

# The Abell Report

*What we think about, and what we'd like you to think about*

Published as a community service by The Abell Foundation

## The Effects of Divorce on Children

### **ABELL SALUTES: Pregnancy Prevention Program at Union Memorial**

*Repeat pregnancies among adolescents with a child have been reduced...*

Baltimore City may be on the way to losing an aspect of its reputation—but with the city's blessing. Baltimore is known to have one of the highest rates of out-of-wedlock, teen age and young-adult pregnancy in the country, but a modest program (in terms of its numbers) at Union Memorial Hospital, designed to reduce the numbers, is showing results that encourage hope.

That hope came to fruition in the experience of 150 to 200 teenagers and young adults who have their babies delivered at Union Memorial Hospital in any given year. Of the 150 to 200, 130 receive regular follow up with family planning counseling by a health educator, during the course of which the professional provides education on choosing and using birth control techniques. The success or failure of the educator's role can be judged by the success or failure she is having in helping her clients prevent unwanted

*(continued on page 12)*

*What Helps? What Hurts? Three Law Professors Examine Selected Programs. Recommended: Family Focused Court Reform*

Excerpted from the full report\*

### **I. THE PROBLEM**

More than 1.2 million American children experience the divorce or separation of their parents each year.<sup>1</sup> Although divorce rates in the United States have declined slightly from their peak in the early 1980's, the divorce rate today is more than double what it was in 1960. Demographers estimate that, if current divorce rates hold steady, nearly half of all children born in the United States today will experience the divorce or separation of their parents.<sup>2</sup>

There is a growing consensus among social scientists that divorce poses significant and long-lasting risks for children.<sup>3</sup> At the same time, the social science evidence suggests that the detrimental effects of divorce on children are neither inevitable nor irreparable. Indeed, research is accumulating that indicates that a combination of responsible parenting, a sensitive and family-focused court system, and strong community and school-

based support programs can significantly help children and parents deal successfully with divorce-related transitions and problems. While additional research is needed, this social science evidence is beginning to point the way toward promising judicial and policy reforms.

This article examines and evaluates a number of court-connected programs that have been designed and implemented across the country to reduce the negative effects of parental separation and divorce on children. After summarizing the relevant social science evidence, the paper examines the content and effectiveness of four specific types of interventions: parent education programs, court-connected divorce and custody mediation, school and community-based support groups for children, and parenting plan requirements. It also describes the Unified Family Court Initiative currently underway in Baltimore City. The article concludes by recom-

*continued on page 2*

\*available on request, contact The Abell Foundation, 111 S. Calvert St., Baltimore, MD 21202 (410) 547-1300

---

continued from page 1

mending family-focused policy and court reforms for Maryland.

## II. THE EFFECTS OF DIVORCE ON CHILDREN

A growing body of social science research suggests that parental divorce in childhood has an overall negative impact on important aspects of a child's development. Children from divorced families, on average, experience more problems and have a lower level of well-being than do children in continuously intact two-parent families.<sup>4</sup> These problems include lower academic achievement, more behavioral problems, more negative self-concepts, more social difficulties, and more problematic relationships with both mothers and fathers. Children from divorced families are also more likely to drop out of school and generally acquire less education than children raised by married parents.<sup>5</sup>

Social scientists also agree that the negative consequences of divorce often persist into adolescence and adulthood. A recent meta-analysis of 37 studies that examined adult children of divorce revealed that, compared to those raised in intact two-parent families, adults who had experienced a parental divorce had lower psychological well-being, more behavioral problems, less education, lower job status, a lower standard of living, lower marital satisfaction and a heightened risk of divorce.<sup>6</sup> Ongoing clinical

studies by noted divorce researcher Judith Wallerstein confirm the long-term impact of divorce.<sup>7</sup> These findings contradict the rosy view previously held by some researchers (and divorcing parents) that children adapt readily to divorce and show no lingering negative consequences. Rather, as Dr. Wallerstein notes: "Unlike the adult experience, the child's suffering does not reach its peak at the breakup and then level off. The effect of the parents' divorce is played and replayed throughout the first three decades of the children's lives."<sup>8</sup>

In interpreting this social science data, several cautions are in order. First, the average differences between children from divorced and non-divorced families are small, rather than large. The more sophisticated the study and analysis, the weaker the effect of divorce.<sup>9</sup> This suggests "that divorce is not as severe a stressor for children as are other things that can go wrong during childhood."<sup>10</sup> Second, although children of divorce differ, on average, from children in continuously intact two-parent families, there is a great deal of overlap between the two groups.<sup>11</sup> Indeed, while the "popular media frequently report sweeping, adverse effects of divorce on children's mental health. . . research consistently points to children's *resilience*."<sup>12</sup> Similarly, noted divorce researcher Joan Kelly emphasizes that "the majority of divorced children, when assessed in the years after divorce, are functioning within normal or average limits. They are not, as a group, 'disturbed,' although media reports leave the casual reader with that impression."<sup>13</sup>

In addition, recent reports from several large longitudinal studies suggest that many of the difficulties observed in children of divorce were

present prior to parental separation and may be linked to parental conflict during marriage.<sup>14</sup> Research also indicates that children's adjustment to divorce varies significantly by age and gender, and possibly by race and ethnicity as well.<sup>15</sup>

In light of these variations, researchers have begun to focus more specifically on how and why divorce affects children. Although this work is ongoing, researchers have identified a number of variables that seem particularly important in predicting divorce outcomes for children.

### 1. Parental Conflict

Virtually all researchers agree that the conflict so often associated with divorce has a particularly detrimental effect on children. "Conflict between parents is a consistent predictor of increased psychological difficulties among children from divorced -- and married -- families. Numerous experimental and field studies point to the detrimental role of parental conflict, particularly conflict that is extended, open, angry, unresolved, and involves the child."<sup>16</sup> Children who are exposed to physical aggression between parents are particularly at risk for behavioral and emotional difficulties.<sup>17</sup> By contrast, where parental conflict is low, researchers have found little difference between children from intact and divorced families.<sup>18</sup> Studies also suggest that the detrimental effects of parental conflict can be ameliorated when parents avoid placing children "in the middle" of their disagreements, when parents avoid direct, aggressive expressions of their conflict in front of their children, and when parents use compromise styles of conflict resolution.

