

Shared Parenting - Time for a Change of Ideas

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Evangelische Hochschule Nürnberg
„kick-off-work-shop“ 10-8-2013

5 Minutes looking at ...

- ⦿ ... definition
- ⦿ ... reasons for the change
- ⦿ ... psychological research
- ⦿ ... legal framework
- ⦿ ... reasons for resistance
- ⦿ ... acting and actors
- ⦿ ... the future

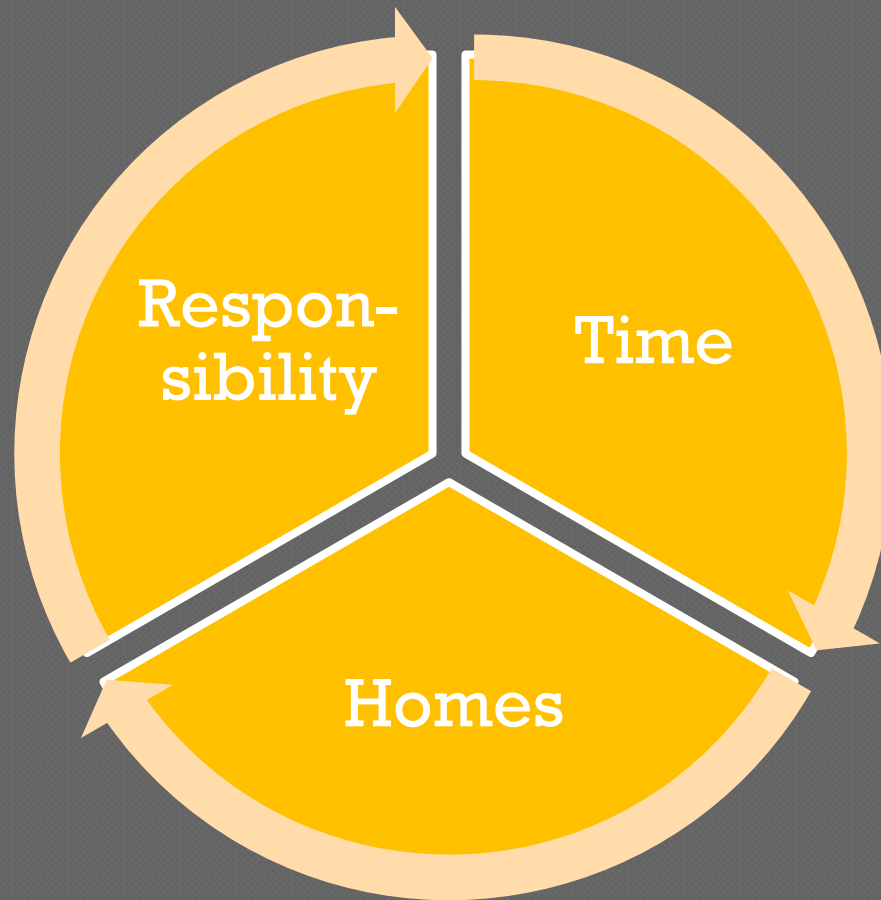
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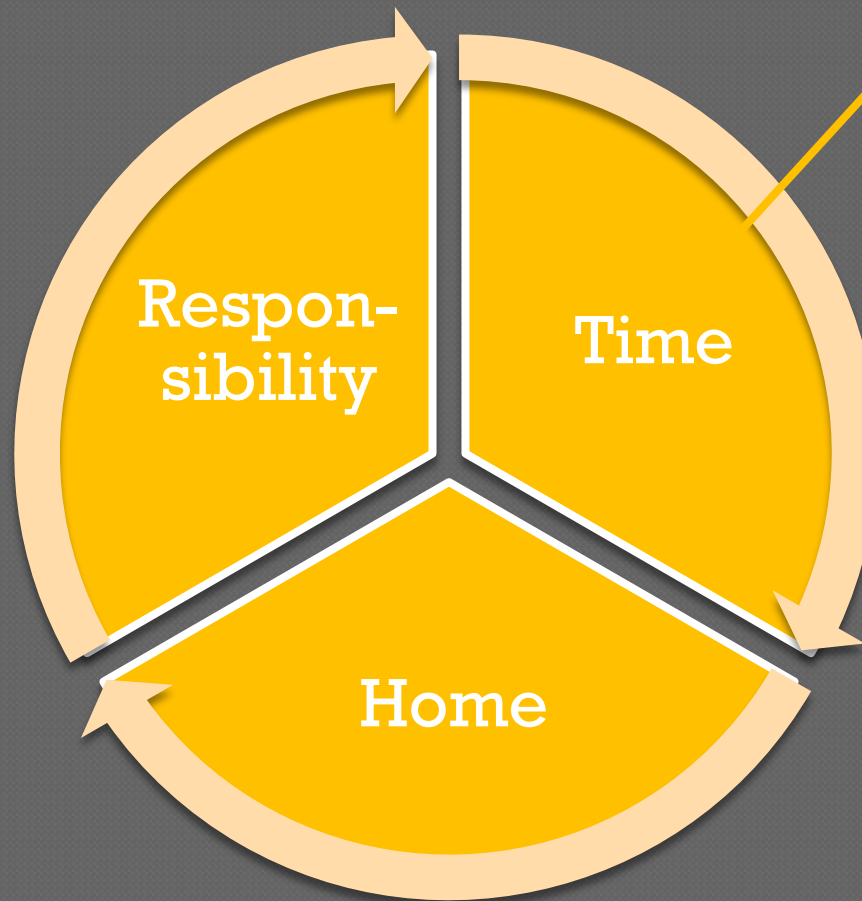
What are we talking about?



