 - b. How did the relationship you have with your former partner’s new partner impact the custody arrangement decision making process? What role does your former partner’s new partner have in the custody arrangement of your child(ren)?
 - c. Does your former partner’s new partner have children?
 - i. How does your former partner’s new partner influence your custody arrangement decision?
20. Are you remarried or living with a new partner?
 - a. If so, how does your new partner influence your custody arrangement of your child(ren)?
 - b. What role does your new partner have in the custody arrangement of your child(ren)?
 - c. Does your new partner have children?
 - i. How does your new partner’s children influence your custody arrangement decision?
21. What factors regarding...
 - a. Your children influenced your custody arrangement decisions?
 - b. Your life influenced your custody arrangement decisions?
 - c. Your extended family influenced your custody arrangement decisions?
 - i. Your family background influence your custody arrangement decisions?
 - ii. Your former partner's family background influence your custody arrangement decisions?

- iii. The role your family plays in your life and children's life influence your custody arrangement decisions?
 - iv. The role your former partner's family plays in your life and children's life influence your custody arrangement decisions?
 - d. Your work influenced your custody arrangement decisions?
 - e. Your divorce influenced your custody arrangement decisions?
 - f. Your lawyer or attorney influence your custody arrangement decisions?
 - i. How did your lawyer influence your custody arrangement decisions?
 - g. Your finances influence your custody arrangement decisions?
 - h. How did where you live influence your custody arrangement decisions?
 - i. Where your former partner lives influence your custody arrangement decisions?
 - i. Your parenting role influence your custody arrangement decisions?
 - i. Your former partner's parenting role influence your custody arrangement decisions?
 - j. Are there other factors that influenced your custody arrangement decisions?

There are a number of factors that influence the custody arrangement decisions.

- a. Are there other factors that we did not discuss that influenced your custody arrangement decisions?
- b. Which of the factors discussed above influenced your custody arrangement decisions?
- c. Which of the factors was the biggest influence on your custody arrangement decisions?

22. If your custody arrangement were to change in the future, how involved would you like your adolescent to be in the changes to the custody arrangement decision process?

23. Is there anything you would like to change about your current custody arrangement?

- a. If so, what would you like to change?
- If not, why would you keep your arrangement the same?

24. How often do you communicate with "name" (former partner) regarding the custody arrangements of your child(ren)?

25. What form of communication do you use to communicate with "name" (former partner) about your custody arrangement (e.g., phone, email, text)?

- a. How do you determine the form of communication you'll use when talking with "name" (former partner) about the custody arrangement?

26. What do you discuss with "name" (former partner) that is related to your custody arrangement?

- a. Do you communicate with "name" about child support or maintenance?
- b. Do you communicate with "name" in order to make arrangements for your children?
- c. Do you communicate with "name" in order to make changes to your custody arrangement?

27. Are there things related to your children that you do not share with your former partner?
28. When your child is spending time with your former partner, do you have any communication with your child?
 - a. If not, what are your reasons for not communicating with your child?
 - b. If so, how do you contact your child?
29. What kinds of things do you discuss with your adolescent regarding your custody arrangement?
30. What do you think is the ideal custody arrangement situation for your family?
 - a. How does your situation compare to the ideal?
 - b. How could you change things to get closer to the ideal?
 - c. What obstacles do you face in getting to the ideal?
31. What do you think is the ideal custody arrangement situation in general?
 - a. What obstacles do families face in getting to the ideal?
32. What is the ideal way for parents to make decisions regarding their custody arrangement?
 - a. Who should be involved
 - b. What if the parents do not get along, how should custody arrangements be decided?
33. What advice do you have for divorced or separated parents about determining the custody arrangements of their children?
34. What advice do you have for children experiencing the divorce or separation of their parents?
35. What advice do you have for lawyers/mediators/judges/parent educators for how they should assist divorcing parents determining the custody arrangements of their children?
36. What additional information have we not discussed that you think would be beneficial for me to know?

