

2025 Child Custody Mediation Outcomes Study

Quick Facts

December 2025

Overview

The Judicial Council of California’s Center for Families, Children & the Courts conducted the **2025 Child Custody Mediation Outcomes Study** as required by Family Code section 1850. The study evaluated court-connected child custody mediation outcomes and influencing factors.

Data was collected from **35 superior courts**¹ whose Family Court Services departments represented all of California’s mediation models: confidential/nonrecommending,² recommending,³ and mixed/tiered.⁴ Surveys covered all completed⁵ mediation cases during the two-week study period that ran **May 5–16, 2025, totaling 1,239 cases.**⁶

Participating courts ranged in size:⁷ 20 percent large courts, 17 percent medium-sized courts, 43 percent small courts, and 20 percent very small courts. Mediation sessions included 60 percent child custody recommending counseling (CCRC), 34 percent confidential/nonrecommending, and 6 percent mixed/tiered. The 35 courts that participated in the mediation outcome study accounted for an average of 256,771 filings over a six-year period, representing over 80 percent of the family law case filings for all courts in California during that period.⁸

Families with one or two children accounted for 89 percent of cases, while 9 percent involved families with three children and 2 percent involved families with four or more. For the 11 percent of cases involving families with three or more children, multiple individualized custody and visitation arrangements may be utilized to accommodate siblings’ differing ages, developmental stages, and needs.

The survey collected information about the type and format of mediation sessions (joint, separate, in person, virtual, or hybrid), legal representation, outcomes, custody and visitation arrangements, referrals to community resources, and the presence of domestic violence or child abuse allegations or findings. Mediators and CCRCs use a child-centered approach to prioritize the safety and best interests of the children.

¹ Participating in the study were 7 very small courts, 15 small courts, 6 medium-sized courts, and 7 large courts.

² In confidential/nonrecommending mediation, parents make a custody/visitation agreement through the mediation process and the agreement is submitted to court.

³ In child custody recommending counseling (CCRC), the mediator is a child custody recommending counselor who will conduct mediation and write a report with recommendations that will go before the court when parents do not reach an agreement in mediation.

⁴ Some courts offer the mixed/tiered model, which combines at least two of the following: confidential/nonrecommending mediation, CCRC, and fact-finding. Fact-finding occurs when an agreement is not made, in whole or in part and when there may be issues and allegations that need to be researched through investigations or evaluations with reports to the court.

⁵ A session was considered complete once all parties had participated and an outcome such as a full or partial agreement, recommendation, no agreement, or other report was reached. Sessions resulting in cancellations or nonappearances were excluded.

⁶ These totals include mediation sessions between parents (1,224) and those involving visitation for grandparents, parents while children are in guardianships, and guardians postguardianship (15).

⁷ Judicial Council of Cal., Advisory Com. Rep., *Trial Court Budget: Workload Formula Adjustment Request Process (ARP), Cluster Assignment Evaluation for the Superior Court of San Francisco County* (June 30, 2020),

<https://jcc.legistar.com/View.ashx?M=F&ID=8643165&GUID=506C4AE4-3DD1-4559-B281-C6D055EC103C>.

⁸ Family law findings are averaged across fiscal years 2018–19 through 2023–24. Fiscal year 2019–20 data were significantly impacted due to the COVID-19 pandemic as court operations were limited between March and June 2020. Data source: courts.ca.gov/news-reference/research-data/court-statistics.

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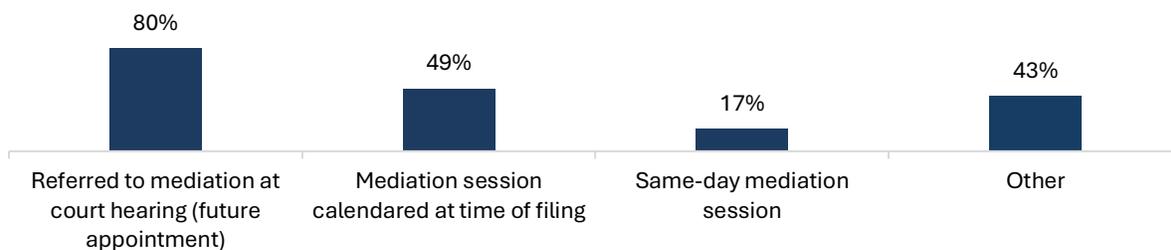
Mediation Scheduling and Orientation Methods

For parties referred by the court, both mediation services and mediation orientation are mandatory. These services are scheduled using a variety of methods, depending on court procedures and available resources.