1. Definition of Shared Parenting



1. Definition of shared Parenting



- Equal time, at least 30:70 %
- Every day life & weekends/holidays

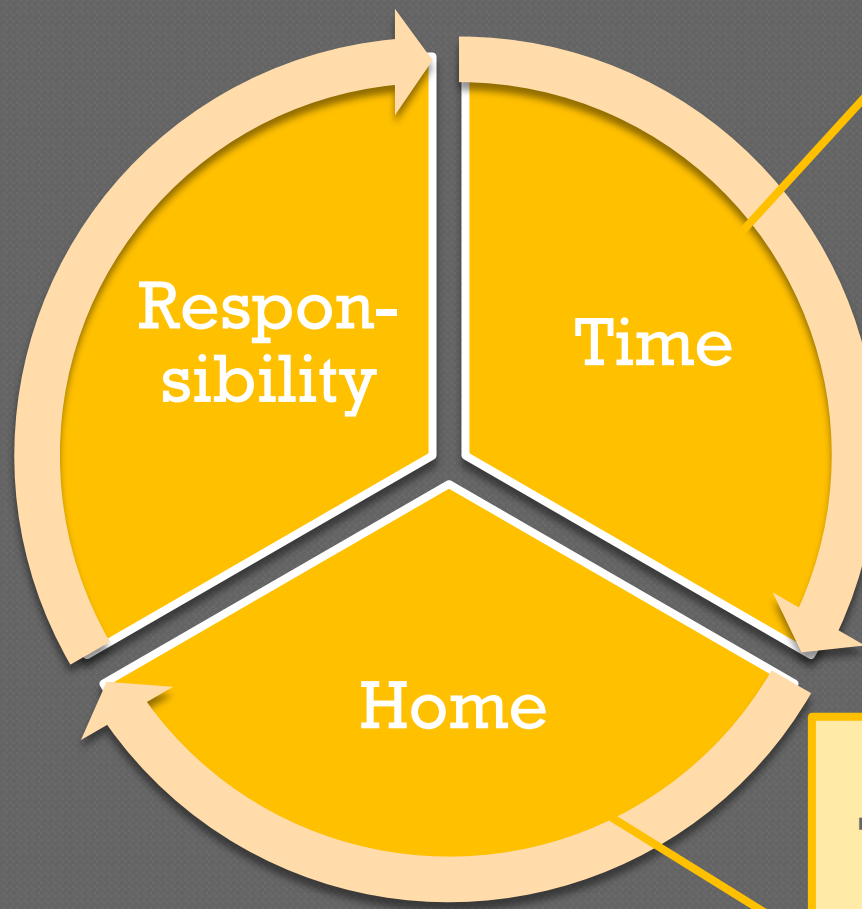
**“Shared does not always mean equal
and unequal does not always
mean unfair.”**

[Alison Taylor (US-Mediator) 1989]

“... there is widespread agreement
that it [shared parenting] need
not mean equal time.”

