

## **EMPIRICALLY BASED PARENTING PLANS**

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Family law professionals best serve children's long-term interests, and most responsibly support parents as they endeavor to make decisions on behalf of their children, by understanding what social science does and does not yet know about the impact of sharing arrangements. Parents might be sufficiently motivated to work in tandem by appreciating their own greater expertise in crafting sharing plans, vis-à-vis the state of the art in our scientific understanding about the impact of them. Empirically based research in this area at present is limited, helpful but incomplete. Our understanding remains a "best guess" that often is driven by worst case outcomes.

That being said, empirically-based decision-making is critical to the success of achieving workable, enduring parenting plans. Utilizing what we know about divorce and how it might potentially impact a certain family, currently and in the future, offers significant value in terms of streamlining decision-making and avoiding associated obstacles and hazards. Initial efforts include identifying elements of the family that are consistent with the data comparison group and then supporting parents, as needed, to develop *their* sharing plan. Implementation of mechanisms that endeavor to contain costs for families, both in terms of emotional suffering and adverse economic impact, are critical to the psychological and financial well-being of this vulnerable population. This goal is more likely to be attained by illuminating financial incentives to resolve differences of opinion in a mutually acceptable fashion, for those who are able and willing to resolve conflict by compromise and cooperation. In ideal circumstances a team approach is utilized that actively involves guidance and support by diverse family law professionals, including attorneys, mediators, financial professionals, physicians, educators, clergy, extended family and friends, as well as mental health clinicians involved with the family.

The following general factors should be considered when parents are developing plans for family living arrangements after divorce. Whether or not parents adhere to these concepts will impact whether optimal or minimal parent-child relationships are developed.

*MINIMIZE LOSS* - Children experience divorce as a series of significant losses. What adults view as change, children perceive as a sad, frightening event. To a child, divorce potentially means losing home, family life, loving parents who care about each other, pets, financial security, relationships with extended family, familiar schools, sports activities, and the daily schedule. Children often feel abandoned and uprooted. The disrupting effect of divorce on their lives can have profound consequences for the child as they reach adulthood. Children's emotional suffering can be mitigated by eliminating as many changes and losses as possible.

*MAXIMIZE RELATIONSHIPS* - Encourage all relationships which existed between children and others that were established before the divorce. Children are most likely to preserve the benefits of being a part of a family when they continue to enjoy pleasant, free access to both parents and extended family. This is critical for children to maintaining psychological equilibrium. The child's identity is preserved when they continue to feel they belong to both families. When children spend time with both sides of their family they maintain this identity. The child's

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temperament should be considered, as well as the temperamental match or fit between the child and each parent, and the parent's interests and the child's activities, when developing sharing plans. Children are best served by developing parenting plans that enhance direct contact and positive involvement between them and each parent. When parents agree to remain in the same geographical location relationships are more easily maximized.

*SECURITY* - Children are likely to feel protected from losses when allowed to remain in safe, consistent, supportive, and familiar environments. They feel secure when they are ensured positive time with each parent, the familiarity of established family rules, as well as the continuity of previously established religious, school and daily activities. Children typically thrive if parents, attuned to their needs, live in close proximity. It is reassuring for them to maintain familiar after-school friends at both parents' homes and when each parent accepts responsibility for care involving all aspects of their life. Mature parents communicate about strategies that will build certainty, structure, and stability in their children's life.

*NO PERCEPTIBLE CONFLICT* - Scientific research verifies that children suffer both presently and in the future if they witness inter-parental conflict. Raised voices, arguing, hateful remarks, and physical altercations are not suitable for child viewing. Children also are harmed when they are aware that one parent has spoken negatively about the other parent. When parents, directly or indirectly, create negative images of the other parent the child's own self-image is deleteriously impacted. Children typically feel as good about themselves as they do about each parent. Their best interests are promoted when parents resolve to encourage good will in the parenting partnership.

*AGE RELATED NEEDS* - Children of different ages need and benefit from different parenting arrangements. Even with the application of empirical data, parenting plans remain largely experimental. Time and consistency, as well as non-defensive discussion between parents, will enable adults to decide which plan best fits their family needs. Just when the optimal plan has been developed it is likely that parents will be faced with the prospect of renegotiating and changing the plan based on developmental changes in their children. The "best plan" will depend on the number, ages and the gender of children in the family. Parenting plans should be tailored as much as possible to reflect the child's developmental needs and individual requirements. As children age sharing plans evolve, becoming more flexible and driven by the young person's activities and interests, reflecting the hoped-for growing independence associated with young adulthood

**General Concepts for Family Law Professionals:**

- Do no harm - respect the power of work in crafting sharing plans. It is highly likely that there will be long-range impact and unintended consequences from decisions made in this regard (Fundudis, 2003).
- Aim high when developing parenting plans, encouraging parents by others' positive examples. Do not reduce expectations for parents to the lowest common denominator. Identify individual parental strengths and limitations, with an eye toward empowering

both parents to be the best they possibly can be for their children post-divorce (Ahrons, et al., 2003; Kelly, 2006).

- The quality of the parent-child relationship, including the emotional tone and socialization style, is very important to a child's post divorce adjustment. Children who have warm and firm parents do better than children who experience overly strict, indulgent or neglectful parenting (Whiteside, 1998).
- Erect no unnecessary barriers between a parent and their child based on assumptions that are unsupported by empirical data (Warshak, 2000; Pruett et al., 2004; Kelly, 2006).
- The best parenting plan is the one that fits the family who must then live with it (Kelly, 2007).
- There is no perfect parenting plan that fits every child across the developmental spectrum. Moreover, rigorous research comparing the benefits of one parenting plan over another is yet to be completed (Sanders, 2007).
- Sharing schedules, although they are frequently the focus of intense parental dispute, represent only a small part of the entire picture as it pertains to children's well-being. Interventions must address parenting practices, parental self-esteem, safe modes of information exchange and ways of coping with disagreements (Whiteside, 1998).
- In family law, the adversarial system tends to fuel disputes for parents already in conflict by placing them in roles that increase antagonism and initiate resentment. According to Kelly (2006), while the adversarial system encourages beliefs that the best interests of children are being served, in reality it "discourages parental efforts to focus on children's needs and diminishes the possibility of future civility and cooperation between parents" (p. 39). Less than 5% of custody disputes actually go to trial. Economically and emotionally destructive forces do not promote conditions fostering children's resilience following divorce (Kelly, 2006).
- Mediation is a powerful tool for parents, according to Kelly's research. Kelly (2006) found that mediated custody and parenting disputes "reach settlement between 55% and 85% of the time, in both voluntary and mandatory programs" (p. 40). Furthermore, 12 years after doing so, parents were cooperating and communicating more effectively, and their fathers were more likely to maintain their presence in the child's life, when compared to families who had endured the adversarial family law system.
- There is no one-size-fits-all parenting plan (Whiteside, 1998; Garon, et al. 2000; Pruett et al., 2004).
- Parenting plan development remains more art than science - studies on families of divorce and parenting issues are mainly retrospective, correlational data, rather than rigorous, randomized and controlled analyses.

- Before applying information derived from research we must consider how closely matched the family is to the research comparison group (Pruett et al., 2004). The Marin County Project of 60 families, with outcome studies by Wallerstein and Kelly, documented what happens to a pathological group of individuals, with emphasis on loss, abandonment, distress and dysfunction. Results achieved by studying this sample of significantly troubled families should not be generalized to broader populations of postdivorce families (Ahrns, et al., 2003). The Virginia Study, documented by Hetherington and Kelly, used a risk and resilience model resulting in findings of some distress, but maintained a focus on resilience. The Binuclear Families Study, conducted by Ahrns, et al., assumed a normative model of divorce. What is striking is in comparing these three different groups the conclusions are more alike than dissimilar. Findings generally indicate that the immediate distress surrounding parental separation fades over time and the majority of adult children between 70% and 80% are functioning as healthy adults. Divorce presents risks, is an emotionally stressful and complex transition for families, and continues to impact children into adulthood (Ahrns, et al., 2003).
- Maintain Yogi Berra's mindset: "In theory there is no difference between theory and practice. In practice there is."
- Before the parenting plan development professional gets started, it is helpful for that professional to examine personal assumptions and how they might impact the development of parenting plans.
- Red flags for potentially faulty thinking on the part of the parenting plan development professional includes uncritical acceptance of concepts such as:
  - Tender Years Doctrines (Warshak, 2003; Kelly, 2007)
  - Attachment *Theory* (Biringen, et al. 2002; Warshak, R.A., 2000; Pruett et al., 2004)
  - Blanket Restrictions (Biringen, et al. 2002; Warshak, R.A., 2000; Pruett et al., 2004)
- According to Kelly (2006) there are predictable relationship and psychological barriers that impede the continuation of father-child relationships. These include:
  1. Fathers have personal attributes that can be disruptive in the relationship with their children. They may not be interested in the relationship, they can be limited by self-centeredness, or they may have never formed an attachment prior to the marital separation and subsequent divorce.
  2. Fathers retreat from relationships with their children because it is emotionally painful to experience limited involvement in the child's life.
  3. The mother's perspective on the father's value in the child's life can powerfully impact the ultimate significance of the father-child relationship. Serving as what Kelly terms "influential gatekeepers" (p. 40), the mindset of mothers either can

- enhance or detract from the quality of that relationship and participation in the child's life, by promoting or frustrating the process.
4. Mothers are more likely to encourage the involvement of the father who they conclude is proficient in accomplishing adult goals and meeting responsibilities. Therefore, fathers who are able to provide greater levels of child support experience greater facilitation from mothers in terms of parenting time arrangements.
  5. The quality of the father-child relationship for parents who had not married is adversely impacted. These fathers generally have relatively less education and reduced income compared to fathers who had married. This maternal perception of less competence in the father results in reduced overnight contact with the children and increased interference from mother in terms of the father-child relationship.
  6. Maternal hostility at separation also is linked to less paternal involvement.
  7. For most parents inter-parental conflict is significantly reduced two to three years post-divorce. Unfortunately, high conflict becomes a chronic, protracted problem for between 8% to 20% of divorcing parents. A substantial number of these individuals suffer diverse psychological problems involving substance abuse, a significant personality disorder and even mental illness.
- The role of maternal regulation of fathering behavior in a two-parent family context revealed data pertinent to families of divorce (Schoppe-Sullivan, et al., 2008). This article highlights parenting of infants and how mother's support or interference with that role affects father's involvement. These researchers were curious to investigate what might facilitate or hinder the involvement of fathers. The authors found that between 60 to 80% of mothers in intact marriages did not want their husbands to be more involved in this care. These researchers found that mothers play the role of a sort of "mediator or gatekeeper by either facilitating or curtailing the father's involvement." Maternal encouragement remained a significant predictor of father's relative involvement in parenting. The combination of a supportive co-parenting relationship and an encouraging partner is one in which involved, competent fathering behavior is most likely. Maternal encouragement, but not maternal criticism, was directly related to parents' reports of father's relative involvement. Quality of the relationships between children and a non-relocating parent is promoted when the relocating parent encourages access and is verbally supportive of the other parent (Austin, 2008 b).
  - Remain mindfully attuned to detecting exceptions to the rule, i.e. mother as natural parent based on the concept of motherly instinct. Research indicates that gender does not limit a person's ability to create a safe and nurturing environment for children, nor does it correlate with adequacy in performing the tasks necessary to raise them (Whiteside, 1998).

- Short-term versus long-term benefits - What may sometimes look like a short-term deficit can evolve into a long-term benefit, i.e. weighing the potential harm of Dad's *Pop Tart* and peanut butter and jelly sandwich diet against the benefits of hot meals with Mom, versus preserving the father-child relationship long-term, or losing it all together (Lamb, et al. 1997; Warshak, R.A., 2000).
- Life is not fair, and isn't that wonderful for children and their parents? In general fathers do not need to do as much as mothers in the way of evidencing quality parenting skills to be considered valuable from their child's perspective. Conversely, mothers can take more missteps and commit more errors than fathers, and their children mainly will be forgiving and will still consider them to be wonderful. In general, there is no replacing a mother. Mothers are incomparable. Fathers are valuable but not necessarily incomparable (Ahrons, et al., 2003).
- The preceding is an example of why all data is *not* one-size-fits-all. There are exceptions to general rules and with research in this area we can only discuss the modal, general, group results. In some cases the reverse may be true, with fathers perceived as incomparable and mothers seen as valuable but not necessarily incomparable.
- Plans that are mutually developed by parents and achieved in a timely fashion typically best serve children's needs (Lamb, et al. 1997).
- Children require more time than initially was thought to regain their emotional equilibrium after divorce, perhaps as long as five years (Lamb, et al. 1997). Consequently, mature parents respect the challenges faced by their children and refocus their energies from self to supporting the needs of their children (Kelly, 2007).
- More recent studies, compared to the earliest analyses, indicate that parents who divorce are increasingly better at managing their conflict and avoiding the additional burdens of adversarial proceedings when separating and dissolving their marital union. Earlier analyses indicate 15 to 10% (Lamb, et al. 1997), versus more recent studies at between 5% and 1.5% (Kelly, 2007).
- While today most parents resolve their parenting disputes without actually enduring a trial, those who do prepare for adversarial proceedings even without going to court subject themselves and their children to economic and psychological harm (Kelly, 2007).
- Payment of child support and the amount of contact between the child and non-resident parent is correlated. Children are less affected by divorce when the most financially able parent continues to support them financially, their parents are psychologically healthy, and when they are able to maintain meaningful relationships with both parents (Lamb, et al. 1997).
- Fathers were more likely to reduce their involvement with their children in the early years after the divorce when inter-parental support was minimal or nonexistent, and inter-

parental conflict was high. Those children who reported that their relationship with their father stayed the same or got better were in families in which former spouses were able to reduce conflict and increase support over time (Ahrons, et al., 2003).