Conflict between spouses also tends to erode a divorcing couple's capacity to cooperate in the care and

---

### The Abell Report

Published bi-monthly by  
The Abell Foundation  
111 S. Calvert Street, 23rd Floor  
Baltimore, Maryland 21202  
(410) 547-1300

---

guidance of their children. As a consequence of this inability to cooperate, combined with the parents' lack of respect for one another, parenting becomes problematic: expectations are inconsistent and discipline is more coercive, all of which are predictive of more negative and distant parent-child relationships and an increase in children's emotional and behavioral problems.<sup>19</sup> Continued high conflict after divorce may further interfere with parents' ability to nurture and respond to their children's needs, as well as to discipline their children effectively, which may exacerbate existing behavior problems or create new problems for children.<sup>20</sup>

## **2. Economic Hardship**

A second important source of children's post divorce difficulty is the economic hardship often experienced by children and their primary caretaker -- usually the mother -- after separation and divorce. This hardship affects many aspects of the children's well being. Financial hardship may make it difficult for a custodial parent to provide books, home computers and other resources that can facilitate children's academic attainment. Moreover, economically pressed custodial parents are often forced to vacate the marital home and move to a lower income neighborhood, with concomitant drops in the quality of schools and child care. As a result of such a move, children may lose touch with friends and neighbors who might otherwise provide support and stability.<sup>21</sup> Economic hardship also negatively affects children through its impact on the children's primary caretaker. Income pressures often force a custodial parent to return to work after a significant absence, or to work longer hours than

before, thus reducing the time and energy that parent has available to meet the children's enhanced needs. Moreover, the stress created by these financial worries often takes a psychological toll on the custodial parent, further interfering with her ability to parent effectively and responsively.<sup>22</sup>

Studies indicate that these economic factors are responsible for a significant portion of the negative impact of divorce on children. Indeed, one early study found that many of the differences between children from divorced and non-divorced families disappeared when family income was taken into account.<sup>23</sup> A more recent comprehensive comparison of children who grow up in single parent vs. two parent families concludes that income differentials account for at least half of the differences in achievement and well-being between these two groups.<sup>24</sup>

## **3. Adjustment of the Custodial Parent**

The psychological adjustment and well-being of the custodial parent is emerging as a central factor in determining children's adjustment to divorce.<sup>25</sup> Some research suggests that, during the first year of separation, custodial parents tend to be less affectionate toward their children, supervise them less well, and are less consistent in dispensing discipline. These disruptions in effective parenting pose significant risks for children. By contrast, parents who maintain a positive and consistent relationship with their children are often able to ameliorate many of the negative effects of divorce.<sup>26</sup> Research also consistently shows that children do better after divorce when their custodial parent is in good mental health, displays good child rearing skills, and has access to ample social support.<sup>27</sup>

## **4. Relationship with Non-custodial Parent**

Divorce typically results in the departure of one parent -- usually the father -- from the child's household. For many families, the quality and quantity of contact between the child and the non-residential parent decreases markedly over time.<sup>28</sup> Some divorce researchers suggest that this loss of contact with the non-residential parent is central to the decline in well-being experienced by many children of divorce.<sup>29</sup> A number of early studies support this view; these studies found small, but significant, correlations between predictable and frequent paternal contact and children's adjustment after divorce, unless the father himself was poorly adjusted or extremely immature.<sup>30</sup> The positive relationship between paternal contact and child well-being was strongest when the custodial mother approved of the father's continuing contact with the child and rated the relationship positively. Research also indicates that a majority of children describe the loss of contact with a parent as the primary negative aspect of divorce for them.<sup>31</sup> In addition, the degree of involvement of the non-residential parent is strongly related to the reliability of child support payments, thus implicating the child's economic well-being.<sup>32</sup>

Other research questions the importance of the relationship with the non-residential parent in predicting or enhancing children's post-divorce well-being. This research indicates that the psychological adjustment of the residential parent, and the degree of conflict during the marriage and after divorce, are more profound influences on children's adjustment than the extent of contact with a non-residential parent.<sup>33</sup> Moreover, several

---

studies indicate that where inter-parental conflict is high, continued contact with the non-residential parent may be contrary to children's well being, particularly where that contact exacerbates or exposes the child to continuing conflict between the parents.

### **Conclusions**

Several tentative conclusions emerge from this body of social science data. First, for children, divorce is not a discrete legal event, but rather an ongoing psychological and emotional process that continues to impact children's lives long after the formal dissolution of their parents' marriage. Second, although children of divorce fare worse, on average, than children from non-divorced families on a variety of outcome measures, these average differences are small, and they may be getting smaller. Thus, contrary to the calamitous picture sometimes painted in the popular media, most children of divorce function successfully -- both as children and as adults -- although a minority do not.

Finally, the detrimental effects of divorce on children appear to be linked to specific aspects of our current divorce regime. These aspects include high levels of inter-parental conflict, a significant decline in the economic well-being of children and their primary caretakers, and deficits in post-divorce parenting skills and relationships. These correlations, in turn, suggest that the harmful effects of divorce can be ameliorated by judicial and policy reforms that seek to reduce conflict, enhance post-divorce economic security and improve the ability of mothers and fathers to parent effectively and cooperatively after divorce.

### **III. INTERVENTIONS**

Under the fault-based divorce system, the primary purpose of divorce proceedings was to assign blame for the breakdown of a marriage and to dispense justice accordingly. With the advent of no-fault divorce, courts have become less concerned with assigning blame and more concerned with helping divorcing couples -- particularly parents -- resolve their disputes and restructure their financial and parenting relationship as equitably and efficiently as possible. Consistent with this shift in focus, the traditional adversary model of justice has expanded in recent years to include social and educational programs, as well as alternative dispute resolution procedures, as supplements to -- or substitutes for -- a judicial remedy. Moreover, there is a growing recognition among some courts and child advocates that no amount of judicial intervention will protect children's well-being after divorce unless the legal system itself becomes less adversarial and more conducive to promoting effective post-divorce parenting, both substantively and procedurally.

#### **A. Parent Education Programs**

Courts in more than 40 states have implemented parent education programs designed to help divorcing parents ease the trauma of separation and divorce, for themselves and their children. According to a recent survey, over 500 such education programs currently exist in the United States.<sup>34</sup> In 1997, the Maryland legislature enacted a parenting education statute that permits a court to order divorcing parents to "participate in an educational seminar that is designed to educate parents about the effects, and to minimize the disruption, of a divorce on the lives of

children.<sup>35</sup> The Court of Appeals is currently drafting rules to implement the statute, which became effective on October 1, 1997.

