



The Advantages of Shared Parenting: Answers from Research

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About Me



- Chair of the National Board of National Parents Organization
- Professor Emeritus of Philosophy at THE® Ohio State University
- Founding Director Emeritus of the OSU Center for Ethics and Human Values
- Father of three, step-father of two, grandfather of six.



About National Parents Organization



- NPO is the largest and most effective equal shared parenting organization in the United States.
- NPO has chapters in more than 30 states and works with state-based organizations in those and other states to promote equal shared parenting.
- NPO is ***child focused*** and ***research based***, meaning that we ground our advocacy of shared parenting on research about child well-being.

NPO's Mission:

To improve the lives of children & strengthen society by protecting every child's right to the love & care of both parents after separation or divorce.

Outline

- I. What is Shared Parenting?
- II. Shared Parenting and the Well-Being of:
 - Mothers
 - Fathers
 - Children
- III. Shared Parenting and Parental Alienation
- IV. Shared Parenting and Family Violence
- V. Dispelling (Other) Myths about Shared Parenting
- VI. Some Good News

I. What is Shared Parenting

What is Shared Parenting?



- Elements of Shared Parenting
 - **Legal Custody:** Decision-making responsibility
 - **Physical Custody:** Placement of the child
- These elements are distinct and separable.
 - Parents can share legal custody and not share physical custody.
 - Parents can share physical custody and not share legal custody.



What is Shared Physical Custody?



- 'Shared Parenting' refers to the situation in which parents have *joint legal custody* and *shared physical custody (parenting time)*.
- Researchers usually define 'shared physical custody' as any arrangement where the children are in each parents' care at least 35% of the time.



What is Equal Shared Parenting?



- 'Equal Shared Parenting' refers to the arrangement where the parents have joint legal custody and substantially equal parenting time (physical custody).

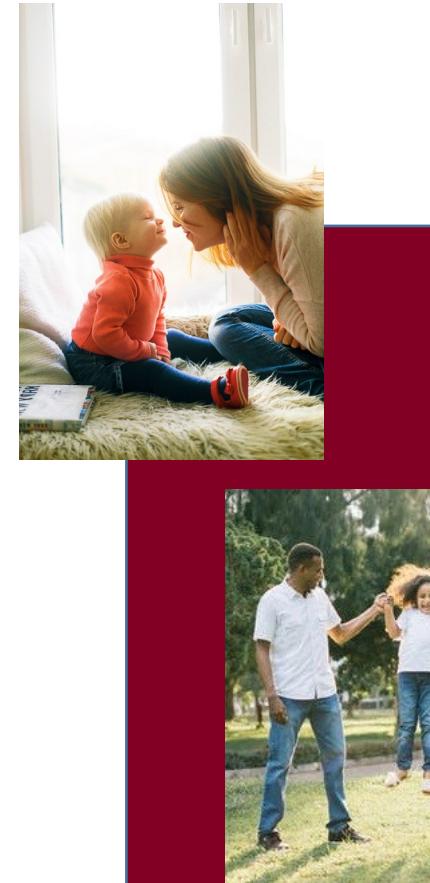


II. Shared Parenting and Well-Being

Why Does Shared Parenting Matter?



- Shared parenting is a WIN-WIN-WIN arrangement.
 - It's better for moms.
 - It's better for dads.
 - Most importantly, it's better for children.



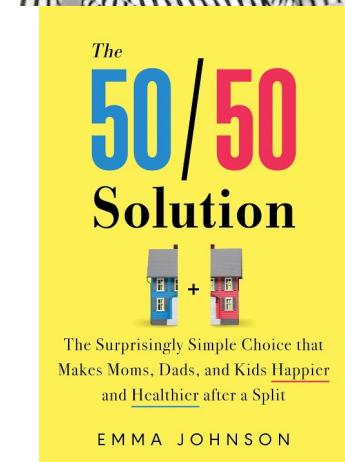
Benefits for Moms

- When one parent, usually the dad, is marginalized in the children's lives, the other parent, usually the mom, is often overburdened.
- Shared parenting allows moms to:
 - further their education,
 - advance their careers,
 - decompress, and,
 - develop their personal life.



Benefits for Moms: Results of the “Single Mom Income and Time-Sharing Survey”

- This is the message of the [Moms for Shared Parenting](#) organization.
- In a survey of 2,279 single mothers, Emma Johnson, author of *The 50/50 Solution*, found that moms with 50-50 shared parenting:
 - Are 54% more likely to earn at least \$100,000 per year than moms with primary custody; and
 - Are 325% more likely to earn at least \$100,000 per year than moms with 100% physical custody.



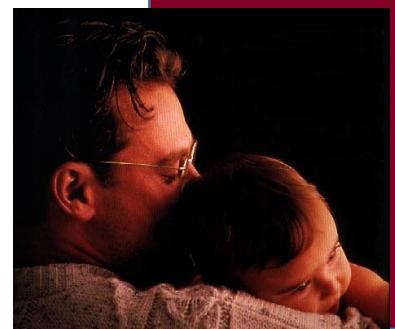
Benefits for Moms: Results of the “Single Mom Income and Time-Sharing Survey”



- The survey also found that:
 - 9 out of 10 single moms said they could earn more money if they had more equality in parenting time;
 - 53% of moms said they either enjoy a 50/50 schedule or wish they had it; and,
 - Moms with 50/50 parenting time are 34% more likely (23% vs. 15%) to say they feel “awesome and proud” of being a mom compared with moms who care for their kids 100% of the time.

Benefits for Dads

- Being marginalized, or completely erased, from their children's lives harms men's health and well-being.
- First, we must recognize that, as two researchers put it:
 - “[A] man's life as a father is central, not peripheral, to his health.”
- Problems with men's physical health increase with worries about their children and their parenting relationship with their children.



Benefits for Dads



- Dr. Robert Fay, M.D. reports that the typical non-custodial *“father is also buffeted with feelings of grief, loss, anger, and failure, he experiences increasing desperation as he now begins to appreciate the depth of the gulf (physical and psychologic) that now exists and is widening between him and his children.”*
- Debra Umberson and Christine Williams conclude that *“strain associated with the parental role may be one of the most important factors contributing to the distress experienced by divorced fathers.”*

Benefits for Dads



- Geoffrey Greif and Mary Pabst conclude:
 - *“Apparently, many fathers, like mothers, give up custody reluctantly . . . and feel ambivalent about it. It is difficult for them to separate from their children, even though it is the norm. We may need to rethink many of the normative views that we have about men suffering less than women when they are separated from their children. Just because their noncustodial status puts them in a fairly large group with other fathers, this does not mean that it is a comfortable role for many of them.”*

Benefits for Dads



- Augustine Kposowa found that divorced fathers are victims of suicide:
 - 2.4 times as frequently as their married counterparts, and,
 - 10 times more often than divorced mothers.
 - Given the importance that fatherhood plays in the lives of so many men, it's probably not coincidental that fathers are about 10 times less likely than mothers to get sole custody of their children.

Benefits for Children

- More than 40 years of research* provide compelling evidence that in, the vast majority of cases, shared parenting is best for children:
 - regardless of parental income or educational levels,
 - even when parents do not initially both agree to it,
 - even when there is (non-violent) conflict between the parents, and
 - even for infants and toddlers.
- And the closer the split in parenting time approaches 50:50, the better it is for kids.

*Research available on NPO's website: www.sharedparenting.org



Benefits for Children: Emotional Health and Behavior



- “[C]hildren in … [joint physical custody] have better mental health and fewer behavioral problems than children in … [sole physical custody] families.”
- “More surprising results from several Swedish studies are that there are no differences between children in … [joint physical custody] and nuclear families in regard to emotional or behavioral outcomes.”*

*Emma Fransson, Anders Hjern & Malin Bergström (2018): “What Can We Say Regarding Shared Parenting Arrangements for Swedish Children?”, *Journal of Divorce & Remarriage*, DOI: 10.1080/10502556.2018.1454198

Benefits for Children: Results of a 2023 Metastudy



- In 2023, Professor Laura Vowels and her colleagues published a metastudy of 39 high-quality studies of outcomes for children in different living arrangements.
- The outcomes measured by one or more of these studies included:
 - Emotional
 - Behavioral
 - Relational
 - Physical
 - Educational

Benefits for Children: Results of a Recent Metastudy



- Overall findings:
 - *“A total of 29 out of the 39 studies (74.4%) suggested that either there is no difference between children’s outcomes in nuclear families and ... [shared physical custody] arrangements or the differences go away after including certain explanatory variables. In contrast, in as many studies (74.4%) the results showed that children in ... [sole physical custody] arrangements showed worse outcomes compared to nuclear families.”**

*Vowels LM, Comolli CL, Bernardi L, Chaco ‘n-Mendoza D, Darwiche J (2023) “Systematic review and theoretical comparison of children’s outcomes in post-separation living arrangements”. *PLoS ONE* 18(6): e0288112. <https://doi.org/10.1371/journal.pone.0288112>

Benefits for Children: Results of a Recent Metastudy



- What about young children?
- “[A]lthough only a small number of studies which included exclusively young children (0–7 years), all studies except one showed that children in nuclear families and ... [shared physical custody] families had equal outcomes. In contrast, children in ... [sole physical custody] families had the worst outcomes in four of the six (60.0%) studies.”

Benefits for Children: Warshak's 2014 "Consensus" Paper



- A paper Dr. Richard Warshak published in 2014, signed on to by 110 researchers and practitioners, concluded:
 - *"There is no evidence to support postponing the introduction of regular and frequent involvement, including overnights, of both parents with their babies and toddlers. Maintaining children's attachment relationships with each parent is an important consideration when developing parenting plans."*

Warshak, R. "Social Science and Parenting Plans for Young Children: A Consensus Report," *Psychology, Public Policy, and Law*. 20(2014)1, 46-67.

What We Now Know



- The ill-effects children experience from divorce are largely due, ***not to parental separation, but to parental deprivation!***



III. Shared Parenting and Parental Alienation

Spoiler Alert!



- Is shared parenting a magic bullet to protect against parental alienation?
- No! Of course not.
- But shared parenting, and legal presumptions of shared parenting, are part of the best strategy for combating parental alienation.

What is Parental Alienation (PA)?



- Parental alienation is a mental condition in which a child—usually one whose parents are engaged in a high-conflict separation or divorce—allies strongly with an alienating parent and rejects a relationship with the other parent, the “target” parent, without legitimate justification.
 - Lorandos, D., Bernet, W. (Eds.) (2020). *Parental Alienation – Science and Law*.

Alienating Behaviors



- Alienating behaviors include:*
- issuing poisonous messages to the child about the other parent, portraying that parent as unloving, unsafe, and unavailable;
- limiting contact and communication between the child and the targeted parent;
- erasing and replacing the targeted parent in the heart and mind of the child;
- encouraging the child to betray the targeted parent's trust; and,
- undermining the authority of the targeted parent.

