




## Shared Parenting After Parental Separation: The Views of 12 Experts

Sanford L. Braver<sup>a</sup> and Michael E. Lamb <sup>b</sup>

<sup>a</sup>Department of Psychology, Arizona State University, Tempe, Arizona, USA; <sup>b</sup>Department of Psychology, University of Cambridge, Cambridge, UK

### ABSTRACT

This article summarizes panel discussions that took place at an international conference on shared parenting (SP) held in May 2017. The panelists were internationally recognized experts on the legal and psychological implications of custody arrangements and parenting plans. Seven broad themes dominated the discussions: whether or not there was persuasive evidence that SP provides real benefits to children whose parents separate; what specific factors make SP beneficial; what symbolic value SP might have; whether there should be a legal presumption in favor of SP, and if so, what factors should make for exceptions; whether high parental conflict, parents' failure to agree on the parenting plan, or dynamics of parental alienation should preclude SP; and what should happen when a parent wants to relocate away from the other parent.

### KEYWORDS

divorce conflict; joint custody; shared parenting; shared physical custody

A rather extraordinary event happened in Boston in late May 2017. Expert researchers and scholars of child custody and divorce family law around the world gathered together for 2 days at a conference jointly sponsored by the National Parents Organization (NPO) and the International Council of Shared Parenting (ICSP) to discuss and explore possible consensus regarding the benefits of shared parenting (SP; also called joint physical custody, shared care, shared custody, etc.). The program included the usual lectures and presentations (46 in all), but, rather uniquely, the organizers also staged two 2-hour panel discussions. These videotaped sessions were moderated by a skilled facilitator, Professor Donald Hubin, who encouraged all the participants to express their views on a series of topics and to answer questions from the audience. We first introduce the 12 panelists and then summarize the panel discussions on the seven interrelated topics on which they concentrated.

## Panelists

Dr. Kari Adamsons is Associate Professor of Human Development and Family Studies at the University of Connecticut, and has published many peer-reviewed articles and chapters on fathering, coparenting, and divorce. She is particularly known for her work on nonresident father involvement and father identity, and is considered one of the leaders of the next generation of fatherhood scholars. She is Associate Editor of *Journal of Social and Personal Relationships*.

Dr. William Austin is a nationally recognized expert on child custody evaluations who has published numerous professional articles and book chapters on this topic and cochaired the task force that developed the Model Standards of Practice for Child Custody Evaluation for the Association of Family and Conciliation Courts (AFCC).

Dr. Malin Bergström of the Karolinska Institute in Sweden has written several books about child development, attachment theory, and parenting. Dr. Bergström's research focuses on children's health and welfare in shared parenting arrangements and she has led rigorous research projects evaluating the Swedish experience with shared parenting.

Dr. Sanford L. Braver is Professor Emeritus at Arizona State University, where he served in the Psychology Department for 41 years and was the recipient of 18 competitively reviewed, primarily federal research grants, totaling over \$28 million. His work has been published in nearly 135 peer-reviewed professional articles and chapters, and he is author of three books including *Divorced Dads: Shattering the Myths*.

Dr. Jennifer Harman is Associate Professor of Psychology at Colorado State University. She specializes in the study of intimate partner relationships and has published many peer-reviewed articles and books on this topic. Her 2016 TEDx talk on parental alienation showcased several ideas from her most recent coauthored and well-received book, *Parents Acting Badly*.

Dr. Michael Lamb is Professor of Psychology at the University of Cambridge. He has focused his scholarship on father-child and mother-child relationships over the last 40 years, writing more than 500 professional articles and 50 books, including five editions of *The Role of the Father in Child Development*. He is currently President of the American Psychological Association's Division of Developmental Psychology.

Dr. Pamela Ludolph is a clinical and forensic psychologist in the Psychology Department at the University of Michigan and in the Child Advocacy Law Clinic at the University's Law School. She is a published author who conducts complex child custody evaluations and frequently lectures to family court and mental health professionals in the United States and abroad.

Dr. Linda Nielsen is Professor of Adolescent and Educational Psychology at Wake Forest University. She is an internationally recognized expert on shared physical custody research and father–daughter relationships. She has written three books on father–daughter relationships and three editions of the college textbook, *Adolescence: A Contemporary View*, as well as numerous articles on shared parenting. .

Professor Patrick Parkinson is Professor of Law at the University of Sydney, Australia, and is a Past President of the International Society of Family Law. He played a major role in the development of legislation and practice in family law and child protection in Australia, and helped in persuading the Australian government to invest in a national network of Family Relationship Centers, offering mediation and other services to parents going through separation. He has written six books and authored approximately 100 journal articles and book chapters.

Dr. Irwin Sandler, Regents' Professor Emeritus in the Department of Psychology at Arizona State University, directed for more than 25 years a national research center on the development and evaluation of programs to improve outcomes for children following parental divorce by focusing on postdivorce parenting. He is the author of more than 200 scientific papers, and has served on several scientific advisory boards and committees.