Mediation Scheduling Methods

Courts use multiple approaches to schedule mediation sessions. The most common method, used by 80 percent of participating courts, is referral during court hearings. Additional methods, categorized as “Other,” include:

- Voluntary appointment requests initiated by parents;
- Stipulation for advanced mediation; and
- Petition for mediation filed by mutual agreement.



Note: Courts could select more than one calendaring method. Percentages are of the number of courts that participated in the study (35).

Mediation Orientation Delivery Methods

The mediation orientation delivery method varies based on several factors, including:

- Availability of court staff and interpreter/translation service;
- Access to technology for participants; and
- Overall court resources.

Of the 35 courts surveyed, 19 reported offering more than one orientation method. The most common approach is virtual on-demand delivery, utilized by 22 courts (63 percent). Other frequently adopted methods include:

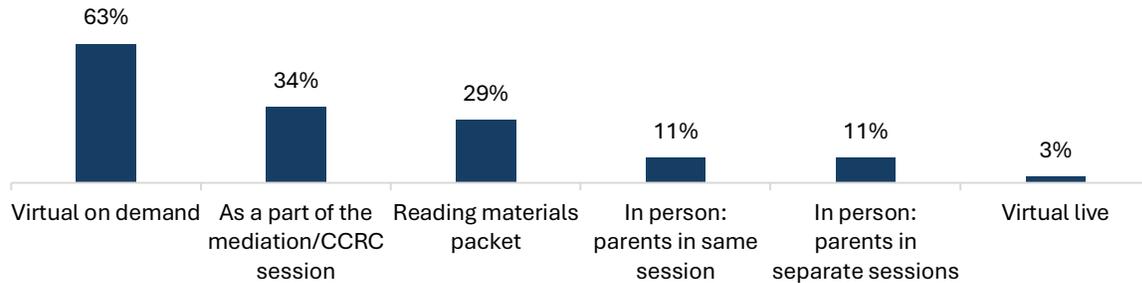
- Integration within the CCRC session (12 courts, 34 percent); and
- Distribution of orientation materials via reading packet (10 courts, 29 percent).

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Mediation Orientation Methods in Use by the Courts



Note: Courts could select more than one orientation method. Percentages are of the number of courts that participated in the study (35).

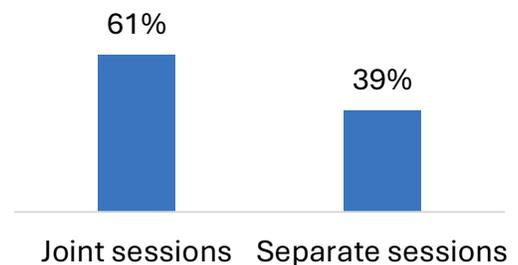
Mediation Session Characteristics

Family Court Services (FCS) programs deliver mediation and child custody recommending counseling sessions using flexible approaches that address the diverse challenges parents may face. These challenges include geographic isolation, employment conflicts, childcare responsibilities, and concerns for personal safety. In accordance with California law, sessions must be conducted separately when there is a history or allegations⁹ of domestic violence.¹⁰

Session Types and Locations

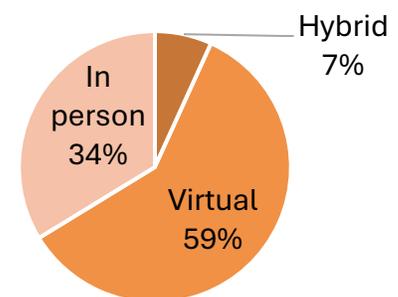
Session Types

- Joint sessions: 61 percent of mediation sessions (754 total) were conducted jointly, with both parents present.
- Separate sessions: 39 percent of sessions (485 total) involved parents participating separately.



