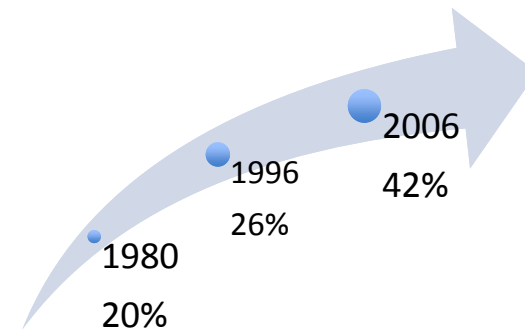


The U.S. experience in Coparenting post separation/divorce

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Shared Custody in U.S.

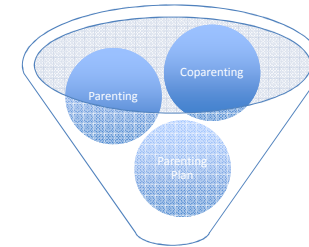


Implications

- After separation and divorce families move from nuclear families to bi- nuclear families

Structural Transition from Nuclear to Binuclear

- Adequate functioning in each subsystem
- Adequate functioning between subsystems
- An appropriate Parenting Plan
 - Defines timeshare, coparenting relationship,



Shared Custody

Parenting Plans

- The increased sophistication of parenting plans is a huge development in the U.S.

structure and specificity, developmentally appropriate, special considerations for special circumstances - DV, special needs, long distance,

Shared custody brings into focus Coparenting

- In addition to the other role relationships that may exist between parents—romantic partners, business partners, friends, etc.—when individuals have a child together, they become coparents for life.
- Coparenting is “a shared activity undertaken by adults responsible for the care and upbringing of children.”

- Coparents have two challenges as they restructure as a result of separation and divorce:

- Creation of their parenting plan
- Implementation of their parenting plan

Creation of the Parenting Plan

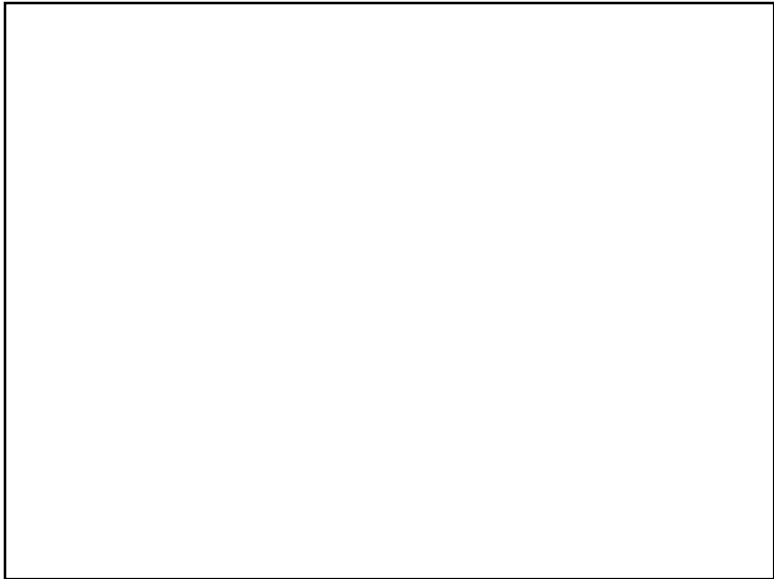
- Helping parents create appropriate parenting plans is best accomplished by mediation.
- Two functions of mediation - (1) the product being structurally appropriate for the child and parents situation and (2) the process supporting the transition/restructuring in coparenting relationship

Implementation: Coparenting Functions

- Information sharing
- Coordination of schedule, health, education, activities, etc.
- Problem-solving
- Decision-making