Professor Hildegund Sünderhauf has been Professor of Family Law and Youth Welfare Law at the Lutheran University of Applied Sciences in Nuremberg, Germany, for 17 years. She initiated the Resolution of the Parliamentary Assembly of the Council of Europe that calls on member states to provide for shared parenting following a separation, wrote the only monograph about SP in Germany, and cofounded the ICSP.

Dr. Richard Warshak is Clinical Professor of Psychiatry at the University of Texas Southwestern Medical Center and is one of the world's most respected authorities on divorce, child custody, and parental alienation. He has written 14 books and more than 75 articles in 18 languages that have had a broad impact on family law. His book *Divorce Poison: How to Protect Your Family from Bad-Mouthing and Brainwashing* has been particularly influential.

## Themes

### ***Theme 1: Is There Persuasive Evidence That Shared Parenting Provides Real Benefit to Children of Divorce?***

This question was the implicit focus of every presentation and discussion during the conference and there was a remarkable degree of consensus. The empirical evidence currently available supports the view that children of divorce, on average, benefit substantially from SP arrangements in which

they live with each parent at least 35% of the time. Findings from well over 50 individual studies indicate that children whose parents have SP fare better than those with sole physical custody (see reviews by Bauserman, 2002; Nielsen, 2015, 2017). The beneficial effects are evident across a wide range of measures of children's well-being, including (a) lower levels of depression, anxiety, and dissatisfaction; (b) lower aggression, and reduced alcohol and substance abuse; (c) better school performance and cognitive development; (d) better physical health; (e) lower smoking rates; and (f) better relationships with fathers, mothers, stepparents, and grandparents. Of course, some studies have failed to show such benefits, but almost none show that SP harms children. At worst, there are no significant differences between children with different custody arrangements. The 12 experts agreed that a tipping point had been reached in the research, and that the benefits of SP for most children could no longer be doubted.

One of the conference papers addressed the question of whether the better outcomes for SP children are actually "caused" by the shared parenting arrangement (Braver & Votruba, 2018). Because most of the published studies are cross-sectional or static group comparisons (Campbell & Stanley, 1963) between two or more preexisting groups, and "correlation does not equal causation," it becomes questionable to assert that SP is the cause of children's outcomes. Because SP was generally not granted if either or both parents declared that they are unalterably opposed to such an arrangement, whatever factors led them to agree could also explain their children's superior outcomes. Thus, the better outcomes could plausibly be attributed instead to self-selection.

However, after a thorough review of the literature, Braver and Votruba (2018) ruled out this self-selection explanation and concluded that a causal role for SP was indeed the only viable interpretation. For example, even when parental conflict, cooperation, and income are factored in, SP children still have better outcomes than sole custody children (Nielsen, 2017). Moreover, findings in jurisdictions such as Sweden, where 50–50 SP is now the norm, imply that SP will benefit children even when one of the parents initially opposes the plan (Bergstrom et al., 2015).

Most panelists argued that SP benefited children largely because having two parents involved in their daily lives was more beneficial than having only one. Moreover, SP enables "weak" parenting by one parent to be offset by "strong" parenting from the other parent. For example, when children received good parenting from either their mother or their father, they had fewer emotional and behavioral problems even when the other parent had weak parenting skills (Elam, Sandler, Wolchik, & Tein, 2016; Sandler, Wheeler, & Braver, 2013). Put another way, a good father can "cover" for a less skilled mother, and vice versa. In SP arrangements, children have two chances of receiving good parenting, whereas if a sole parent has deficient

parenting skills, the child is deprived of having a second parent who can fully step in and “come to the rescue.”

In the language of attachment theory, children are disadvantaged if they lack secure attachments to adult caregivers or protectors (Bowlby, 1969; Lamb, 2002). Children can be—and usually are—attached to more than one of their parents (Lamb & Lewis, 2005). Thus, ensuring that the deficiencies or unavailability of one parent are readily compensated for by the other attachment figure provides a key advantage for SP (Braver & Lamb, 2012).

Children in SP families might also benefit because they have more access to “social capital” from two parents (Austin, 2011; Coleman, 1990; Hetherington, 1999). Social capital describes the array of social resources and mechanisms that promote individuals’ well-being and chances of success. The greater the number and effectiveness of these resources, the better off individuals will be. Children in sole custody families are less likely than SP children to receive the benefits of social capital from both parents.

SP might also be more beneficial than sole custody because parents’ strengths or weakness are not static over time. Adults’ abilities to parent effectively are affected by whatever else is going on in their lives. As the children are growing up, at various times, each parent’s attention could be diverted by other events that affect their parenting skills due to stress, other demands, and, perhaps, impatience with the child. These are the very times when the second parent can pick up the slack, which helps explain why children in two-parent households are better adjusted, on average, than children in one-parent households (Clarke-Stewart & Brentano, 2006; McLanahan & Teitler, 1999; Simons, Lin, Gordon, Conger, & Lorenz, 1999). Analogously, in SP families—but not in sole parenting situations—the second parent is available to step in. Accordingly, Fransson, Låftman, Östberg, Hjern, and Bergström (2017) found that in SP, children’s living conditions were “on par with children who live with two custodial parents in the same household,” especially with regard to economic and material conditions, relations with parents, and health-related outcomes, whereas those in sole parenting situations had poorer living conditions. Many divorce decrees capture this sense through *right of first refusal* provisions, which stipulate that one parent must first offer the other parent the opportunity to look after the child before asking another adult to do so (Meyer, 2016).