[Patrick Parkinson (australian lawyer) 2011]

1. Definition of shared Parenting



- Equal time, at least 30:70 %
- Every day life & weekends/holidays

Two homes, not one home and a visitor

**“The child has two functioning homes –
not one home and a visitor.”**

[Meyer Elkin (director of Conciliation Court, L.A.) 1991]

1. Definition of shared care

Shared legal and educational parental responsibility



- Equal time, at least 30:70 %
- Every day life & weekends/holidays

Two homes, not a home and a visitor

“... parents share authority and responsibility for making decisions about the children; (...) parents view themselves as equally significant to the children and jointly responsible for their physical, emotional, intellectual, and moral development.”

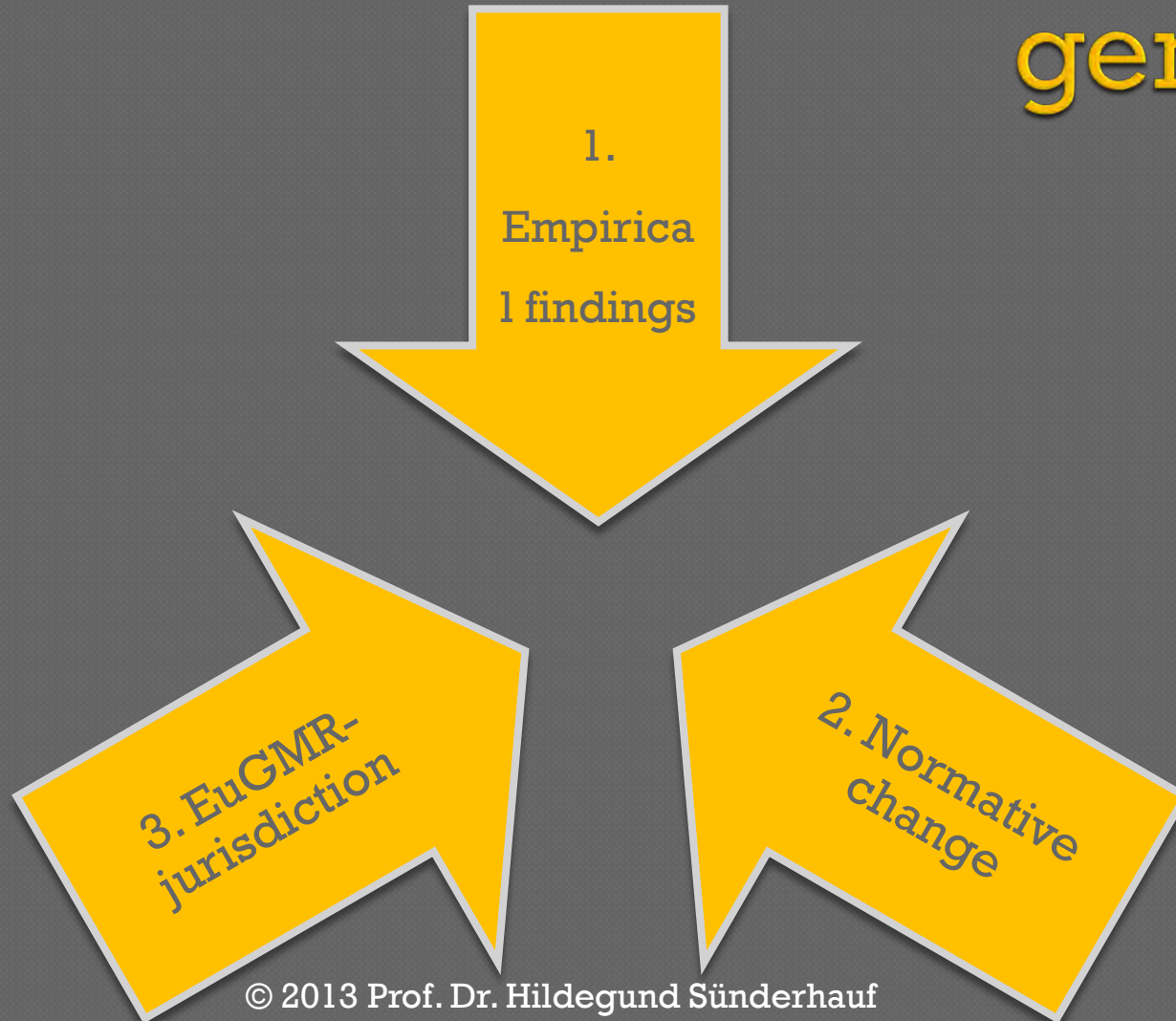
[Susan Steinman (psychologist) 1981, 405]