Diagnosing Parental Alienation



- Dr. William Bernet's Five Factor Model
 - Child manifests contact resistance/refusal with one parent
 - Child previously had positive relationship with targeted parent
 - Absence of abuse, neglect, or seriously deficient parenting by targeted parent
 - Use of multiple alienating behaviors by favored parent
 - Child exhibits many of eight behavioral manifestations of alienation identified by Dr. Bernet

Bernet, William (2020). The Five-Factor Model for Diagnosis of Parental Alienation. *Feedback 6* (Summer): 3-15.

Diagnosing Parental Alienation



- Bernet's List of Behavioral Manifestations of PA
 - Campaign of denigration of targeted parent
 - Weak, frivolous, and absurd rationalizations
 - Lack of ambivalence
 - The “independent thinker” phenomenon
 - Absence of guilt
 - Reflexive support for favored parent
 - Presence of borrowed scenarios
 - Rejection of the targeted parent’s extended family

Bernet, William (2020). The Five-Factor Model for Diagnosis of Parental Alienation. *Feedback 6* (Summer): 3-15.

How Prevalent is PA?



- Researchers estimate that between 11 and 15 percent of divorces involving children lead to parental alienation.
- With more than 1 million children experiencing the divorce of their parents each year in the U.S., that means between 110,000 and 150,000 children become victims of parental alienation each year.

What are the effects of PA for children?



- PA is a form of psychological child abuse
- Teaching hatred of the targeted parent creates a basis for self-hatred in the child.
- Child victims of PA experience:
 - Disrupted social-emotional development
 - Lack of trust in relationships
 - Social anxiety
 - Social isolation

What are the effects of PA for children? (cont'd.)



- Child victims of PA are more likely to:
 - Be truant from school and leave school early
 - Be unemployed as adults
 - Abuse alcohol and drugs
 - Enter partnerships earlier
 - Become divorced
 - Become alienated from their own children

What are the effects of PA for the targeted parent?



- Targeted parents experience:
 - Grief
 - Severe depression
 - Anxiety
 - Inability to focus
 - Job loss
 - Economic costs of litigation
 - Social Isolation
 - Self-loathing and an increased likelihood of self-harm
 - 23% of targeted parents report having attempted suicide

How Does Shared Parenting Help Combat Parental Alienation?



- Joint *legal* custody
 - Recall that one of the alienating behavior categories is “undermining the authority of the targeted parent.”
 - Typically, in joint legal custody arrangements, *both* parents retain the decision-making responsibilities they had when married.
 - Even when, to avoid conflict, these are divided into “spheres of responsibility” both parents share the decision-making responsibilities of raising the child.

How Does Shared Parenting Help Combat Parental Alienation?



- Shared *physical* custody
 - Recall that one of the categories of alienating behaviors is “limiting contact and communication between the child and the targeted parent.”
 - In a shared parenting arrangement—and especially in a *equal* shared parenting arrangement—it is more difficult for one parent to do this.

How Does Shared Parenting Help Combat Parental Alienation?



- Shared physical custody
 - Recall that one of the most significant classes of alienating behavior is issuing poisonous messages to the child about the targeted parent" portraying that parent "as unloving, unsafe, and unavailable."
 - In a shared parenting arrangement, the children have sufficient time with each parent to form their own strong relationship *directly* with that parent.
 - Their understanding of each parent's motivations and actions isn't presented only through the lens of the other parent.
 - They are assured by their own experience of the availability of both parents.

How Does a Legal Presumption of Shared Parenting Help to Combat Parental Alienation?



- Assurances matter!
 - Sometimes parents engage in a campaign of alienate the children from the other parent because they fear losing their own relationship with the children.
 - Presumptions of equal shared parenting help to alleviate this fear.

Combating Parental Alienation When It Arises



- Educate parents and divorce professionals to understand the prevalence and harms of PA and to recognize its symptoms.
- Provide courts with appropriate tools and programs for interventions to minimize the harms of PA.
 - These could include changes of custody and parenting time, temporary removal of the child from the care of the offending parent, use of family reunification programs.

Reducing the Incidence of Parental Alienation



- Better than combating PA when it arises is prevent it from arising in the first place.
- Parent education courses attempt to discourage parents from engaging in alienating behaviors.
 - These courses, while well intentioned, are clearly not as effective as we might hope.
- ***Reforming the norms of separated parenting, to make equal shared parenting the norm and creating a legal presumption of equal shared parenting are powerful tools to help to prevent parental alienation.***

What Does NPO Mean by “Reforming the Norms of Separated Parenting”



- **Changing Parents' Expectations**
 - Where there is no domestic violence, abuse, or neglect present, parents should go to court asking for and expecting to be given equal shared parenting whenever feasible.
- **Changing Courts' Practices**
 - Courts should prefer equal shared parenting arrangements and encourage parents to practice equal shared parenting.
- **Changing Custody Laws**
 - Countries—and, in the U.S., states—should enact laws making equal shared parenting a rebuttable presumption when parents are living apart.

IV. Shared Parenting and Family Violence

What is domestic violence?



- The legal definition of 'domestic violence' varies from state to state in the U.S. and from country to country around the world.
- In ordinary conversation, 'domestic violence' is often used as a synonym for 'intimate partner violence'.
- I understand 'domestic violence' more broadly.

What is domestic violence?



- How I'll use 'domestic violence'
 - Domestic violence is violence between people having an intimate, familial, or co-residential relationship, either at the time of the violence or prior to it, where the relationship is essentially related to the violence.
- 'Domestic violence', then, includes:
 - Intimate partner violence (IPV)
 - Child abuse by a parent, step-parent, etc.
 - Elder violence by a relative
 - And more
- Here, we'll focus on intimate partner violence (IPV) and child abuse and neglect.

Child Maltreatment (U.S.)



- Child maltreatment includes both child abuse and child neglect.
- We will focus on child maltreatment by a parent, step-parent, partner of a parent, or other adult guardian of a child.
- While there has, recently, been a concerted effort to portray fathers as especially dangerous to their children, the statistics don't support this.

Child Maltreatment by Sex of Perpetrator (U.S. Data)



- About 25% of child maltreatment is committed by fathers acting alone or with a nonparent
- About 45% of child maltreatment is committed by mothers acting alone or with a nonparent.

Table 3-10 Victims by Relationship to Their Perpetrators, 2021

Perpetrator	Victims	Reported Relationships	Reported Relationships Percent
PARENT	-	-	-
Father Only	-	132,363	23.9
Father and Nonparent	-	6,495	1.2
Mother Only	-	210,746	38.0
Mother and Nonparent	-	34,670	6.3
Two Parents of known sex	-	111,100	20.0
Three Parents of known sex	-	764	0.1
Two Parents of known sex and Nonparent	-	4,650	0.8
One or more Parents of Unknown Sex	-	1,221	0.2
Total Parents	-	502,009	90.6
NONPARENT	-	-	-
Child Daycare Provider(s)	-	1,602	0.3
Foster Parent(s)	-	1,854	0.3
Friend(s) and Neighbor(s)	-	4,012	0.7
Group Home and Residential Facility Staff	-	1,087	0.2
Legal Guardian(s)	-	1,715	0.3
Other Professional(s)	-	745	0.1
Relative(s)	-	31,041	5.6
Unmarried Partner(s) of Parent	-	18,349	3.3
Other(s)	-	17,391	3.1
More Than One Nonparental Perpetrator	-	2,370	0.4
Total Nonparents	-	80,166	14.5
TOTAL UNKNOWN	-	16,266	2.9
National	554,262	598,441	108.0

Based on data from 48 states.

Child Murders by Sex of Perpetrator (U.S. Data)



- About 15% of child murders are committed by fathers acting alone or with a nonparent.
- About 40% of child murders are committed by mothers acting alone or with a nonparent.

Table 4–4 Child Fatalities by Relationship to Their Perpetrators, 2021

Perpetrator	Child Fatalities	Relationships	Relationships Percent
PARENT	-	-	-
Father Only	-	186	13.5
Father and Nonparent	-	26	1.9
Mother Only	-	408	29.5
Mother and Nonparent	-	152	11.0
Two Parents of Known Sex	-	311	22.5
Three Parents of Known Sex	-	-	-
Two Parents of Known Sex and Nonparent	-	25	1.8
One or More Parents of Unknown Sex	-	1	0.1
Total Parents	-	1,109	80.3
NONPARENT	-	-	-
Child Daycare Provider(s)	-	21	1.5
Foster Parent(s)	-	8	0.6
Friend(s) or Neighbor(s)	-	9	0.7
Group Home and Residential Facility Staff	-	3	0.2
Legal Guardian(s)	-	3	0.2
Other Professional(s)	-	2	0.1
Relative(s)	-	62	4.5
Unmarried Partner(s) of Parent	-	41	3.0
Other(s)	-	53	3.8
More Than One Nonparental Perpetrator	-	22	1.6
Total Nonparents	-	224	16.2
TOTAL UNKNOWN	-	48	3.5
National	1,381	1,381	100.0

Based on data from 42 states.

The Conclusion to Draw from these Statistics



- The point is *not* that mothers are more dangerous to their children than fathers.
 - Mothers have physical custody of their children much more than fathers do.
 - Mothers are more likely to engage in violence toward children, including murder, under the influence of a new spouse or boyfriend.
- The point is that *we can't determine who is a "safe parent" by the sex of the parent.*

Intimate Partner Violence (IPV)



- Intimate partner violence includes violence between current or former spouses, unmarried partners, and other couples involved in an intimate relationship.
- It is both very serious, because of the severity sometimes exhibited, and widespread because, overall, approximately 1/3 of people will experience some form of intimate partner violence in their lifetime, though much of this will not be of the most severe form.

Intimate Partner Violence: A Common Misconception



- IPV as Patriarchal Domination
 - IPV is a tool used primarily (or almost exclusively) by men to exert control over women.
 - This leads to a highly gendered conception of IPV.
 - As two researchers put it: “We use gender-specific terms ... because battering is not a gender-neutral issue.”



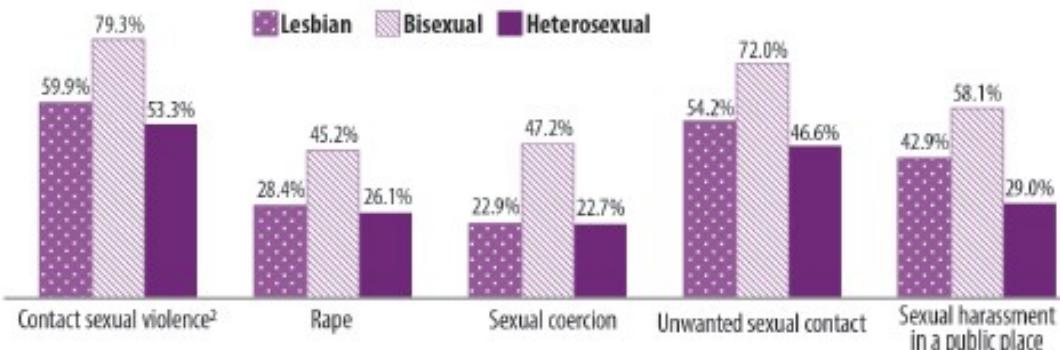
Problems with the Patriarchal Domination Conception of IPV



- The patriarchal domination conception of IPV fails to explain IPV in same-sex relationships.
 - Women

Figure 1

Lifetime Prevalence of Sexual Violence by Sexual Identity — U.S. Women, National Intimate Partner and Sexual Violence Survey (NISVS), 2016/2017 Annualized Estimates¹



¹ All percentages are weighted to the U.S. adult population.