According to the panelists, children need opportunities to build and maintain relationships with both parents, which requires spending adequate amounts of time with both in a variety of circumstances and contexts. These 12 experts concur with the consensus of 18 experts two decades ago:

To maintain high-quality relationships with their children, parents need to have sufficiently extensive and regular interactions with them, but the amount of time involved is usually less important than the quality of the interaction that it fosters.

Time distribution arrangements that ensure the involvement of both parents in important aspects of their children's everyday lives and routines ... are likely to keep nonresidential parents playing psychologically important and central roles in the lives of their children. (Lamb, Sternberg, & Thompson, 1997, p. 400)

As one expert pithily put it, "Would you want to build and enrich and nurture a relationship with a new spouse based on being together only alternating weekends?"

Many recent studies show that attachment relationships, too, are not static and fixed in the first year or so of the child's life, as was earlier thought (see review by Thompson, 1998). Instead, attachments grow and change in quality over time, throughout childhood and adolescence and even into adulthood (Lamb & Lewis, 2005). Parenting time arrangements that are flexible and subject to change as the children mature thus become necessary. SP arrangements are generally more conducive to this flexibility than sole parenting.

Children with SP also have better outcomes, it was opined, because these arrangements are preferred by the children themselves. There is convincing evidence that, on average, children would prefer to spend substantial—even equal—time with both parents (Fabricius & Hall, 2000; Parkinson, Cashmore, & Single, 2005; Warshak, 2003). Fabricius and Hall (2000), for example, found that 48% of college-age children whose parents had divorced would have preferred to spend almost equal or equal time with both parents, although most had themselves been in sole maternal custody. In some states, in fact, decision makers are required to consider children's preferences when they are over a certain age.

### ***Theme 2: What Are the "Active Ingredients" That Account for the Better Outcomes of SP Children?***

There are many aspects to SP, including more time with the second parent, higher quality time with each parent, shared decision making, and so on. It is plausible that any or all of them is the active ingredient that accounts for the benefits of SP. Because any of these factors might alone plausibly explain the advantages and benefits of SP, researchers have been attempting to "unpack" or "unravel" these various elements to determine which are critical for the improved outcomes. This effort has both theoretical and practical importance, the latter because it might allow courts and custody evaluators to consider the relevant factors while ignoring the irrelevant ones.

In fact, the panelists identified research supporting the importance of every one of the preceding factors. For example, the benefits of more time, although not necessarily equal time, with both parents in SP families were documented by Nielsen (2017) and by Adamsons and Johnson (2013). The benefit of high-quality interactions between children and their fathers was

documented, for example, by Amato and Gilbreth (1999), and Coley and Medeiros (2007).

A consensus has appeared in the literature that around 35% of the child's time is required as a platform on which such high-quality time rests to allow these high-quality interactions and promote the development and maintenance of meaningful parent-child relationships (Braver & O'Connell, 1998; Fabricius, Braver, Diaz, & Velez, 2010; Lamb, 2004). This figure is also the one that many states designate that triggers the shared care guideline for child support calculation purposes (Fabricius & Braver, 2003). Most SP research also uses this 35% figure to distinguish SP from sole parenting (Kelly, 2007; Nielsen, 2017). Overnight time, including midweek overnight time when school is in session is beneficial because it makes possible the parents' involvement in a variety of activities (help with bedtime routines, help with morning getting-ready-for-school routines, homework discipline; Braver & Lamb, 2012; Finley & Schwartz, 2007).

Joint physical custody is almost always accompanied by joint legal custody, but the reverse is not the case (Maccoby & Mnookin, 1992). Joint legal custody, in which parents share legal authority to make medical, educational, and religious decisions for the child, has been found to have independent positive effects on children's welfare, even when it is not accompanied by shared physical parenting (Gunnoe & Braver, 2001; Seltzer, 1998). To some, this latter finding is surprising, because the relevant major decisions are rare and it is hard to enforce joint decision making. Indeed, Albiston, Maccoby, and Mnookin (1990) found that fathers with joint legal custody were no more involved in everyday decisions than those who did not have legal custody. However, shared decision making carries very substantial symbolic benefits, if not actual, pragmatic ones. The legal authority to make or share in important life decisions communicates to the child, the other parent, the school, and medical authorities—to the world—that both parents have responsibility for shaping the child into a functioning adult.