Parent education programs typically have several goals: first, to provide parents with information about the effects of divorce and separation on children; second, to reduce divorce-related parental conflict by improving parents' ability to communicate with each other about their children; and third, to provide parents with skills and techniques that will enable them to parent more effectively and cooperatively after divorce or separation.<sup>36</sup> These programs encourage divorcing parents to focus on the needs and concerns of their children and to modify their behavior accordingly. Parent education programs also aim to minimize the long-term emotional, social, and academic problems experienced by children of divorce.<sup>37</sup>

One of the premier parent education programs in the country is the P.E.A.C.E. program based in New York.<sup>38</sup> P.E.A.C.E. is an interdisciplinary educational program whose premise is that "when parents understand the effects of divorce or separation on children, they are empowered to make responsible decisions for them."<sup>39</sup> Its curriculum consists of three topics, each of which is taught in a separate class session. The first session focuses on how the legal process resolves disputes over custody and child support when the parents are unable to reach agreement. The second session is led by a mental health professional and focuses on the emotional aspects of divorce for parents. The final session of P.E.A.C.E., also led by a mental health professional, focuses on the ways that children experience divorce. It is designed to

---

enhance parental understanding of their children's perspectives and to help parents guide their children through the transition of separation and divorce.<sup>40</sup>

Participant reaction to the P.E.A.C.E. program has been overwhelmingly favorable. An Interim Evaluation Report of the Erie County P.E.A.C.E. Program, prepared by independent consultants, verified that participants viewed the experience favorably.<sup>41</sup> Of the ninety-three participants who responded, 80% stated that their knowledge about families and divorce had increased as a result of the program and over 95% said they would use what they learned. More than three quarters of the respondents (many of whom had to be strongly encouraged to attend) indicated that the P.E.A.C.E. program should be mandatory, and more than 90% stated that they would recommend P.E.A.C.E. to others.

The Children of Separation and Divorce Center, Inc. (COSD) pioneered divorce education in Maryland more than six years ago. Since then, COSD has conducted divorce education seminars for parents in Howard, Montgomery, and Prince George's Counties. COSD staff has also trained mental health professionals across the nation and in 13 counties in Maryland. Those trained by COSD teach a particular content and are licensed to use COSD materials, including written manuals and videotapes of children and parents.

COSD's parenting seminars are based on the Child and Family Focused Model of Decision-Making, developed by COSD staff. This model considers children's needs, at each stage of their development, in four specific areas: self-esteem, interper-

sonal functioning, intellectual functioning, and safety and security. The content of the parenting seminars is derived from this model. COSD's six-hour parenting seminars are taught by experienced mental health professionals and generally include presentations by both adults and children who have experienced divorce. Specific topics covered include the emotional impact of divorce on parents and children; divorce-related changes in parent-child relationships; children's needs and reactions to divorce at various stages of child development; and how to build responsible parenting skills and positive co-parenting relationships.

Parents who participate in the COSD seminars complete detailed questionnaires both before and after the six-hour program. Preliminary analysis of these questionnaires confirms that participation in the seminars enhances parental knowledge and skills in several important areas of functioning.<sup>42</sup> In particular, parents who participate in the seminars significantly improve awareness and their ability to "keep the child out of the middle" of divorce-related conflicts and disputes. Parents also report enhanced ability to cope with divorce themselves and to help their children through divorce-related transitions. Women, in particular, appear to consistently gain confidence in their ability to handle all aspects of the divorce, while men report an enhanced understanding of the impact and complexity of the divorce process.

Two other mandatory parent education programs are GRASP, in Johnson County, Kansas,<sup>43</sup> and "Helping Children Succeed After Divorce" (HCSD), in Franklin County, Ohio.<sup>44</sup> Both programs emphasize the need for divorcing parents to rebuild their rela-

tionship for the purpose of child rearing. Recognizing that a common effect of divorce on adults is the diminished capacity to parent, HCSD also emphasizes that the adults' ability to resume their parental functioning is a key factor in their children's adjustment to divorce. A major theme of both programs is the need for divorced parents to reduce their anger and conflict and to protect children from parental battles.

Participants in the HCSD program complete a detailed questionnaire at the end of the seminar. Over half (54%) of the respondents report that the seminar helped them better understand their own feelings about divorce. A majority of parents also indicate a greater awareness of their children's divorce experience. Most participants reported that attending the seminar may affect the way they interact with their children about divorce issues. Similarly, two thirds thought that the seminar would make a difference in how they interact with their former spouse around the children.<sup>45</sup>

Although such participant reports are encouraging, few methodologically rigorous studies have evaluated the content or the results of parent education program. One recently published study does provide encouraging evidence of the success of one parent education program in enhancing parents' problem solving skills and reducing relitigation rates. The study found that parents who participated in *Children In The Middle*, a two-hour mandatory education program, sponsored by the court in Athens County, Ohio, were significantly less likely than a demographically matched control group to return to court to litigate post-divorce disputes.<sup>46</sup> The study also found that parents who participated in

---

the program scored much higher in communication and problem solving skills than did parents in the comparison group. These results suggest that parent education programs may be effective in teaching problem solving skills and in helping parents negotiate more durable and cooperative post-divorce parenting arrangements.

## **B. Mediation**

Another court-connected intervention designed, in part, to reduce the negative consequences of divorce for children is divorce and custody mediation. Mediation is a process in which a third party neutral (the mediator) encourages parties to settle their disputes “by helping them to identify the issues, reduce misunderstandings, vent emotions, clarify priorities, find points of agreement, explore new areas of compromise and possible solutions.”<sup>47</sup> Mediation differs from arbitration in that the mediator is not empowered to resolve the dispute or impose an outcome on the parties. It differs from lawyer-conducted negotiation primarily in that the parties themselves conduct the discussions and attempt to arrive at a satisfactory accord. Mediation also differs from more traditional, adversarial processes in that it seeks to move the parties from established positions to underlying mutual interests, in order to generate value enhancing, or “win-win” solutions.<sup>48</sup>

This cooperative orientation offers a number of potential benefits for divorcing families. First, it encourages parents to focus on their joint interest in promoting the well-being of their children. Mediation also gives parents the opportunity to develop communication and problem solving skills that can facilitate successful co-parenting after divorce. Moreover, if

mediation is successful, divorcing parents can avoid the bitterness and emotional trauma of a trial. Successful mediation also avoids the substantial litigation costs associated with contested court proceedings, thus leaving more marital assets available to meet the post-divorce needs of both the children and the former spouses. Mediation may also reduce relitigation by producing custody agreements that parents view as fair and acceptable over time. Moreover, unlike adversary divorce procedures, mediation is designed to reduce conflict and to help disputing parents resume a working relationship with each other.<sup>49</sup>

Mediation has become a widely adopted method of resolving divorce and custody disputes. In 1981, California became the first state to mandate mediation of all custody and visitation disputes, prior to consideration of these issues by a court. Other jurisdictions have followed suit. A February, 1997 article in the American Bar Association Journal reported that, in more than half the states, courts are authorized by statute to provide some form of mediation in divorce and custody cases.<sup>50</sup> Private, non-court connected mediation of divorce and custody disputes is also flourishing across the country.