Session Location

- Virtual: 59 percent of mediation sessions (737 total) were held virtually.
- In person: 34 percent of sessions (418 total) took place in person.
- Hybrid: 7 percent of sessions (84 total) combined virtual and in-person formats.



Note: Percentages shown reflect share of total mediation cases (1,239).

⁹ Allegations of domestic violence means that one party has asserted (in court filings or pleadings or during interviews/intake) that domestic violence or abuse occurred between the parties.

¹⁰ Fam. Code, § 3181; Cal. Rules of Court, rule 5.215.

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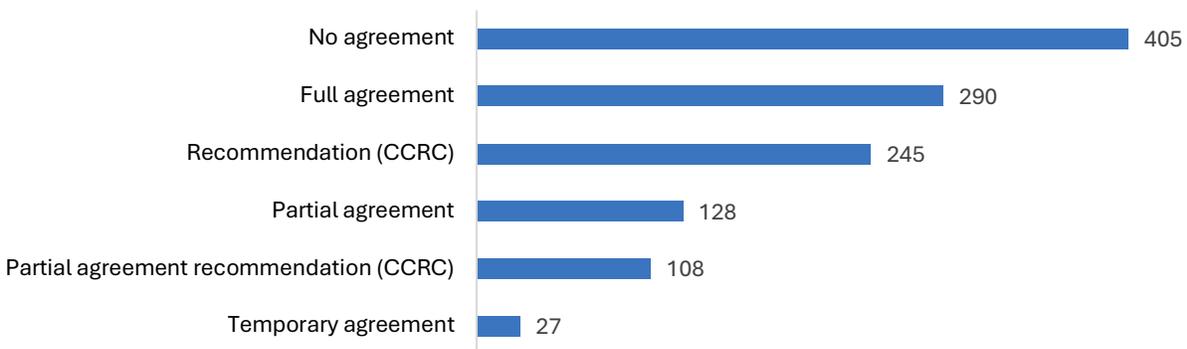
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Mediation Outcomes and Referrals

Mediation Outcomes

Mediation outcomes can vary depending on the mediation model used.¹¹ Both CCRC and confidential/nonrecommending mediation models may result in a full agreement, temporary agreement, or partial agreement. However, some outcomes are specific to each model. In confidential/nonrecommending mediation, the model-specific outcome is no agreement. In child custody recommending counseling, model-specific outcomes include a recommendation (CCRC) and partial agreement with recommendation. Mixed/tiered models may include any combination of the outcomes listed above.

The graph below illustrates the distribution of these outcomes during the survey period.



Note: Sessions with no agreement are not included in the legal custody, physical custody, and timeshare/visitation outcome analyses. Counts shown do not match the total number of sessions referenced in the overview, as this chart excludes referrals for custody evaluations (3) and to Child Protective Services (18). Sessions that were mediations involving third parties (15) are also excluded here, although they are included in the overall mediation session count in the overview.

Referrals

Recognizing the importance of supporting families through periods of transition, and to ensure that individual needs and contributing factors are effectively addressed, parties may be referred to support services and community resources. Referrals may include parenting or co-parenting classes, counseling for parents or children, mental health evaluations or assessments, substance abuse treatment programs, domestic violence victim support services, batterer intervention programs, or recommendations to appoint minor’s counsel.