### ***Theme 3: The Symbolic Value of Shared Parenting, Societal Norms, Public Opinion, and Dissemination of Information***

As noted earlier, the panelists agreed that SP arrangements have symbolic weight. This underscored the importance of cultural norms and attitudes of professionals from whom separating parents might get advice. For example, when a lawyer tells a divorcing parent that SP is good for children, and that SP is likely to be awarded in court, this changes not only parents' negotiation strategy, but also the way they think about the other parent. Many separating parents attend "divorce education" classes, often court ordered and mandatory (Blaisure & Geasler, 2000; Pollet &



Lambreglia, 2008), where they are exposed to the message that both parents matter, and that the courts will honor and vindicate the value of both parents (DeLuse & Braver, 2015). Not all parents receive these messages about the benefits of SP, though.

SP arrangements signal that both parents matter, that both retain their parental roles and responsibilities, that both are necessary to the child's well-being, and that neither should be discarded or reduced to a secondary or purely financial role. This more or less public announcement likely affects the child as well as both of the parents. Knowing that they matter to each parent powerfully affects the emotional functioning of adolescents (Schenck et al., 2009). Velez, Braver, Cookston, Fabricius, and Parke (*in press*) also found that mattering to the father after divorce had a greater impact on adjustment than mattering to the mother.

The fact that fathers play an important nurturing role is gaining public acceptance. For example, the content of commercials featuring fathers and children has shifted noticeably from older ones depicting fathers simply as bunglers (Tropp & Kelly, 2015). Indeed, Nielsen has recently been hired as a consultant by advertisers trying to bring their commercials more into line with contemporary understandings of how fathers interact with their young daughters (Huffman, 2017). The recognition that fathers are necessary and important, not useless or destructive, can and has made for change in both practical and legal domains.

Accordingly, there is evidence that SP has great support among the public at large. For example, in a survey experiment using potential jury members, almost 70% favored SP over sole custody (Braver, Ellman, Votruba, & Fabricius, 2011), a sign that public attitudes about SP have already changed, probably faster than those of courts. One of the panelists, Professor Sunderhauf, told a story illustrating how analogous societal changes proceed through stages. In Austria, corporal punishment by parents was legally banned 20 years ago. Two years later, research showed that parents still spanked, but felt guilty about doing so. Five years later, however, rates of corporal punishment had also declined, underscoring the fact that society's beliefs about appropriate parenting practices need to precede actual changes in behavior.

The slow but unmistakable shift toward insisting on substantial parenting roles for fathers after divorce has become evident, with many U.S. states and European and Australasian societies having turned the corner. Tracing patterns of change over the last 20 to 30 years, it was suggested that "the effort to allow divorced fathers a greatly enhanced role in their children's lives is on the right side of history. The completion of the effort seems inevitable. It appears just a matter of time until it predominates."



#### **Theme 4: Should Shared Parenting Be a Legal Presumption, and if So, What Factors Should Make for Exceptions?**

A *presumption* in law is an assumption made by a court as the basis on which decisions can be made. Generally, presumptions in family law are considered rebuttable and are accepted by the court until and unless disproved. Thus, to make SP the presumption would make it the default arrangement. Naturally, such a default could be overridden when evidence convinces the court that application of the presumption would be inappropriate. Only one U.S. state (Arizona) and a few European nations (Belgium, Sweden) currently make SP the presumptive arrangement. In Australia, a 2006 law requires courts to “consider” equal time, or at least “substantial and significant” time, when establishing postseparation parenting plans. Many participants at the conference believed that more jurisdictions will embrace this presumption in the future.

Most, but not all, of the panelists believed that the research evidence supported making SP a presumption. As Braver and Votruba (2018) noted:

The evidence is now sufficiently deep and consistent to permit social scientists to *provisionally* recommend presumptive SP to policy-makers ... these statements are explicitly made guardedly ... [We] expect researchers will keep studying the matter ... consumers of this research need to be alert to new findings that continue to affirm the conclusions here—or perhaps that oppose it. We might aptly characterize the current state of the evidence as “the preponderance of the evidence” (i.e., substantially more evidence *for* the presumption than *against* it). A great many studies, with various inferential strengths, suggest that SP will bestow benefits on children on average, and few if any studies show that it harms them.

All panelists were, however, appropriately wary of a one-size-fits-all standard, cautioning that exceptions to an SP presumption need to be recognized as appropriate bases for rebuttal. Among the factors that should lead to such exceptions are credible risk to the child of abuse or neglect, too great a distance between the parents’ homes, threat of abduction by a parent, and unreasonable or excessive gate-keeping. Furthermore, some children with special needs might require the care of a single parent.

An additional potential rebuttal factor was the topic of more extended discussion: the mere existence of intimate partner violence (IPV). It was noted that there is increasingly sophisticated understanding of IPV, due primarily to the writing of Johnson (2010). He distinguished among four distinct patterns of IPV, only one of which, coercive controlling violence (the stereotypical male battering pattern), should preclude SP (Kelly & Johnson, 2008). Researchers, custody evaluators, and courts must explore not simply whether there is evidence of IPV, but also its nature, when considering implications for parenting plans.