² Contact sexual violence includes rape, sexual coercion, and/or unwanted sexual contact.

Source: “National Intimate Partner and Sexual Violence Survey 2016-17: Report on Victimization by Sexual Identity,” Centers for Disease Control and Prevention

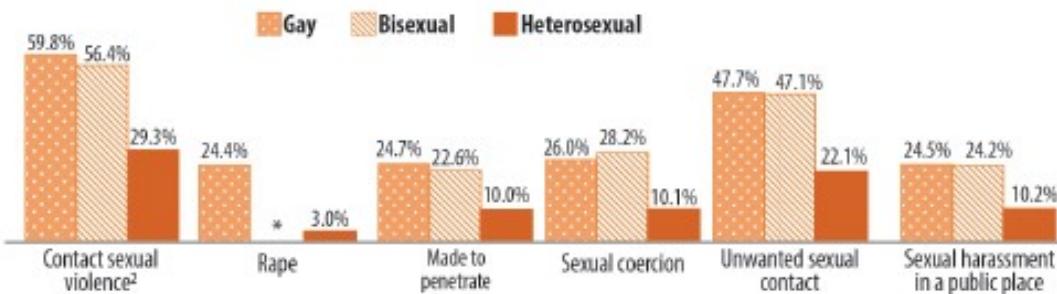
Problems with the Patriarchal Domination Conception of IPV



- The patriarchal domination conception of IPV fails to explain IPV in same-sex relationships.
 - Men

Figure 2

Lifetime Prevalence of Sexual Violence by Sexual Identity — U.S. Men, National Intimate Partner and Sexual Violence Survey (NISVS), 2016/2017 Annualized Estimates¹



¹ All percentages are weighted to the U.S. adult population.

² Contact sexual violence includes rape, being made to penetrate, sexual coercion, and/or unwanted sexual contact.

* Estimate is not reported; relative standard error > 30% or cell size ≤ 20.

Source: “National Intimate Partner and Sexual Violence Survey 2016-17: Report on Victimization by Sexual Identity,” Centers for Disease Control and Prevention

Problems with the Patriarchal Domination Conception of IPV



- The patriarchal domination conception of IPV also fails to explain IPV by women against male partners.
- The CDC doesn't currently report the sex of the perpetrator for IPV victimization.
- However, it reports that “prior findings have indicated that most female victims [97.1%] report male perpetrators, and most male victims [96.9%] report female perpetrators.”
- This means we can make a good estimate of the sex of the perpetrators based on the sex of the victims.

Problems with the Patriarchal Domination Conception of IPV



Table 1

Lifetime and 12-Month Prevalence of Contact Sexual Violence,¹ Physical Violence, and/or Stalking Victimization by an Intimate Partner -- U.S. Women, National Intimate Partner and Sexual Violence Survey, 2016/2017 Annualized Estimates

Victimization Type	Lifetime			12-Month		
	Weighted %	95% CI	Estimated Number of Victims*	Weighted %	95% CI	Estimated Number of Victims*
Any contact sexual violence, ¹ physical violence, and/or stalking	47.3	(45.9, 48.7)	59,006,000	7.3	(6.5, 8.1)	9,054,000
Contact sexual violence ¹	19.6	(18.5, 20.7)	24,462,000	3.2	(2.7, 3.8)	4,037,000
Rape	10.5	(9.7, 11.4)	13,156,000	1.0	(0.8, 1.4)	1,296,000
Sexual coercion	13.7	(12.8, 14.7)	17,144,000	2.5	(2.0, 3.0)	3,092,000
Unwanted sexual contact	8.0	(7.3, 8.8)	10,005,000	0.9	(0.7, 1.3)	1,179,000
Physical violence	42.0	(40.6, 43.4)	52,437,000	4.5	(3.9, 5.2)	5,649,000
Slapped, pushed, or shoved	38.9	(37.5, 40.2)	48,508,000	4.0	(3.4, 4.7)	5,018,000
Any severe physical violence ²	32.5	(31.1, 33.8)	40,497,000	3.1	(2.6, 3.8)	3,929,000
Stalking	13.5	(12.6, 14.5)	16,859,000	2.5	(2.0, 3.0)	3,064,000
Any contact sexual violence, physical violence, and/or stalking with IPV-related impact ³	41.0	(39.7, 42.4)	51,205,000	4.5	(3.9, 5.2)	5,658,000

Problems with the Patriarchal Domination Conception of IPV



Table 2

Lifetime and 12-Month Prevalence of Contact Sexual Violence,¹ Physical Violence, and/or Stalking Victimization by an Intimate Partner—U.S. Men, National Intimate Partner and Sexual Violence Survey, 2016/2017 Annualized Estimates

Victimization Type	Lifetime			12-Month		
	Weighted %	95% CI	Estimated Number of Victims*	Weighted %	95% CI	Estimated Number of Victims*
Any contact sexual violence, ¹ physical violence, and/or stalking	44.2	(42.6, 45.7)	52,128,000	6.8	(6.1, 7.6)	8,041,000
Contact sexual violence ¹	7.6	(6.8, 8.4)	8,926,000	1.4	(1.1, 1.8)	1,667,000
Rape	0.5	(0.3, 0.7)	560,000	--	--	--
MTP	2.8	(2.3, 3.4)	3,317,000	0.4	(0.2, 0.6)	464,000
Sexual coercion	5.0	(4.3, 5.7)	5,874,000	1.1	(0.8, 1.4)	1,254,000
Unwanted sexual contact	2.1	(1.7, 2.7)	2,536,000	0.5	(0.3, 0.9)	642,000
Physical violence	42.3	(40.8, 43.8)	49,932,000	5.5	(4.8, 6.2)	6,462,000
Slapped, pushed, or shoved	39.0	(37.6, 40.5)	46,094,000	5.0	(4.4, 5.7)	5,911,000
Any severe physical violence ²	24.6	(23.3, 25.9)	28,996,000	3.0	(2.5, 3.5)	3,541,000
Stalking	5.2	(4.6, 5.9)	6,156,000	1.2	(0.9, 1.6)	1,447,000
Any contact sexual violence, physical violence, and/or stalking with IPV-related impact ³	26.3	(25.0, 27.6)	31,056,000	2.8	(2.3, 3.3)	3,253,000

Problems with the Patriarchal Domination Conception of IPV



- Combining frequency of victimization of each sex with previous data on the frequency that the perpetrator was of the opposite sex, we have the following results.

	Female Victim/ Male Perpetrator	Male Victim/ Female Perpetrator
Lifetime	45.9%	42.9%
12-Month Period	7.3%	6.5%

Problems with the Patriarchal Domination Conception of IPV



- While there's no doubt that some IPV is of the patriarchal domination form, most of it is not.
- Research shows that most IPV is “common couple” or “situational” violence.
 - Often the violence is mutual.
 - When it is one-sided in a heterosexual relationship, the woman is as likely to be the perpetrator as the man.
- However, there is no doubt that women are more likely to be seriously injured even in instances of mutual IPV.

Shared Parenting and Domestic Violence (Child Maltreatment & IPV)



- One of the frequently repeated arguments against presumptions of shared parenting when parents live apart is that it puts victims of IPV and children at risk of violence and even death.
- This is a serious issue; *it deserves to be given serious discussion based on the best evidence available.*

Shared Parenting and Child Maltreatment: The Allegation



- Guardian Headline: "*US child killings have risen rapidly – why are more states pushing for joint custody laws?*"
- "[T]he growing body of evidence that children are being subjected to unsafe custody/visitation arrangements by family courts indicates that a presumption of 50-50 custody is likely to be harmful to the best interests of many children."
 - "Why a Presumption of 50-50 Custody is Not in the Best Interests of Children," handout from National Family Violence Law Center and DV LEAP.

Shared Parenting and Child Maltreatment: The Evidence from Ohio and Kentucky



- Kentucky enacted a presumption of equal shared parenting during temporary orders in 2017 and for final orders in 2018.
- Ohio has no state-wide presumption regarding parenting time and the overwhelming majority of counties use an “every-other-weekend” schedule.
- NPO compared data from the U.S. Department of Health and Human Services on child maltreatment in Ohio and Kentucky.

Shared Parenting and Child Maltreatment: The Evidence from Ohio and Kentucky



- Between 2017 and 2021:
 - The number of children who received an investigation or alternate response fell by:
 - 1.8% in Ohio
 - **30.9% in Kentucky**
 - The number of child *victims* dropped by:
 - 2.5% in Ohio
 - **33.2% in Kentucky**

Child Maltreatment 2021, U.S. Department of Health & Human Services, Administration for Children and Families, Children's Bureau, Table 3.1, p. 30, available at:
<https://www.acf.hhs.gov/sites/default/files/documents/cb/cm2021.pdf>.

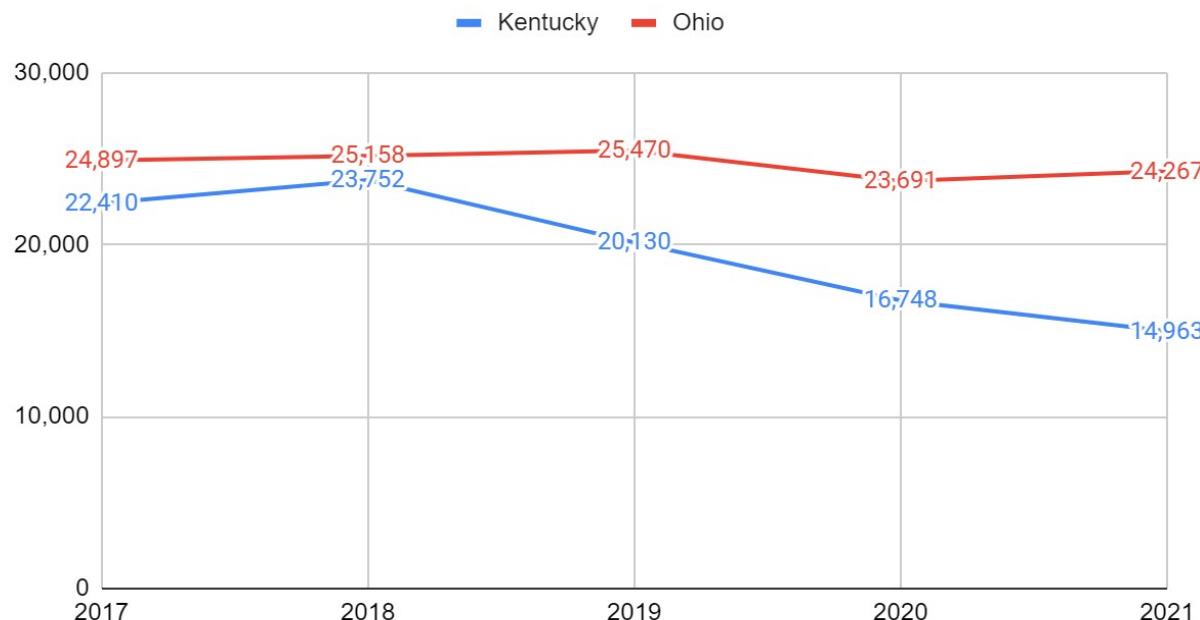
Shared Parenting and Child Maltreatment –

The Evidence

Shared Parenting and Child Maltreatment: The Evidence from Ohio and Kentucky



Child Victims, 2017-2021 Kentucky and Ohio



	2017	2018	2019	2020	2021	Percent Change from 2017 to 2021
Kentucky	22,410	23,752	20,130	16,748	14,963	-33.2
Ohio	24,897	25,158	25,470	23,691	24,267	-2.5

Source: *Child Maltreatment 2021*, U.S. Department of Health & Human Services, Administration for Children and Families, Children's Bureau, Table 3.1, p. 30, available at: <https://www.acf.hhs.gov/sites/default/files/documents/cb/cm2021.pdf>.