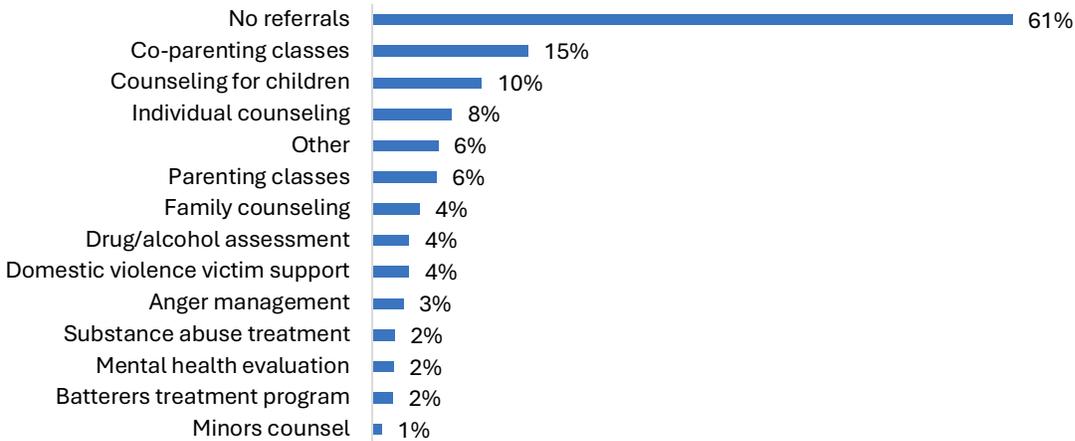
¹¹ As noted above, this survey collected point-in-time information from Family Court Services mediators about the cases that they were mediating during a two-week period in 2025. The outcome results reported here are therefore not what was specifically ordered by the court, but only what was either agreed to by the parties in mediation or recommended to the court by the mediator in counties that use child custody recommending counseling.

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Percent of Sessions for Referrals by Type



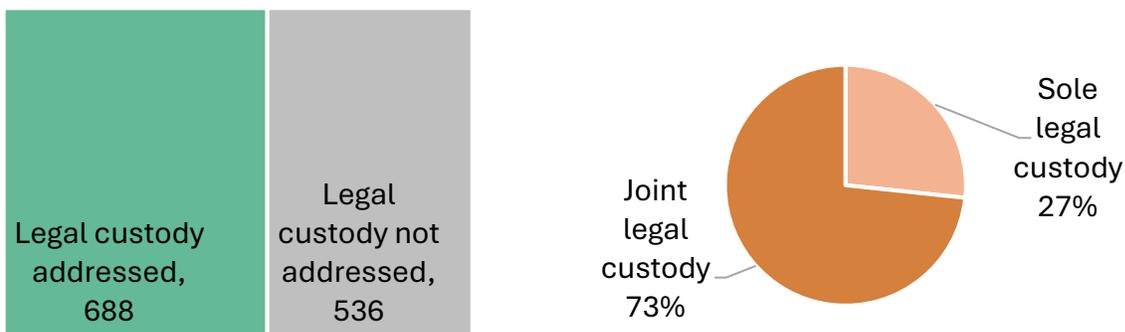
Note: Mediators could select more than one referral option; percentages reflect share of total sessions.

Legal and Physical Custody Outcomes

Legal Custody

“Joint legal custody” means that both parents shall share the right and the responsibility to make the decisions relating to the health, education, and welfare of a child. “Sole legal custody” means that one parent shall have the right and the responsibility to make the decisions relating to the health, education, and welfare of a child.¹²

Of the 1,224 sessions included in the custody analysis,¹³ legal custody was addressed in 688 of mediation sessions involving 1,260 children, of which 503 cases resulted in joint legal custody and 183 cases resulted in one parent retaining sole legal custody.¹⁴



Note: Excludes cases involving third parties. Two sessions are omitted due to inconsistent custody responses.

¹² Definitions according to Fam. Code, §§ 3003, 3006.

¹³ Sessions that were not parent mediations and those that did not reach an agreement are excluded.

¹⁴ Sessions that were not parent mediations are also excluded here, although they are included in the overall mediation session count in the overview.