- Fathers are particularly vulnerable to high stress levels at the outset of separation. Factors which encourage disengagement from the parenting role include a cost-benefit analysis of co-parenting conflict in the context of parenting stress due to less preparation to take on a greater parenting role. Forces that threaten the father-child relationship can be mitigated by the father's personality and willingness to enlist social support and to maintain supportive networks for parenting (Degarmo, et al., 2008).
- Families embroiled in chronic, high-level conflict require more powerful and comprehensive interventions (Whiteside, 1998).
- As time expands between a child and their father, a child perceives incremental increased closeness to father (Kelly, 2007).
- It is the quality of the interactions associated with expanded contact between children and their parents, rather than the amount of time, which strengthens that relationship (Pruett et al., 2004). For a parent to share meaningful responsibilities for child management and socialization, day-to-day involvement in child care and family work is required. The nonresidential parent, who typically is the father, is at risk for becoming an increasingly peripheral parent in the life of their child (Whiteside, 1998).
- Professionals assisting parents in developing parenting plans can offer significant assistance by listening to children and then helping their parents hear the voices of these youngsters. When struggling with their own emotional pain, divorcing parents may have reduced capacities to parent and be unable to acknowledge and manage their children's anxiety and emotional suffering. Therapists can meet separately with children to reduce distress related to prominent features of their parents' divorce, and to offer them coping strategies to most effectively respond to their parents' conflicts. Identifying buffers for the child, such as community resources and programs that provide emotional support and increase self-esteem, represent powerful approaches to ameliorate potential trauma for these young people (Ahrons, et al., 2003).
- Children of divorce do best when their parents are functioning optimally (Lamb, et al. 1997; Whiteside, 1998; Kelly, 2007).
- Early remarriage by the father, within the first year to three years, generally presents significant threat to the father-child relationship (Kelly, 2007). The father-daughter relationships were more adversely impacted by divorce than the father-son relationships. Daughters indicated remarriage of their fathers left them feeling emotionally distant. They felt second best and believed they were a burden to their father (Ahrons, et al., 2003).

- Educational efforts for parents anticipating divorce do result in greater awareness of children's needs and in increased likelihood that those informed parents will sensitively respond to these most vulnerable family members (Kelly, 2007). Researchers found that parent education programs were more likely to be useful to families characterized by low and moderate levels of conflict. These should include the development of methods to: increase positive support to the other household, effectively exchange information, coordinate routines across households, effectively resolve conflicts and educate parents about child developmental needs and effective parenting practices, as well as to ensure that parents' personal needs are met (Whiteside, 1998).
- Mediation is a powerful tool that enables most parents, between 55 and 85% of the time, to resolve parenting and access disputes (Kelly, 2007).
- It is essential that mental health professionals coach extended family members and caregivers to act supportively, rather than taking sides and encouraging splitting (Whiteside, 1998).
- Recent studies of college students who experienced divorce indicate a preference for living arrangements that gave equal time with their fathers. Moreover, they experienced better outcomes when their parents supported their time with the other parent. College students who experienced few disagreements between their mothers and fathers over living arrangements gave evidence of their fathers' continuing commitment to them into young adulthood years. Even for infants and toddlers (ages 0-2 years) students believed that on average five days and nights out of 14 with Dad were best. The belief of the current generation of college students whose parents divorced is that the best living arrangement for children after divorce is to live equally, or substantially equal time, with each parent (Fabricius, 2003).
- Kelly (2006) describes three types of co-parental relationships post-divorce. These include:
  1. The co-parenting relationships of 20% to 25% of divorced parents are characterized as conflicted. Interactions between these parties reflect intense disagreement, ineffectual communication and continued emotional attachment to the former marital partner by one or both parents. There are circumstances in which one of the parents is ready to extricate from this destructive interactional pattern, although their parenting partner is committed to continuing an adversarial process. This parent's presentation is characterized by their seething anger, a need to control, to wreak vengeance and to seek "justice" by legal actions.
  2. Parallel co-parenting is exhibited in approximately 50% of divorced parents. These parents are characteristically disengaged from their former marital partner, evidence little in the way of conflict but also do not communicate very often with each other. There is very little mutual support in managing circumstances of their children's lives, or in addressing issues relative to child rearing. Fortunately,

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when children are raised in a parallel co-parenting arrangement they continue to flourish, as long as they are appropriately cared for in both of their homes. Clearly structured parenting agreements that specify how decisions will be made are essential to a positive outcome for children in this circumstance.

3. Cooperative co-parenting represents the relationships of between 25 to 30% of divorced parents. These adults are able to make plans together on behalf of their children. Moreover, they coordinate activities and flexibly readjust their children's parenting time as means to support their co-parenting partner. Children fortunate to be raised in this circumstance are perceived as more resilient as a result of their parents mature problem-solving capabilities.

### **Empirically Derived Assumptions:**

- The best parent *is* both parents, barring a major impediment to parenting, such as unacknowledged and untreated psychological or substance abuse problems, or lack of capability or inclination to parent, or domestic violence (Lamb, et al. 1997; Biringen, et al. 2002; Garon, et al. 2000; Pruett et al., 2004; Kelly, 2007; Featherstone, 2004). Rather than being redundant, each parent makes unique contributions to the well-being of their child. Children are less likely to define their childhood by their parents' divorce, experiencing less of a sense of loss, when raised in a mutually supportive, shared physical contact plan. Both parents share responsibility for their children. There are many right ways to parent. After divorce each parent is free to parent in their own right way, as long as the child is not placed at risk (Benjamin, et al., 2005).
- When parents relocate after divorce the quality of the relationships and the availability for contact with their children typically is adversely impacted. During the two years following marital separation 25% to 45% of children relocate with a parent who has been identified as the major caretaker. When that move involves more than 75 miles the future of the relationship with the other parent is significantly compromised. Children are more likely to lose the relationship with the distant parent when finances are restricted, the parent's work schedule is not flexible, and the distance cannot be addressed by car trips. In these circumstances reduced parenting time results in a loss of a psychological closeness between the child and the distant parent. Frustration and resentment for the move tends to inhibit creative problem-solving vis-à-vis the sharing arrangement, as well as to erode inter-parental communication. College students whose parents moved after divorce reported a less favorable view of parents as role models and sources of support, as well as more internal turmoil and distress compared to students whose parents did not move after divorce (Kelly, 2006).
- Conflict between parents hurts children - Co-parental discord represents the one element of divorce presenting the greatest potential for harm to children, not the divorce itself (Lamb, et al. 1997; Pruett et al., 2004; Kelly, 2007; Featherstone, 2004; Kelly & Ward, 2002; Jaffe, et al., 2008).

- Conflict between divorcing parents may be inevitable but most often is manageable (Lamb, et al. 1997; Kelly, 2007). Conflict can be abridged by achieving consensus on roles and responsibilities that are lucid, predictable, and stringently enforced. These efforts can decrease incentives for strategic bargaining and relitigation of the custodial provisions of divorce judgments (Kelly & Ward, 2002).
- When the question of domestic violence arises this issue should be carefully and competently assessed, while developing differentiated parenting plans that are explicitly articulated, implemented and then monitored (Jaffe, et al. 2008).
- Fathers who were active parents prior to the separation and then, through legal pronouncements, were relegated to a lesser role in terms of parenting are more likely to withdraw from caretaking responsibilities. The first year immediately following the divorce is a critical time that significantly impacts whether fathers will remain involved in the lives of their children. Factors that impact continued parenting involvement include perceived parenting support from the former spouse and the father's satisfaction with their own parenting performance (Madden-Derdich, et al., 2000).
- Parents who create loyalty binds are placing a noose around their child's neck (Whiteside, 1998; Kelly, 2007).
- “Lady Liberty” versus “the Bouncer” - Parents who are adept at sharing actually strengthen *their* relationship with the child. Charity to others brings more charity to self than one might expect. Giving up time for the child to spend with the other parent enriches the giver as much as, if not more than, the recipient (Kelly, 2007; Cashmore, et al., 2008). The more mothers were perceived to interfere or criticize, and the more they let their children know that they did not want their fathers to be involved, the less close and more angry children felt toward their mothers years later. Fathers suffered somewhat fewer backfires of being perceived as unsupportive of contact with mother. Father's undermining behaviors were not related to how close their children felt to them, but their interference and criticism was related to their child's anger toward them. Mothers who interfere may risk damaging their future relationship with their child, a risk that also holds true for fathers who interfere. If children perceive a parent's undermining behaviors and attitudes as a threat to their relationship with the other parent, children tend to worry that the parent who undermines also want living arrangements that would limit the children's time with the other parent. This is true for both mothers and fathers. Children can become angry at a parent for interfering with their time with the other parent. Both interference and criticism by one parent of the other is experienced as not wanting the other parent involved in their lives. The more they experience these undermining behaviors and attitudes, the worse they report their relationship is with that parent years later, especially for mothers. (Fabricius, 2003).
- Distance and flexibility are important in determining visitation difficulty for the child. The more parents were flexible, the closer children felt to them and the less anger they experienced toward them. (Fabricius, 2003).

- Mothers do not criticize fathers into a better relationship with their children; they encourage them (Whiteside, 1998; Kelly, 2007).
- Nonresident fathers often depend on the benevolence of their former wives in regard to the quality of contact and life events they share with their children. When parents are able to develop a cooperative relationship, they are less likely to engage in harmful power struggles over the children. However, when the co-parental relationship is unsupportive and burdened with conflict and power struggles, nonresident fathers often vacate their parenting role and avoid their children as means to avoid conflicts with their former wives. Lessening or loss of the father-child relationship is more likely to be related to the father's relationship with the child's mother and her respect for his parenting rights and responsibilities, rather than reflecting his love and care for his child (Ahrons, et al., 2003).
- Relocation presents significant potential for harm to children. Unless both parents move in tandem there is little justification from the child's perspective to do so. Children of parents who do relocate lose respect for relocating parents, become anxious, develop insecurities about their future and often lose the relationship with the parent left behind (Lamb, et al. 1997; Kelly, 2007; Cashmore, et al., 2008).
- The type of relationship established between a child and each parent prior to marital separation should not be automatically adapted as the best kind of relationship for the child after divorce. Binuclear families are typically ideal from the child's perspective, enabling that child to develop much like children from intact homes, in terms of psychological adjustment and emotional well-being (Cashmore, et al., 2008).
- Potential parenting deficits should be identified early on in the process of parenting plan development. Parents inclined to expand their knowledge and skills should be fully supported in doing so (Cashmore, et al., 2008). If adults *must* divorce and deprive their child of the benefits of growing up in a married family, their challenge is to normalize circumstances for the child as much as possible (Lamb, et al. 1997).
- Close communication sets high functioning parents apart from less mature parents. Children will cope more effectively with their parents' divorce when there is low inter-parental conflict and effective communication between their parents (Whiteside, 1998; Ahrons, et al., 2003). Parallel parenting is the next best alternative to cooperative co-parenting (Kelly, 2007).
- Father's challenge is to be flexible. Mother's challenge is to share children, even when internally prompted to "protect" them, and to positively support Dad without attempting to micromanage the father-child relationship (Kelly, 2007). Dividends paid long-term are children who neither resent their father for making rigid demands on exercising "their time," nor young people who lose respect for mothers they perceive as unduly critical, insecure, and self-focused.

- Developmental needs and potential vulnerabilities should be considered when developing parenting plans.
- Developing a better understanding of the child's needs and each parent's capabilities best equips parenting plan development professionals when addressing the task of identifying developmentally appropriate sharing schedules (Garon, et al. 2000).
- Traditional every-other-weekend contact between the child and the non-residential parent is unnecessarily restrictive and potentially harmful to the child's relationship with that parent (Kelly, 2007).
- Maintaining an awareness of research findings can alert parenting plan development professionals to anomalies that require special handling. For example, most children desire long-term involvement with their fathers. When contact is resisted the professional then proceeds with caution, ruling out normal reactions based on developmental stage such as separation anxiety, alignments with a parent in a highly-conflicted marriage or anxiety about leaving a psychologically vulnerable parent, fear of conflict and violence at transition, or a history of being the recipient of physical and emotional abuse (Warshak, 2003; Kelly, 2007).
- Most children welcome continued contacts and involvement with their fathers, although there may be some resistance of contact for various reasons, such as developmental stage, or anxiety on separation. Other reasons may involve anxiety about leaving a psychologically vulnerable custodial parent, or a strong alignment formed with a child in the context of a highly conflicted marriage. Others fear conflict and violence at the transition, or are realistically estranged from a parent who has a history of intimate partner violence, or if they have been physically and emotionally abused themselves. For these young people, minimizing the contact or, where rehabilitation is considered unlikely, terminating the relationship might represent the healthiest outcome (Kelly, 2006).
- When either parent remarries children are at risk of enjoying less involvement with their father. Approximately two thirds of parents cohabit prior to remarriage. Children endure myriad changes after their parents' divorce, particularly in the first two years from the point of separation. As the adults address new social relationships, from dating to cohabitation and disintegration of these relationships, the parent-child relationship can be unduly stressed. Early remarriage appears to be more stressful to children. Fathers who waited three to five years after divorce to remarry maintained more positive relationships with their children than those who remarried within the first year after divorce. (Kelly, 2006).
- When children and teenagers were asked about their opinions about half of them wanted more involvement with their fathers, while one third of those studied requested expanded contact. Closeness to fathers increased incrementally reflecting increased time with them, as did college financial support. 70% of young adults indicated that equal time sharing

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arrangements would have been the best possible situation. For these young adults who were raised in a fairly even time sharing arrangement 93% indicated that this was not only satisfactory but represented the best possible arrangement from their point of view. These young people were less likely to view their lives from what Kelly (2006) terms “a lens of divorce” (p. 44), and did not experience undue loss as a result, when their outcomes were studied against young people growing up in a sole custody circumstance. Research has been replicated in a variety of studies noting the adverse impact that divorce has on relationships between fathers and their children. Researchers note that there is a diminishment of trust, warmth and availability of help from fathers compared to young people whose parents are married. However, teenagers who had, prior to the marital separation, been close to their fathers were more likely to maintain ongoing involvement and mutual trust when compared to peers with less contact with father. Moreover, their adjustment was indistinguishable from that of young people from homes where parents remained married. While it is not often that the opinions of young people are considered when making sharing plans most children of divorce *do* want their feelings to be considered. When teenagers were able to have contact with their parents at their discretion they were more likely to be satisfied with the sharing plan and view it as fair. When parents endeavored to be flexibly supportive in making adjustments on behalf of their high school and college-aged children these young people were less angry and felt closer to these important adults (Kelly, 2006).