Shared Parenting and Child Maltreatment: The Evidence from Ohio County Comparisons



- Ohio law requires every court to have a local parenting time rule.
- NPO has evaluated and graded each of Ohio's 88 counties on their local parenting time rule.
- Most counties have an old “every-other-weekend” schedule, but an increasing number have presumptions of equal or nearly equal parenting time.
- To determine the effect presumptions of equal parenting time on child maltreatment, NPO reviewed data from the Annie E. Casey *Kids Count* project and correlated these data with the parenting time rules in Ohio's counties.

Shared Parenting and Child Maltreatment: The Evidence from Ohio County Comparisons



- Ohio counties with equal parenting time rules saw a significantly lower and declining rate of child maltreatment compared with state averages and, even more, compared with those counties with the “every other weekend” schedules.
- Between 2012 and 2021, the frequency of substantiated child maltreatment reports per 1,000 children dropped by:
 - 4.78% in the “every other weekend” counties
 - 13.88% in the state over all
 - **54.15% in those counties with equal parenting schedules**

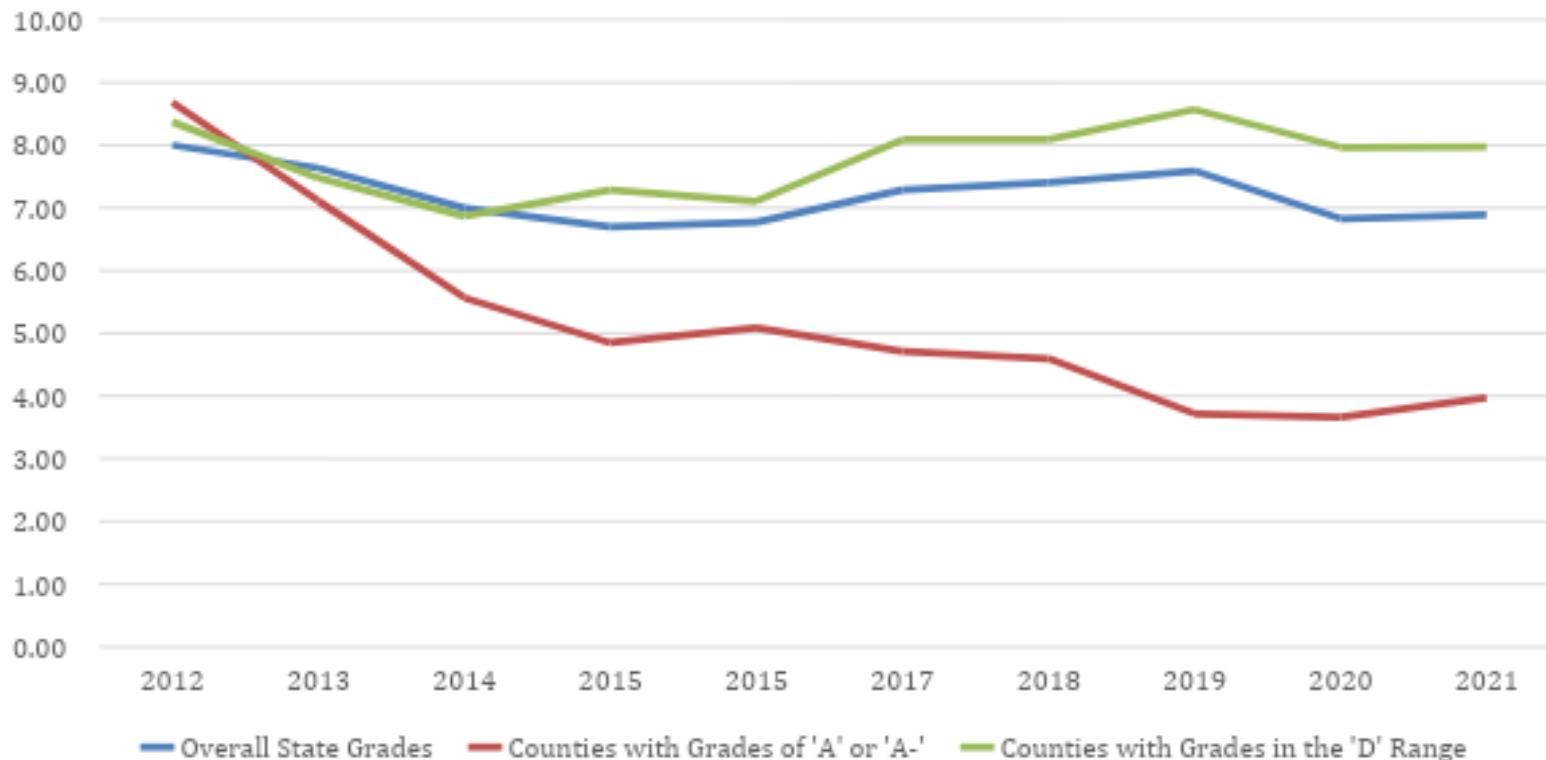
According to the [Annie E. Casey Foundation's Kids Count project](#), the abuse and neglect statistics represent “the number of substantiated reports of child abuse and neglect, including emotional maltreatment, neglect, physical abuse, and sexual abuse. The rate is the number of substantiated reports of child abuse and neglect per 1,000 children in the population.” Data supplied by the Ohio Department of Job and Family Services.

Shared Parenting and Child Maltreatment: The Evidence from

Ohio County Comparisons



County Comparison Grades for Child Abuse or Neglect Over Time,



	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Overall State Grades	8.00	7.64	7.00	6.70	6.77	7.29	7.40	7.59	6.83	6.89
Counties with Grades of 'A' or 'A-'	8.68	7.11	5.57	4.85	5.09	4.71	4.60	3.72	3.66	3.98
Counties with Grades in the 'D' Range	8.37	7.48	6.87	7.29	7.11	8.09	8.09	8.57	7.97	7.97

Shared Parenting and Child Maltreatment: Conclusion



- The available evidence indicates that far from presumptions of equal shared parenting putting children at risk of maltreatment, such presumptions are protective of children.
- We don't yet fully understand why this is so.
 - Perhaps:
 - By reducing the conflict between the parents, it reduces the risk of child maltreatment.
 - By keeping both parents involved, there's a better chance of catching maltreatment before it becomes severe.
 - By relieving the stress that sole custody imposes on the custodial parent, it reduces that parent's mistreating the children.
 - Whatever the explanation, the evidence points to the well-being of children as a benefit of presumptions of equal shared parenting.

Shared Parenting and Intimate Partner Violence: The Allegation



- Presumptions of equal shared parenting put victims and potential victims of IPV at risk by forcing them to interact with their abusers or potential abusers.



Shared Parenting and Intimate Partner Violence: The Evidence from Kentucky

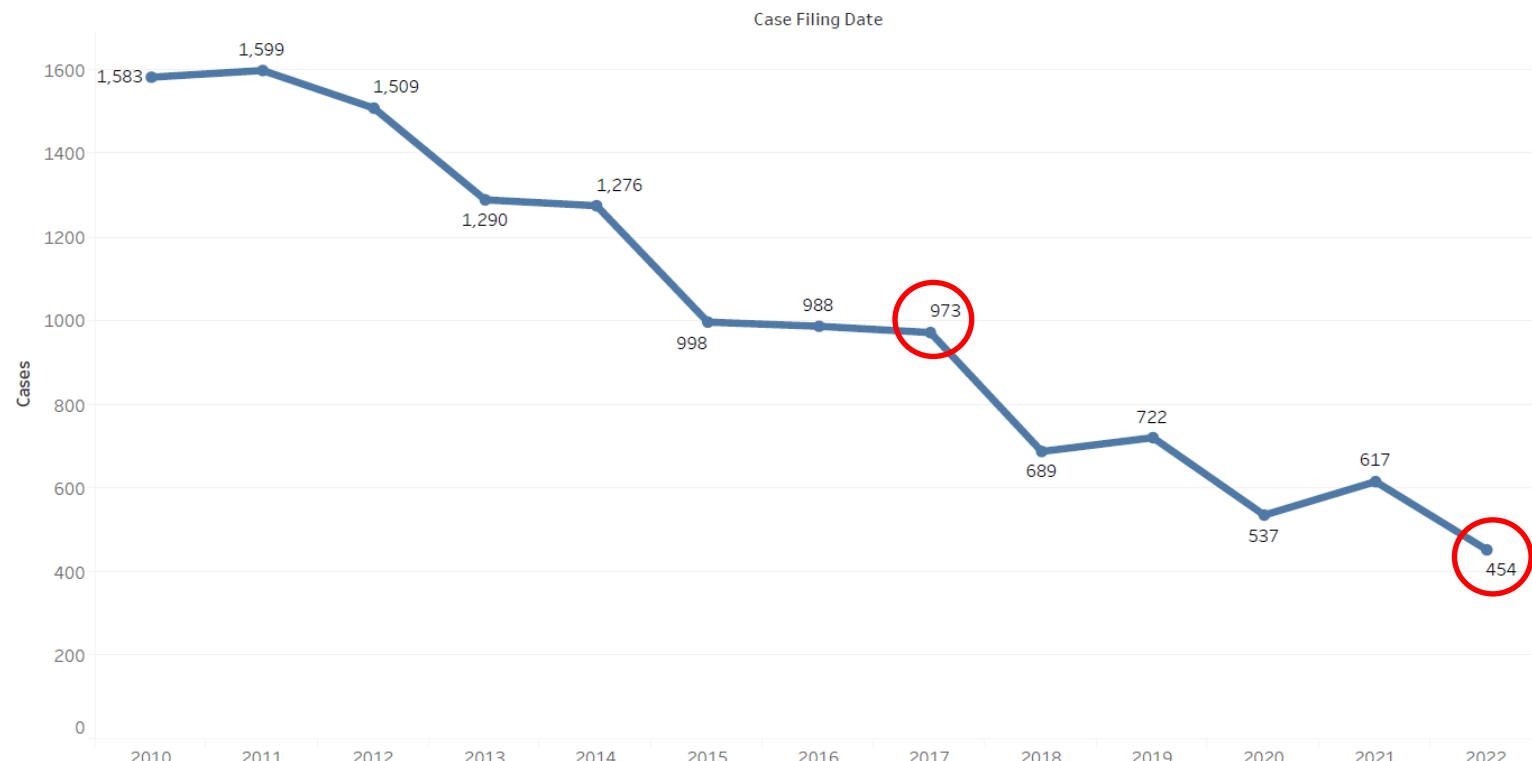


- Recall that Kentucky passed the presumption of equal shared parenting for temporary orders in 2017 and for final orders in 2018.
- In 2023 Emma Johnson of [Moms for Shared Parenting](#), asked the Kentucky Administrative Office of the Courts for data cross-referencing Civil Domestic & Family cases with domestic violence cases.
- Such cases were dropping significantly before Kentucky's shared parenting laws.
- But they continued to drop—and to drop by more than 50% between 2017 and 2022.
 - In 2017 there were 973 such cases
 - In 2022 there were only 454 such cases