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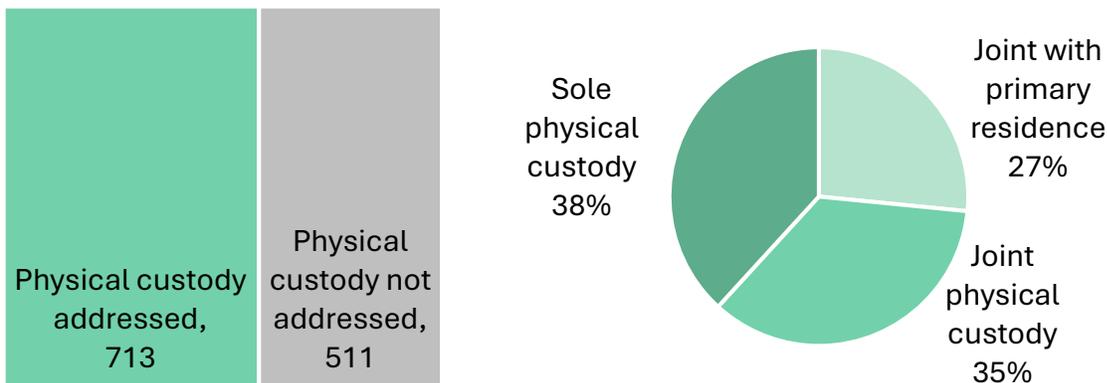
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Physical Custody

Designations for physical custody include joint physical custody, joint physical custody with a primary residence, or sole physical custody. “Joint physical custody” means that each of the parents shall have significant periods of physical custody. Joint physical custody shall be shared by the parents in such a way so as to assure a child of frequent and continuing contact with both parents. “Sole physical custody” means that a child shall reside with and be under the supervision of one parent, subject to the power of the court to order visitation.¹⁵

Of the 1,224 sessions included in the custody analysis,¹⁶ physical custody was addressed in 713 mediation sessions. Of the mediation sessions, 248 resulted in joint physical custody between parents, 187 resulted in joint physical custody with a primary residence, and 269 resulted in one parent retaining sole physical custody.



Note: Excludes mediations involving third parties. Three sessions are omitted with conflicting custody responses, and six are omitted with “no custody” recorded for both parents.

Timeshare/Visitation Outcomes

Timeshare and visitation refer to the nature and type of parenting time allocated to each parent. These designations describe the structure of parenting time but do not quantify the number of days or hours the children spend with each parent.

Of the 1,224 mediation sessions analyzed for visitation outcomes, timeshare/visitation was discussed in 765 sessions.¹⁷

Outcomes included:

- Unsupervised timeshare/visitation for both parents (610 cases);
- Unsupervised timeshare/visitation for one parent and professionally supervised

¹⁵ Definitions according to Fam. Code, §§ 3004, 3007.

¹⁶ Sessions that were not parent mediations and those that did not reach an agreement are excluded.

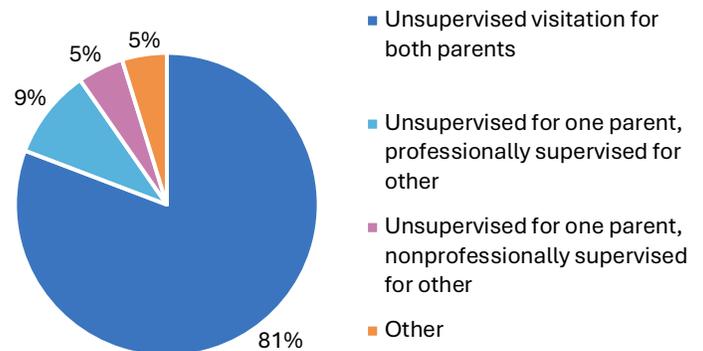
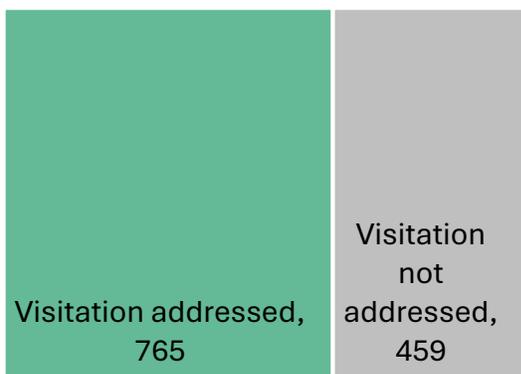
¹⁷ Of the 765 sessions, 10 are omitted from supplemental analyses for selecting “not addressed” or leaving blank as the outcome of the timeshare/visitation.