Court rules in Maryland authorize judges to require parties with custody or visitation disputes, who are represented by counsel, to attend up to four mediation sessions.<sup>51</sup> The mediation is limited to the issues of custody and visitation, unless the parties and their counsel agree otherwise. If counsel for a party or a child represents to the court in good faith that there is a genuine issue of physical or sexual abuse of a party or child, and that mediation would therefore be inappropriate, the

court may not order mediation. Parties who are not represented by counsel may participate voluntarily in mediation, but may not be ordered to mediate their disputes.

A significant amount of social science research has examined the results and effectiveness of divorce mediation. That research has tended to substantiate some -- but not all -- of the claims made by mediation proponents. In general, research in the United States and Canada has demonstrated small but often short-lived increases in parental cooperation and improvement in communication following divorce and custody mediation.<sup>52</sup> The research also suggests that mediation may reduce relitigation rates. Most studies report higher rates of compliance with mediated agreements, as compared to agreements reached in the adversarial process.<sup>53</sup> Relitigation rates are low in general among mediated samples and appear lower than in adversarial samples.<sup>54</sup> Part of the reason for the low relitigation rates may be that mediated agreements often contain a provision requiring the parties to attempt to mediate future disputes, before resorting to judicial processes.

Despite these apparent enhancements in post-divorce cooperation and communication between parents, research from the United States and England has found that mediation does not enhance the psychological adjustment of divorcing parents or their children in a statistically meaningful way.<sup>55</sup> At least one mediation theorist has suggested that these results are not surprising, given the brevity of most mediation interventions.<sup>56</sup>

Studies that measure satisfaction with the mediation process indicate high levels of client satisfaction with both the process and the outcomes of

---

mediation. In studies comparing mediation and litigation samples, mediation clients were significantly more satisfied than their adversarial counterparts. While satisfaction with mediation was highest among those participants who reached agreement, several studies have found client satisfaction in the 40% to 60% range among those participants who were *unable* to reach agreement.<sup>57</sup>

Several studies indicate that mediation may be less time consuming, and possibly less costly, than more traditional, adversary processes. In one of the few mediation studies involving random assignment of custody disputes, parents assigned to mediation were able to resolve their disputes significantly more quickly than parents in the litigation group.<sup>58</sup> Even those mediation parents who failed to reach agreement during mediation were more likely to settle prior to trial than were parents initially assigned to the litigation group. Some evidence also suggests that mediation in the public sector may reduce government costs. In California, which mandates mediation of custody and visitation disputes, the number of custody trials has been reduced to fewer than 2% of those parents initially disputing child-related issues.<sup>59</sup>

In general, mediation results in more joint custody agreements than do adversary divorce procedures. This should not be surprising, since many mediators and mediation theorists are also strong advocates of shared parenting after divorce.<sup>60</sup> Mediated agreements also tend to be more detailed and specific than either litigated outcomes or attorney-negotiated settlements.<sup>61</sup> The few studies that have examined financial outcomes have found no significant differences in

child support amounts between mediated and litigated processes, although they suggest that fathers who mediate may pay for more “extras” for the children and are more likely to agree to provide for college expenses.<sup>62</sup> Property agreements reached in mediation also appear similar to those reached in lawyer-negotiated settlements.<sup>63</sup>

In sum, the social science literature suggests that mediation offers significant benefits for a substantial group of divorcing families. Whether mediation is appropriate for all divorcing parents, and whether mediation should be a mandatory prerequisite to a judicial hearing, are matters beyond the scope of this paper. The evidence suggests, however, that for those parents who are willing to work together to promote their children’s well-being, mediation offers significant advantages over more adversary divorce and custody procedures.

### **C. Support Groups for Children**

Mediation and parent education programs are aimed primarily at adults. Another type of divorce-related intervention focuses directly on children. Short term support groups for children who are experiencing parental separation or divorce are both educational and therapeutic in nature. The goals of these programs typically include (1) clarifying divorce issues, (2) providing a supportive place for children to work through difficult emotional issues, (3) helping children develop skills for coping with their feelings, and (4) improving parent-child communication.<sup>64</sup> The programs employ a variety of techniques to achieve these goals, including the use of age appropriate games and activities, role playing, audiovisual materials, storytelling, problem solving exercises, and drawing.

Several school-based support programs for children have been developed and evaluated by university researchers. The evaluations suggest that such groups have a positive impact on children’s adjustment to divorce. The Children of Divorce Intervention Project (CODIP) provides the most extensive evaluation of a school-based intervention.<sup>65</sup> Like many other children’s support programs, CODIP focuses on normalizing the divorce experience, understanding and working through divorce related feelings, developing coping strategies, and parent-child communication. The program also seeks to enhance children’s perception of themselves and their families.

Two initial evaluations of CODIP were conducted with white, middle-class fourth through sixth graders.<sup>66</sup> In both studies, the children were assessed by teachers, parents, and group leaders, as well as through self-reporting. Both studies indicated that program children made a better adjustment than non-program children with regard to shy-anxious behaviors and to learning problems. These children also seemed to exhibit a greater increase in adaptive assertiveness and frustration tolerance than the comparison group. Parents, in particular, rated children in the intervention groups as showing greater increases in overall adjustment.

The CODIP program was also evaluated in a racially mixed urban population of second and third graders.<sup>67</sup> The program was modified in an attempt to better match the lifestyle and experiences of this population. Modifications included a greater acceptance of diverse family forms and an emphasis on the role of the extended family as a source of support. The results for this ethnically diverse

---

intervention group mirrored the results previously obtained in a predominantly white middle-class setting. Specifically, teachers reported that the children who participated in the program displayed greater frustration tolerance, assertiveness, task orientation, and peer social skills. Similarly, parents of program children reported a significant increase in their children's overall adjustment to divorce. The children taking part in the program also reported more positive feelings about their parents, themselves, and their ability to cope with problems. These findings are significant because this urban population, by an objective measure, had more serious social problems and fewer resources than the more suburban children.<sup>68</sup>

A number of community based support programs have also been developed across the country. Many of these programs are court-connected and have been developed collaboratively by attorneys and mental health professionals. Although these programs have generally been well-received, information regarding their effectiveness is generally limited to anecdotal reports.

a. They're Still Our Children. One community based program for children is They're Still Our Children, a mandatory court-based program in Hawaii.<sup>69</sup> Under the program, all divorcing parents and their school-age children six years of age and older must attend a 2½ hour program about divorce and separation. The goals of this program are straightforward: (1) to demystify the court process; (2) to assure children that divorce is not their fault; (3) to assure children that feelings of loss, anger, and distrust are common; and (4) help them realize that the family is still a family, albeit in

a different form. As part of the program, children write a group letter to their parents, expressing the children's feelings about the divorce. The group letter is read to the parents to reinforce the information that the parents are given in their segment of the program.