Appendix C - Adolescent Interview Guide

Introduction

- I am interested in your experiences and feelings about determining the custody arrangement of your child(ren). Please feel free to speak openly as there are no right or wrong answers.
 - Please stop me at any time if you need a question clarified.
1. What is your current custody arrangement?
 - a. How often do you see your dad?
 - b. How often do you see your mom?
 2. What holidays do you spend with your mom?
 - a. What holidays do you spend with your dad?
 3. Who do you spend the summer with? Mom? Dad?
 - a. What things do you do during the summer? Vacations?
 4. How do you keep track of your schedule?
 - a. How do you know when you will spend time with Mom?
 - b. How do you know when you will spend time with Dad?
 5. Does your sibling go with you when you go spend time with mom or dad?
 6. Were you involved in the custody arrangement decision?
 - a. If so, how were you involved?
 - b. If not, why were you not involved?
 - c. How did you feel about your involvement in this decision (or lack of involvement in this decision)?
 7. Has your custody arrangement changed over time?
 - a. If so, how has your custody arrangement changed?
 - i. Was your custody arrangement changed in the legal system? Between parents?
 - b. If not, why has your custody arrangement stayed the same?
 8. Do you think an adolescent should be involved in the custody arrangement decision?
 - a. If so, why?
 - b. If not, why not?
 9. If your custody arrangement were to change in the future, how involved would you like to be in the changes to the custody arrangement decision process?
 10. How does your custody arrangement impact your involvement with friends?
 - a. How does your custody arrangement impact your involvement with activities?

11. What kinds of things do you discuss with your mom regarding your custody arrangement?
 - a. What kinds of things do you discuss with your dad regarding your custody arrangement?
 - b. What kinds of things do you discuss with your sibling regarding your custody arrangement?
 - c. What kinds of things do you discuss with your friends regarding your custody arrangement?
 - d. What kinds of things do you discuss with others outside of your family (i.e. teachers) regarding your custody arrangement?
12. When you are spending time with your mom, do you communicate with your dad?
 - a. When you are spending time with your dad, do you communicate with your mom?
13. What form of communication do you use to communicate with mom when you are spending time with your dad (e.g., phone, email, text)?
 - a. How do you determine the form of communication you'll use when talking with "name" (former partner) about the custody arrangement?
14. What form of communication do you use to communicate with dad when you are spending time with your mom (e.g., phone, email, text)?
 - a. How do you determine the form of communication you'll use when talking with "name" (former partner) about the custody arrangement?
15. How old were you when your parents divorced?
 - a. How did your parents' divorce make you feel?
 - b. How do you feel about your parents' divorce now?
16. How would you describe your relationship with your mom?
 - a. How would you describe your relationship with your dad?
 - b. How would you describe your relationship with siblings?
 - c. How would you describe your relationship with your dad's new partner?
 - d. How would you describe your relationship with your mom's new partner?
 - e. How would you describe your relationship with your dad's new partner's children?
 - f. How would you describe your relationship with your mom's new partner's children?
17. What do you think is the ideal custody arrangement situation?
 - a. How does your situation compare to the ideal?
 - b. How could you change things to get closer to the ideal?
 - c. What obstacles do you face in getting to the ideal?
18. How should custody arrangements be decided?
 - a. Who should be involved?

- b. What if the parents do not get along, how should custody arrangements be decided?
- 19. What advice do you have for divorced or separated parents about determining the custody arrangements of their children?
 - a. What advice do you have for divorcing parents about what their children are experiencing during this time?
- 20. What advice do you have for other children experiencing the divorce or separation of their parents?
- 21. What advice do you have for lawyers/mediators/judges/parent educators for how they should assist divorcing parents determining the custody arrangements of their children?
- 22. What additional information have we not discussed that you think would be beneficial for me to know?

Appendix D - Demographic Interview Sheet

Today's Date: _____

Participant #: _____

Participant Information

Participant Name: _____ Age: _____

Length of time married to former partner: _____ years and _____ months

Length of time since separation: _____ years and _____ months

Who initiated the divorce? _____

Are you currently remarried or cohabiting with a romantic partner? Yes No

If yes, length of time cohabiting or remarried: _____

Highest Level of Education Completed: _____

Occupation: _____ Annual Income: _____

Racial/Ethnic Group: _____

Former Partner Information

Former partner name _____ Age _____

Is former partner currently remarried or cohabiting with a romantic partner? Yes No

If yes, length of time cohabiting or remarried: _____

Occupation: _____

Racial/Ethnic Group: _____

Children Information

Name: _____ Age: _____ Sex: _____

Name: _____ Age: _____ Sex: _____

Name: _____ Age: _____ Sex: _____