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- visitation for the other (72 cases);
- Unsupervised timeshare/visitation for one parent and nonprofessionally supervised visitation for the other (37 cases); and
- Other timeshare/visitation arrangements (36 cases):
 - Unsupervised for one parent and visitation limited to occur in a public setting for the other (10 cases);
 - Unsupervised with supervised custody exchanges for both parents (9 cases);
 - Unsupervised for one parent and unsupervised with supervised custody exchanges for the other (4 cases);
 - Nonprofessionally supervised visitation for both parents (1 case); and
 - Multiple supervision types for one or more parents (12 cases).



Note: Mediation sessions involving third parties are excluded. Ten sessions are omitted for inconsistent visitation responses.

Third-Party Mediation Session Outcomes: Timeshare/Visitation

Timeshare and visitation may also be discussed in cases involving third parties, such as cases in which parents are seeking visitation while children are placed in guardianship or grandparents are seeking visitation of children. Of the 1,239 families in child custody mediation sessions, 15 of them discussed third-party visitation. Of these sessions, 8 involved grandparents seeking visitation, 5 included parents seeking visitation while the child is in guardianship, and 2 involved visitation for guardian(s) postguardianship. Of cases involving third-party participation, 67 percent resulted in unsupervised visitation arrangements, including 33 percent of cases reaching mutually agreed outcomes between the parties.

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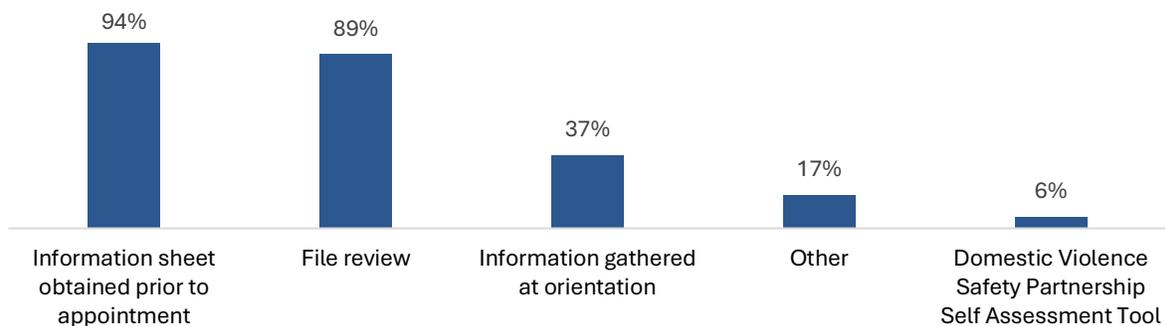
Domestic Violence

Domestic Violence Screening Tools

FCS programs follow a comprehensive and structured intake process for all cases. This process includes mandatory screening for safety concerns affecting any party or child named in the proceeding. The primary goal is to protect all participants and tailor services to the specific needs and risks present in each case.

In situations involving allegations or findings of domestic violence,¹⁸ additional screening beyond standard intake procedures is required. This includes a differential domestic violence assessment, which evaluates the nature, context, and severity of the abuse to inform appropriate service delivery and case management.¹⁹

Data shows that 86 percent of courts used more than one screening tool to identify potential domestic violence. Some of the most common screening tools include intake or information sheets, file reviews, and information gathered at orientation.²⁰



Domestic Violence Allegations

Of the 1,224 mediation sessions,²¹ 494 cases (40 percent) included allegations of domestic violence. These allegations were identified through pleadings or domestic violence screening/intake or during the mediation itself. Of these cases, 42 percent did not reach an agreement (no recommendation provided); 22 percent reached a full, temporary, or partial agreement (with no additional recommendation); and 33 percent resulted in a partial agreement with a recommendation or required a full recommendation from the child custody recommending counselor.²²

¹⁸ A finding of domestic violence exists when a judge or judicial officer has determined, after reviewing evidence or holding a hearing, that one party committed an act of domestic violence against the other.

¹⁹ Fam. Code, §§ 3170, 3181; Cal. Rules of Court, rules 5.210, 5.215.

²⁰ The Domestic Violence Safety Partnership Self-Assessment Tool was developed by CFCC for courts to enhance safety and improve practices and protocols in the handling of domestic violence cases.