Coparenting after divorce

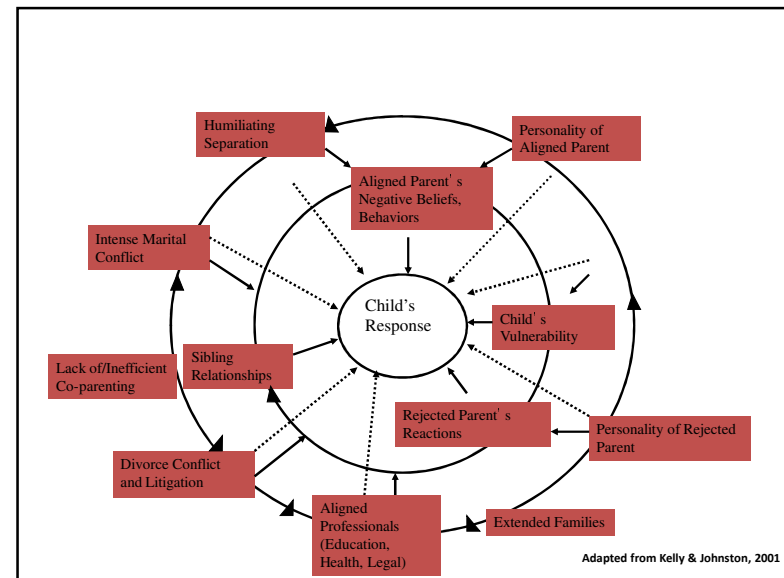
- Collaborative - accurate perceptions, child-focused, supportive of parenting, ability to communicate, give and take
- Conflicted - distortion, projections, anger, “in the name of the child”, poor communication, breakdown in parental hierarchy, executive functioning



Conflict

- Most Robust finding in studies of divorce outcomes for children. Inter-parental conflict is damaging to children

Family System diagram of High Conflict in Divorce



| | | | |
|-----------------------------------|-------------|------------------------|-----------------------------|
| CO-PARENTING AFTER DIVORCE | | | |
| Level of Engagement | | | |
| Level of Conflict | | LOW | HIGH |
| | LOW | Parallel 40% | Cooperative 25% |
| | HIGH | Mixed 15-20% | Conflicted 15-20% |

Parallel Parenting

- Kelly, J.B. (March, 2007 Family Process)
- “Cooperative coparenting promotes resiliency in children because of the parents ability to resolve differences on their own or with mediators or therapists as they arise. It has been reported that children whose parents engage in conflict-free parallel parenting also appear to thrive, as long as they have adequate parenting in both homes and well articulated parenting agreements and orders specifying contact and when joint decision-making is required will occur”

Conflict Pyramid

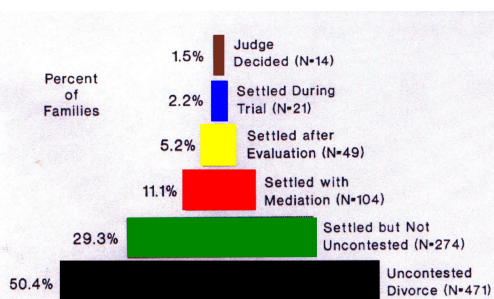
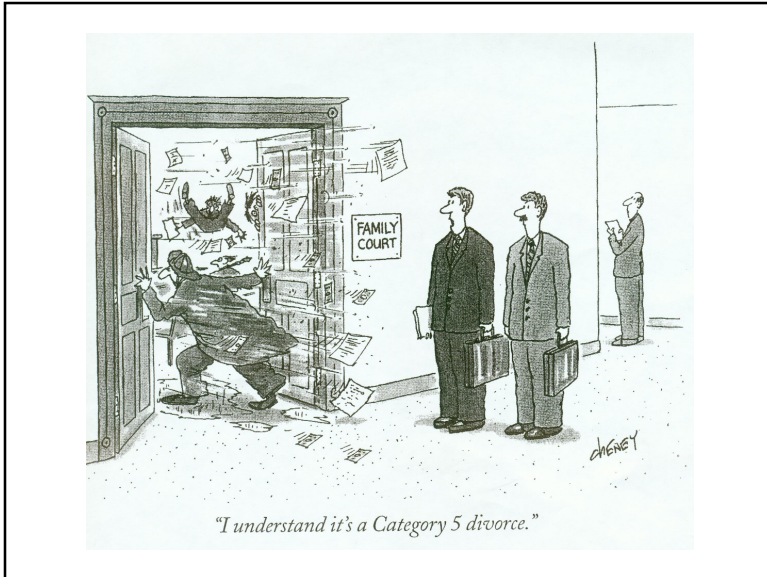


Figure 7.2 Conflict pyramid for custody and visitation issues. (There were 933 cases in which the parents had divorced by September 1989, and where there was also information concerning physical custody outcomes in the court record.)

- High Conflict sub-population utilizes the most adversarial processes in the family court system



High Conflict coparents in the traditional family Court system

- A poor fit for both the Courts and the parents and children.