### ***Theme 5: Should High Parental Conflict or One Parent's Opposition to Shared Parenting Be Grounds for an Exception?***

Another potential rebuttal factor was extensively discussed: whether SP should be precluded in the presence of high interparental conflict. Many courts and custody evaluators seem currently to take the position that it should be precluded. For example, in his guide for professional custody evaluators, Stahl (1999) opined that “high conflict parents cannot share parenting” (p. 99). In the same vein, Emery (2009) argued that “joint physical custody is the worst arrangement for children when [it] leaves [them] in the middle of a war zone. ... In high conflict divorces, children do worse in joint physical custody than in other arrangements.”

However, most members of the panel eschewed this opinion, in view of the plethora of recent evidence to the contrary. In particular, Nielsen (2017) had reviewed 27 distinct studies showing that children benefited significantly from SP even when the parents had high levels of conflict.

Several other cautions were raised as well. One was that not all conflict was toxic to children, either in intact or separated families. Indeed, exposure to some degree of disagreement between parents can actually promote children's adjustment (Cummings & Davies, 1994; Grych, Seid, & Fincham, 1992). Further, various strategies (e.g., dropping off and picking up children at school instead of at the parents' homes) can limit children's exposure to conflict. This could lead to more parallel rather than cooperative parenting, which can be useful in many cases (Birnbaum & Bala, 2010).

Panelists also noted the need for a more sophisticated view of parent conflict. Although conflict is often viewed simplistically as a couple-level construct (“it takes two to tango”), more detailed analyses show that, in perhaps one third of cases, only one of the parents might be fomenting hostility, while the other has “moved on” and is (fruitlessly) pursuing relative harmony (Kelly, 2003). Professionals thus need to determine whether the conflict is unilaterally instigated and make parenting plan decisions accordingly (Braver et al., 2011).

Finally, conflict is not static and fixed, but rather malleable and dynamic, subject to change as a result of numerous factors, including simply the passage of time. Interventions can also mitigate the degree of conflict between the parents, even when only one of the parents participates (Cookston, Braver, Griffin, DeLusé, & Miles, 2007). Indeed, the court environment itself often foments conflict, which diminishes after litigation ends (Kelly, 2007; Pruett & Jackson, 1999). Moreover, the stance that proclaiming high levels of conflict might preclude SP provides an incentive both for exaggeration about and proliferation of conflict.

It has also sometimes been argued that SP is only appropriate and will benefit children when both parents voluntarily agree to it at the outset. This

idea, too, was strongly opposed by most of the panelists. First, the evidence disputes it: In particular, Nielsen (2017) reviewed six distinct studies showing that children benefited significantly from SP even when one parent initially opposed the SP plan. Second, as a strategic matter, it unwisely gives veto power to the less cooperative parent. Third, agreement to SP arrangement is not fixed, but is highly dependent on context, especially court-related factors (Fabricius et al., 2010). Accordingly, when parents are educated by courts and lawyers and other professionals that SP is beneficial and normative, their opposition often dissipates.

### ***Theme 6: Should Parental Alienation Dynamics Preclude Shared Parenting?***

Although the concepts of conflict and violence are often related and are commonly confused—by researchers, by courts, and by separating parents—links between both constructs and parental alienation are often overlooked. Panelists, especially those who conduct custody evaluations, noted that parents might foment discord in children's relationships with their other parent to reduce or to end contact between them (Warshak, 2010). These actions sometimes have the desired effect, disrupting children's relationships with an otherwise worthy and blameless parent. SP arrangements can successfully counter these attempts at alienation because they ensure that children can directly evaluate the behavior of both parents, recognizing for themselves discrepancies between the parent's actual characteristics and those described by the alienating parent.

Thus, far from the stance that the existence of alienation precludes SP, the experts felt the opposite: SP tends to prevent alienation, and when it is found to be present, efforts at unification with the rejected parent are important to promote the child's welfare (Darnall & Steinberg, 2008; Warshak, 2002).

### ***Theme 7: What Should Happen When One Parent Wants to Relocate?***

As mentioned earlier, too great a distance between the parents' homes is typically seen as a rebuttal factor to imposing SP, for obvious reasons. However, what should happen if, after SP is initially adopted, one of the parents needs—or simply wants—to relocate, which would thereby effectively end the SP arrangement? Increases in the numbers of children whose involved parents live apart have resulted in a growing number of cases in which courts must decide whether one of those parents can be allowed to relocate with the children, thereby attenuating the children's relationships with the nonmoving parents. In eras dominated by single-parent custody arrangements, custodial parents (typically mothers) faced very few restrictions on their ability to move as and where they chose, but that situation has changed.

Jurisdictions approach these disputes differently, with some placing the burden of proof on the party who wishes to relocate and others on the nonmoving party to show why the move should not be allowed. The panelists mostly opined that these decisions should be individualized, without presumptions either favoring or eschewing relocation, but with attention paid to the moving parent's reason for wishing to move and the possibility that both parents might move, and the projected impact on the parent-child relationships and the children's adjustment. Although many relocations threaten to have negative effects on the latter, panelists also noted that decisions needed to take into account the history of involvement by the nonmoving parent when adjudicating these cases (Kelly & Lamb, 2003; Parkinson & Cashmore, 2015). Where children have meaningful relationships with both parents, but the relocation of one parent is deemed appropriate, it is important that courts and parents establish new parenting plans that take the changed circumstances into account when ensuring that children are able to maintain significant relationships with both parents.