b. Kid's Turn. Kid's Turn is another child-oriented support program located in the San Francisco Bay area for families who are reorganizing after separation or divorce.<sup>70</sup> The program is sponsored by the court, but divorcing families are not required to attend. Children who participate in the six-week program are grouped by age and the curriculum is tailored to meet the developmental needs of each age group.<sup>71</sup> At the end of each session, children and parents complete written evaluations; the responses have been overwhelmingly positive.<sup>72</sup> Parents and children identify the most valuable aspects of the program as the support it provides them, an increased understanding of the emotional and psychological aspects of the divorce process, and an improvement in parent-child and parent-to-parent communication.

c. Marriage Council of Philadelphia. The children's support program developed by the Marriage Council of Philadelphia is unusual in a number of aspects.<sup>73</sup> Sessions cover a relatively long period of time -- up to four months. A child can attend more than one group series and can thus be followed for as long as a year. Each group series includes at least one parent and all the children in a family who are between 4 and 13 years of age. The parents participate in parent support meetings and individually attend at least one children's group session as a participant. If the family agrees, the group leader may also contact other mental

health professionals, lawyers, teachers, clergy, etc., who may be helping the family. This holistic approach maximizes the mobilization of resources available to the family during the treatment process.

Parents of children who have participated in the program report encouraging results.<sup>74</sup> They note that open discussions between themselves and their children on divorce related topics occur more frequently than before the children attended the group and that the children often initiate these discussions. Parents also report a decrease in the intensity and frequency of angry exchanges between themselves and their children over matters of household routine. Parents report that their children are more willing to discuss separation/divorce related events and feelings with peers and significant adults outside the home. Noncustodial parents report increased comfort and greater candor from their children about past and present dissatisfactions and fears of abandonment. The children most comfortable with the divorce over time were those who reported the least acrimonious parental interaction, and could clearly describe the outcome of the separation arrangement of the parents.

d. Other Support Programs. Other well-regarded support programs for divorcing families include Families in Transition (FIT), a program developed by the Family Court of Jefferson County, Kentucky,<sup>75</sup> and the Children's and Family Support Groups run by the Children of Separation and Divorce Center (COSD) in Rockville and Columbia Maryland. The COSD model is particularly noteworthy in that it seeks to keep both children and parents involved on a long term basis by training them to participate in parenting semi-



---

nars and to serve as peer counselors to other families who are experiencing parental divorce or separation.

#### **D. Parenting Plans**

Parenting plans are another vehicle designed to ameliorate the negative effects of divorce on children.<sup>76</sup> The philosophical basis of the parenting plan is that post-divorce parenting should be a shared responsibility rather than a reward given to the parent who “wins” a custody battle. Although shared post-divorce parenting is not a new idea, Washington was the first (and thus far the only) state to embrace the concept as a means of changing the way in which the judicial system handles custody proceedings.

The Washington Parenting Act of 1987 requires all divorcing parents to file with the court, either jointly or individually, a proposed parenting plan.<sup>77</sup> In keeping with its commitment to shared parenting, the Act eliminates the commonly used legal terms of “custody” and “visitation”. Instead, plans must address parenting issues in terms of parental *responsibility* rather than parental *rights* and must describe child care arrangements in terms such as “residential care” and “decision-making” authority.<sup>78</sup> Each plan must contain four basic components. First, parents must designate in full detail where the children will reside after the parents have separated. Second, parents must indicate who will make major decisions regarding education, health care, religious upbringing, and all other major issues. Third, the parenting plan must provide some method of resolving future parenting disputes. Finally, in response to the concern that forced co-parenting may be detrimental to an abused spouse or to an abused or neglected child, the Act

restricts the involvement of a parent who has engaged in abusive behavior.<sup>79</sup>

Only a few studies have attempted to assess the effects of Washington’s Parenting Plan mandate. A preliminary study, conducted during the first year of the plan requirement, suggested that, in comparison to pre-Act custody agreements, mandatory parenting plans increased shared parental decision making and residential time post-divorce. However, the study found no direct evidence that the statutory mandate had succeeded in refocusing parents from their own needs to those of their children, thereby minimizing the adverse impact of divorce.<sup>80</sup>

A more recent study casts further doubt on whether the parenting plan mandate is achieving its intended goals. That study compared 50 families who divorced during the first year of the parenting plan mandate with 50 families who divorced the previous year, and therefore were not subject to the statutory requirement.<sup>81</sup> Study authors used a detailed questionnaire, completed by parents one and two years post-divorce, to assess parental and child well-being in a wide variety of areas, including the degree of intra-family conflict.

With respect to children, the study found that going through the parenting plan process made no difference in a child’s adjustment to divorce or in the quality of the child’s relationship with either parent. The only significant variable affecting child adjustment to divorce was the passage of time; adjustment improved over time for children in both the study and the control groups. With respect to parents, the study results were even less encouraging. Overall, parental adjustment to divorce improved only slightly over time, but this improvement was not

statistically significant. More disappointing, the parents who were subject to the parenting plan mandate actually fared less well than the control group, in terms of both individual well-being and their relationship with their ex-spouses.

Several possible explanations exist for these unexpected results. First, the primary author of the study notes that during the first year of the parenting plan mandate, the Washington child support guidelines tied parental support obligations to the number of overnights the child spent with each parent, thereby increasing the financial incentive for parents to fight about residential arrangements.<sup>82</sup> Second, the author points out that the Washington statute actually requires divorcing parents to negotiate two separate parenting plans -- a Temporary Plan that is effective during the divorce process and a Permanent Parenting Plan that takes effect once a final divorce has been granted. In essence, the parties are forced to get divorced twice, with all of the attendant anger and hurt. On the basis of their study results, the study authors recommend that the Washington statute be amended to eliminate the temporary parenting plan requirement. Finally, although Washington law currently requires divorcing parents to negotiate and file parenting plans, the court system does not mandate divorce-related parenting education, nor does it provide other support that might help parents negotiate fair and workable post-divorce parenting arrangements. Thus, the likelihood that any particular divorcing family will benefit from the parenting plan mandate may depend significantly on the family’s access to -- and willingness to utilize -- non-court-connected resources.