- Studies show that overall mothers and fathers contributed equally to college funding. However, they did give different amounts depending on the custodial arrangement students reported. College students reported that their fathers paid more when they had joint legal custody (about 50% of fathers), than when their mothers had sole legal custody. Mothers paid more when they had sole legal custody than when they shared joint custody with their fathers. In joint legal custody families fathers paid more than their share, and in sole maternal legal custody families, mothers paid more than their share. The amount fathers contributed was related to the amount of time students lived with their fathers, independent of the legal custody status these fathers had. The fathers contributed less when the children did not live with them at least a substantial amount of time. When parents are limited to less they may feel parentally disenfranchised or that they have lost their child. It may be that time apart damages both the child’s and the parent’s feelings about the relationship, leading not only to children’s feelings of distance and anger, but also to parent’s disengagement in the form of reduced child support for financial support for college. Voluntary college support was related to living arrangements and not to remarriage, which suggests that this type of support seems an index of the quality of the parent-child relationship that developed as an outgrowth of the time spent together after divorce (Fabricius, 2003).
- Children are twice as likely to suffer academic, social and adjustment challenges raised in families of divorce as compared to those growing up with parents who remain married. This vulnerability is mitigated when the child enjoys parents who are capable and emotionally available, and those adults do not suffer depressive or other psychological

illnesses. Furthermore, lower levels of inter-parental conflict proved salutary (Kelly, 2006).

- Incompetent and absent parenting is replicated from one generation to the next through parental identification (Ahlberg, 1998).
- Studies are yet to be completed comparing outcomes of specific parenting plans, other than the ones comparing sole maternal custody to joint sharing arrangements. Good outcomes have been established for younger children and boys who are raised post-divorce in low-conflict circumstances, and where predictable and ongoing contact with both parents was reported. It has been well established that significant harm comes to children, as reflected in their poor overall adjustment, when parents maintain significant discord in their adult relationship and that child is exposed to the conflict at a high frequency with many exchanges between the homes. Children who are employed as mechanisms by which to express their parents' anger evidence poor adjustment. However, when the parents can contain their disdain for the child's other parent their child's adjustment does not differ from that of those young people raised in low-conflict homes. Protective elements in the face of inter-parental conflict include: the child's enjoying a good relationship with at least one of their parents or caregivers, emotional support from siblings and parental warmth. Circumstances that mitigate any manner of contact with the parent involve those adults who suffer impaired judgment or who abuse substances, are mentally ill, or have abusive or harshly insensitive attitudes. (Kelly, 2006).
- College students who have lived equal time, or a lot of time, with their fathers had relationships with both parents comparable to other students from intact marriages, with one exception. In married families students were significantly less close and angrier toward their fathers than their mothers, although the differences were not great. However, in divorced families with either equal time, or a lot of time with father, they were neither less close nor angrier toward their fathers than their mothers. The psychological distance and anger resulting from prolonged parental unavailability are predicted by attachment theory, which also predicts that loss of security in the parental relationships contributes to future adjustment difficulties (Fabricius, 2003).
- Children who are less close to their fathers had worse behavioral adjustment, worse emotional adjustment, and lower school achievement. The damage to these relationships can be expected to persist. Many grown children have substantially weakened relationships with their divorced fathers, as measured by time spent together as adults, quality of the relationship, and support given and received in the form of intergenerational transfers of time and money (Fabricius, 2003).
- Special needs children may benefit from the development of an Individualized Parenting Plan that strategically identifies unique needs and structures how parents will address them (Saposek, et al., 2005).

- Focusing on the needs and desires of all members of the family when crafting parenting plans, utilizing a family systems approach, can provide a powerful mechanism by which to support individuals as they negotiate diverse changes associated with divorce (Robinson, et al., 1985).
- Unresolved emotions from the divorce involving anger and hurt powerfully predict problems pertaining to child sharing that later arise in the early post-divorce years (Pollack, et al., 2004).

### **BIRTH TO 6 MONTHS**

#### **Developmental Tasks:**

One of the primary tasks for infants is that of physiological stabilization. Parents must closely manage health care needs. Strong bonding and attachment to at least one parental figure is essential. It is better to have one strong, secure bond than two weak ones. Love, affection, nurturing and attention given freely and in abundance are essential to the infant's psychological and physical well-being (Schaefer, et al., 2000). From infancy through toddlerhood the main task is learning to seek and to receive comfort efficiently. This task is more likely to be achieved when the infant has sensitively attuned and competent caretakers. Infants and toddlers, who are unable to achieve this set of skills, are emotionally and physically at risk for problems later in their development.

Research from the early 1970s onward indicates that most American infants raised in two-parent homes form attachments to both parents, even when the infant has spent much less time with father than with mother. While the majority of infants develop a preferential relationship with primary care providers, typically with their mother, the quantity of time spent with the two parents does not impact the security of either relationship. Rather, it is the quality of the behaviors exhibited by the parent that affects the security of the infant-parent attachment (Lamb & Kelly, 2001; Solomon & Biringen, 2001). Additionally, the quality of the interactional patterns between mother and father are reliably correlated with psychological, social and cognitive adjustment not only during infancy but later in childhood (Thompson, 1998). Whether they live with both parents together or in single-parent homes, children do best when both parents are actively involved in their lives and those parents work together with minimal conflict and enjoy good communication. Parents who are emotionally supported exhibit higher-quality parenting. Infants' needs are best served by avoiding psychological separation from either parent, as this prompts psychic pain and threatens psychosocial development (Lamb & Kelly, 2001). The relationship between infant and father is most at risk for loss when traditional court-related decisions minimize their role in the life of their baby. Children's best interests are served when fathers remain involved in the lives of their children, beginning from infancy. Timesharing arrangements should facilitate active involvement of both parents in the lives of infants. Overnight contacts provide interactions that are qualitatively different than daytime alone contact. Rather than threatening attachment relationships overnight separations from one parent, in order to offer overnight care with the other parent, actually strengthens relationships (Warshak, 2000). For very young children increased father involvement resulted in children who

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were better behaved, communicate more effectively, and socialized well, when compared to age-peers who enjoyed less in the way of paternal care (Kelly, 2006).

### Age Related Needs:

Consistency and continuity of care by a limited circle of nurturing and stable caregivers is ideal for infants. In addition, stability, consistency and predictability of the childcare setting are important. Changes cause anxiety for infants; therefore, a predictable routine is preferable. Significant direct eye contact and physical contact promote babies' development. At a time when children most require loving, sensitive and reliable support from their parents characterized by limited disruption and intense, adverse emotion, poorly managed co-parenting can produce disastrous results for the baby. The ability of a young child to recover from the damaging effects of traumatic events is influenced, to a major degree, by the quality of their attachment to parents and the parents' capabilities in sensitively responding to the infant's needs (Lieberman, 2004). Parents who are at the beginning of their divorce process and attempting to share young children are wise to seek maximal support and guidance on how they might reduce co-parental conflict and maintain a positive focus on this vulnerable human being (Schepard, 2004).

Norris' 2004 review of the literature resulted in a list of decision-making criteria that could be employed when requests are made for overnight contacts involving very young children. The thirteen criteria have no special weight or priority associated. Decision-makers should determine importance for each variable on a case-by-case basis.

1. **Attachment:** Overnight contacts with both parents are supported when there is a history of joint caretaking leading to the child developing attachments with both parents. On the other hand, when a child has an attachment to only one parent, or in circumstances where the child exhibits attachment problems with both parents, decision-makers should be less supportive of the request for infant overnights.
2. **Pre-Divorce Distribution of Parenting Time and Responsibilities:** Parents considering overnights with the child should possess the necessary skills across a variety of domains, that enable them to provide competent day and night time supervision and care for the very young child. Parenting plans resembling the pre-separation pattern of contact seem to be best for the very young. Frequency and duration of contact would be determined, in part, by the child's prior contact with each parent. When prior to separation, distribution of parenting time and responsibilities were equal or shared this would support overnight contacts. On the other hand, when one parent has primarily been responsible for the toddler or infant's care this would weigh against infant overnights.
3. **The Child's Temperament:** Stability and consistency of daily schedules is more important for children with slow-to-warm-up or more difficult temperaments. Easy-to-manage children can manage liberal visitations. Resilient temperaments also better tolerate flexible schedules, while shy, demanding and difficult or slow-to-warm-up children are more likely to experience difficulty with overnight contact.

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4. **Level of Parental Conflict:** When parental conflict is high, overnight contacts are not supported. When there is mild to nonexistent conflict between parents this would support the appropriateness of overnight contact. Overnight contact is contraindicated in families of divorce who exhibit moderate to high level conflict.
  5. **Parental Communication:** Parents capable of communicating non-defensively, particularly with regard to bedtimes, rituals, night awakenings, food preferences and feeding schedules are more likely to be able to make overnight contact workable. These highly functioning families typically utilize written communication or e-mail to report essential information about a child's life. On the other hand, when parents' communication style is characterized by limited, defensiveness or critical interactions, this is less supportive condition for infant overnight contact.
  6. **Primary Parent's Separation Anxiety and Lack of Trust for the Other Parent:** Overnight contact is supported in circumstances where the primary parent has little or no anxiety regarding the child's time away from them. Less supportive of over night contact are circumstances where high levels of separation anxiety are shown by the child, or parental fear about the other parent's time with the child. The parent with the greater parenting time who exhibits high levels of anxiety and insecurity about the child's time with the other parent can transfer those feelings to the child, thus compromising the child's overall sense of security. It is indeed unfortunate that sometimes the psychological vulnerability of one parent needs to be acceded to for the benefit of the child.
  7. **Parents' Ability to Implement and Follow a Consistent Schedule:** Research indicates that consistent schedules for small children result in their developing fewer social problems and less in the way of externalizing behaviors. Where parents are able to implement and follow a consistent schedule, involving feeding and sleeping routines, these circumstances are more supportive of overnight contacts. In families where parents have been unable to do so, this would be less supportive of infant overnights.
  8. **Gender of the Child:** For female infants and toddlers there is a clearer benefit for overnight contact and ability to tolerate this change, while male infants and toddlers seem more at increased risk of exhibiting externalizing symptoms.
  9. **Parental Involvement:** Infant overnights are supported in circumstances where both parents are sensitive to the child's physiological and psychological needs. When both parents have not participated in activities such as feeding, comforting, playing with and comforting, overnight contact would be contraindicated.
  10. **Age of the Child and Separation Anxiety:** Separation anxiety may pose more of a problem for some children than others. Stranger anxiety becomes greatest for children from 8 to 12 months of age, peaking between 12 and 18 months of age. However, this can remain very strong even when a child is two years old. When a child

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- evidences a strong separation response to being removed from the mother or when exposed to a stranger this can be quite clear. Decision-makers should be attuned to separation anxiety in very young children when recommending about overnights.
11. **Attentiveness, Warmth and Sensitivity of the Non-Primary Parent:** Marital disharmony can produce adverse impact on children as well as parents' warmth, attentiveness and sensitivity in parenting. When parents who have taken less in the way of caretaking responsibilities prior to the separation are able to interact with their child in an attentive, warm and sensitive manner, this is more supportive of overnights. Where a non-primary parent has demonstrated limited ability to interact with the child in a fashion characterized by less attentiveness, less warmth and sensitivity, this would contraindicate infant overnights.
  12. **Special Needs of the Breast-Feeding Infant:** Overnight contacts are most appropriate in circumstances where a breast-feeding schedule will not be interrupted. The American Academy of Pediatrics indicates that breast-feeding should continue for at least 12 months. In circumstances where these contacts interfere with a child's regular breast-feeding routine, overnight contact would not be supported. Expressed milk provides an option to support overnight parenting.
  13. **Sibling Relationships:** Where older siblings are present this is likely to assist the infant or toddler in tolerating separation from a significant attachment figure. When the sibling goes back and forth between the two homes there is an increased feeling of constancy and consistency between the two homes. When an older child has the capacity to communicate sufficiently and possesses requisite cognitive abilities they can provide an additional source of information about the younger sibling's needs and life circumstances.