²¹ There are 15 cases that involve third parties. Due to the small sample size, these cases are excluded from analyses.

²² The remaining 3 percent of cases were referred to Child Protective Services for further investigation.

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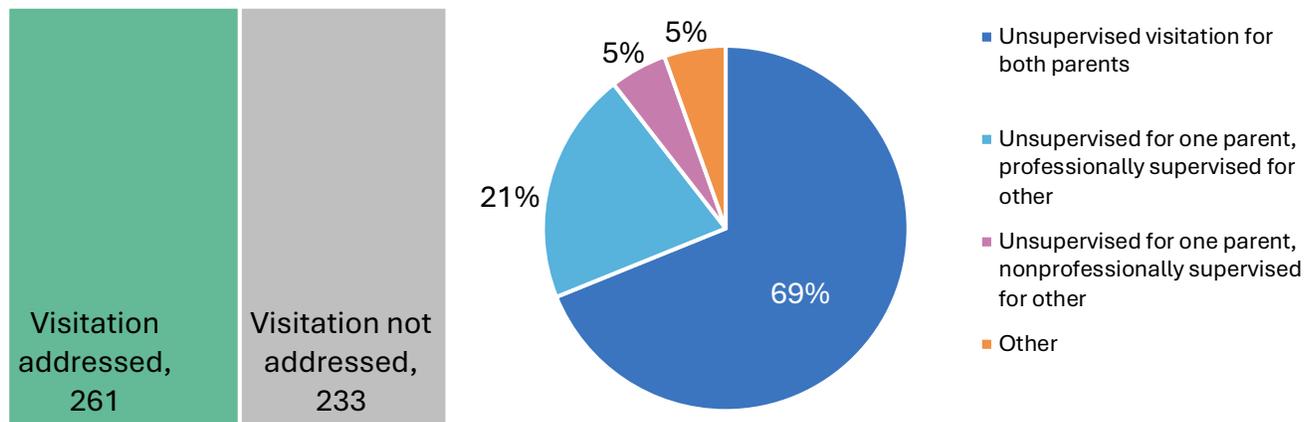
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Timeshare/Visitation Outcomes in Domestic Violence Allegation Cases

Of the 494 mediation cases involving domestic violence allegations, 53 percent (261 cases) addressed timeshare or visitation arrangements during the mediation session.²³

Outcomes included:

- Unsupervised timeshare/visitation for both parents (177 cases);
- Unsupervised timeshare/visitation for one parent and professionally supervised visitation for the other (53 cases);
- Unsupervised timeshare/visitation for one parent and nonprofessionally supervised visitation for the other (13 cases); and
- Other timeshare/visitation arrangements (14 cases):
 - Unsupervised for one parent and unsupervised with supervised custody exchanges for the other (3 cases);
 - Unsupervised with supervised custody exchanges for both parents (2 cases);
 - Unsupervised for one parent and visitation limited to occur in a public setting for the other parent (1 case);
 - Unsupervised for one parent and visitation limited to occur in a public setting for the other parent (1 case); and
 - Multiple supervision types for one or more parents (7 cases).



Domestic Violence Findings

Of the 1,224 mediation sessions, 161 cases (13 percent) involved a finding of domestic violence within the past five years.²⁴ Of these cases, 40 percent did not reach an agreement (no recommendation provided); 24 percent reached a full, temporary, or partial agreement (with no additional recommendation); and 35 percent either reached a partial

²³ Of the 261 sessions, 4 are omitted from supplemental analyses for selecting “not addressed” as the outcome of the timeshare/visitation.

²⁴ There are 15 cases that involve third parties. Due to the small sample size, these cases are excluded from analyses.