## Conclusions

The discussions by these eminent international authorities disclosed a large degree of consensus taking positions somewhat at odds with much current practice. For example, these 12 experts largely agreed that SP should now be a legal presumption, that a minimum of 35% of the child's time should be allocated to each parent for the child to reap the benefits of SP, and that the existence of interparental conflict or opposition to SP by one parent should no longer be grounds to preclude or rebut SP.

It might be surprising to some that the experts' views were so out of step with much current practice. In point of fact, however, the experts were simply reaching conclusions that were ahead of current practice. The landscape for parenting after divorce is rapidly changing. Fathers are recently being depicted in cultural portrayals as nurturant and beneficial to children as opposed to the previous image as bumbling, inept, uninterested, and perhaps dangerous. U.S. states and European countries are rapidly adopting SP-friendly policies and none are going in the opposite direction. The public now endorses SP arrangements by overwhelming majorities and is critical of current court policies to the contrary (Braver et al., 2011).

Indeed, experts have been taking comparable positions for some time. The expert panel assembled two decades ago made similar recommendations (Lamb et al., 1997). Bauserman's (2002) meta-analysis documenting the benefits to children of SP summarized research from the 1990s. Warshak's (2014) stance that the literature favored overnight visits for young children of divorce was endorsed by fully 112 experts.

These experts knew about and were citing the research findings that will undoubtedly form the basis and empirical foundation for the statutes, policies, and cultural norms of the near future. The panel was summarizing today what will be the normative practice of tomorrow, to the benefit of tomorrow's families and children.

## ORCID

Michael E. Lamb  <http://orcid.org/0000-0002-6792-3526>

## References

- Adamsons, K., & Johnson, S. K. (2013). An updated and expanded meta-analysis of non-resident fathering and child well-being. *Journal of Family Psychology, 27*, 589–599. doi:10.1037/a0033786
- Albiston, C. R., Maccoby, E. E., & Mnookin, R. R. (1990). Does joint legal custody matter. *Stanford Law & Policy Review, 2*, 167–179.
- Amato, P. R., & Gilbreth, J. G. (1999). Nonresident fathers and children's well-being: A meta-analysis. *Journal of Marriage and the Family, 61*, 557–573. doi:10.2307/353560
- Austin, W. G. (2011). Parental gatekeeping in custody disputes: Mutual parental support in divorce. *American Journal of Family Law, 25*, 148–153.
- Bauserman, R. (2002). Child adjustment in joint-custody versus sole-custody arrangements: A meta-analytic review. *Journal of Family Psychology, 16*, 91–102. doi:10.1037/0893-3200.16.1.91
- Bergström, M., Fransson, E., Modin, B., Berlin, M., Gustafsson, P. A., & Hjern, A. (2015). Fifty moves a year: Is there an association between joint physical custody and psychosomatic problems in children? *Journal of Epidemiology and Community Health, 69*, 769–774. doi:10.1136/jech-2014-205058
- Birnbaum, R., & Bala, N. (2010). Toward the differentiation of high-conflict families: An analysis of social science research and Canadian case law. *Family Court Review, 48*, 403–416. doi:10.1111/fcre.2010.48.issue-3
- Blaisure, K. R., & Geasler, M. J. (2000). The divorce education intervention model. *Family Court Review, 38*, 501–513. doi:10.1111/j.174-1617.2000.tb00587.x
- Bowlby, J. (1969). *Attachment and loss: Vol. 1. Attachment*. New York, NY: Basic Books.
- Braver, S. L., Ellman, I. M., Votruba, A., & Fabricius, W. V. (2011). Lay judgments about child custody after divorce. *Psychology, Public Policy and the Law, 17*, 212–240. doi:10.1037/a0023194
- Braver, S. L., & Lamb, M. E. (2012). Marital dissolution. In G. W. Peterson & K. R. Bush (Eds.), *Handbook of marriage and the family* (3rd ed., pp. 487–516). New York, NY: Springer.
- Braver, S. L., & O'Connell, E. (1998). *Divorced dads: Shattering the myths*. New York, NY: Putnam.
- Braver, S. L., & Votruba, A. M. (2018). Does joint physical custody “cause” children's better outcomes? *Journal of Divorce & Remarriage, 59*. doi:10.1080/10502556.2018.1454203
- Campbell, D. T., & Stanley, J. C. (1963). *Experimental and quasi-experimental designs for research on teaching*. Boston, MA: Houghton Mifflin.
- Clarke-Stewart, A., & Brentano, C. (2006). *Divorce: Causes and consequences*. New Haven, CT: Yale University Press.
- Coleman, J. S. (1990). *Foundations of social capital*. Cambridge, MA: Belknap.