When there is a dispute over how each of these 13 criteria is perceived by a parent the decision-maker should look for supportive or disconfirmatory data. Some of the factors also are susceptible to manipulation by those so inclined. If a parent does not want to share their custodial time with the other parent they could create undue conflict and avoid communication to gain an advantage. This kind of uncooperative behavior should be evaluated, primarily to verify whether those co-parenting deficits are serving the purpose of gaining an advantage in this dispute or whether they represent legitimate claims about the history.

### **Proposed Parenting Arrangements:**

*Parents live within 50 miles:*

Sharing plans should ensure that infants retain their relationships with the primary attachment figures, while simultaneously expanding their relationship with a parent who formerly had assumed less in the way of care taking responsibilities. For infants who have been cared for primarily by one parent prior to the separation, greater adjustment problems may be anticipated during the transition to the development of the binuclear family arrangement. Consider the sharing plan that had been implemented prior to the separation as the starting point for expansion

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of time and involvement, based on the capabilities and inclination of the parent who had not, heretofore, assumed the majority caretaking role. As that parent and the infant develop comfort with the increased contact and expanding quality of care, the caretaking responsibilities and time together expands.

Nesting arrangements are ideal for these most vulnerable children. Nesting involves the parents, rather than the infant, moving between the marital residence and a secondary home. Implementation of a nesting arrangement contains the infant's exposure to stressors associated with the divorce, while attuning parents to what the child ultimately will face once the divorce is finalized and two permanent homes are established. Overnight contact with both parents should be initiated directly in the case of families where both parents have been unified in their caretaking roles. In families where a mutually supportive sharing relationship had not yet been established, overnight contact with the parent less familiar with the customary routine of care should be initiated, once that parent is sufficiently competent in addressing all tasks associated with the infant's care. Transitions to mutually supportive care should be made gradually, with close coordination between the parents.

Each parent should enjoy daily contact with the infant. Overnight contact can be achieved on an every other night basis, for parents with demonstrated ability to manage full-care responsibilities. Separations of parent and infant of more than two days' should be avoided. Given their poor conception of time and limited verbal abilities, babies have greater difficulty tolerating extended separations from attachment figures (Lamb & Kelly, 2001). One of the most critical achievements for infants during their first year of life is the development of attachments to parents and other vital caregivers (Kelly & Lamb, 2000). For breast-fed infants expressed milk can be offered to facilitate overnight contact with the father.

*Parents live outside 50 miles:*

Parents are advised of the significant obstacle imposed on the infant-parent relationship when living at this distance. The parent travels to the marital residence for daily contact. Long car rides for infants and extended time of more than a day away from either parent should be avoided.

**When Special Support is Needed:**

*Possible Problems Experienced at This Age*

- Excessive fretfulness and crying.
- Remain alert for painful ear infections
- Failure to gain weight.
- Apathy.
- Over-reactive upset when exposed to different caretakers or environments.

**6 MONTHS TO 18 MONTHS**

**Developmental Tasks:**

It is vital to the baby's development that they experience sustained sense of trust, security and confidence that their dependency needs will be met. As the baby grows older, the child is able to

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move beyond total dependence on one or two primary attachments, and is building trust and confidence in one or more stable environments. Self-awareness, semi-independence, and sense of growing mastery of the world are characteristic of development in this period (Ilg, et al., 1992). The child should now be able to use symbols, such as dolls, stuffed toys, or blankets, to comfort themselves. Language acquisition and walking begin during this time period. Frequent contact involving overnight care is essential for the preservation and strengthening of attachments that were formed by the infant and toddler with both parents before the marital separation. Excessive separations from either competent parental caregiver should be avoided (Kelly, 2006).

**Age Related Needs:**

Young children at this age need a safe environment from which to explore. Predictability and familiarity are important. A specific daily structure promotes a sense of security and trust. Repetitive play and speaking directly to the baby helps stimulate brain development.

During this period of development babies strongly fear the loss of the primary caregivers. They can become quite threatened by the loss of a familiar, comfortable and predictable home environment. Parental patience and understanding in terms of the baby's separation anxiety is paramount to continued development. Parents should remain sensitive to issues of teething, ear infections, and efforts to learn to walk.

**When Special Support is Needed:***Possible Problems Experienced at This Age*

- Excessive listlessness or lethargy.
- Digestive problems - failure to thrive.
- Fearful reactions to a parent.
- Delayed walking or speech.
- Night terrors and/or regression (the reappearance of behavior the child had formerly seemed to outgrow.)

**Research involving infants indicates that:**

- Mothers who invite father's involvement are giving a child the best opportunity to develop a long-term relationship.
- Mature parents respect the infant's sensitivity to discord between the parents and rigorously shield that vulnerable human being from this potentially grave harm. One of the most serious impediments to a child's healthy post-divorce psychological adjustment is hostile and continuing conflict between parents. According to Whiteside (1998), "No child is too young to notice parental conflict" (p. 497).
- When there is low-conflict between parents, infants experience more positive adjustment with frequent and regular contact with fathers (Kelly, 2007).

- Father's involvement in their babies' lives is related to higher adaptive developmental skills (Pruett et al., 2004).
- Overnight contacts should *not* be prohibited for willing and able fathers (Warshak, 2000; Pruett et al., 2004).
- Breast-feeding is *not* an insurmountable barrier for overnight contact with fathers (Kelly & Lamb, 2000).
- Overnight contacts between young children and fathers are correlated with continued involvement by fathers in the lives of their children long-term (Warshak, 2000), as well as fewer social and attentional problems, with girls being less withdrawn compared to those who did not have overnight contact with their father (Pruett et al., 2004; Kelly, 2007).
- To support long-term relationships between fathers and children, willing fathers should enjoy natural contact with their children, involving a full range of care taking responsibilities and daily activities (Cashmore, et al., 2008).
- Regularity, consistency and continuity are essential elements in the development of sharing schedules that promote well-being of infants' (Lamb, et al. 1997; Pruett et al., 2004; Kelly, 2007; Solomon & Biringen, 2001). Prolonged separation from either parent should be prevented by the parenting plan.
- If a parent lacks knowledge and skill in caretaking of infants, training should be acquired and that parent should be positively and sensitively supported.
- Fathers who become involved early on and perform regular child care and child rearing functions are apt to have healthy, better and life long relationships with their children (Pruett et al., 2004; Kelly, 2007).
- Stranger anxiety that typically appears at six months, becoming more heightened between 12 and 18 months, should be anticipated and responded to in a coordinated fashion. This child's needs are best served by ensuring that *neither* parent becomes a stranger. This indicates that frequent, ongoing and continuous contact between the infant and both parents is generally best.
- Mature parents can accomplish nesting arrangements, involving parents transitioning between two homes rather than the baby moving between two environments. Nesting promotes security by maintaining one familiar environment for the infant. For those parents unwilling to offer this gift to their baby, the next best compromise is creating two very similar living areas for them.

- Research on the effects of separation of infants from their mother clearly indicates that babies can be apart from mothers without undue difficulty, as long as the father is capable of providing care comparable to that offered by day care workers (Warshak, 2000). Findings from studies revealed that young children can form positive relationships and bonds with numerous caregivers as long as those adults are available, responsive and consistent (Whiteside, 1998).
- Socioeconomic factors can create serious risk for economic disadvantage and result in harm to a child. Children who were younger at the time of their parents' divorce may experience longer-term economic hardship than their older peers. Additionally, there is compounding, over time, of the effects of stressors for these small children and their parents (Whiteside, 1998).
- No relationship between overnights and psychological adjustment for both genders in the birth to three years group was reported by parents. However, girls who enjoyed overnight contact compared to those who did not suffered fewer in the way of social, attentional and withdrawal problems. Consistency in maintaining the schedule did represent a powerful predictor for good adjustment for young children (Kelly, 2006).
- One powerful way to reduce conflict at the time of transfer is for the highly motivated, receiving parent to take responsibility for transportation at the outset of their parenting time, after having a period of separation. The best practice for parents is for them to sit together quietly with the baby, cuddling or reading a story to them (Sanders, 2007).

### **18 MONTHS TO 3 YEARS**

#### **Developmental Tasks:**

At this stage the child should develop the ability to separate from parents and should be developing a sense of autonomy. Mastery of language, objects, and toilet training should occur in this time period. A desire to explore the world and objects in it is a strong aspect of this age period. Toddlers are better able to appreciate that other people exist independent of themselves. Thus, they are better able to tolerate longer periods of separation relative to infants (Lamb & Kelly, 2001). When toddlers must travel long distances between their parents' homes, this can be an unpleasant experience for them, and represents a formidable obstacle to maintenance of the parent-toddler bonds. Even when there are sound attachments between children aged 15 to 24 months of life and their parents it is common for them resist transition from mother's house to father's home (Kelly & Lamb, 2000). Between the ages of two and three years old children are better able to compromise and consider the needs of others. Insecurities in attachment between children under the age of three and their parents can be prompted by the parental separation alone. When conflict between parents is reduced these attachments can be strengthened (Kelly & Lamb, 2000). Securely attached children evidence a range of psychological benefits that includes: greater independence, higher social competence, higher self-esteem, greater persistence and flexibility when solving problems, increased curiosity, greater cooperation and better empathy with peers.

**Age Related Needs:**

Children this age will constantly test limits and seek boundaries. Firm, consistent and fair limits are essential. The child should display the capacity to spend time away from the familiar home setting for one to two days of time. Patient, consistent, loving, affectionate and encouraging parents and caregivers are crucial to the adjustment of the baby and toddler to this new living arrangement. Close supervision of play is necessary. Toddlers are at significant risk for in-home drowning and accidents. When young children can maintain loving relationships with both parents their sense of trust, security, confidence, and of being lovable is promoted.

**When Special Support is Needed:***Possible Problems Experienced at This Age*

- Excessive aggression.
- Severe separation fears.
- Developmental lags (significantly delayed speech and/or walking regression.)
- Frequent temper tantrums.

**Proposed Parenting Arrangements for Babies Six months to Three years:***Parents live within 50 miles:*

Establish two well-functioning, coordinated residences for the baby. Daily contact with both parents is preferable when negative affect experienced by the parents is maturely managed. A full range of parenting activities should be conducted by both parents. For babies who continue to be breast-fed, expressed milk can be offered for overnight contacts with father. The continued development of the parent-infant relationship is promoted by ongoing and maximal involvement with both parents. Separation of the baby and either parent of more than a day or two should be avoided. Given the natural fears at separation that babies of this age experience, it should be anticipated that some measure of anxiety and fear will be exhibited. Consequently, parents should work in tandem to support each other and their baby during this challenging period of development. Baby's needs are most effectively met when adults can focus on providing care and support, rather than expressing negativity to each other when in proximity to the infant. Before acquiring oral language skills infants are particularly sensitive and attuned to non-verbal aspects of human communication. In circumstances that parents are unable or unwilling to manage their powerful emotions when they are together a neutral, a third party trusted adult could assist by transporting the baby between the homes.

Parenting time can be enhanced if the option for "first choice caretaker" is adopted. This would require the parents to rely on each other as the primary baby-sitter. Before the baby is left in another person's care, the off-duty parent should be contacted to determine if they are able to exercise their option for caretaking. Concepts that are effective for younger children apply to the development for toddlers. The toddler should not be separated from either parent for more than 3 days and nights, unless absolutely essential. Parents who have acquired the full range of parenting skills may consider initiating up to 3 consecutive overnights per week, for toddlers

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who have adjusted to the new home. Continued sensitivity to the child's anxiety and possible difficulty with change must be maintained.

In circumstances where one parent has not yet developed the array of parenting skills necessary to manage the toddler, frequent contacts - even daily contacts - can be initiated in the familiar home. When parents find that powerful adverse emotions cannot be contained, contact between the child and the parent acquiring skills can be held in the home of a relative who can guide and support acquisition of crucial parenting expertise. As capability is developed, overnight contacts can occur with parenting support by the skilled relative, spaced no more than 3 days apart. Frequent contacts between the toddler and the parent acquiring this knowledge will facilitate the youngster's comfort in the less familiar home.

*Parents live outside 50 miles:*

Parents should be cautioned regarding the challenges for parenting when living farther than an easy day trip back and forth between homes. This places the child at risk for compromised relationships with one parent. During the initial adjustment period the long-distance parent can travel to the marital residence for daily parenting time. Most likely, these contacts will be best managed on weekends, holidays, or vacations. The parent living long-distance can continue to build a relationship with video camera parenting time, videotapes, audiotapes, photos, telling nursery rhymes on tape, and other reminders. Children's needs are best served when they are encouraged to think of and maintain their connection with both parents. Consequently, the parent who is assuming greater responsibility for direct care should encourage the child to look at photographs of the long-distance parent, while talking about positive aspects of their relationship. As the long-distance parent develops skills in management of the infant's needs overnight contacts can be arranged

Overnight parenting time provides vital developmental experiences for young children and their parents. This could be initiated once a second suitable home is identified, particularly when a history has already been established with both parents evidencing that they understand and are willing to adjust to the needs of the child (e.g., history of diaper changing, feeding, holding, play, time alone with infant, etc.) Overnight contacts in the new home should be structured in a manner that limits the child's distress as much as possible. Strategies to promote this process include creating similarity between the baby or toddler's room in each home. For example, parents can coordinate both bedrooms with the same paint scheme, as well as strategically place the same decorations, cribs, and objects of attachment so that the two rooms look alike or very similar (blankets, teddy bears, pacifiers, etc.). Attachment objects can go back and forth between the homes. Close attention to transporting these objects can greatly facilitate the baby's adjustment. In addition, visual comforts can be provided to the baby, including pictures of the absent parent that are placed within comfortable view of the child. Parents can create audiotapes of themselves singing or reading a favorite book, to be played when the child goes to bed at the other parent's home. Parents can offer a T-shirt that they have worn and that bears their unique scent for the child to sleep with. In addition the same lullaby tape (or selected equivalent) might be utilized in each bedroom. By doing so, the child will be surrounded by familiar sounds, smells and sights, promoting consistency, familiarity and comfort. Parents who are unwilling or unable

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to understand the need to provide this kind of consistency for the child are probably not appropriately inclined to support overnight contact for their infant.