Shared Parenting and Intimate Partner Violence: The Evidence from Kentucky



2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	Grand Total
1,583	1,599	1,509	1,290	1,276	998	988	973	689	722	537	617	454	13,235



Circuit Civil Domestic & Family Cases Filed 1/1/2010 - 12/31/2022 Statewide
 Cross Referenced With Domestic Violence Cases
 Data from the Kentucky Administrative Office of the Courts

Shared Parenting and Intimate Partner Violence: The Evidence from Spain



- Spain provides a “natural experiment” about the connection between shared parenting and domestic violence.
- In Spain, between 2009 and 2011, five regions passed custody reforms that increased joint physical custody (shared parenting) four-fold in just five years.
- Researchers compared the rates of intimate partner violence (IPV) in these regions before and after the change and with the rates of IPV in those regions that did not enact such reforms.*

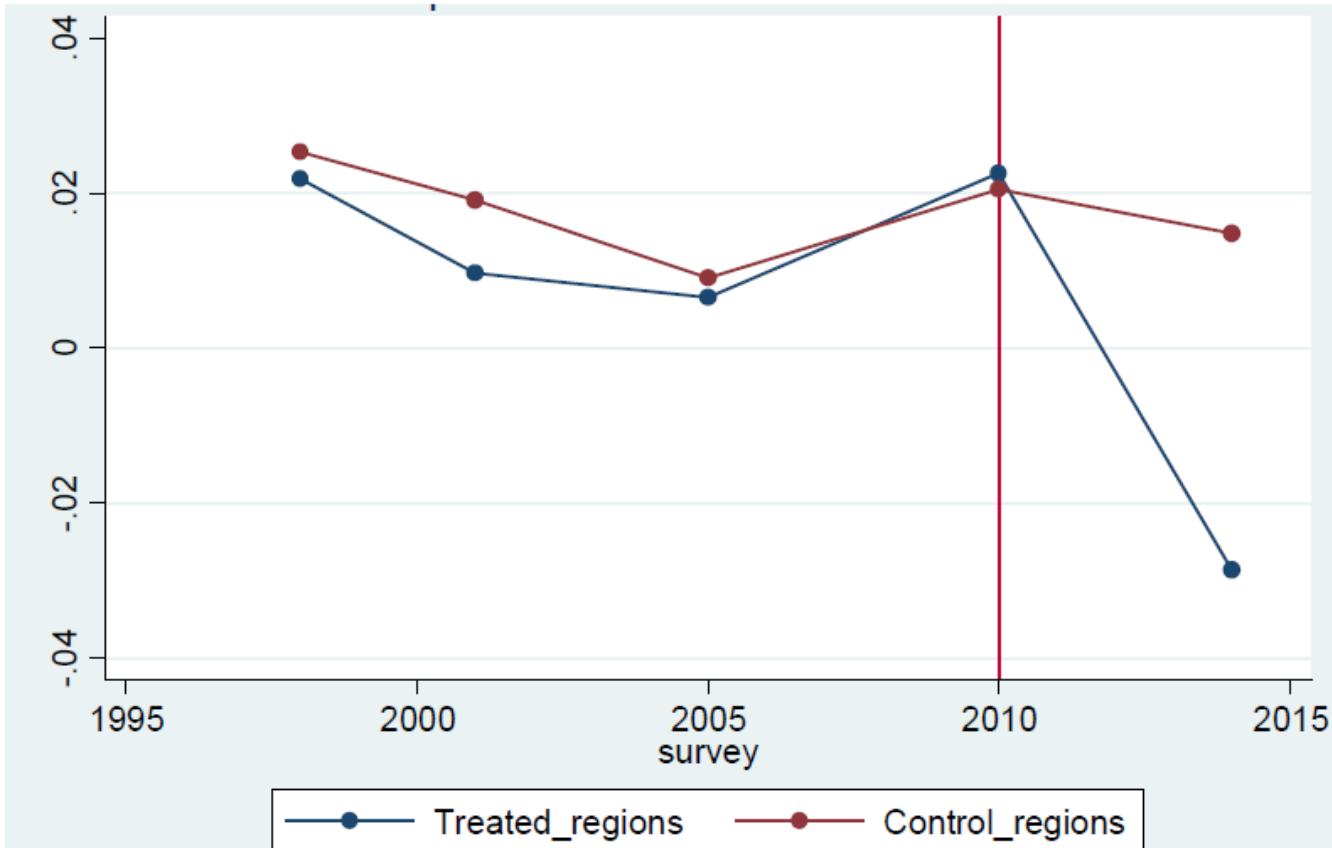
*Fernández-Kranz, Daniel; Nollenberger, Natalia; Roff, Jennifer Louise (2020) : Bargaining under Threats: The Effect of Joint Custody Laws on Intimate Partner Violence, IZA Discussion Papers, No. 13810, Institute of Labor Economics (IZA), Bonn

Shared Parenting and Intimate Partner Violence: The Evidence from Spain



- What the researchers found:
 - The presumption of shared physical custody “led to a **large and significant decrease in intimate partner violence**, with the largest effects among couples in which the mother was more likely to seek sole custody before the policy change [emphasis added].”
 - The policy “**significantly decreased domestic violence, with IPV falling by almost 50%** [emphasis added].”
 - “We also find evidence of **a significant reduction of the number of female homicides committed by intimate partners** after the joint custody reform [emphasis added].”

Shared Parenting and Intimate Partner Violence: The Evidence from Spain



Frequency of intimate partner violence cases in regions enacting shared parenting reforms (the “Treated regions”) with those regions which had not enacted such reforms (the “Control regions”).

Shared Parenting and Intimate Partner Violence: Conclusion



- As with child maltreatment, the available evidence indicates that, far from putting potential victims of IPV at greater risk, presumptions of equal shared parenting reduce the risk of IPV.
- **Presumptions of equal shared parenting aren't part of the *problem*; they're part of the *solution!***

Explaining Why Shared Parenting Presumptions Decrease IPV and Child Maltreatment



- As Professor Edward Kruk puts it:
 - “Winner-take-all” adversarial processes and sole custody or primary residence orders are strongly associated with exacerbation or creation of parental conflict. Hawthorne and Lennings ... found that limiting fathers’ involvement in children’s lives via sole maternal custody judgments was correlated with their reported level of subsequent hostility toward their ex-wives. ...

Explaining Why Shared Parenting Presumptions Decrease IPV and Child Maltreatment



- Edward Kruk quote (cont'd.):
 - “... Inter-parental conflict decreases over time in shared custody arrangements, and increases in sole custody arrangements; inter-parental cooperation increases over time in shared custody arrangements, and decreases in sole custody arrangements Fully half of first-time family violence occurs after separation, within the context of the adversarial “winner-take-all” sole custody system This is no surprise, given the high stakes involved; when primary parent-child relationships are threatened, the risk of violence rises dramatically. ...

Explaining Why Shared Parenting Presumptions Decrease IPV and Child Maltreatment



- Edward Kruk quote (cont'd.):
 - “... When neither parent is threatened by the loss of his or her children, conflict diminishes. The culture of animosity created by the sole custody system seems tailor-made to produce the worst possible outcomes when there are two capable parents who wish to continue as primary caregivers, cannot agree on a parenting plan, and are forced to disparage each other within the adversarial system in an effort to simply maintain their role as parents.”

Kruk, Edward, *The Equal Parenting Presumption*, McGill-Queen's University Press, 2013

This Isn't News to the Public!



- The public understands this.
- NPO has commissioned independent polling by Researchscape, International in more than 30 states on people's attitudes about shared parenting.
- In every state, *at least 70% of respondents* said:
 - "When there is conflict between parents, awarding sole custody of children to just one parent increases that conflict."

Paying Attention to the Data



- For those who are concerned about intimate partner violence and child maltreatment—and that should be everyone—the evidence we have indicates that, **far from raising the risk of these problems, legal presumptions of shared parenting are part of the solution to them!**

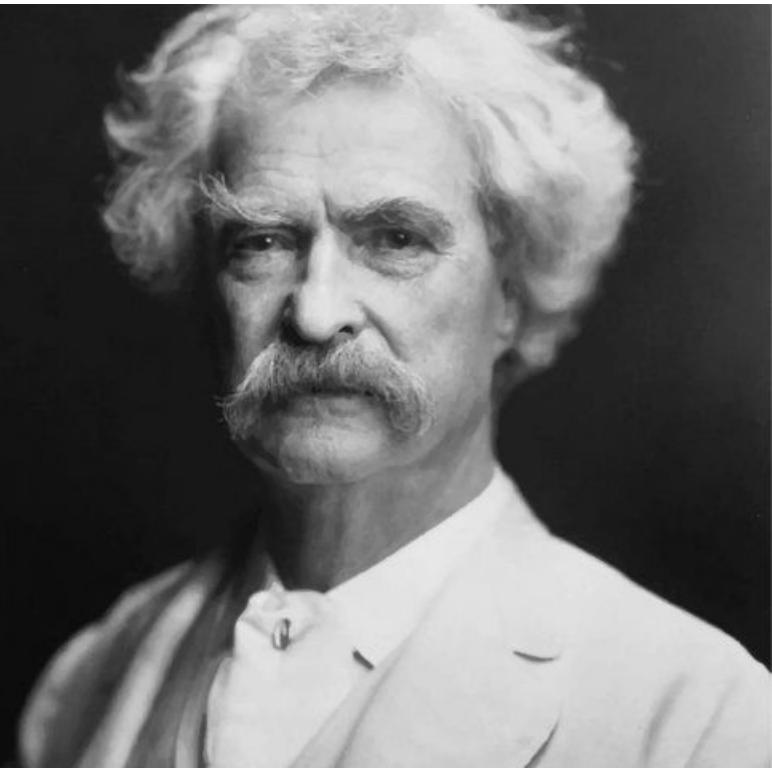
V. Dispelling (Other) Myths about Shared Parenting

The Value of Dispelling Myths



It ain't what you don't know
that gets you into trouble. It's
what you know for sure that
just ain't so.

