
California Family Court Services Snapshot Study

**Report 5
Executive Summary**

California Family court Services Mediation 1991

**Visitation with Children:
A Followup of
Court Mediation Clients**

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**California Family Court Services
Statewide Followup Study**

1991 Snapshot Study

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Report 5 Executive Summary

Visitation with Children: A Followup of Court Mediation Clients

This report describes formal and informal child custody provisions and the factors that influence them up to two years after families use court-based child custody mediation. It is one in an ongoing series of publications issued by California's Statewide Office of Family Court Services, providing statistics about the experiences of families that use the state's family court system.

■ Data Source

Statistics for this report are based on statewide surveys of family court clients, conducted at two time points: Time 1 data comes from the Statewide Snapshot Study, a representative investigation of 1,388 California families that used court-based mediation in 1991. Time 2 data are from the California Statewide Followup Study, covering parents in 1,069 of the Snapshot families up to two years after their court mediations. All of the families covered in the report used court-based mediation. Some reached agreement in mediation; others established plans for custody and visitation subsequent to mediation, using other methods.

■ Highlights of Findings in This Report

There is a great deal of variability from family to family in the amount of time that children spend with each parent following a formal custody determination.

- At Time 2, Mother residence remains the most common option, at 58 percent of all Followup families; but an unprecedented proportion of Followup families (39 percent) are allocating substantial time to fathers.
- Parents describe a wide spectrum of de facto arrangements at Time 2, ranging from those in which children spend substantial time with each parent (21 percent of the Followup families) to those in which children live primarily with one parent and have no overnight visits with the other (44 percent).
- Although one family in five has a time-sharing arrangement (8-20 overnights per month with the mother) at Time 2, 50/50 time splits are rare (only 4 percent).

Parenting plans are often difficult to implement, and complications are not limited to any particular time allocation schedule.

- Parents in 46 percent of the Followup families describe problems sticking to their visitation schedules.
- Many families (64 percent) make informal adjustments to the prescribed legal plan for custody or visitation.
- By Time 2, 18 percent of the Followup families had returned.

Counter to popular stereotypes, mediated agreements do not automatically lead to de facto time sharing. Arrangements that allocate 8-20 overnight visits with fathers are no more common among families that established parenting plans using mediation than among families that used other methods.

Initial formal and informal custody arrangements influence, but do not perfectly predict, the de facto arrangement found at Time 2.

- De facto mother residence (21-28 overnights per month with mother) is more common at Time 2 if the family established this allocation pattern early on, prior to legal custody determination. Seventy-three percent of families that established mother residence prior to legal custody determination maintained the same arrangement at Time 2.
- De facto mother residence is more common at Time 2 when legal papers formally assign physical custody to the mother. Sixty-nine percent of families in which mothers formally maintain physical custody had de facto mother residence; but the remainder informally allocate substantial time to fathers.

Mother residence is most common for infants and girls.

- Families with children who were under two years of age at Time 1 are more likely to have de facto mother residence at Time 2. Seventy-four percent of these very young children are in de facto mother residence at Time 2.
- Girls spend more nights than boys in their mothers' households. Sixty-five percent of the families with girls have de facto mother residence.

Fathers with relatively more income and education have the most contact with their children.

- Mother residence declines among families in which fathers have a college degree (49 percent), or were employed (54 percent), or earning relatively high incomes (51 percent) at Time 1.
- The impact of the father's sociodemographic status is most pronounced at Time 2, however. At this point, maternal residence declines to 47 percent among families in

which the fathers are employed and 45 percent among those families with fathers earning relatively high incomes.

Cultural norms have a bearing on time allocation.

- The mother's nativity is the most powerful cultural variable, with mother residence rising to 69 percent among mothers born outside the U.S. The rate is 61 percent of families in which the mother belongs to an ethnic minority.
- Mother residence is also more likely when the father is born outside the U.S. or is a member of an ethnic minority. In each case the rate rises to 63 percent.

There is no statistically significant association between de facto time allocation and the quality of the relationship between parents. The rate of mother residence is not influenced by the level of interparental supportiveness, disagreement, or comfort with visitation.



Contents of the Report

Statewide statistics in this report underscore the diversity of time allocation arrangements as well as the changeability of schedules over time. The research identifies several factors that contribute to such variability, including developmental needs of the child, the resources of the father, family cultural norms, and trajectories set by initial formal and informal arrangements. The full report describes the findings in detail and discusses their implications for policy and practice.