---

#### **IV. INITIATIVES FOR A UNIFIED FAMILY COURT IN MARYLAND**

The concept of a unified Family Court offers a promising backdrop for the implementation of many of the family-focused court reforms discussed above. The unified Family Court movement is premised upon the notion that the traditional, adversary system does not promote the type of parenting necessary to ensure the future welfare of children and their families. Courts that have pursued the family court initiative also recognize that traditional case management systems splinter family controversies among several different courts within the same jurisdiction. Such splintering reduces the effectiveness of judges and the quality of judicial decision-making in family law matters. Thus, most jurisdictions looking to create a family court do so with the following goals in mind: (1) to bring jurisdiction over family related matters within the domain of one court; (2) to provide a forum wherein family issues are decided with a family focus -- that is, in appropriate cases, decision-makers are afforded the opportunity to look not only at the individual but at the family circumstances and dynamics which surround the individual; and (3) to strengthen court and community ties.<sup>83</sup>

The Family Division of the Circuit Court for Baltimore City has taken significant steps toward achieving these goals.<sup>84</sup> The Division was established in September, 1996 pursuant to a legislative grant to the City of Baltimore. Since then, Baltimore City has implemented a number of services and programs to improve its management of domestic cases. The most significant improvement is the manner in which cases involving children are

handled from the moment they are filed. A Case Coordinator now reviews every domestic relations case in which minor children are involved to coordinate referrals to family counseling, mediation, or parenting classes. The coordinator also develops new projects, seeks grant funding to expand court services available to family litigants and builds partnerships with community resources for substance abuse, domestic violence, and family counseling programs.

The Family Division has several services designed to expedite cases through the system, including pro se litigation education, family mediation services, and a volunteer attorney settlement panel. The Assisted Pro Se Office is staffed by law students and supervising attorneys who assist pro se domestic litigants with the completion of form pleadings. The law students also refer the litigants to appropriate community and court-connected resources. The Family Division also mandates that all litigants with custody disputes, who are represented by counsel, attempt to mediate their disputes prior to being given a hearing. Mediation services are provided through the court by local alternative dispute resolution practitioners. Unrepresented litigants are encouraged to participate in mediation, but by law cannot be ordered to do so. All cases filed in the Family Division are also scheduled for pre-trial settlement conferences. Volunteer attorneys from the family practice bar offer their services to facilitate early settlement of cases.

The Family Division also provides a number of support services to parents with child-related disputes. All disputing parents are required to attend a five-hour parenting seminar conducted by the Sheppard Pratt Health

Systems. The Supervised Visitation Project provides opportunities for non-custodial parents to visit with their children under the guidance of social workers. The Office of Medical Services provides custody evaluations and substance abuse and mental illness evaluations for use in contested custody matters. Additional support services for families are being planned. These include a Social Services Coordinator who would review new filings to assess the needs of litigants and families for social services; a revised intake process for domestic cases, which would include the adoption of an integrated case management team approach; and the development of a community-based advocacy group with specific tasks and structure to provide ongoing support for the Family Division. If additional funding could be obtained, the Family Division would also add educational and therapeutic programs for children and coordinate with the Baltimore Coalition against Substance Abuse in developing further Family Division services.

#### **V. CONCLUSIONS AND RECOMMENDATIONS**

The negative effects of parental separation and divorce on children are real, but those effects are not inevitable. Courts and policy-makers can improve divorce outcomes for children by developing programs and supporting reforms that seek to reduce parental conflict, enhance children's economic security, promote responsible and cooperative post-divorce parenting, and provide professional and peer support for children during the process of parental divorce and separation. Specifically, we recommend the following:

1. Because the impact of divorce is multi-faceted, interventions must be comprehensive and coordinated to serve the entire family.
2. To facilitate comprehensive and coordinated divorce reform, advocates should support the unified family court initiative underway in Baltimore City.
3. Courts and policy makers should seek to reduce parental conflict during and after divorce by expanding the availability and use of mediation.
4. Divorcing and separating parents should be required to participate in parenting education programs. Such programs should also be made available to never-married parents.
5. Because divorce-related financial hardship hurts children and their primary caretakers, a comprehensive study should be conducted to determine the adequacy and enforcement of Maryland's current child support guidelines.
6. Support groups for children must be developed and studied as part of a comprehensive approach to mitigating the negative effects of parental divorce and separation on children.

#### FOOTNOTES

- <sup>1</sup> Andrew Schepard et al., *Preventing Trauma for the Children of Divorce Through Education and Professional Responsibility*, 16 Nova L. Rev. 767, 768 (1992).
- <sup>2</sup> Judith Wallerstein, *Children of Divorce: An Overview*, 4 Behav. Sci. & L. 105, 107 (1986).
- <sup>3</sup> See, e.g., Joan B. Kelly, *Current Research on Children's Postdivorce Adjustment: No Simple Answers*, 31 Fam. & Conciliation Cts. Rev. 29, 31 (1993). [Hereinafter referred to as Kelly, *Children's Postdivorce Adjustment*.]; P. Lindsay Chase-Lansdale et al., *The Long-Term Effects of Parental Divorce on the Mental Health of Young Adults: A Developmental Perspective*, 66 Child Development 1614, 1615 (1995); Judith S. Wallerstein, *The Long-Term Effects of Divorce on Children: A Review*, 30 J. Am. Acad. Child Adolescent Psychiatry 349, 353-54 (1991).
- <sup>4</sup> See Paul R. Amato, *Life-Span Adjustment of Children To Their Parents' Divorce*, 4 The Future of Children: Children and Divorce 143, 145-46 (1994) (discussing a meta-analysis of 92 studies involving children of divorce); SARA McLANAHAN & GARY SANDEFUR, *GROWING UP WITH A SINGLE PARENT: WHAT HELPS AND WHAT HURTS* 1 (1994).
- <sup>5</sup> Kelly, *Children's Postdivorce Adjustment*, *supra* note 3, at 30-31.
- <sup>6</sup> See Amato, *supra* note 4, at 145-46.
- <sup>7</sup> Dr. Wallerstein's most recent findings indicate that children of divorce continue to experience the emotional effects of their parents' break-up even as they mature into their late twenties and early thirties. See Barbara Vobejda, *Children of Divorce Heal Slowly, Study Finds*, THE WASHINGTON POST, June 3, 1997, at E1.
- <sup>8</sup> Vobejda, *supra* note 7. Dr. Wallerstein's conclusions, released in June 1997, are based on her continuing study of 131 middle-class children whose parents were divorced in the early 1970s.
- <sup>9</sup> Amato, *supra* note 4 at 146-47; see Kelly, *Children's Postdivorce Adjustment* *supra* note 3, at 31 (citing P. Amato & B. Keith, *Parental Divorce and Adult Well Being: A Meta-analysis*, 53 J. Marriage and Fam. 43 (1991)).
- <sup>10</sup> Amato, *supra* note 4, at 146. Professor Amato notes, for example, that a recent analysis of studies dealing with childhood sexual abuse revealed average effect sizes three to four times larger than those based on studies of children of divorce. *Id.*
- <sup>11</sup> *Id.*
- <sup>12</sup> Robert E. Emery, *RENEGOTIATING FAMILY RELATIONSHIPS: DIVORCE, CHILD CUSTODY AND MEDIATION* 194. (1994) (emphasis in original).
- <sup>13</sup> Kelly, *Children's Postdivorce Adjustment*, *supra* note 3, at 31.
- <sup>14</sup> A 1990 study by Wallerstein and her colleagues, for example, found that the pre-separation variables of marital conflict, child's history of psychological problems and child's relationship with mother were more important predictors of children's adjustment to divorce than were the post-separation variable of conflict, loss of parent and change. *Id.* at 32.
- <sup>15</sup> Amato, *supra* note 4, at 147-49. Some research suggest that parental divorce may be less detrimental for African-Americans than for whites. *Id.*

