Introduction

A central dilemma for separating/divorcing parents and the family courts is how to support both parents’ roles in their child’s life without splitting the child’s time and life arbitrarily in half. Solving this dilemma requires that parents maintain a shared focus on their child’s well-being while deciding how major decisions will get made (e.g., health care, education), how parental responsibilities and time spent with the children will be divided, and how conflicts will be resolved as they arise.

Problem

Although plans are required in parental disputes and divorces in most states, there are no age-specific standard guidelines for children. As a result, parenting plan development is often fraught with the parents’ different desires, perceptions and beliefs about which structure and content of arrangements that would best serve their child’s interests.

What can research teach us about how to craft developmentally-sound parenting plans?

Research results offer guidance in creating a plan that achieves a balance between stability and dual parent involvement by attending to the child’s stage of development.

Research Context

Infants, toddlers and preschoolers
Attachment theory is central to divorce-related research pertaining to children’s early stages of development. Children develop secure attachments to caregivers who meet their needs in a consistent and sensitive manner. It was previously believed that babies formed an exclusive attachment to one primary caregiver; we now know that babies develop several meaningful relationships simultaneously, e.g., with a second parent. In fact, children may prefer one parent over another at varying ages as developmental concerns specific to the subsequent stage of development emerge (e.g., autonomy).¹

Similarly, attachment is an overarching theme in parenting plans for infants and toddlers.² Babies respond optimally to predictable schedules and responsive parenting that take their temperaments into account. Parents have more latitude for plans that include multiple transitions when their children have easy, flexible temperaments. Children need frequent contact with both parents, as their sense of time and memory is limited, as is their capacity to remember an absent parent.³ Frequent access, daily if possible, helps non-residential parents stay current with children’s evolving routines. Parental cooperation about feeding and sleeping routines, and support during transitions to the other parent, help the child develop internal regulation and skills related to autonomy and exploration.

A key question addressed in plans for children under age 3 is at what age to begin overnights with the non-residential parent. Relevant research is sparse⁴ and frequently misquoted in legal contexts. Schedule consistency and parents’ emotional sensitivity around transitions help facilitate children’s adjustment; when parental conflict and poor communication are evident, or mothers are distressed, overnights are associated with emotional upset and dysregulation in infants and toddlers. By age 4, children with overnights show better behavioural adjustment and closer father-child relationships. See McIntosh’s paper under this topic for more details.⁵

School-age children

School-age children want to belong to peer groups and have a strong drive toward competition and mastery of intellectual/cognitive, physical and social challenges. Rules and fairness are highly valued. Children are especially prone to taking sides and experiencing loyalty conflicts at this age.⁴ The development of morality occurs as children learn right from wrong.

Parenting plans at this age facilitate optimal development when they include both parents to the greatest extent possible, support children’s school and after-school activities without undue complications from switching houses or parenting time, and keep children out of the middle of parental conflicts through which the child might be tempted or encouraged to take sides. It is important that parents maintain civility, so that children feel secure in relationships with both parents, and schedule consistency so children can feel secure in making plans with their peers and seeing their activities through on a consistent basis.

Adolescence
As adolescent identity emerges and becomes consolidated, youth are eager to belong, to be different and to be accepted at the same time. Peers are the reference group for daily decisions/activities, yet parents remain vital influences on behaviours such as academics, development of healthy or unhealthy peer influences, activities, time usage and values.

Parenting plans at this stage work best when the child has access to both parents, especially if one parent’s mental health or authoritative disciplining is compromised. Adolescents often choose to move more fluidly between houses than other age groups, and this can work to their developmental benefit when it isn’t a ploy to duck parental authority and controls.