Is there a problem here?

| | |
|--|---|
| <p>Litigants</p> <ul style="list-style-type: none"> ● Representation - advocacy ● Distrust ● Sabotage ● Win/lose ● Chaos ● Unilateral action ● In the name of the child ● Focus on the problem being the other parent ● Depleted resources financial, emotional ● Dependency on litigation for Dispute resolution | <p>Coparents</p> <ul style="list-style-type: none"> • Parenting/shared responsibility • Trust • Support • Negotiation/compromise • Responsibility • In the best interests of the child • Resources re-allocated to interventions • Training/competency in parenting/coparenting/dispute resolution |
|--|---|

- The courts role is no longer to adjudicate custody, therefore, all the roles in the professional system need to shift to support families' healthy transition

Professional Roles in the legal adversarial court system

- Attorneys – still litigators
 - Zealous Advocacy
 - Gatekeepers to the system
 - Set the tone - adversarial/collaborative
 - Triage to appropriate services
- Judges - still primarily adjudicators
 - Assignments
 - Caseload – hearings, case management
 - Training – problem-solving/adjudication
- Mental Health Professionals – still not specialized
 - Court-involved therapy -

Court involved Therapy

- As there is a shift to mental health intervention as part of the Court's role in assisting families with this transition, recognition that Court involved therapy is a specialization is becoming more evident.

Court-Involved Treatment

- involvement in child custody or Child Welfare Court processes.
- unique factors and dynamics that require consideration in the treatment process.
- Both the treatment process and information provided to the therapist are likely to be influenced by the family's involvement in a legal process.
 - Significant benefits/significant harm

Implications of Court-involvement Mental Health Services

- Legal processes impact treatment
 - Impact the client's attitudes, motivations, behavior
 - Informational distortions are common
 - Impact the MHP's position (advocacy?)
 - Impact on the legal process – information that is shared in the process

This is a unique treatment context that requires consciousness of these impacts and specialized procedures and techniques

Coparenting Work

- Process is more important than outcomes
- Coparenting relationship is the “unseen client” in litigation
- Litigants don’t make good coparents

The spectrum of Coparenting Work in the Divorce Transition

- Mediation , coparent counseling, case management, and Parenting Coordination (PC) work
 - Confidentiality/non-confidentiality
 - Relationship to court
 - Authority –informal, relationship –based/formal, court-delegated

Key Common elements

- Structured process
- Protective holding environment for parents
 - Working alliances in a context of polarities
- Benevolent, charismatic Super-Parent
 - Replaces the “tribal” elder
- Functional link between the parents
 - coordinates coparenting – information exchange, decision-making
 - upholds agreements/order (depersonalize authority)

Judge/Therapist/Parenting Coordinator

Unique to PC - Authority, Availability and Knowledge

Overview

- Coparenting interventions should progress systematically from...
 - supporting the parents’ ability to solve problems and make decisions;
 - to providing the minimal amount of support that is necessary when parents cannot exercise those skills and abilities;
 - to increasingly coercive interventions that attempt to ‘force’ parents to make good decisions

Psycho-education

- Orientation to the “Court processes”
- Parent Education

Psycho-educational Resources

- Internet sites that provide parents with useful knowledge and skills about parenting and coparenting after divorce.
 - www.uptoparents.org
 - A free, confidential, and interactive website
 - for divorcing and divorced parents
 - www.parentingstyles.co.uk
 - Expert advice on parenting styles
 - www.familyworksinc.com
 - Evidence-based Parenting interactive programs
 - Resource section of Suggested Reading in Packet

Coparent Counseling

- Communication skills
 - Business-like
- Dis-engagement
- Developing more structure in the parenting plan
- Training in parallel parenting model
 - Email, online calendars,

Case management

- Components
 - Management of Interventions (teams)
 - Monitoring and enforcement
 - Linkage to authority
 - Comprehensive view of the case for assessment of progress
 - The Parenting Coordinator is the appropriate role - not enough, not enough training and specialization.

Parenting Coordination (PC)

- Coordinating a parallel model of coparenting
- Disengagement (PC is the “link”)
- Monitoring compliance with the Parenting Plan
- Alternative dispute resolution

Coparenting Resources

- Association of Family and Conciliation Courts (AFCC) www.afccnet.org
- www.coaprentingtoday.com -Isolina Ricci
- www.californiaparentingcoordinator.com - Matthew Sullivan
- www.highconflictintstitute.com - William Eddy