Mark Twain



The NPO/ICSP Effort to Debunk Myths About Equal Shared Parenting



- In 2022, National Parents Organization and the International Council on Shared Parenting undertook the task of debunking common myths about equal shared parenting.
- NPO & ICSP produced two one-page handouts that cite the research that undermines these myths:
 - One directly related to child well-being
 - One focused on other myths



**International Council
on Shared Parenting**



Myths and Truths about Shared Parenting and Child Well-Being

Myth	Truth
Shared parenting emphasizes parents' rights at the expense of the child's interest.	The primary consideration supporting a presumption of shared parenting is the benefits shared parenting provides to children. More than 40 years of social science research establishes a consistent pattern of evidence showing that children in shared parenting arrangements are doing better in all metrics of child well-being than those raised in a sole custody arrangement.
Shared parenting doesn't benefit children because parents are in conflict with each other.	Even when there is conflict between parents, shared custody arrangements are better for children than sole custody arrangements on all measures of behavior, emotional, physical, and academic outcomes. Shared parenting arrangements are better for children than sole custody arrangements since significantly higher on almost every metric of child well-being than those raised in a sole custody arrangement.
Shared parenting doesn't cause the better outcomes for children. It's just a convenience.	While families that choose shared parenting may have other characteristics that help children succeed (higher income, higher levels of education, less conflict), there is new clear evidence that shared parenting is better for children than sole custody arrangements on all measures of child well-being. Evidence for this comes from countries where shared parenting is common across socio-economic divisions and, also, from advanced statistical analyses that allow measurement of the effects of shared parenting.
Shared parenting isn't appropriate for infants and toddlers.	Young children need primary attachment to more than just one parent. Strong, healthy parent-child relationships need consistent and frequent contact involving daytime and nighttime caregiving. Restricting infants and toddlers from overnights with loving parents is inconsistent with what is now about the development of children. Shared parenting is the first choice of parents. They are the primary support for the development of infants and toddlers. Overnights with their fathers are harmful or interfere with their attachment to their mother.
Shared parenting undermines children's security by requiring them to move between two homes.	While having two homes sometimes causes inconvenience, research has shown that this is not harmful to children, nor does it hinder their developing strong relationships with both parents. Overnights "up to and including equal numbers of overnights at both parental homes" benefited both the long-term mother and child.
Shared parenting isn't necessary. Children need what the benefits children is the quality not the quantity of time spent with each parent.	Overnights "up to and including equal numbers of overnights at both parental homes" benefited both the long-term mother and child.
Shared parenting leaves children unable to abuse	There is no scientific evidence to support this statement. Shared parenting laws are rebuttable presumptions of shared parenting and have not been tested and found to be a reliable and consistent history of child abuse. HHS reports show no increase in cases of child maltreatment in states after enactment of equal shared parenting presumptions. ("Child Maltreatment 2021" U.S. Department of Health and Human Services Administration for Children and Families, 2021)

The Cookie Cutter Criticism



MYTH

Shared parenting is a “one size fits all” arrangement.

The Cookie Cutter Criticism



- This is a dishonest criticism if it's made in defense of current practices.
- Most courts that employ unequal parenting schedules provide true cookie cutter approaches.
- NPO's [Ohio Parenting Time Report](#) revealed that the majority of Ohio courts relied on schedules that specified exact days and times.
 - For example: "Alternate weekends from 6:00 pm Friday to 6:00 pm Sunday and Wednesdays from 6:00 pm to 8:00 pm."

The Cookie Cutter Criticism



- Shared parenting is an extremely flexible approach to separated parenting. There are many different equal shared parenting schedules to fit the needs of different families.

The Cookie Cutter Criticism



- Research shows that different schedules are appropriate for children of different ages.
 - Infants and toddlers need more frequent time with each parent in order to form strong bonds with both parents.
- Parents' work schedules might require different parenting schedules.

The Cookie Cutter Criticism



- Opponents of shared parenting seem not to understand the flexibility of equal shared parenting schedules. Perhaps they should augment their natural ignorance with some artificial intelligence.
- Both ChatGPT and Google Gemini have no trouble identifying various typical equal parenting schedules.
- And there are many more that parents can use.

ChatGPT's Answer



- ChatGPT's answer to "What are some different schedules for equal shared parenting?"

1. Alternating weeks: In this arrangement, children spend one week with one parent and the next week with the other parent, alternating back and forth.

2. 2-2-3 schedule: This schedule involves the children spending two days with one parent, two days with the other parent, and then three days with the first parent before starting the cycle over again.

3. 3-4-4-3 schedule: This schedule involves the children spending three days with one parent, four days with the other parent, four days with the first parent, and then three days with the second parent before starting the cycle over again.

Google Gemini's Answer



- Google Gemini did even better:

1. **Alternating weeks:** In this schedule, the child spends one week with each parent. This is a common schedule for parents who live in the same city or town.
2. **2-2-3 schedule:** In this schedule, the child spends two days with one parent, then two days with the other parent, then three days with the first parent. This is a common schedule for parents who have young children.
3. **3-4-4-3 schedule:** In this schedule, the child spends three days with one parent, then four days with the other parent, then four days with the first parent, then three days with the second parent. This is a common schedule for parents who have school-age children.
4. **2-2-5-5 schedule:** In this schedule, the child spends two days with one parent, then two days with the other parent, then five days with the first parent, then five days with the second parent. This is a common schedule for parents who have teenagers.

Parenting Roles



MYTH

Parenting roles should remain the same after separation and divorce.

Parenting Roles



- Parenting roles usually must change after separation and divorce. The experience of one parent taking on more parenting responsibilities and another pursuing career activities can provide for more enriching experiences for the children with each parent. Children raised in shared parenting arrangements demonstrate better adjustment, across several domains including family relationships, behavioral adjustment, emotional well-being, and academic achievement than children who remain in the sole custody of one parent regardless of how parenting roles were handled when the parents lived together.
 - Fabricius & Hall, 2005; Emery, 2004; Fabricius, 2003; Bauserman, 2002

Failure of Presumptions of Shared Parenting



MYTH

Presumptions of shared parenting have been tried and were found unsuccessful.

Failure of Presumptions of Shared Parenting



TRUTH

- There are no examples in the U.S. in which presumptive shared parenting legislation was reversed because of unsuccessful outcomes.
- A California example that is sometimes cited as a retrenchment from shared parenting was, in fact, a clarification that the previous law did not, in fact, create a presumption in favor of shared parenting.
- Public polling demonstrates that presumptions of shared parenting are popular with the public and research has shown that equal shared parenting presumptions are favored by divorce professionals.

Failure of Presumptions of Shared Parenting



- Kentucky polling after enactment of the 2018 equal shared parenting (ESP) presumption.
 - 58% supported the ESP law.
 - Only 10% opposed it.
 - 32% were not sure.
 - When asked whether they “agree or disagree with the law that it is in the child’s best interest to have as much time as possible with both fit parents in instances of divorce”:
 - 83% agreed;
 - only 7% disagree; and,
 - 10 % were not sure.

Failure of Presumptions of Shared Parenting

- Kentucky Family Court Judge Mica Pence
 - “I can tell you that all of us as judges were hesitant about 50/50... I can honestly say I love it! ... It truly is a fair starting place, going in biased to one side or the other and making it a zerosum game just isn’t fair to the kids.”



Judge Mica Wood Pence,
Barren County, Kentucky

Failure of Presumptions of Shared Parenting



- In 2013, Arizona enacted a statute promoting shared parenting that courts are interpreting as a presumption of equal parenting time.
- A 2018 study found that:
 - The law was “evaluated positively overall and in terms of children’s best interests” by the *majority* of conciliation court staff, judges, and mental health professionals and the *plurality* of attorneys.
 - Fabricius, W. et al. (2018). “What Happens When There is Presumptive 50/50 Parenting Time? An Evaluation of Arizona’s New Child Custody Statute.” *Journal of Divorce & Remarriage*. 59(5), 414-428

Instability of Shared Parenting



MYTH

Shared parenting arrangements are unstable and tend to turn into a sole custody arrangement, except in name.

Instability of Shared Parenting



TRUTH

- While a very old (1980s) study in California suggested that shared parenting arrangements tended to drift over time to sole maternal custody arrangements, recent research has demonstrated that “the living arrangements of children with shared placement were *at least as stable as* those of children with sole mother placement.”
 - Bartfeld, J. et al. (2021). “Stability of Placement Arrangements Among Divorced Wisconsin Families with Sole Mother and Shared Placement Orders”. *Institute for Research on Poverty Research Report*.

Fathers Could Have Shared Parenting If They Wanted It



MYTH

Fathers could share in the physical custody of their children more if they wanted to share equally in the responsibility of raising children.

Fathers Could Have Shared Parenting If They Wanted It



- Child support often limits a father's financial ability to set up a residence that supports equal shared physical custody. The legal costs required to fight for equal parenting time often deter parents from asking for equal time.
 - Fabricius and Braver, 2003; Braver, 1998; Wallerstein and Blakeslee, 2004

Financial Support



Children will be less supported financially if they spend equal time living with fathers because it will decrease the amount of child support the father must pay.

Financial Support



- Financial support for children can be either direct, what parents spend themselves on the children, or indirect, what one parent gives the other to spend on the children. Equal shared parenting often results in less indirect spending on a child but, it always results in much more direct spending. The more time children spend in the care of their fathers, the more money fathers spend on supporting the children.
 - Wallerstein & Blakeslee, 2004; Braver, 1998, Fabricius & Braver, 2003

Parental Conflict



MYTH

Shared parenting increases parental conflict.

Parental Conflict



- There is no scientific support for the claim that shared parenting increases parental conflict. In fact, both mothers and fathers practicing shared parenting report less conflict and more emotional support and positive feelings with their ex-spouses.
 - Bauserman, 2012; Kruk, 2013; Nielson, 2017 & 2018

Costs and Contentiousness of Litigation



MYTH

Presumptions of shared parenting
will increase the cost and
contentiousness of custody litigation.

Costs and Contentiousness of Litigation



TRUTH

- There is no evidence for this.
- Just the opposite conclusion is:
 - suggested by some experience by divorce professional; and,
 - supported by research, including the “natural experiment” in Spain.

Costs and Contentiousness of Litigation: Experience by Divorce Professionals



- Attorney Carl Knochelmann, Jr., who practices family law in both Ohio and Kentucky, reports that he is “finding it easier to settle Kentucky cases than Ohio cases because Kentucky has a mandatory shared parenting presumption and Ohio doesn’t.”

Costs and Contentiousness of Litigation: Research from Arizona



- “Concerns are sometimes expressed that laws favoring shared parenting time might lead to increases in parent conflict, and thus it is noteworthy that the comprehensive professional perspective is that the Arizona law has a neutral impact on parent conflict and on legal conflict.”
 - Fabricius, W. et al. (2018). “What Happens When There is Presumptive 50/50 Parenting Time? An Evaluation of Arizona’s New Child Custody Statute.” *Journal of Divorce & Remarriage*. 59(5), 414-428.