- Coley, R. L., & Medeiros, B. L. (2007). Reciprocal longitudinal relations between nonresident father involvement and adolescent delinquency. *Child Development*, 78, 132–147.
- Cookston, J. T., Braver, S. L., Griffin, W. A., DeLusé, S. R., & Miles, J. C. (2007). Effects of the Dads For Life intervention on coparenting in the two years after divorce. *Family Process*, 46, 123–137.
- Cummings, E. M., & Davies, P. (1994). *Children and marital conflict: The impact of family dispute and resolution*. New York, NY: Guilford.
- Darnall, D., & Steinberg, B. F. (2008). Motivational models for spontaneous reunification with the alienated child: Part I. *The American Journal of Family Therapy*, 36, 107–115. doi:10.1080/01926180701643131
- DeLuse, S., & Braver, S. L. (2015). A rigorous quasi-experimental evaluation of a mandatory divorce education program. *Family Court Review*, 53, 66–78. doi:10.1111/fcre.12131
- Elam, K. K., Sandler, I., Wolchik, S., & Tein, J. Y. (2016). Non-residential father-child involvement, interparental conflict and mental health of children following divorce: A person-focused approach. *Journal of Youth and Adolescence*, 45, 581–593. doi:10.1007/s10964-015-0399-5
- Emery, R. (2009, May 18). Joint physical custody: Is joint physical custody best—or worst—for children? [Web log post]. Retrieved from <https://www.psychologytoday.com/blog/divorced-children/200905/joint-physical-custody>
- Fabricius, W. V., & Braver, S. L. (2003). Non-child support expenditures on children by nonresidential divorced fathers. *Family Court Review*, 41, 321–336. doi:10.1177/1531244503041003005
- Fabricius, W. V., Braver, S. L., Diaz, P., & Velez, C. E. (2010). Custody and parenting time: Links to family relationships and well-being after divorce. In M. E. Lamb (Ed), *Role of the father in child development* (5th ed., pp. 245–289). Hoboken, NJ: Wiley.
- Fabricius, W. V., & Hall, J. A. (2000). Young adults' perspectives on divorce: Living arrangements. *Family and Conciliation Courts Review*, 38, 446–461. doi:10.1111/j.174-1617.2000.tb00584.x
- Finley, G. E., & Schwartz, S. J. (2007). Father involvement and long-term young adult outcomes: The differential contributions of divorce and gender. *Family Court Review*, 45, 573–587. doi:10.1111/fcre.2007.45.issue-4
- Fransson, E., Låftman, S. B., Östberg, V., Hjern, A., & Bergström, M. (2017). The living conditions of children with shared residence—the Swedish example. *Child Indicators Research*, 1–23.
- Grych, J. H., Seid, M., & Fincham, F. D. (1992). Assessing marital conflict from the child's perspective: The children's perception of interparental conflict scale. *Child Development*, 63, 558–572. doi:10.2307/1131346
- Gunnoe, M. L., & Braver, S. L. (2001). The effects of joint legal custody on mothers, fathers, and children, controlling for factors that predispose a sole maternal vs. joint legal award. *Law and Human Behavior*, 25, 25–43. doi:10.1023/A:1005687825155
- Hetherington, E. M. (1999). Social capital and the development of youth from nondivorced, divorced, and remarried families. In W. A. Collins & B. Laursen (Eds.), *Relationships as developmental contexts: The Minnesota Symposia on Child Psychology* (Vol. 30, pp. 177–209). New York, NY: Psychology Press.
- Huffman, S. (2017). How this professor's research motivated a new Barbie ad campaign. Retrieved from <https://www.bizjournals.com/bizwomen/news/latest-news/2017/01/how-thisprofessors-research-motivated-a-new-barbie.html?page=all>
- Johnson, M. P. (2010). *A typology of domestic violence: Intimate terrorism, violent resistance, and situational couple violence*. Boston, MA: Northeastern University Press.