The optimal parenting contact described relies on close communication, cooperation and flexibility between the parents. These parents are willing to set aside their frustrations, hurts and fears in order to provide the best circumstance for their child's development. Parents who are flexible, cooperative with each other, positive in their interactional styles and mutually supportive create the best long-term outcome for their babies.

*Parents live outside 50 miles:*

Parent travels to the primary residence for daily contacts of up to three hours. Overnights should be initiated based upon attachment between child and parent and parent's past consistent caretaking history. The non-residence parent can continue to build a relationship with videotapes, audiotapes, photos, gestures and symbols. The primary caretaker should remind the child about the non-residence parent frequently.

### **THREE YEARS OLD**

#### **Developmental Tasks:**

The preschool aged child is beginning to develop gender identity. They also are learning to tell right from wrong, how to earn others' approval and to control themselves. They may also be establishing friendships with peers in a preschool setting. Children this age are learning to safely manage independence. Children who enjoy a base of security develop confidence in their ability to address diverse challenges. This perceived competence serves as the basis for future development in terms of physical, emotional and social capabilities. Temperamental variables impact this process. The circle of people in the life of the preschooler expands, including contact with age mates, caregivers, as well as teachers.

#### **Age Related Needs:**

The three-year-old requires considerable predictability, order and structure. Strategies that enabled the infant and toddler to adjust to a new home should be considered when parents who separate have a three-year-old. To promote the child's adaptation to life in two different homes, parents can work together to arrange their child's rooms to be as similar as possible (i.e., same type of bedding, same pictures, same wall color). Photographs of both parents prominently displayed in both homes can be very reassuring. Each parent can make audiotapes when reading favorite stories for their parenting partner's home. The adjustment of the three-year-old can further be promoted by creating two albums of pleasant family times for both homes, to be placed in the child's bedroom at each house. Each parent can dial their co-parent's telephone number at bedtime so that the child can say goodnight. By reaching consensus and compromising on the same daily schedule the three-year-old child will have important needs met for an established sleeping, feeding, and play time routine. Consistent adherence to the schedule between the homes, as well as to mutually developed and implemented discipline strategies, offers important benefits to the three-year-old. Young children are particularly visually attuned

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to what they see behaviorally displayed, rather than to the spoken word. Consequently, parents who can interact together with a positive tone offer their young child a distinct advantage. Adjustment to the new home is promoted when the three-year-old is supported in transporting a favorite toy or other object (such as a blanket, stuffed animal, doll) back and forth between homes. It is the parents' responsibility to see that this object goes over to the other parent's home. Policies can be implemented to offer structure for parents as well. One such policy would be to accept responsibility to transport the favorite object to the other parent's home if the adult has forgotten to pack it at the time of transfer. Young children often feel responsible for the divorce. Loving attention from both parents, as well as ongoing reassurance the divorce is not their fault, will mitigate these concerns.

**Proposed Parenting Arrangements:***Parents live within 50 miles:*

1. Alternate short periods of stay with each parent - alternating two or three days with each parent.
2. For parents who consistently work different daily shifts - have one parent take on daytime responsibility and the other accept nighttime responsibility.
3. Alternate three days with one parent and four days with the other – rotating each week.
4. Allow the child to remain in the family home - initiate a nesting concept at first, with the adults making transitions instead of the child. The child will do best if they are allowed to see each parent every two to three days. Parents can reside in the shared apartment for up to one week at a time, as long as contacts occur two to three times during the week for the parent not residing within the family home.

*Parents live more than 50 miles apart:*

Encourage a close, continuing relationship between the child and the long-distance parent. Children's best interests are served when parents are able to invite their co-parent into their home for parenting time. During extended contacts the on-duty parent can remain away from the family home, with friends or relatives. Parents should initiate daily telephone calls between the child and the other parent. Children at this age will function more optimally enough they do not lose contact with either parent for more than three days at a time.

**When Special Support is Needed:***Possible Problems Experienced at This Age*

- Persistent (for more than two months) sleep problems - nightmares, clinging at bed time, night terrors, awakening in the middle of the night. A change from previous behavior in which the child readily went to sleep, and did not awaken until morning.
- Persistent change (for more than two months) in eating habits - either refusing to eat or constant desire to eat.

- A return to behavior the three-year-old exhibited when they were one or two (persistent temper tantrums, excessive clinging, toileting accidents, etc.).
- Change in mood - becoming withdrawn, appearing depressed, losing interest in activities which were previously enjoyed.
- Extended crying (weepy for more than two days) after separating from one parent.
- Becoming unusually demanding and needy.

**Research involving Toddlers - Two to Three Years Old Indicates:**

- Parenting plans for youngsters during this age group reflect sensitivity to the fact that the toddler can be quite delightful, yet potentially quite challenging to manage. Parenting of toddlers is *not* for the faint of heart. Parents should be cautioned that these children can be difficult to parent even in the context of one home. Consequently, when the toddler evidences distress through oppositional behavior and temper outbursts it is prudent to consider this developmental challenge, rather than automatically assigning blame for the child's conduct to the other parent.
- Father's involvement is related to higher adaptive developmental skills in toddlers (Pruett et al., 2004.)
- Much creativity can be exerted when developing parenting plans for this age child, as efforts are not constrained by educational and extracurricular demands of the older child.
- Frequency of contact between children and fathers is often associated with a more positive father-child relationship and with improved child outcomes. Even when before separation the father had low involvement with the child, if this involvement increased following divorce it evolved into a good father-child relationship afterward. Positive commitment to the fathering role and regularity of parenting time was related to positive child adjustment (Whiteside, 1998).
- Two parents deftly coordinating care of their toddler will be much more effective in responding to the child's needs, as well as will derive greater personal benefits of predictable time off to recharge their own psychological and physical energy resources.
- Predictability of routines is very important for the toddler. Most mature parents can agree on one routine of care and, generally speaking, maintain it between homes in a coordinated fashion (Lamb, et al. 1997; Kelly, 2007).
- What ever plan of sharing is established in terms of routine, behavioral management and logistics, this child's sense of security is enhanced by dedicated adherence to the agreed-upon schedule. The parenting plan should ensure that the toddler is not separated for a prolonged period from either parent.

- Nesting is also an effective strategy to meet the toddler's need for predictability. In lieu of this parenting arrangement, coordinating the sharing of furnishings and toys, as well as creating two very similar living environments, will facilitate this process of promoting security for the toddler.
- Taking into account the child's temperament and personality variables when developing sharing plan and considering temperamental fit and affinity with parents will promote the crafting of the best possible parenting plans for that child (Garon, et al. 2000).
- Fewer social and attentional problems were observed in toddlers enjoying overnight contact with fathers, and daughters were less withdrawn compared to those toddlers who did not have overnight contact with their father (Kelly, 2007).
- Studies on relocation affirm a policy of encouraging both parents to remain in close proximity to their children. This allows them to maintain high-quality relationships with both parents and limit the harm associated with disrupted relationships. There are unique hazards presented by relocation vis-à-vis the very young child (Austin, 2008a). Both buffering and risk factors should be weighed, on a case-by-case basis (Austin, 2008b). As the distance between parental homes increases, impediments to the establishment and maintenance of psychological attachments accumulate in terms of the parent-child relationship. Good parent-child relationships develop in the context of regular and frequent contacts. When parents can not recognize the value of avoiding a move, relocation should be postponed until the child is at least two or three years old, and is better able to sustain a long-distance relationship with the parent left behind (Warshak, 2003). When college students whose parents were divorced were studied they were divided into five groups: neither parent ever moved more than an hour's drive away from the family home, mother moved with the child, father moved with the child, mother moved without the child, or father moved without the child. College students from families in which one parent moved later reported that: they received less financial support from their parents, worried more about that support, felt more hostility in their interpersonal relations, experienced more distress related to their parents' divorce, were less likely to perceive each of their parents as sources of emotional support and role models, were more likely to perceive that their parents did not get along with each other, were in worse general health, and had lower general life satisfaction. The most common move separated the child and father, either because the mother moved with the child or the father moved without the child. Relocation is ostensibly to be undertaken for reasons that are expected to improve the parent's and/or the child's life. The authors of this study concluded that if the moves had any beneficial effects it was hard to understand why they found deficits associated with mother moving with the child. A simple explanation is that lack of time together after relocation can damage the child's security in the father-child relationship. There is no evidence for the increasingly common held presumption in the courts that moves instituted by the custodial parents are in the best interest of the child (Fabricius, 2003).

- One powerful way to reduce conflict at the time of transfer is for the highly motivated, receiving parent to take responsibility for transportation at the outset of their parenting time, after having a period of separation. The best practice for parents when a small child is reunifying after some period of separation is to sit together quietly with the toddler, cuddling or reading a story to them (Sanders, 2007).

### **FOUR YEARS OLD**

#### **Developmental Tasks:**

The four year old is expanding their identity as a boy or girl. They are learning to better control and manage their temper. The child is also acquiring skills that allow him to interact well with other children. Their understanding of right and wrong is expanding. More positive psychological and social adjustment was observed in four to six-year-old children enjoying at least one overnight each week with their father, when also rating the adjustment of young people who were not similarly spending the night with their fathers (Kelly, 2006).

#### **Age Related Needs:**

Strategies that enhance the sense of order and predictability for three-year-olds serve the interests of four-year-olds as well. In addition, for children who are attending preschool the following strategies will promote their adjustment. When both parents attend teacher conferences as a dyad, more effective communication between teachers and both homes is established. Children suffer less in the way of feelings of loss associated with the divorce when both of their parents accompany them to school, extracurricular and holiday activities. When parents establish early on a policy of working together on school assignments and sharing the finished product potentially painful byproducts of divorce are mitigated. Both parents can encourage their children's friends from preschool to visit both homes for after school and weekend play.

#### **Proposed Parenting Arrangements:**

*Parents live within 50 miles:*

1. Alternate three days with parent A, four days with parent B – rotating to four days with parent A and three days with parent B on the alternate week (3/4 – 4/3 schedule).
2. Split the week in half, 3½ days with parent A and 3½ days with parent B.
3. Allow the child to remain in the family home - parents can rotate between the marital residence and an apartment, making the transitions instead of the child. The child will do best if they are allowed to see each parent every two to three days. Parents can reside in the shared apartment for up to one week at a time, as long as contacts occur two to three times during the week for the parent not residing in the family home.
4. The child spends two nights with parent A, two nights with parent B, and then alternates the weekends between the two homes-referred to as a 2-2-3 plan.

*Parents live more than 50 miles apart:*

Encourage a close, continuing relationship between the child and the long-distance parent. Children's best interests are served when parents are able to invite their co-parent into their home for parenting time. During extended contacts the on-duty parent can remain away from the family home, with friends or relatives. Parents should initiate daily telephone calls between the child and the other parent. Children at this age will function more optimally when they do not lose contact with either parent for more than four days at a time.

**When Special Support is Needed:***Possible Problems Experienced at This Age*

- Persistent (for more than two months) sleep problems - nightmares, clinging at bedtime, night terrors, awakening in the middle of the night. A change from previous behavior in which the child readily went to sleep, and did not awaken until morning.
- Persistent change (for more than two months) in eating habits - either refusing to eat or constant desire to eat.
- A return to behavior the four-year-old exhibited when they were two or three (persistent temper tantrums, excessive clinging, toileting accidents, etc.).
- Change in mood - becoming withdrawn, appearing depressed, losing interest in activities which were previously enjoyed.
- Extended crying (weepy for more than two days) after separating from one parent.
- Becoming unusually demanding and needy.
- Becoming uncharacteristically wild and out-of-control.

**FIVE YEARS OLD****Developmental Tasks:**

The five-year-old has a much better sense of what it is to be a boy or girl than they did at age four. The child's relationship with the parent of the same gender often becomes even more important. The child should not feel they have driven the same gender parent from the opposite gender parent's life, if parents' separation occurs at the age of five. The child is now faced with the demands associated with a formal academic environment. This focus for the five-year-old is on developing work habits. Children at this age are learning how to cooperate - in relationships with friends, teacher, and family.

**Age Related Needs:**

Strategies designed to promote continuity, predictability in order for three and four-year-olds remain important for the kindergartner. In addition to implementation of these procedures, the

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following considerations are offered. The five year old might express interest in extracurricular activities now - such as participating in team sports, art lessons, or gymnastics. Parents should jointly decide on after school activities. This child will learn how to cooperate with parents and their teacher by watching both parents successfully arrange for these activities. Five-year-olds often enjoy having other children spend the night. The five-year old might harbor concerns about his relationship with both parents. If the separation occurs at this age the child might believe his wishes for a special relationship with the opposite-gender parent might have prompted the divorce. The five-year-old may have fears about her acceptance by the same-gender parent. The child this age continues to require considerable love, patience and reassurance from both parents.