Costs and Contentiousness of Litigation: Research from Spain



- “5 years after the EPT [equal parenting time] law was passed, the share of contentious divorces decreased by 2.76%, equivalent to an 8.6% decrease respect to pre-reform mean (32%). All the coefficients are statistically significant at standard confidence intervals.”
 - Fernández-Kranz, Daniel; Nollenberger, (2022) : “The Impact of Equal Parenting Time Laws on Family Outcomes and Risky Behavior by Teenagers: Evidence from Spain,” *Journal of Economic Behavior and Organization* 95, pp. 303–325.

Shared Parenting and Parental Conflict



MYTH

Shared parenting doesn't benefit children when the parents are in conflict with each other.

Shared Parenting and Parental Conflict



TRUTH

- Even when there is conflict between parents, shared-custody arrangements are better for children than sole-custody arrangements on all measures of behavioral, emotional, physical, and academic well-being and are related to children having better relationships with their parents and grandparents. The quality of the parent child relationship is a better predictor of children's long-term outcomes than coparenting conflict.
 - Fabricius & Leucken (2007); Nielsen (2017 & 2018); Harmon, *et al.* (2022); Fabricius & Suh (2017)

Does Shared Parenting Work When Parents Disagree?



- The Myth of the Happy Divorce and Shared Parenting
 - Some people think shared parenting works only when the parents are able to agree on everything.
- In fact, decades of research show that shared parenting is usually best for children even when the parents don't both agree to shared parenting, don't communicate closely except when there is a serious issue, and have different patterns of parenting.
- And many disagreements can be resolved through counseling, mediation, and arbitration.

Handling Irreconcilable Disagreements under Joint Legal Custody



- Some disagreements between parents call for special shared parenting arrangements.
 - Serious and irresolvable disagreements about health care, religious upbringing, and education are examples.
- In these cases, if alternative dispute resolutions are ineffective, courts can pursue a “spheres of responsibility” approach, for example, giving one parent the final say on medical matters and the other the final say on religious upbringing.
- This still recognizes both parents as responsible decision-makers for the children and it encourages cooperation.

Shared Parenting Hurts Children



MYTH

Shared parenting emphasizes parents' rights at the expense of the best interest of children.

Shared Parenting Hurts Children



- The primary consideration supporting a presumption of shared parenting is the benefits shared parenting provides to children. More than 40 years of social science research establishes a growing consensus that in the vast majority of cases, children raised in shared parenting arrangements score significantly higher on almost every metric of child well-being than those raised in a sole custody arrangement.
 - Nielsen (2014); Baude (2016); Bauserman (2002 & 2012)

Shared Parenting for Infants and Toddlers



MYTH

Shared parenting isn't appropriate for infants and toddlers.

Shared Parenting for Infants and Toddlers



TRUTH

- Young children develop primary attachments to more than just one person. Strong, healthy parent child relationships need consistent and frequent contact including daytime and nighttime caregiving. Restricting infants and toddlers from overnights with loving parents is inconsistent with what we know about the development of meaningful parent-child relationships in the first years of life. *There is no scientific support for the claim that infants' and toddlers' overnighting with their fathers are harmful or interferes with their attachment to their mothers.*
 - Warshak (2014 & 2018); Nielsen (2014); Fabricius & Suh (2017); Fabricius (2022)

Children's Sense of Security and the “Stressful Mobility” Concern



MYTH

Shared parenting undermines children's security by requiring them to shuttle between two homes.

Children's Sense of Security and the “Stressful Mobility” Concern



TRUTH

- While having two homes sometimes causes inconveniences, research has shown that this is not harmful to children, nor does it hinder their developing strong relationships with both parents. Overnights “up to and including equal numbers of overnights at both parents’ homes” benefitted “both the long-term mother-child and father-child relationships.”
 - Fabricius & Suh (2017); Fransson et al. (2018); Warshak (2014)

Children's Sense of Security and the “Stressful Mobility” Concern



- In the 39 studies reviewed, “***[t]here was no support for the stressful mobility hypothesis*** which suggested that ... [sole physical custody] arrangements would be preferable to ... [shared physical custody] because children would not need to move around as often [emphasis added].”

*Vowels LM, Comolli CL, Bernardi L, Chaco'n-Mendoza D, Darwiche J (2023) “Systematic review and theoretical comparison of children's outcomes in post-separation living arrangements”. *PLoS ONE* 18(6): e0288112. <https://doi.org/10.1371/journal.pone.0288112>

Quality vs. Quantity



MYTH

Shared parenting isn't necessary because what benefits children is the *quality*, not the *quantity*, of time with each parent.

Quality vs. Quantity



TRUTH

- The quality of parenting time is vital, of course. But the quantity of parenting time is also vital to children's well-being. Research shows that benefits to children arise because both parents are significantly involved in ordinary, day-to-day parenting responsibilities, not just weekend and holiday time. And the benefits of shared parenting for children increase as the time with each parent approaches equality.
 - Fabricius & Suh (2017); Fabricius (2020 & 2022)

Causation or Correlation?



MYTH

Shared parenting doesn't cause the better outcomes for children; it's just a correlation.

Causation or Correlation?



TRUTH

- While families that choose shared parenting may have other characteristics that help children succeed (higher income, higher levels of education, less conflict), there is now clear evidence that shared parenting itself, and not just these other characteristics, contributes to children's well-being. Evidence for this comes from countries where shared parenting is common across socio-economic divisions and, also, from advanced statistical analyses that allow measurement of the effects of shared parenting.
 - Braver, S. L., and A. M. Votrubá. (2018). "Does joint physical custody "cause" children's better outcomes?" *Journal of Divorce & Remarriage* 59(5), 452-468.

Benefits from a Legal Presumption of Shared Parenting



Even though shared parenting is better for children, there should be no legal presumptions about parenting time.

Benefits from a Legal Presumption of Shared Parenting



TRUTH

- Legal presumptions of equal shared parenting provide parents and children with assurances that their relationship will be protected. This reduced conflict between the parents and anxiety in the children.
 - Fabricius, W. (2020). "Equal parenting time: The case for a legal presumption". *The Oxford Handbook of Children and the Law* (pp. 453-476). Oxford University Press.
 - Fabricius, W. (2003) "Listening to Children of Divorce: New Findings that Diverge from Wallerstein, Lewis, and Blakeslee". *Family Relations* 52(4), 385-396

For More Information



- The NPO/ICSP handouts on myths and truths about shared parenting, along with a great deal of other relevant research, are available on NPO's website at www.sharedparenting.org



Myths and Truths about Shared Parenting and Child Well-Being

Myth	Truth
Shared parenting emphasizes parents' rights at the expense of the best interest of children.	The primary consideration supporting a presumption of shared parenting is the benefits shared parenting provides to children. More than 40 years of social science research establishes a growing consensus that in the vast majority of cases, children raised in shared parenting arrangements score significantly higher on almost every metric of child well-being than those raised in a sole custody arrangement. Nielsen (2014), Baude (2016), Bauseman (2002 & 2012)
Shared parenting doesn't benefit children when the parents are in conflict with each other.	Even when there is conflict between parents, shared-custody arrangements are better for children than sole-custody arrangements on all measure of behavioral, emotional, physical, and academic well-being and are related to children having better relationships with their parents and grandparents. The quality of the parent child relationship is a better predictor of children's long-term outcomes than coparenting conflict. Fabricius & Leuchen (2007), Nielsen (2017 & 2018), Harmon, et al. (2022), Fabricius & Suh (2017)
Shared parenting doesn't cause the better outcomes for children; it's just a correlation.	While families that choose shared parenting may have other characteristics that help children succeed (higher income, higher levels of education, less conflict), there is now clear evidence that shared parenting itself, and not just these other characteristics, contributes to children's well-being. Evidence for this comes from countries where shared parenting is common across socio-economic divisions and, also, from advanced statistical analyses that allow measurement of the effects of shared parenting. Braver & Votruba, 2018]
Shared parenting isn't appropriate for infants and toddlers.	Young children develop primary attachments to more than just one person. Strong, healthy parent child relationships need consistent and frequent contact including daytime and nighttime caregiving. Restricting infants and toddlers from overnights with loving parents is inconsistent with what we know about the development of meaningful parent-child relationships in the first years of life. There is no scientific support for the claim that infants' and toddlers' overnighting with their fathers are harmful or interferes with their attachment to their mothers. Warshak (2014 & 2018), Nielsen (2014), Fabricius & Suh (2017); Fabricius (2022)
Shared parenting undermines children's security by requiring them to shuttle between two homes.	While having two homes sometimes causes inconvenience, research has shown that this is not harmful to children, nor does it hinder their developing strong relationships with both parents. Overnights "up to and including equal numbers of overnights at both parents' homes" benefited "both the long-term mother-child and father-child relationships." Fabricius & Suh (2017), Fransson et al. (2018), Warshak (2014)
Shared parenting isn't necessary because what benefits children is the quality not the quantity of time with each parent.	The quality of parenting time is vital, of course. But the quantity of parenting time is also vital to children's well-being. Research shows that benefits to children arise because both parents are significantly involved in ordinary, day-to-day parenting responsibilities, not just weekend and holiday time. And the benefits of shared parenting for children increase as the time with each parent approaches equality. Fabricius & Suh (2017), Fabricius (2020 & 2022)
Shared parenting leaves children vulnerable to abuse	There is no scientific evidence to support this statement. Shared parenting laws are rebuttable when the type of custody plan is not in the child's best interest and when there is a demonstrated history of family violence. HHS reports show no increase in cases of child neglect in states after enactment of equal shared parenting presumptions. ("Child Maltreatment 2020" U.S. Department of Health and Human Services Administration for Children and Families, p. 30.) Fabricius (2020)