- <sup>16</sup> Emery, *supra* note 12 at 205 (citations omitted); see also Janet R. Johnston, *High-Conflict Divorce*, 4 The Future of Children: Children and Divorce 165, 172-76 (1994).
- <sup>17</sup> Johnston, *supra* note 16, at 172.
- <sup>18</sup> John H. Grynych & Frank D. Fincham, *Interventions for Children of Divorce: Toward Greater Integration of Research and Action*, 111 Psychol. bull. 4434, 441 (1992).
- <sup>19</sup> Johnston, *supra* note 16, at 172.
- <sup>20</sup> Kelly, *Children's Postdivorce Adjustment*, *supra* note 3, at 33.
- <sup>21</sup> Grynych & Fincham, *supra* note 18, at 444; see also Amato, *supra* note 4, at 151.
- <sup>22</sup> Grynych & Fincham, *supra* note 18, at 444.
- <sup>23</sup> *Id.* (citing J. Guidubaldi et al., *The Legacy of Parental Divorce*, in *ADVANCES IN CLINICAL CHILD PSYCHOLOGY* 109 (B.B. Lahey & A.E. Kazdin eds., 1984)).
- <sup>24</sup> McLanahan & Sandefur, *supra* note 4, at 2 ("Low income -- and the sudden drop in income that often is associated with divorce -- is the most important factor in children's lower achievement in single-parent homes, accounting for about half of the disadvantage"). The single parent households in this study included both divorced and never-married families.
- <sup>25</sup> Janet R. Johnston, *supra* note 16, at 172; see Kelly, *Children's Postdivorce Adjustment*, *supra* note 3, at 36-37.
- <sup>26</sup> Amato, *supra* note 4, at 150; see generally Emery, *supra* note 12.
- <sup>27</sup> Amato, *supra* note 4, at 150.
- <sup>28</sup> Ross A. Thompson, *The Role of the Father After Divorce*, 4 The Future of Children: Children and Divorce 210, 222 (1994).
- <sup>29</sup> See e.g., McLanahan & Sandefur, *supra* note 4, at 3-7 (explaining how the decision of parents to live apart deprives children of valuable parental and community resources).
- <sup>30</sup> See Kelly, *Children's Postdivorce Adjustment*, *supra* note 3, at 38. This finding was more consistent for boys than for girls.
- <sup>31</sup> See *id.* at 37-38.
- <sup>32</sup> Thompson, *supra* note 28, at 222.
- <sup>33</sup> Joan B. Kelly, *The Determination of Child Custody*, 4 The Future of Children: Children and Divorce 121, 132 (1994); Kelly, *Children's Postdivorce Adjustment*, *supra* note 3, at 38-39.
- <sup>34</sup> Tamar Levin, *Divorcing Sensibly: Courts Are Requiring Classes So Marital Breakups Won't Tear Children Apart*, CHICAGO TRIBUNE, May 7, 1995, at S9. A recent editorial suggested that within the last five years, over 600 counties have developed parent education programs. Ingrid E. Slezak, *Parent Education: It Makes a Difference*, 57 Or. St. Bar Bull. 70, 70 (1996).
- <sup>35</sup> Md. FAM. LAW Code Ann. 7-103.2 (1997 Supp).
- <sup>36</sup> Peter Salem, et al., *Parent Education as a Distinct Field of Practice: The Agenda for the Future*, 34 Fam. & Conciliation Cts. Rev. 9, 13 (1996).
- <sup>37</sup> Virginia Petersen & Susan B. Steinman, *Helping Children Succeed After Divorce: A Court-Mandated Educational Program for Divorcing Parents*, 32 Fam. & Conciliation Cts. Rev. 27, 29 (1994).
- <sup>38</sup> P.E.A.C.E. -- Parent Education and Custody Effectiveness -- is a joint project of the Hofstra University School of Law and the Hofstra

---

by Anna L. Davis, Susan P. Leviton, and Jana B. Singer — *Children and Family Law Program, University of Maryland School of Law*

University School of Education's Graduate Program in Marriage and Family Counseling. See Shepard, et al., *supra* note 1, at 773; Andrew Shepard, *Report and Model Statute on an Interdisciplinary Educational Program for Divorcing and Separating Parents*, 27 U. Mich. J.L. Reform 131, 153 (1993).

<sup>39</sup> Hon. Sondra Miller et al., *Parent Education and Custody Effectiveness (P.E.A.C.E.): A Preliminary Report to the New York Legal Community*, N.Y. St. B.J., Feb. 1996 at 42, 42. P.E.A.C.E. is an entirely educational program and does not involve mediation, arbitration or therapy. Shepard, *supra* note 38, at 155.

<sup>40</sup> Shepard, *supra* note 38, at 155.

<sup>41</sup> Miller, *supra* note 39 at 44; see Shepard, *supra* note 38, at 133.

<sup>42</sup> See written testimony of Dr. Howard Garon, presented to the Maryland General Assembly, 1997 Term, on file with the authors.

<sup>43</sup> GRASP stands for "General Responsibilities as Separating Parents." This program was originally developed as "Families in Transition - A Divorce Workshop for Parents and Children," and was one of the first divorce education programs in the country. See Carol Roeder-Esser, *Families in Transition: A Divorce Workshop*, 32 Fam. & Conciliation Cts. Rev. 40, 40 (1994).

<sup>44</sup> Petersen & Steinman, *supra* note 37, at 28.

<sup>45</sup> *Id.*

<sup>46</sup> Jack Arbuthnot, Kevin M. Kramer, & Donald A. Gordon, *Patterns of Relitigation Following Divorce Education*, 35 Fam. & Conc. Cts. Rev. 269 (1997).

<sup>47</sup> Jessica Pearson & Nancy Thoennes, *Mediating and Litigating Custody Disputes: A Longitudinal Evaluation*, 17 Fam. L. Q. 497, 499 (1984).

<sup>48</sup> See Joan B. Kelly, *A Decade of Divorce Mediation Research: Some Answers and Questions*, 34 Fam. & Conciliation Cts. Rev. 373, 378-79 (1996). [Hereinafter Kelly, *Mediation Research*].