**Proposed Parenting Arrangements:**

*Parents live within 50 miles:*

1. If the child is facing two developmental crises simultaneously - that of starting school and of coping with their parents' divorce – parents can consider initially keeping the child in the family home for Monday through Thursday night, then Friday through Monday morning in the new home. Weekend days can be shared with each parent. For example, Parent A might always have the child on a Saturday while parent B might have Sunday with the child. Some outings can include all family members - especially if the child has started team sports.
2. Alternate three days with parent A, four days with parent B - rotating to four days with parent A and three days with parent B on the alternate week (3/4 – 4/3 schedule).
3. Split the week in half, 3½ days with parent A and 3½ days with parent B.
4. Allow the child to remain in the family home - parents can rotate between the marital residence and an apartment, making the transitions instead of the child. The child will do best if they are allowed to see each parent every two to three days. Parents can reside in the shared apartment for up to one week at a time, as long as contacts occur two to three times during the week for the parent not residing in the family home.
5. The child spends two nights with parent A, two nights with parent B, and then alternates the weekends between the two homes-referred to as a 2-2-3 plan.

*Parents live more than 50 miles apart:*

Encourage a close, continuing relationship between the child and the long-distance parent. Children's best interests are served when parents are able to invite their co-parent into their home for parenting time. During extended contacts the on-duty parent can remain away from the family home, with friends or relatives. Parents should initiate daily telephone calls between the child and the other parent. Children at this age will function more optimally when they do not lose contact with either parent for more than five days at a time.

**When Special Support is Needed:***Possible Problems Experienced at This Age*

- Persistent (for more than two months) sleep problems-nightmares, clinging at bedtime, night terrors, awakening in the middle of the night. A change from previous behavior in which the child readily went to sleep, and did not awaken until morning.
- Persistent change (for more than two months) in eating habits-either refusing or constant wanting to eat.
- A return to behavior the five-year-old exhibited when they were two or three (persistent temper tantrums, excessive clinging, toileting accidents, etc.)
- Change in mood-becoming withdrawn, appearing depressed, losing interest in activities which were previously enjoyed.
- Extended crying (weepy for more than two days) after separating from one parent.
- Becoming unusually demanding and needy.
- Becoming uncharacteristically wild and out-of-control, or becoming unusually ready to cooperate, appearing uncharacteristically serious, acting “too good.”

**Research Involving Pre-school Children - Four to Five Years Old Indicates:**

- Before academic demands and responsibilities more completely take control of a child's life, the pre-school age offers some measure of flexibility to enhance the development of creative sharing plans.
- Children this age enjoying one or more overnights each week with their father reportedly were better adjusted psychologically and socially than children deprived of such contact (Kelly, 2007).
- Research strongly supports the concept of healthy child adjustment with authoritative structures in place. These offer dual benefits of warmth and control for the child, both in terms of their academic and home life. This involves firm, clear limit setting, with responsive and empathic responses, rather than authoritarian approaches characterized by punitive, indulgent, or neglectful attitudes. When environments are deemed non-authoritative young people are at risk for behavior characterized by impulsivity, aggression and irresponsibility. Sharing plans that emphasize these elements serve the needs of children through their growing years (Whiteside, 1998; Warshak, 2003).
- An increased number of children would experience healthy psychosocial growth if divorce was not a feature of their formative years. Some researchers observe a failure on the part of parents to recognize the prolonged and profound psychological and economic

costs, prompting them to seek divorce precipitously and perhaps inappropriately. Negative results of divorce on children can be mitigated by seeking to minimize conflicts which often characterize establishment of sharing and contact arrangements (Lamb, et al., 1997).

- Good parent-child relationships are related to a young child's socialization skills, cognitive development, self-control and the presence or absence of behavior problems (Whiteside, 1998).
- The literature reveals that strong parental relationships in two homes are not detrimental for children. These co-parenting partnerships are characterized by a constellation of positive characteristics involving: the frequent exchange of information, sensitive parenting, good parental adjustment, support and respect for the other parent's role and the ability to resolve disagreements. Parenting plans and intervention programs should consider ways of promoting and supporting ongoing, close and effective relationships with both parents (Whiteside, 1998).
- Research consistently verifies that when parenting time schedules regularly and in an ongoing fashion promote active involvement in children's lives by fathers who are loving and attentive, children fare better in terms of their behavior, academic attainment and psychological functioning. This includes allowing accommodations for overnights and school-related and leisure time activities. Most children prefer enhanced contact with a parent who would otherwise have been offered less in the way of caretaking responsibility than the courts or parents usually decide (Kelly, 2006).
- Possible relocation involving children from birth to age six produces special risks and considerations (Austin, 2008b).
- While preschool children can enjoy a planned vacation with a parent that lasts up to seven days away from the other parent, they best tolerate separations of no more than four days on a regular basis (Kelly & Lamb, 2000).
- One powerful way to reduce conflict at the time of transfer is for the highly motivated, receiving parent to take responsibility for transportation at the outset of their parenting time, after having a period of separation. The best practice for parents is to sit together quietly with the young child, cuddling or reading a story to them (Sanders, 2007).

### **SIX YEARS OLD**

#### **Developmental Tasks:**

The six year old needs to feel free from family worries in order to cope with school demands, to learn basic academics, to develop good feelings about their ability to work and to learn to play cooperatively with friends. The child feels good about themselves by achieving success in school and extracurricular activities, and through friendships. They are developing their ability to think

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logically, and are beginning to understand the concept of fairness. School-age children expand their ability to function autonomously, as well as enjoy enhanced cognitive, emotional and time-keeping abilities. Thus, they can better manage separations from both parents. Elementary aged children are required to relate in an increasingly more effective fashion with the world outside of their family and homes. The school day enables this child to increasingly master separations from parents and home attachments. The school setting requires the child to negotiate challenges associated with enlisting assistance and support from peers and teachers, rather than relying on parents for this direct comfort. Children during the elementary years are increasingly able to make decisions independently, delay gratification and to protect themselves. Given their increasing set of capabilities it is easy to forget that these children still require predictability, routine and security in order to maintain a positive trajectory of psychosocial development (Sanders, 2007).

**Age Related Needs:**

Consider strategies reviewed previously to promote predictable routine, as well as to strengthen feelings of security in the child. Loving reassurance will mitigate feelings of responsibility for the divorce. Parents should jointly decide specific chores that are appropriate for the six-year-old. Two copies of chore reminder charts could be made so that one is available at each home. This will reinforce the development of reliable work habits in the six-year-old. Parents should communicate with each other very closely regarding homework assignments. Consider providing the child a homework assignment book, to go in their book bag or backpack, which is carried between school and both homes. The parent who receives notices from the school has the responsibility to directly communicate to the other parent information that is contained on the notice.

**Proposed Parenting Arrangements:**

*Parents live within 50 miles:*

Research indicates that the actual parenting plan is not as important to a child's adjustment at this age, as it is for the child to feel free to love both parents, while experiencing minimal conflict between their parents. If a successful, well-established parenting plan has already been established continue the plan. A variety of possible parenting plans are listed below, for high-functioning parents who remain committed to protecting their children from adult conflict.

1. Parent A has the children every Monday and Tuesday. Parent B has the children every Wednesday and Thursday. Friday through Sunday is alternated between parent A and parent B, from week to week.
2. Parent A has the children from noon on Sunday, through Wednesday morning. Parent B has the children Wednesday afternoon, through noon on Sunday.
3. For parents who consistently work different daily shifts- one parent can assume daytime responsibility and the parent who is off work at night can accept night time responsibility.

4. The child can spend one week at parent A's house, the next week at parent B's house.
5. Week one children stay with parent A from Monday through Friday. Saturday and Sunday are spent with parent B. Week two the children spend with parent A Monday through Sunday. Week three the children spend Monday through Friday with parent B, Saturday and Sunday with parent A. Week four the children spend Monday through Sunday with parent B.
6. Friday after school through Monday morning, every other week, spent with parent A. The children can also spend one or two overnights during the week with parent A. the rest of the time is spend with parent B.
7. Alternate three days with one parent, four days with the other parent-switching to four days with parent A and three days with parent B on the alternate week.

*Parents live more than 50 miles apart:*

Encourage a close, continuing relationship between the child and the long-distance parent. Children's best interests are served when parents are able to invite their co-parent into their home for parenting time. During extended contacts the on-duty parent can remain away from the family home, with friends or relatives. Parents should initiate daily telephone calls between the child and the other parent. Children at this age will function more optimally when they do not lose contact with either parent for more than six days. Overnight contact with the long-distance parent can be arranged from two to four times each month. Weekly daytime contacts are encouraged, with the long-distance parent traveling for dinner, after school activities and athletic competitions.

**When Special Support is Needed:**

*Possible Problems Experienced at This Age*

- Persistent (for more than two months) sleep problems-nightmares, clinging at bedtime, night terrors, awakening in the middle of the night. Be alert for changes from previous behavior in which the child readily went to sleep, and did not awaken until morning.
- Persistent change (for more than two months) in eating habits-either refusing to eat or constant desire to eat.
- A return to behavior the six-year-old exhibited when they were three or four (persistent temper tantrums, excessive clinging, toileting accidents, etc.)
- Change in mood-becoming withdrawn, appearing depressed, losing interest in activities which were previously enjoyed.
- Extended crying (weepy for more than two days) after separating from one parent.

- Becoming unusually demanding and needy.
- Becoming uncharacteristically wild and out-of-control.
- Becoming unusually ready to cooperate, appearing uncharacteristically serious, acting “too good.”
- Problems with behavior or academic achievement at school.
- Becoming intensely angry with the parent the child blames for the divorce. If the anger is allowed to continue it can result in resisting and even rejecting contact with that parent.
- Becoming unrealistically cheerful-denying all problems.
- Becoming too serious-appearing like a “little old man” or “little old lady” because the child has been used as a confidant by one or both parents.
- The expected rebelliousness at this age is extreme-becomes angry, defiant, and oppositional with both parents.

### **SEVEN YEARS OLD**

#### **Developmental Tasks:**

The 7 year old has spent one or two years in a formal school setting. Their self-concept is based on mastery and competence, especially around school and community activities and performance. The school offers teachers and peers who are new attachments. This is the age of industry for the seven-year-old. They seek to please their parents with their efforts, and worry about comparisons with other children. They will be more experienced with extracurricular activities now, such as athletics, clubs, and classes (art, dance, gymnastics, cheerleading, musical instruction, horseback riding, etc.). By the age of seven or eight separations of from five to seven days apart from parents can be managed within the context of ongoing scheduling, as well as two-week vacations with each parent (Kelly & Lamb, 2000).

#### **Age Related Needs:**

The seven-year-old typically has developed a concept of right and wrong. They persist in desiring reunification for their parents, reaching as high as 90% in studies of children this age. They may attempt to reunite their parents. They continue to fear losing both parents and may still blame themselves for the divorce. Many children of divorce exhibit sadness. A typical 7 year old can travel between two homes with minimal stress. They may test their parents upon returning for an hour or two and may suffer homesickness on longer stays. Most children this age benefit from routines and schedules.

**Proposed Parenting Arrangements:***Parents live within 50 miles:*

1. Co-Parenting - School year weekdays with one parent. The other parent has 2 or 3 weekends and one week night time. Summertime can reverse this arrangement.
2. Co-Parenting - 4/3-3/4 or 3/2-3/2 each can be tried, if parents live close by and are similarly attached and experienced.
3. One academically-focused parent. The other parent has alternate weekends, alternate holidays, and one week night.
4. Parenting plans listed previously for younger children also can be considered.

*Parents live more than 50 miles apart:*

Encourage a close, continuing relationship between the child and the long-distance parent. Children's best interests are served when parents are able to invite their co-parent into their home for parenting time. During extended contacts with the long-distance parent the co-parent can remain away from the family home, staying with friends or relatives. Parents should initiate daily telephone calls between the child and the other parent. Children at this age will function more optimally when they do not lose contact with either parent for more than seven days. Overnight contacts with the long-distance parent can be arranged from two to four times each month. Weekly daytime contacts are encouraged, with the long-distance parent traveling for dinner, after school activities and athletic competitions. The long-distance parent can provide parenting time up to 5 weeks in the summer, in addition to one or two weeks at the winter and spring breaks. Whenever the long-distance parent is traveling in proximity to the child parenting time can be scheduled with prior notice.

**When Special Support is Needed:***Possible Problems Experienced at This Age*

- School preoccupation with divorce.
- Learning problems.
- Infrequently long-term depression.
- Sending information to the other parent.

**Circumstances for Expanding or Restricting Parenting Time:**

- A. Parents live in the same school district.
- B. Siblings who are older can help add a week or two to contacts in the summer.
- C. Conflict between parents.

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**EIGHT YEARS OLD****Developmental Tasks:**

The eight-year-old is “branching out” from their parents. Their time is increasingly invested in becoming industrious in school, hobbies, with friendships, and community activities. They are sensitive to being left out with playmates. Their emotions, however, are becoming more even. They can express thoughts and feeling directly to others, have developed some measure of empathy for another person’s feelings. Most eight-year-olds will have accepted that their parents will not reunify. The eight-year-old experiencing their parents’ divorce can feel intense sadness and is better able to express feelings. This young person worries more than younger children about being abandoned, having enough to eat and a place to live. They often believe that something is wrong with them. It is more common for children at this age and older to daydream in school, thinking about the loss or reunification. Consequently, their preoccupation places them at academic risk.