**Shared parenting considerations**

Beyond shared decision making and time spent with the child, additional components of co-parenting broaden the opportunities to establish developmentally-sensitive parenting plans. Important components include (a) valuing the importance of the other parent’s contributions to child rearing; (b) recognizing gender differences that lead partners to think, feel and behave in distinct ways with respect to child rearing; and (c) creating a “team” that backs each other up and presents a united front, for example to experimenting teens. Co-parenting which functions as an alliance can counteract compromised parenting and enhance the quality of parent-child relationships, thereby supporting the child’s disrupted sense of security from the transition to separate households and family units.

Children whose parents share joint custody, whether defined as a decision-making arrangement (joint legal custody) or a shared living arrangement (joint physical custody), tend to be better adjusted after separation/divorce than their sole custody counterparts. Indeed, their parents report less conflict, though shared parenting splits with substantial time in both households work best when parents cooperate, especially with young and school-age children.

**Nonresidential father involvement**

Because fathers make unique contributions to healthy child development and involving men early in co-parenting helps them stay involved for the long haul, parenting plans should reinforce fathers’ involvement in their children’s lives after separation/divorce. A father’s involvement with his children is often contingent upon the mother’s attitude towards, and expectations of, support from him. Therefore, parenting plans based on an assessment of the extent to which maternal gatekeeping is occurring and for what reasons are less likely to destabilize over time.

**Research Gaps**

It is the quality of time and parenting — not the quantity — that is more highly related to closeness between parent and child. While some quantity is needed to establish sufficient opportunity to establish and maintain closeness, the minimum point has not been established. Similarly, no amount of time nearing equality has been established as helpful or harmful to children in general; individual and family dynamics considerations take precedence. Quality of parenting and parent-child relationships emerge across studies as unassailable factors affecting child development, and so far the particulars of parenting plans provide less useful information than
the family context in which co-parenting occurs.

Conclusions

The absolute amount of parenting time should be emphasized less than a plan that allows for a schedule that enables both parents to feel and act engaged and responsible. When children are young, stability and consistency are to be emphasized, with these needs becoming more flexible as the child gets older, depending on the child’s temperament, relationships with both parents, and other factors. The benefits of dual parent involvement are emphasized across development, though whether involvement means overnights, frequent transitions, and extended time in two households takes on different significance as children develop. The key is a parenting plan that promotes the child’s sense of security without sacrificing the relationship between the child and the non-resident parent (e.g., father). Achieving this balance requires attending to, but may also challenge what we think of as optimal living situations for minor age children.

Implications

Parenting plans are mandated in most states. They are detailed descriptions of where and when children will live with each parent, how parents will make decisions separately or together regarding children’s education, medical needs, activities and welfare, and how conflicts or developmental changes that necessitate changes in the plan will be handled in the future. With most young children and with older children whose mother has taken on the primary parenting role, it is easier for mothers and children to maintain their relationship after divorce than it is for fathers and children. Parenting plans help sustain ample access by fathers and all non-residential parents.

Many parents construct parenting plans themselves, often with guidance from mediators or other professionals trained to help them negotiate and reach agreements. When this is not the case, perhaps because the parents’ conflict is high, they worry about the other parent’s capacity to care for the children adequately is strong, or the presence of domestic violence or abuse renders the negotiations unfair, imbalanced or unsafe, then the court will intervene and determine the final arrangements by judicial decree. In this latter instance, parents should not proceed without professional or judicial support and intervention. When plans are reached through mediation instead of the court, they last longer and facilitate better child adjustment and closer father-child relationships over the life span. Over time, changes will be needed to the plan as children mature and their needs change. When problems arise, returning to a mediator or engaging a parent coordinator to help support parents in making their own decisions and changes to the parenting plan is beneficial before seeking court intervention.

Divorce creates a loss of time and access that parents, especially fathers as frequent non-residential parents, mourn. Yet change toward a more balanced access plan may take time. If each parent has opportunity to nurture, educate, play, discipline, and know the child intimately, the exact amount of time will not matter in the long run to the child’s development. It is a legal fallacy that good parenting plans can and should remain permanent. Such thinking ignores the cardinal rule of child development: children mature rapidly and unpredictably, and every experience matters.

References