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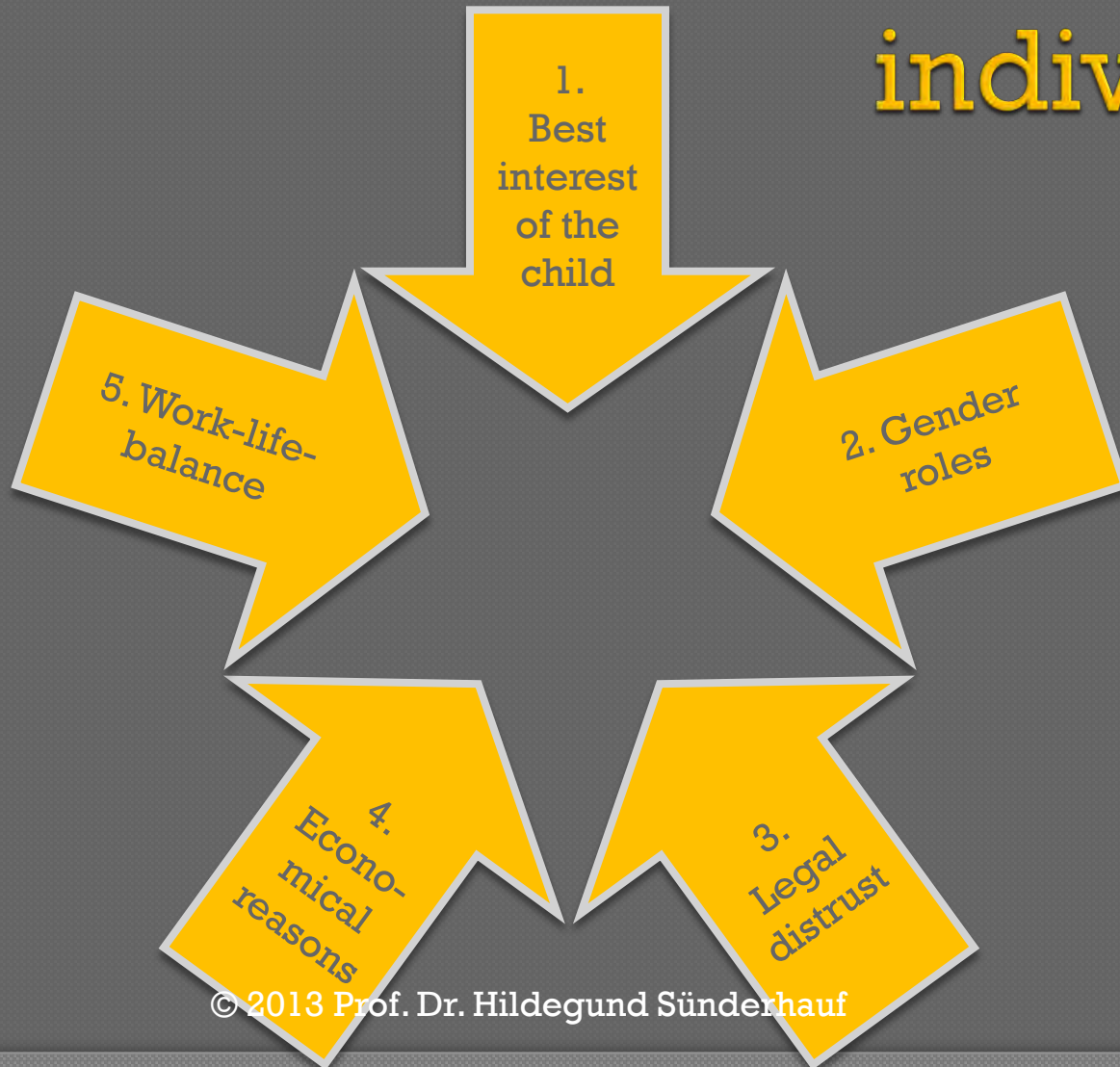
2. Reasons for the change:

general



2. Reasons for the change:

individual



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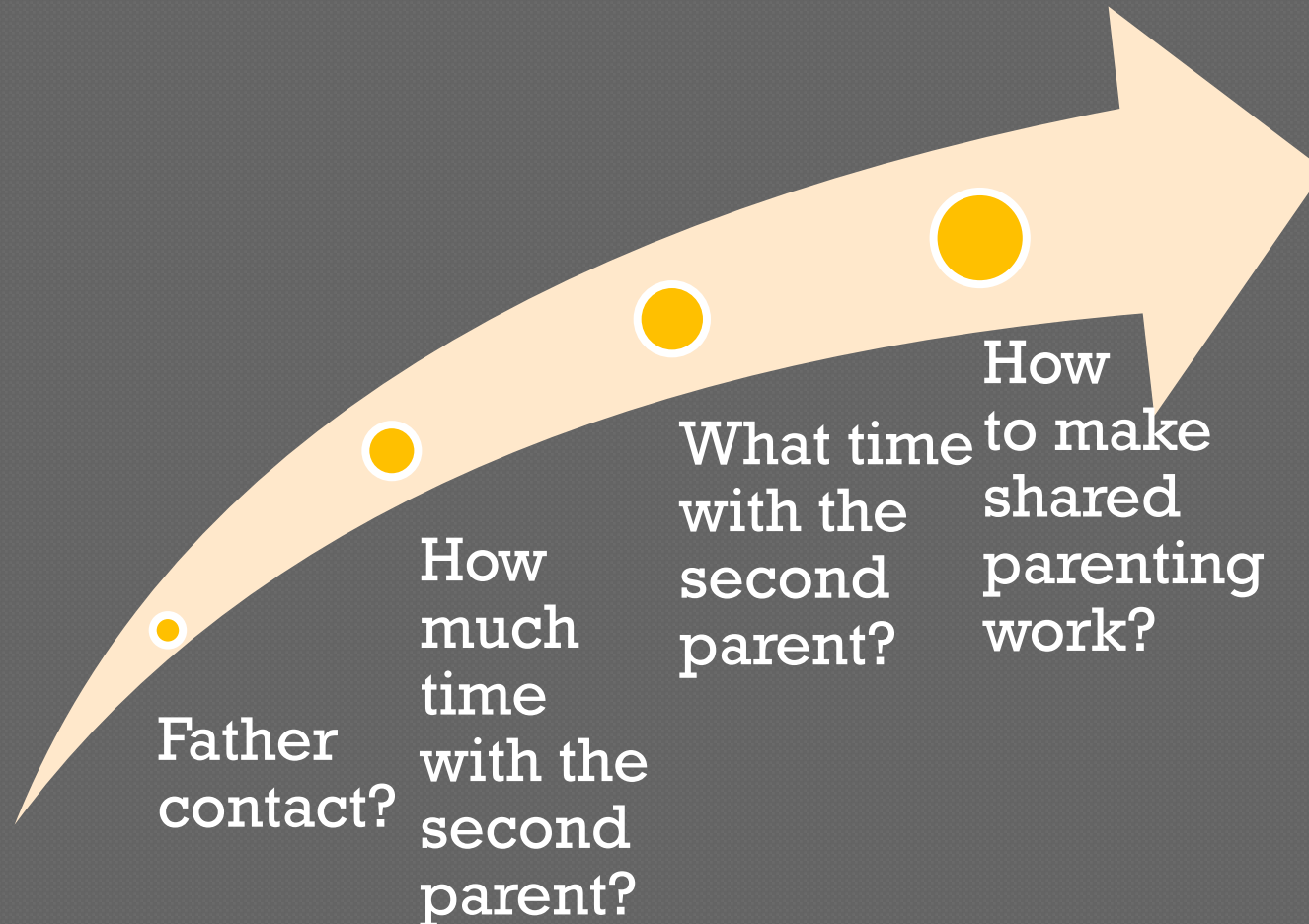
3. Divorce Research Questions

1970's

1980's

1990's

today



3. Shared Parenting Research (1.)

**45 psychological empirical studies
(1977 - 2012):**

In shared-parenting arrangements
(compared with single-parenting) ...

... children build and remain a closer
attachment to mother *and* father - just as
close as in intact families

... children show better psychological
adjustment

3. Shared Parenting Research (2.)

In shared-parenting arrangements
(compared with single-parenting) ...

... parents and children are more satisfied
with their family life after separation ...

... and with their life in general

... children are more satisfied with their
school-situation ...

... and are less often bullying victims

3. Shared Parenting Research (3.)

In shared-parenting arrangements
(compared with single-parenting) ...