**Age Related Needs:**

The eight-year-old needs ongoing interaction with both parents for gender role identification. However, some children express the strong desire for a “home base.” This involves one home where during the school week they can form stable peer and community activities, do homework consistently, and feel secure as they work out feelings. By this age, children typically are more able to interact with a same-gender parent on topics involving hobbies, interests, and feelings compared to younger children who are dependent on parents for basic care.

**Proposed Parenting Arrangements:**

*Parents live within 50 miles:*

1. Co-Parenting-If both parents can share direct caretaking. One parent has weekdays during the school year and one weekend a month. Reverse in the summer or 50% of time each.
2. Consider the variety of plans detailed for younger children

*Parents live more than 50 miles apart:*

Encourage a close, continuing relationship between the child and the long-distance parent. Children’s best interests are served when parents are able to invite their co-parent into their home for parenting time. During extended contacts with the long-distance parent the co-parent can remain away from the family home, staying with friends or relatives. Parents should initiate daily telephone calls between the child and the other parent. Children at this age will function more optimally when they do not lose contact with either parent for more than seven days. Overnight contacts with the long-distance parent can be arranged from two to four times each month. Weekly daytime contacts are encouraged, with the long-distance parent traveling for dinner, after school activities and athletic competitions. Children age 8 can tolerate contacts out of town or out of state for extended periods of time. Long-distance parent has up to six weeks in

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summer, as well as one or two weeks on holiday vacation periods, such as winter and spring breaks.

**When Special Support is Needed:***Possible Problems Experienced at This Age*

- Academic Problems – with studies revealing that children this age whose parents divorce are 1.6 years behind in school achievement.
- Sadness is common at this age
- The child may attempt to manipulate the sympathies of their parents with talk of illness, accident or untruths.
- An eight-year-old may over rely on fantasy as a coping mechanism. They are much more attuned to the reality of life. This increased awareness prompts increased worry.

**Circumstances for Expanding or Restricting Parenting Time:**

- A. Parents have reliable family support system or day care close.
- B. More effective when both parents reside in the same school district, or school bus transportation is available for both homes.

**NINE YEARS OLD****Developmental Tasks:**

The nine-year-old is transitioning from child to independent thinker. Many nine-year-olds have abandoned the reunification fantasy. However, they persist in longing for the security of a home-base, involving stable patterns of caretaking, regular contact with each parent and individual time. The nine-year-old relies on parental assistance in grooming, dressing and remembering responsibilities. Security is created by their ability to master skills that please their parents. The nine-year-old typically is not yet a deep thinker. They like to spend individual time with the parent of the same gender. Their parents' divorce may prompt feelings of confusion and vulnerability. They continue to worry about abandonment or having a home and food to eat. The nine-year-old is prone to accept as fact what is told to them. They may continue to daydream in school. The nine-year-old can become more aggressive, harboring vague thoughts that they are to blame for the divorce. They continue to desire assurances from their parents at this age, and may ask about details pertaining to the divorce. The nine-year-old is beginning to developing the concept of external morality. They are increasingly aware of possessing a conscience that exists in their brain or heart, while recognizing that rules are there for structure and safety. The nine-year-old may test the rules, in order to feel secure that regulations are in place and operating.

**Age Related Needs:**

Accomplishing goals and mastering skills are powerful ways for nine-year-olds to increase feelings of security and personal worth.

**Proposed Parenting Arrangements:**

*Parents live within 50 miles:*

1. Co-Parenting - One parent has weekdays (home base) during the school year and one weekend a month. Reverse in the summer with alternate holidays.
2. Several types of schedules are appropriate for the nine-year-old. These include 3/2-3/2 days each, 3/4-4/3 days, every other week. These work more optimally with physical proximity between the homes and a cooperative spirit from both parents.
3. One parent is responsible for direct care up to 75-80% of time. The other parent provides care on alternate weekends, alternate holidays, and up to 6 weeks in the summertime.
4. 4. Schedules detailed previously for younger children can be considered for ten-year-olds.

*Parents live more than 50 miles apart:*

Nine-year-old children can manage contact with a long-distance parent out of town for extended periods of time. The long-distance parent can provide care for 6 weeks in summer, in addition to one or two weeks for all holiday vacation periods. Additional weekends can be arranged every two to three months for time at the long-distance parent's home.

**When Special Support is Needed:**

*Possible Problems Experienced at This Age*

- School disruption
- Daydreaming
- Academic problems
- Aggressiveness

Circumstances for Expanding or Restricting Parenting Time:

- A. Family support system is in place.
- B. Co-parenting works best with close proximity.

**TEN YEARS OLD****Developmental Tasks:**

The ten-year-old has a more accurate concept of divorce than the typical seven-year-old. The ten-year-old is not prone to fantasize about reunification. They are able to empathize with each parent. However, feelings like hurt and anger that are associated with the divorce are diffuse, poorly organized, not clear in thought. The ten-year-old may develop an alliance with one parent, especially if they witness conflict between their parents. Parents continue to be more important to a ten-year-old than their peer group. The ten-year-old wants to offer their perspective on the

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divorce. They usually want both of their parents to be involved in their activities. The ten-year-old continues to master skills which enable them to develop esteem and garner approval. They want each parent to develop a direct relationship with their coaches and teachers. While the ten-year-old wants to have some knowledge about the divorce, they also long to be told they still belong, that there is stability in the home base, and that they will enjoy predictable and ongoing contact with both of their parents.

**Age Related Needs:**

Ten-year-olds frequently develop feelings of shame related to the divorce. They may not be honest with peers, coaches and teachers and attempt to hide the status of their parents' marriage. Although they remain children the typical ten-year-old can manage many of their needs for food, clothing, hygiene and homework. More sadness than anger about their parents' divorce is expressed by most ten-year-olds. They may find comfort in assuming the role as their father's buddy or mother's helper at this age.

**Proposed Parenting Arrangements:**

*Parents live within 50 miles:*

1. Co-Parent-Home Base – one parent is responsible for caretaking during the schooldays during the academic year, in addition to one weekend each month. The other parent enjoys the bulk of weekend time and/or one week night for 3 hours. Parents may reverse parenting roles during the summer time.
2. A variety of schedules are appropriate, such as 3/2-3/2 days each, 3/4 - 4/3 days, with alternating weeks. Schedules detailed previously for younger children can be considered for nine-year-olds.
3. One parent is responsible for direct care up to 75-80% of the time. The other parent takes responsibility on alternate weekends, alternate holidays, and for the majority of the summer.

*Parents live more than 50 miles apart:*

The long-distance parent can assume responsibility for as much as 6 weeks in the summer, as well as for one to two weeks at winter and spring break, as well as for Thanksgiving. The long-distance parent may arrange for parenting time when they are in town, or on weekends for up to three times each month.

**When Special Support is Needed:**

*Possible Problems Experienced at This Age*

- School disruption

Circumstances for Expanding or Restricting Parenting Time:

- A. Both parents are cooperative with activities.
- B. The older child can provide care for younger siblings.

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**Research Involving Elementary School Children - Five to Ten Years Old Indicates:**

- The needs of the elementary school age child typically are best served when both parents are involved in all aspects of their life (Cashmore, et al., 2008). According to Warshak (2003), instead of “regarding the maintenance of relationships with parents in two homes as an unrealistic burden, legislatures, courts, parents and their advisors should recognize that children can and want to maintain high-quality relationships with both parents and generally should be afforded the opportunity to do so” (p. 382).
- Parenting plans that offer this child time with each parent during school and out-of-school occasions enhances the quality of the parent-child relationships.
- For elementary aged children, relocation brings different sets of problems than those encountered in younger children. Children often feel they must choose between spending time with a parent who lives at some distance from their primary home, and sacrificing age-appropriate social experiences and participation in extracurricular activities. When a parent is willing to travel to enjoy contact with the child in their familiar home environment this sense of fragmentation can be mitigated somewhat. The traveling parent can, thus, participate more naturally in their child’s life, gaining a fuller appreciation of academics, social and athletic interests. One positive counterbalance to challenges associated with relocation includes having greater access to extended family because of it (Warshak, 2003).
- Comparing young people whose parents moved, versus those who remained in the same geographic location after divorce, differences emerge. More positive outcomes were observed in those children whose parents lived within the same community including: decreased enmity, diminished internalized distress, better overall health, lessened divorce-related stress and reduction in risk of premature mortality. Children whose parents did not relocate perceived the adults as more emotionally supportive and available, as well as more positive in terms as a role model. Moreover, these young people reported less in the way of anxiety about college expense and indicated that their parents provided more in terms of financial assistance for higher-level education. The less contact children have with their fathers while growing up, the less their father contributed to college expenses. Research does not support the assumption that a move intended to benefit the custodial parent will necessarily benefit the child. Policy makers may do well to educate parents about the potential adverse impact of relocation for their children. Retrospective studies of young people indicate that they would urge their parents not to relocate and, thus, spare them fragmentation in their living routines (Warshak, 2003).
- Overnight stays and daytime only contact are qualitatively different in that in overnight stays time is usually less constrained and structured and encompasses the routines of everyday activities and dynamics that typically characterize family life. This means that the nonresident parent, usually the father, has to move beyond the support role that fathers often play in marriage and the recreational role they may otherwise play in

daytime contact after separation. Having children overnight involves providing meals, preparing children for bed and for school, monitoring their activities, setting limits and comforting them. Although nonresident fathers may initially lack confidence in this new role, there is evidence that they acquire the skills and expand confidence, as well as are significantly more satisfied with the contact arrangements, than when they have day only contact. This may be one reason that overnight contact has been found to be more durable than daytime only contact (Cashmore, et al., 2008).

- Wallerstein and Kelly (1980) observed the propensity to develop alignments with one parent in opposition to the other, for children aged nine to 12. These researchers reached the conclusion that young people prior to the teenage years could not evaluate what might be in their best interest due to their limited capacity for judgment. Furthermore, they noted that the intense feelings associated with the initial rupture presented by divorce often did not match their general preferences and perspectives. Consequently, expressed preferences for certain types of sharing plans from children within this age group while listened to, should be closely evaluated. When professionals are in a position to evaluate children under the age of five they typically defer less to the wishes of these youngsters (Warshak, 2003).
- Piaget's findings provide support for the presumed incompetence of most children to meaningfully contribute to this sort of decision-making below seven years old. It is not until around age 7 that most children attain the stage of concrete operational thought, at which time they begin to display deductive reasoning about concrete and present events. The results of one study indicate that 14-year-olds performed as well as 18-year-olds in stating a preference regarding divorce situations, as well as in providing rational reasons for their choice, confirming predictions based on cognitive developmental theory and prior research. The related finding that 9 and 10-year-olds prove to be as competent as the 14 and 18-year-olds according to the reasonableness of preference, or the rationality of reasons standard also is consistent. The data lends support to the involvement of 9 and 10-year-olds in the custody decision making process (Fundudis, 2003; Garrison, 1991).
- It is instructive to consider the differences between young people who have enjoyed the benefits of a shared parenting time agreement, versus those who have been raised by mother in a sole custodian arrangement. The former report greater satisfaction, feelings of being more loved, less in the way of perceived losses, as well as experiencing reduced adverse impact as a result of the divorce. Ill effects from divorce are produced primarily when conflict existing between the parents remains extreme. This deleterious effect is enhanced with repeated exposure for the children to the adult discord from frequent transfers between the homes. More often than not, both parents are loved by the child. Consequently, simply reducing contact may not provide the best solution. Rather, mechanisms should be developed to diminish the dissension and its impact on the children so exposed to it. Furthermore, efforts should be made to identify safeguards to limit the exposure of children to inter-parental conflict. Identification of neutral sites in which to exchange children, as well as individuals who are neutral to the conflict but supportive of the child, also serve as mitigating factors. When all else fails, constructive

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and structured problem-solving associated with mediation and parenting coordination also should be considered (Kelly, 2006).

- The educational well-being of children was defined in one long-term study as their engagement in school and participation in extracurricular activities. Three dimensions of family environments were linked to childhood living arrangements that generate differences in school engagement and participation in extracurricular activities. These dimensions of family environment are: turbulence (or the degree of instability in children's social and physical environment), parenting context (or parental activities experienced by children), and economic resources (family income relative to poverty). Turbulence reflects a lack of stability in the social and economic environment surrounding children. Children living in alternative families are much more likely to experience a residential move or a change in schools than are children living with married, biological parents. When children are in these circumstances they are less likely to be known by their teachers and to be well integrated into social networks in the neighborhood and at school. These elements either encourage or facilitate engagement in school or participation in extracurricular activities. Parenting context indicates that family structure is tied to parental participation in religious and community groups. This parental participation offers children access to greater social and cultural capital and increased exposure to events and activities that offer opportunities for extracurricular participation. These parents provide children important role models for the development of and participation in pro-social peer groups. Parental aggravation and parental mental health have been linked to cognitive performance of children and to emotional behavioral problems that limit their engagement in school. Children spending at least some time living in an alternative family are more likely to endure economic hardship. Family income impacts a wide range of educational outcomes, such as high school graduation and cognitive ability. Higher incomes allow parents the ability to provide children with more and better circumstances that influence the children's environments and range of choices they are able to make. Parents with higher incomes can encourage school engagement by ensuring their children have a quiet place to study and have available important educational resources, for example a computer with internet access. Additionally, parents with higher incomes also are better able to afford clothing, transportation and fees associated with participation in extracurricular activities. There is empirical evidence directly linking parental economic resources to children's pro-social behavior in school engagement. When compared to living with married, biological parents, all other living arrangements are linked to a lower level of school engagement. Comparing children according to their age, the effects of childhood living arrangements are generally much greater for older children. Students who are experiencing less turbulence and who have more involved parents with fewer parenting and mental health issues, and have parents who earn more money, are more engaged in school. Children who live in alternative families, who experience more turbulence, and who have less-involved parents and parents who are more aggravated (at least for older children), or parents with lower incomes, participate in fewer extracurricular activities (Teachman, 2008).