<sup>49</sup> *Id.* at 379.

<sup>50</sup> Rita Henley Jensen, *Divorce -- Mediation Style*, A.B.A. J., Feb. 1997 at 55, 56. A database maintained by the National Center for State Courts lists more than 200 court-connected mediation programs in operation across the country, of which a substantial proportion either mandate mediation categorically or permit judges to order mediation in particular cases. See Craig A. McEwen, Richard J. Maiman, and Lynn Mather, *Lawyers, Mediation, and the Management of Divorce Practice*, 28 Law & Soc. Rev. 149, 152-53 (1994).

<sup>51</sup> Md. Rule 9-205 (c)(1).

<sup>52</sup> Kelly, *Mediation Research*, *supra* note 48, at 379 (citing H. Irving & M. Benjamin, *An Evaluation of Process and Outcome in a Private Family Mediation Service*, 10 Mediation Quarterly 35 (1992); Jessica Pearson & Nancy Thoennes, *Reflections on a Decade of Research*, in *MEDIATION RESEARCH: THE PROCESS AND EFFECTIVENESS OF THIRD PARTY INTERVENTION* (K. Kressel, D. Pruitt & Assoc. eds., 1989)).

<sup>53</sup> Kelly, *Mediation Research*, *supra* note 48, at 379.

<sup>54</sup> *Id.* (citing Irving & Benjamin, *supra* note 52; Pearson & Thoennes, *supra* note 47).

<sup>55</sup> Kelly, *Mediation Research*, *supra* note 48, at 380.

<sup>56</sup> *Id.*

<sup>57</sup> Kelly, *Mediation Research*, *supra* note 48, at 378.

<sup>58</sup> *Id.* at 376.

<sup>59</sup> Kelly, *Mediation, Reserach*, *supra* note 48, at 376.

<sup>60</sup> See generally, Singer, *supra* note 60, at 1543-44. Whether joint custody serves children's interests is a matter of debate, in both the academic literature and the popular press.

<sup>61</sup> Kelly, *Mediation Research*, *supra* note 48, at 377.

<sup>62</sup> *Id.* (citing Joan B. Kelly, *Mediated and Adversarial Divorce Resolution Processes: An Analysis of Post-Divorce Outcomes*, 1990 Report for the Fund for Research in Dispute Resolution, Corte Madera, Ca. (1990); Pearson & Thoennes, *supra* note 52).

<sup>63</sup> *Id.* (citing Kelly, *supra* note 62; Jessica Pearson, *The Equity of Mediated Divorce Agreements*, 7 Mediation Quarterly 347 (1991)).

<sup>64</sup> Grynych & Fincham, *supra* note 18, at 438.

<sup>65</sup> See JoAnne L. Pedro-Carroll & Emory L. Cowen, *The Children of Divorce Intervention Program: An Investigation of the Efficacy of a School-Based Prevention Program*, 53 J. Counseling and Clinical Psych. 603 (1985).

<sup>66</sup> *Id.*

<sup>67</sup> Linda J. Alpert-Gillis et al., *The Children of Divorce Intervention Program: Development, Implementation and Evaluation of a Program for Young Urban Children*, 57 J. of Consulting & Clinical Psychology 583, 584 (1984).

<sup>68</sup> *Id.* at 588.

<sup>69</sup> Trecia DiBias, *Some Programs for Children*, 34 Fam. & Conciliation Cts. Rev. 112, 114 (1996).

<sup>70</sup> Rosemarie Bolen, *Kids' Turn: Helping Kids Cope With Divorce*, 31 Fam. & Conciliation Cts. Rev. 248, 250 (1993).

<sup>71</sup> *Id.* at 253.

<sup>72</sup> *Id.*

<sup>73</sup> Sherry Farmer & Diana Galaris, *Support Groups for Children of Divorce*, 21 Am. J. Fam. Therapy, 40, 41 (1993).

<sup>74</sup> *Id.* at 48.

<sup>75</sup> Joe H. Brown, et al., *Families in Transition: A Court-Mandated Divorce Adjustment Program for Parents and Children*, 45 Juv. & Fam. Ct. J. 27, 28 (1994).

<sup>76</sup> See generally, Robert Tompkins, *Parenting Plans: A Concept Whose Time Has Come*, 33 Fam. & Conciliation Cts. Review 286, 292 (1995).

<sup>77</sup> Tompkins, *supra* note 76, at 292-93.

<sup>78</sup> *Id.*

<sup>79</sup> See Jane W. Ellis, *Plans, Protections, and Professional Intervention: Innovations in divorce Custody Reform and the Role of Legal Professionals*, 24 U. Mich. J. Law Reform 65, 94 (1990). These restrictions affect the spouse who has (1) abandoned or neglected the child; (2) physically, sexually, or emotionally abused the child; (3) committed serious acts of domestic violence against his/her spouse; or (4) is living with someone who has engaged in this type of conduct. *Id.* at 92-93 and 108.

<sup>80</sup> Ellis, *supra* note 79, at 168.

<sup>81</sup> This study was conducted by Dr. John Dunne, a research psychiatrist, and a strong supporter of the Washington legislation. The results of this study have not yet been published. How-

ever, Dr. Dunne discussed his results by telephone with Professor Jana Singer on July 2, 1997.

<sup>82</sup> This aspect of the Washington child support guidelines has since been changed.

<sup>83</sup> See e.g. *Family Division White Paper*, Administrative Office of the Courts, New Jersey Supreme Court.

<sup>84</sup> Baltimore City's Family Division was chosen as one of five jurisdictions in the nation to benefit from a Robert Wood Johnson Foundation Grant to the American Bar Association's Standing Committee on Substance Abuse. The grant money is being used to provide technical assistance to these five jurisdictions to aid in their development of a Unified Family Court.

## ABELL SALUTES:

*Continued from page 1*

pregnancies.

Among the 130-plus sexually active girls over a three year period, there was an expectation of at least 60 pregnancies based on experience documented in available data: a survey of a group of adolescent mothers in Baltimore found that 15 to 18 months after they gave birth, 77% of girls were sexually active and 32% were not using birth control. Up to 19% of birth control users depended only on foam and condoms. At six months, 10% had conceived again; at one year 22% had conceived again; at 15 to 18 months, 46% had a subsequent pregnancy.

Against this background of experience and using conservative estimates, the program has prevented at least 60 unwanted pregnancies among the teens, and may have prevented as many as 90.

The cost per prevented pregnancy is between \$1,800 and \$2,700 each. This compares well with other programs.

The Abell Foundation salutes Union Memorial's Pregnancy Prevention program, and recognizes the importance of the techniques it uses in this important effort.