- ... the families have a higher socio-economic status
- ... children show a better physical health status (f.e. less hyperactivity / inattention)

3. Shared Parenting Research (4.)

- ◉ Even in high conflict situations children are better off with shared parenting, than in single parenting arrangements
- ◉ Parents do not need a very friendly cooperation and communication to practice shared parenting
- ◉ Shared parenting can work out well even without one (or both) parent's agreement to shared care

Shared care is the „`Rolls-Royce'
model of post-separation parenting“

[Symth & Weston (austral. Psychologists) 2004, 8]

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4. Legal framework (1.)

- ◉ National civil law
- ◉ Individual decisions (case law)
- ◉ National constitution
- ◉ Supranational law
 - European charter of human rights
 - UN-Convention on the Rights of the Child /CRC

4. Legal framework (2.)

- ◉ Directly: Legal rules/jurisdiction about
 - legal parental responsibility
 - practical child-rearing arrangements
- ◉ Indirectly: Legal rules/jurisdiction about
 - child support
 - Social welfare in shared care arrangements
 - Tax law
 - Employment law (legal protection of working mothers and fathers)
- ◉ Society framework
 - Social framework of child-rearing (day care, schooling, work schedules)
 - Participation in court/administration for children
 - Equal rights and opportunities of man and woman

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Three Reasons for Resistance

Cultural Traditions

Children
belong with
the mother

Man can't
mother

Psychological Concepts

Stability
Identity

Cooperation
between
divorced
parents

Unconscious Rejection

Own current
mother- /
father-role

Father- /
mother-
experience
in own
childhood

[Joan Kelly 1982/1991]

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- ⦿ ... reasons for resistance
- ⦿ ... **acting and actors**
- ⦿ ... the future

4. Acting and **Actors** (1.)

Research

- ◉ International Researchers
- ◉ Authors / Publishers
- ◉ Teachers / Lecturers

Media

- ◉ Authors / Publishers / Journalists
- ◉ All media-users

4. Acting and Actors (2.)

Family court and youth welfare service

- ◉ Judges
- ◉ Attorneys
- ◉ Social Workers
- ◉ Psychologists as reporting experts
- ◉ Other protagonists in family courts
(children's counselor)

4. Acting and **Actors** (3.)

Society

- ◉ Counselling Psychologists
- ◉ Churches
- ◉ Political parties and politicians
- ◉ Professionals in schools and day-care
- ◉ Everyone in contact with separating or divorcing parents

4. **Acting** and Actors (5.)

- ◉ Information about shared parenting
- ◉ Rejection of traditional thinking about maternal priority
- ◉ Awareness of equal rights and status for man and woman in every social and private situation
- ◉ Listening to the children and their needs
- ◉ Looking for positive examples
- ◉ Talk, talk, talk ...

... and never give up!

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5. The future (1.)

We need a change of *culture* for separating / divorcing parents

- ◎ **Legal statutory framework:** Shared Parenting as favorite after-separation-arrangement in the Civil Law of each country
- ◎ **Advanced training** for judges, other lawyers, psychological experts and other professionals at the family courts about shared parenting and gender neutral work
- ◎ **Mediation** and professional counselling for all divorcing parents

5. The future (2.)

We need a change of *ideas*:

- ... children need mother *and* father for a healthy development
- ... there's no need to find out the „better“ parent after separation/divorce, just the need for a functioning parenting plan
- ... children don't belong to their parents - we are only guides on their way through childhood



Thank you!

literature

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- ◉ **Parkinson, Patrick (2011):** *Family Law and the Indissolubility of Parenthood*. New York: Cambridge University Press.
- ◉ **Smyth, Bruce & Weston, Ruth (2004):** *The attitudes of separated mothers and fathers to 50/50 shared care*. *Family Matters*, Vol. 67, 8 – 15.
- ◉ **Steinmann, Susan (1981):** *The experience of children in a joint-custody arrangement: A report of a Study*. *American Journal of Orthopsychiatry*, Vol. 51, 403 - 414.
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- ◉ **Taylor, Alison (1989):** *Shared Parenting – is it working? Reflections by a Court Service Mediator*. *Family and Conciliation Courts Review*, Vol. 27(2), 7 - 16. Zusammenfassung unter dem Titel: *Shared Parenting: What It Takes to Succeed*, in: Folberg (Hrsg.) (1991), S. 41 – 54. © 2013 Prof. Dr. Hildegund Sünderhauf