- One effective way to reduce conflict at the time of transfer is for the highly motivated, receiving parent to take responsibility for transportation at the outset of their parenting time, after having a period of separation. The best practice for parents is to expect some period of adjustment as the elementary school child settles in to the home after being away. Creating a routine or tradition can prompt a predictable routine that promotes this adjustment, such as singing a favorite song together, cuddling or reading a story to them (Sanders, 2007).

### **ELEVEN YEARS OLD**

#### **Developmental Tasks:**

The eleven-year-old can manage most of their own needs in terms of eating, clothing, hygiene and telephone communication. They continue to focus on mastering tasks to please their parents. Consequently, the eleven-year-old is becoming skilled at academics, athletics, peer relationships, as well as artistic and other pursuits. The eleven-year-old still primarily reflects their parents' viewpoints. However, they will venture out with peers, paying notice of exact details in clothing, grooming, etc. Their need for belonging, security, and esteem remains closely associated with family relationships, as well as with friends, academic or athletic pursuits. Adolescence officially begins at this age. The young person is beginning to exercise decision-making to an even greater degree, learning to balance healthy independent thinking and acting. As they move to increasingly expanded autonomous functioning, preteens continue to require the stable, secure base created by predictable and reliable parents.

#### **Age Related Needs:**

The eleven-year-old is an idealist. Their conscience is more completely developed now. They can respond more effectively to the emotions of others. They can discuss moral issues more completely and anticipate explanations. The eleven-year-old is capable of making moral judgments. Their feelings can be quite fragile. They may feel unloved if pushed away by peers. The eleven-year-old often develops feelings of rage and betrayal associated with their parents' divorce. They may take the position that the divorce is one parent's fault, usually projected onto the parent by whom they feel abandoned. Their rage can take the form of an alliance with one parent, as well as conflicts with "best friend breakups." These allegiances can shift with many emotions associated with hurt and sadness emerging.

#### **Proposed Parenting Arrangements:**

*Parents live within 50 miles:*

1. Co-Parenting can be quite successful when both parents have the time, inclination and capability to share responsibility. One parent takes responsibility for school days during the academic portion of the year, while the other parent provides care most weekends in addition to one week night for 3 hours. This scheduled then is reversed during the summer time.

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2. Consider the range of parenting options described previously, such as 3/2-3/2 days each, 3/4-4/3 day schedules, every other week.
  3. One parent accepts responsibility for up to 75% of the time. The other parent provides care on alternate weekends, alternate holidays, and for the major portion of the summer.
  4. Particularly for parents who both work outside of the home, a fairly even sharing plan may be preferable.

*Parents live more than 50 miles apart:*

The long-distance parent has parenting time for up to 7 weeks in the summer and one or two weeks over spring and winter break. The eleven-year-old can manage trips with the long-distance parent out of town or on weekends every month when their schedules allow. The long-distance parent can arrange travel to attend important events in their eleven-year-olds life, such as graduation from elementary school, athletic competitions and extracurricular activities.

**When Special Support is Needed:**

*Possible Problems Experienced at This Age*

- May become the caretaker sibling.
- May assume adult responsibilities, such as taking care of the parents during the divorce.
- Frequent disruption in school.
- Aggressiveness/Oppositional behavior.

Circumstances for Expanding or Restricting Parenting Time:

- A. Both parents are cooperative about activities.
- B. Other siblings are younger and involved with their eleven-year-old sibling.
- C. When both parents live in close proximity to the school, and both attend school-related activities and athletic events, opportunity for flexibility is enhanced.

**TWELVE YEARS OLD**

**Developmental Tasks:**

The preadolescent twelve-year-old is a changing person. Changes in growth and hormone production typically begin to occur. The expanded ability to think abstractly may prompt new judgments, opinions, and arguments. Moodiness, tiredness, slovenly behavior may be observed. More mobility, longer telephone calls, and independent thoughts become issues to be addressed by parents. Twelve-year-olds often would prefer to abandon academic achievement and extra-curricular activities, and seek emotional gratification and support from their peer group and members of the opposite sex. A close friend may be more of a confidant now than either of the

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twelve-year-old's parents. Young people were more likely to graduate from high school and attend college, when fathers had participated actively in their lives and regularly provided financial support during the adolescent years. Some contact during the school week promotes more interest and connection to the child's school and daily life (Kelly, 2006).

The common age-related needs for security, belonging, and self-esteem often are more effectively met by friends. Consequently, family members frequently feel rejected. Despite the shift to needs being met by peers, the preteen continues to require the loving support of reliable and predictable parents. With the significant physiological changes occurring at this age the preadolescent often suffers periods of tiredness.

**Age Related Needs:**

A twelve-year-old can develop a strong opinion that one parent is at fault, allying with the other parent, condemning both, or remaining neutral. Economic issues now dominate the thinking of young people this age, involving purchasing clothes, going out to socialize and earning money. The twelve-year-old often will have many opinions about their parents' divorce and make harsh moral judgments. They can be very knowledgeable about the issues dividing their parents, much more than the parents realize. The twelve-year-old is vulnerable to being swayed to one parent's viewpoint against the other by monetary incentives. They may lobby to live primarily with one parent not to meet their own needs but to soothe the feelings of the parent that they perceive to be most vulnerable.

**Proposed Parenting Arrangements:**

*Parents live within 50 miles:*

1. Co-Parenting can be quite successful when both parents have the time, inclination and capability to share responsibility. One parent takes responsibility for school days during the academic portion of the year, while the other parent provides care most weekends in addition to one week night for 3 hours. This scheduled then is reversed during the summer time.
2. Consider the range of parenting options described previously, such as 3/2-3/2 days each, 3/4-4/3 day schedules, every other week. The twelve-year-old develops increasingly less interest in contact with their parents, opting to meet developmentally important relationships with peers, and participation in school and extracurricular activities. Transportation to these functions often makes it difficult to arrange for parenting time with the twelve-year-old.
3. One parent accepts responsibility for up to 75% of the time. The other parent provides care on alternate weekends, alternate holidays, and for the major portion of the summer.
4. Particularly for parents who both work outside of the home, a fairly even sharing plan may be preferable.

*Parents live more than 50 miles apart:*

The long-distance parent has parenting time for up to 7 weeks in the summer and one or two weeks over spring and winter break. The twelve-year-old can manage trips out of town with the long-distance parent, or on weekends every month when their schedules allow. The long-distance parent can arrange travel to attend important events in their twelve-year-olds life, such as school functions, athletic competitions and extracurricular activities.

**When Special Support is Needed:***Possible Problems Experienced at This Age*

- Caretaker reversal of roles
  
- School problems
  
- Anti-social behavior
  
- Misses weekends because of activities or school projects.
  
- Anger directed at one parent or both
  
- Depression-suicide threat now taken more seriously

**Circumstances for Expanding or Restricting Parenting Time:**

- A. Parents are cooperative in relation to activities of the twelve-year-old.
  
- B. Siblings can manage own needs without support of twelve-year-old.
  
- C. Flexible parenting plans are most effective with proximity between the homes and cooperation from the twelve-year-old.
  
- D. Oppositional behavior.

**Research Involving Early Middle School Children - Eleven to Twelve Years Old Indicates:**

- Peer relationships, academic and extracurricular activities take greater hold of this child's focus, time and energy. Respecting this developmental change when crafting parenting plans strengthens the parent-child relationships and promotes the early middle school youngster's emotional well-being and psychological adjustment (Garon, et al. 2000).
  
- Parents are well-served by being alerted to natural feelings that they may encounter, even in married families, that their child is beginning to slip away from them. At this juncture in the parent-child relationship many adults begin to tenaciously restrict their child holding them even closer, rather than accepting this change as a sign of healthy development.

- Middle school aged children should not be asked to choose between parents who are separated and anticipating divorce. While their opinion should be sought in regard to potential parenting time agreements, the young person should not feel they are the final arbiter for the adult decision-makers. Rather than adopting restrictive parenting agreements there are a variety of parenting arrangements that work well and are empirically based. (Kelly, 2006). Empirical research indicates that children do wish to be consulted about living arrangements which impact them and that they resent adult dominated decision-making processes (Featherstone, 2004).
- Children's opinions should be considered about sharing arrangements when they reach this age. The main qualification to doing so is that the young person, living within an environment adversely impacted by their parents' divorce-related conflict, often is sensitive to maintaining a positive relationship with each adult. Consequently, they may experience discomfort when asked to express opinions that might seem to favor one parent at the expense of the other. Furthermore, participating in the development of a sharing arrangement may feel more onerous than liberating. When young people reach this age and are faced with the dilemma of expressing an opinion that may be perceived as diminishing their love for one parent they may prefer to remain silent rather than to risk harm to that relationship (Garrison, 1991; Warshak, 2003).
- Children this age are vulnerable to becoming resentful of their parents when they perceive disparities between the quality of their life and that of peers from married families (Garon, et al. 2000).
- Adolescents typically possess mature cognitive capabilities. However, this enhanced ability to make judgments is susceptible to outside influence. On occasion the teenager may appear unusually deferent to another's point of view, while on other occasions decisions are made primarily with the aim to oppose the wishes of others. These forces can produce what Warshak (2003) terms "a pathological alignment with one parent and a pathological alienation from the other" (p. 375). Consequently, when seeking the opinions of adolescents the decision-maker can expect some measure of instability in reported attitude. Evaluators typically seriously consider a child's preference regarding parenting plans beginning at 12 years
- Mature parents graciously support this child in terms of meeting their academic responsibilities and participating in age-appropriate social events. Parenting plans that promote the early middle school student's participation in extracurricular interests and development of their unique talents, even when involvement means relinquishing that parent's time with them, paradoxically strengthens rather than diminishes the parent-child relationship.
- Shared time and involvement in everyday activities, not just leisure time activities, are also conducive to children and especially adolescents, talking with their parents in a more relaxed manner about their activities, who their friends are and how they are doing in

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school. More overnight contact with the nonresident parent does not come at the expense of the relationship between the resident parent and the child (Cashmore, et al., 2008).

- Boys at this age are particularly vulnerable to conduct problems with reduced father involvement (Kelly, 2007). However, when mothers and fathers actively participate in this young man's life, providing authoritative parenting and monitoring their behavior, these boys were similar in behavioral adjustment to those in married families.
- Recent findings from research indicate that it is not the frequency or quantity of contact that is important but the quality of the contact involving children and their nonresident parents who are usually fathers as a significant factor in children's post-separation adjustment and well-being (Cashmore, et al., 2008; DeGarmo, et al. 2008).
- Overnight contact allows parents to engage with young people this age in more routine activities, as well as to have unstructured time to build the relationship.
- Several characteristics of parental relationships have consistently been associated with the likelihood or frequency of contact between nonresident parents and their children. Where there is cooperation and mutual support between parents after divorce, children enjoy positive outcomes (Whiteside, 1998). The greater the cooperation between parents the more contact there is and the more involved fathers are with their children. Trust and a positive view of nonresident fathers as parents were associated with the frequency of contact. Children were less likely to stay overnight with their nonresident fathers if their mothers expressed misgivings about the environment of the father's homes than if she did not (Cashmore, et al., 2008).
- There is ample evidence that children want more contact with their nonresident parents. Facilitating this would make children happier in their situation and with both parents (Cashmore, et al., 2008).
- The estimated number of overnight stays per year was significantly correlated with the reports of the quality of the middle school student's relationship with their nonresident parents. This child who stayed overnight with their nonresident parent were more likely than those who had day-only contact to say they were close to both parents. The more overnight stays the closer their relationships. The more the young person reported that their nonresident parents were aware of their activities, the more involved they were and the more overnight stays occurred. Quality of the relationship with the nonresident parents was highly correlated with the number of overnight stays. Children and adolescents who stayed overnight more often than the standard contact arrangement of one night and every other weekend, reported more involvement by and a closer relationship with their nonresident parents than those who did so less often or not at all (Cashmore, et al., 2008).
- The negative consequence of alternative living arrangements on school engagement and educational well-being is greater for older children than for younger children. This

difference is particularly strong for children living with unmarried biological parents, or single parents and their unmarried partners. The adverse relationship between participation in extracurricular activities and childhood living arrangements is statistically significant only for older children living with single parents and their unmarried partners, children living with other relatives, and children in unknown living arrangements. The evidence is consistent with the notion that older children are more likely to be affected by their living arrangements than are younger children (Teachman, 2008).

- If living arrangements for children after divorce are to reflect the desires of young adults who have lived through their parent's divorces, there is a need for change of norms as well as laws. Young college adults, men and women alike, believe that equal time spent living with each parent after divorce is best for children and they believe this with remarkable uniformity (Fabricius, 2003).
- Possible relocation involving adolescents produces special risks and considerations (Austin, 2008b).
- One powerful way to reduce conflict at the time of transfer is for the highly motivated, receiving parent to take responsibility for transportation at the outset of their parenting time, after having a period of separation. Allowing pre-teens and teenagers a period of time to readjust alone in their rooms, relaxing and managing their belongings, can facilitate the transition (Sanders, 2007).

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