- Kelly, J. B. (2003). Parents with enduring child disputes: Multiple pathways to enduring disputes. *Journal of Family Studies*, 9, 37–50. doi:10.5172/jfs.9.1.37
- Kelly, J. B. (2007). Children's living arrangements following separation and divorce: Insights from empirical and clinical research. *Family Process*, 46, 35–52. doi:10.1111/famp.2007.46.issue-1
- Kelly, J. B., & Johnson, M. P. (2008). Differentiation among types of intimate partner violence: Research update and implications for interventions. *Family Court Review*, 46, 476–499. doi:10.1111/j.1744-1617.2008.00215.x
- Kelly, J. B., & Lamb, M. E. (2003). Developmental issues in relocation cases involving young children: When, whether, and how? *Journal of Family Psychology*, 17, 193–205. doi:10.1037/0893-3200.17.2.193
- Lamb, M. E. (2002). Infant–father attachments and their impact on child development. In C. S. Tamis-LeMonda & N. Cabrera (Eds.), *Handbook of father involvement: Multidisciplinary perspectives* (pp. 93–117). Mahwah, NJ: Erlbaum.
- Lamb, M. E. (2004). Divorce and parenting. In C. B. Fisher & R. M. Lerner (Eds.), *Encyclopedia of applied developmental science* (pp. 794–796). New York, NY: Sage.
- Lamb, M. E., & Lewis, C. (2005). The role of parent–child relationships in child development. In M. H. Bornstein & M. E. Lamb (Eds.), *Developmental science: An advanced textbook* (5th ed., pp. 429–468). Mahwah, NJ: Erlbaum.
- Lamb, M. E., Sternberg, K. J., & Thompson, R. A. (1997). The effects of divorce and custody arrangements on children's behavior, development, and adjustment. *Family and Conciliation Courts Review*, 35, 393–404. doi:10.1111/j.174-1617.1997.tb00482.x
- Maccoby, E. E., & Mnookin, R. H. (1992). *Dividing the child: Social and legal dilemmas of custody*. Cambridge, MA: Harvard University Press.
- McLanahan, S. S., & Teitler, J. (1999). The consequences of father absence. In M. E. Lamb (Ed.), *Parenting and child development in “nontraditional” families* (pp. 83–102). Mahwah, NJ: Erlbaum.
- Meyer, C. (2016). What is right of first refusal during child custody? Retrieved from <https://www.liveabout.com/what-is-right-of-first-refusal-during-child-custody-1103331>
- Nielsen, L. (2015). Shared physical custody: Does it benefit children? *Journal of the American Academy of Matrimonial Lawyers*, 28, 79–139.
- Nielsen, L. (2017). Re-examining the research on parental conflict, coparenting, and custody arrangements. *Psychology, Public Policy, and Law*, 23, 211–231. doi:10.1037/law0000109
- Parkinson, P., & Cashmore, J. (2015). Reforming relocation law: An evidence-based approach. *Family Court Review*, 53, 23–39. doi:10.1111/fcre.2015.53.issue-1
- Parkinson, P., Cashmore, J., & Single, J. (2005). Adolescents' views on the fairness of parenting and financial arrangements after separation. *Family Court Review*, 43, 429–444. doi:10.1111/fcre.2005.43.issue-3
- Pollet, S. L., & Lombreglia, M. (2008). A nationwide survey of mandatory parent education. *Family Court Review*, 46, 375–394. doi:10.1111/fcre.2008.46.issue-2
- Pruett, M. K., & Jackson, T. D. (1999). The lawyer's role during the divorce process: Perceptions of parents, their young children, and their attorneys. *Family Law Quarterly*, 33, 283–310.
- Sandler, I. N., Wheeler, L. A., & Braver, S. L. (2013). Relations of parenting quality, interparental conflict, and overnights with mental health problems of children in divorcing families with high legal conflict. *Journal of Family Psychology*, 27, 915–924. doi:10.1037/a0034449
- Schenck, C. E., Braver, S. L., Wolchik, S. A., Saenz, D., Cookston, J. T., & Fabricius, W. V. (2009). Relations between mattering to step- and non-residential fathers and adolescent mental health. *Fathering*, 7, 70–90. doi:10.3149/fth.0701.70



- Seltzer, J. A. (1998). Father by law: Effects of joint legal custody on nonresident fathers' involvement with children. *Demography*, 35, 135–146. doi:[10.2307/3004047](https://doi.org/10.2307/3004047)
- Simons, R. L., Lin, K. H., Gordon, L. C., Conger, R. D., & Lorenz, F. O. (1999). Explaining the higher incidence of adjustment problems among children of divorce compared with those in two-parent families. *Journal of Marriage and the Family*, 61, 1020–1033. doi:[10.2307/354021](https://doi.org/10.2307/354021)
- Stahl, P. M. (1999). *Complex issues in child custody evaluations*. New York, NY: Sage.
- Thompson, R. A. (1998). Early sociopersonality development. In W. Damon & N. Eisenberg (Eds.), *Handbook of child development: Social, emotional, and personality development* (pp. 25–104). Hoboken, NJ: Wiley.
- Tropp, L., & Kelly, J. (2015). *Deconstructing dads: Changing images of fathers in popular culture*. Lanham, UK: Lexington.
- Velez, C. S., Braver, S. L., Cookston, J. T., Fabricius, W. V., & Parke, R. D. (in press). Does mattering to parents “matter” to adolescent mental health? *Family Relations*.
- Warshak, R. (2002). *Divorce poison: How to protect your family from bad-mouthing and brainwashing*. New York, NY: Morrow.
- Warshak, R. (2010). *Divorce poison: How to protect your family from bad-mouthing and brainwashing*. New York, NY: Morrow.
- Warshak, R. A. (2003). Payoffs and pitfalls of listening to children. *Family Relations*, 52, 373–384. doi:[10.1111/fare.2003.52.issue-4](https://doi.org/10.1111/fare.2003.52.issue-4)
- Warshak, R. A. (2014). Social science and parenting plans for young children: A consensus report. *Psychology, Public Policy, and Law*, 20, 46–67. doi:[10.1037/law0000005](https://doi.org/10.1037/law0000005)