VI. Some Good News

Hope for the Future

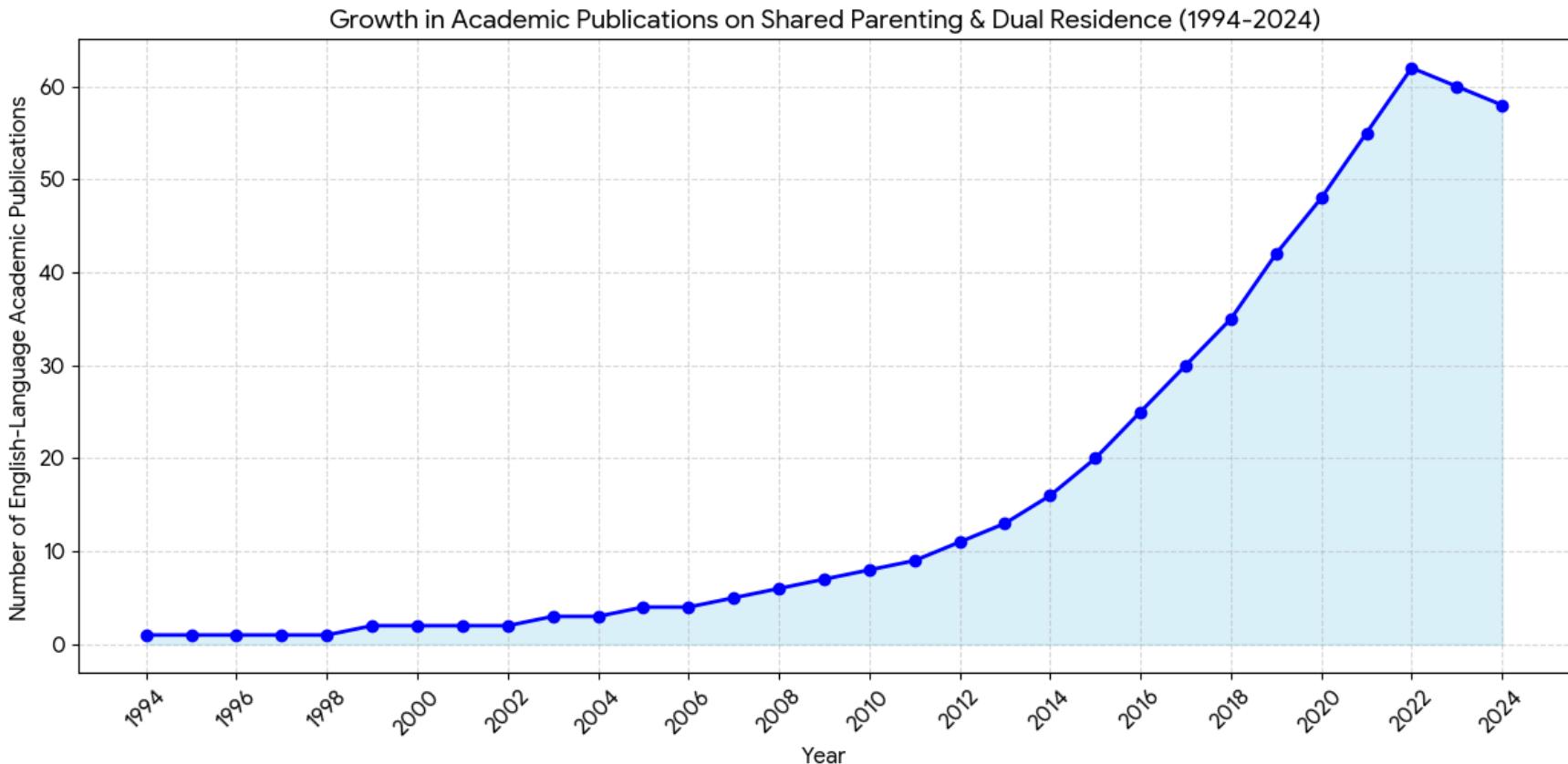


- Having been involved in the fight for advancing shared parenting for more than 30 years now, I understand the frustration we all feel at the slow pace of progress.
- Nevertheless, I'm hopeful—and it's not because I'm some sort of pathological optimist.
- There are reasons for hope.

Mounting Scientific Research



- Over the last three decades, there has been a significant increase in research on shared physical custody.



State Legislatures are Increasingly Recognizing the Value of Equal Shared Parenting Presumptions



- Currently, only six states in the U.S. have strong equal shared parenting laws.
 - **Arizona:** In 2012, Arizona enacted legislation requiring courts, consistent with children's best interest, to maximize each parent's time with the children.
 - **Kentucky:** In 2017 & 2018, as a result of NPO's work, Kentucky enacted the country's first explicit equal shared parenting presumption.
 - **Arkansas:** In 2021, with assistance from NPO, Arkansas enacted a strong equal shared parenting presumption.
 - **West Virginia:** Early in 2022, NPO led the effort in West Virginia to enact an equal shared parenting presumption.
 - **Florida:** In 2023, Florida enacted a presumption of equal shared parenting when parents divorce.
 - **Missouri:** Also in 2023, Missouri's equal parenting presumption was enacted into law.

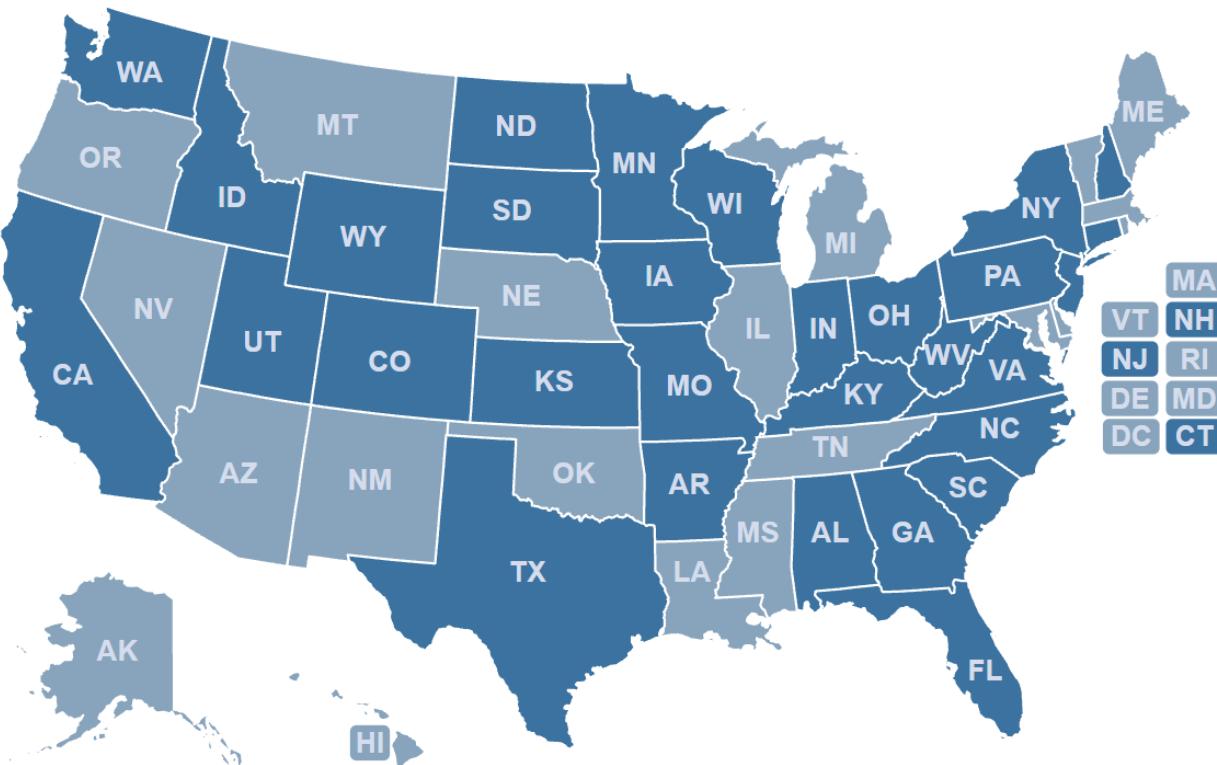
Equal Shared Parenting Legislation



- Since Florida and Missouri passed their equal shared parenting laws in 2023, there have been more than 60 shared parenting bills introduced in 23 states.
- The bills are typically opposed by special interests, including:
 - Judicial organizations
 - Bar associations
 - Some domestic violence groups
- But many are getting closer and closer to enactment



Public Support for Shared Parenting



Public Support for Shared Parenting



- **Polling Results***

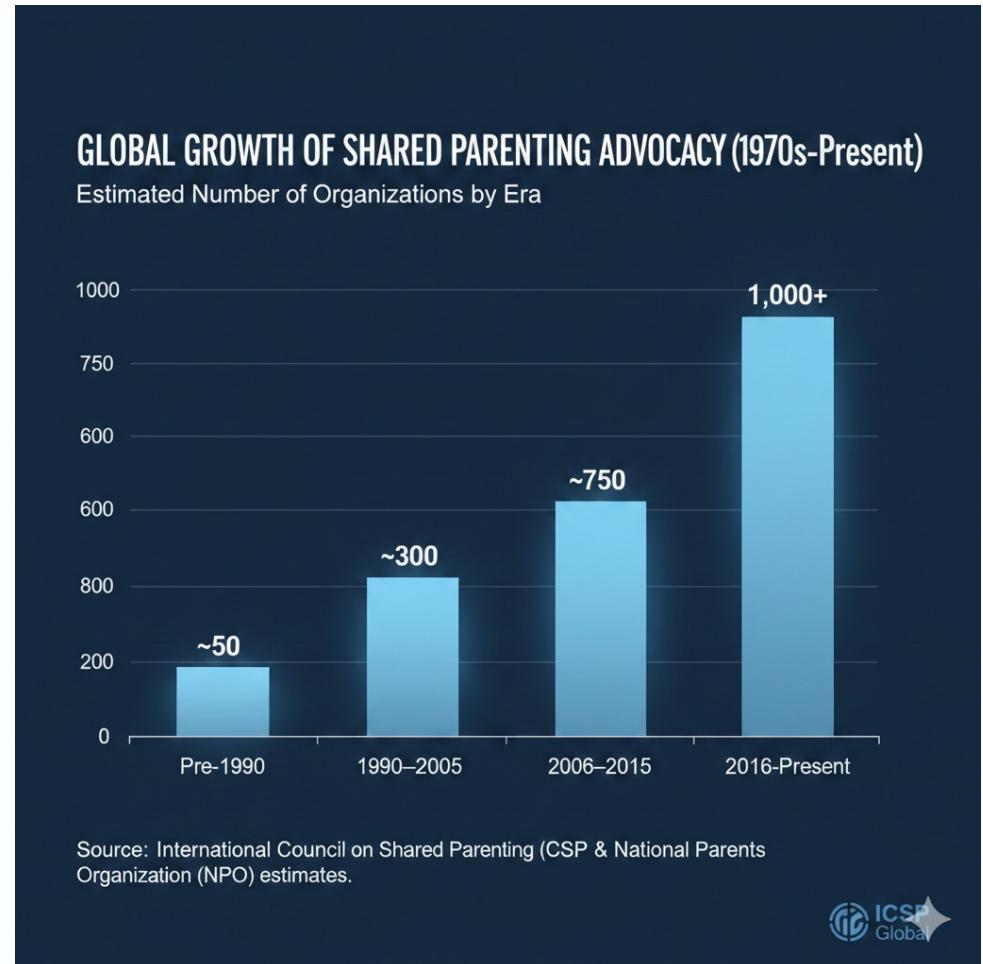
- In every state polled, support for shared parenting and a *legal presumption in favor of shared parenting* is over 83%!
- Support for shared parenting cuts across every demographic divide: race, ethnicity, age, religion, political affiliation, and sex.



*Summary of polling results available at www.sharedparenting.org

Growing Activism

- It's hard to find data on this but it is clear that there are more groups worldwide advocating for changes in family law to promote shared physical custody of children.



Hope for the Future



- So, my hope for the future is based on several things:
 - The science supports our position.
 - The public increasingly supports our position.
 - Due to increased activism, shared parenting legislation continues to be advanced.
 - There are signs of cracks in the opposition, as some attorneys, judges, and legislators become convinced of the value of shared parenting.
- I believe there will come a day—not too long in the future—when people look back and say: “Really?!?! They used to deprive children of a full relationship with one parent just because the parents are living apart?!?!”

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Thank you!

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