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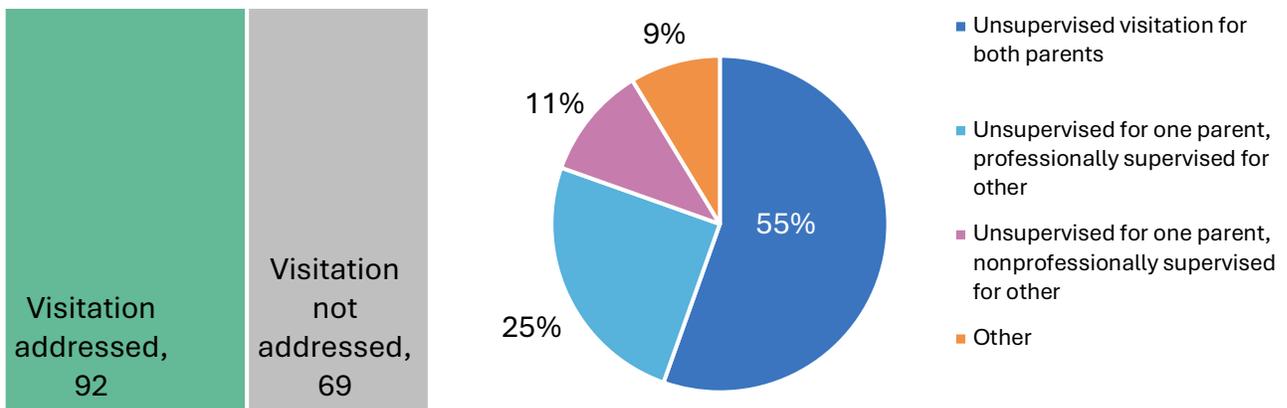
agreement with a recommendation or required a full recommendation from the child custody recommending counselor.²⁵

Timeshare/Visitation Outcomes in Cases Involving Domestic Violence Findings

Of the 161 mediation cases with domestic violence findings, 57 percent (92 cases) addressed timeshare or visitation arrangements during their mediation session.²⁶

Outcomes included:

- Unsupervised timeshare/visitation for both parents (51 cases);
- Unsupervised timeshare/visitation for one parent and professionally supervised visitation for the other (23 cases);
- Unsupervised timeshare/visitation for one parent and nonprofessionally supervised visitation for the other (10 cases); and
- Other visitation arrangements (7 cases):
 - Unsupervised for one parent and unsupervised with supervised custody exchanges for the other (1 case);
 - Unsupervised for one parent and visitation limited to occur in a public setting for the other (1 case);
 - Unsupervised with supervised custody exchanges for both parents (1 case); and
 - Multiple supervision types for one or more parents (4 cases).



²⁵ Of the sessions, 1 percent were recommendations to conduct a full/partial custody evaluation under Family Code section [3111](#) and Evidence Code section [730](#).

²⁶ Of the 92 sessions, 1 is omitted from supplemental analyses for selecting “not addressed” as the outcome of the timeshare/visitation.

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Child Abuse Allegations and Findings

Child Abuse Allegations

Of the 1,224 mediation sessions, there were 254 cases involving child abuse allegations.²⁷ Of these cases, 33 percent did not reach an agreement (no recommendation provided); 20 percent reached a full, temporary, or partial agreement (with no additional recommendation); and 41 percent either reached a partial agreement with a recommendation or required a full recommendation from the child custody recommending counselor. Approximately 7 percent of cases were referred to Child Protective Services for further investigation.²⁸

Timeshare/Visitation Outcomes in Cases of Child Abuse Allegations

Of the 254 cases involving child abuse allegations, 150 addressed timeshare/visitation during their mediation session.²⁹

Outcomes included:

- Unsupervised timeshare/visitation for both parents (85 cases);
- Unsupervised timeshare/visitation for one parent and professionally supervised visitation for the other parent (34 cases);
- Unsupervised timeshare/visitation for one parent and nonprofessionally supervised timeshare/visitation for the other parent (12 cases); and
- Other visitation arrangements (17 cases):
 - Unsupervised for one parent and visitation limited to occur in a public setting for the other (5 cases);
 - Unsupervised for one parent and unsupervised with supervised custody exchanges for the other (2 cases);
 - Unsupervised with supervised custody exchanges for both parents (2 cases); and
 - Multiple supervision types for one or more parents (8 cases).

²⁷ An allegation of child abuse means that a party reports or asserts that a child has experienced physical abuse, sexual abuse, emotional abuse, or neglect by a parent, guardian, or caregiver.

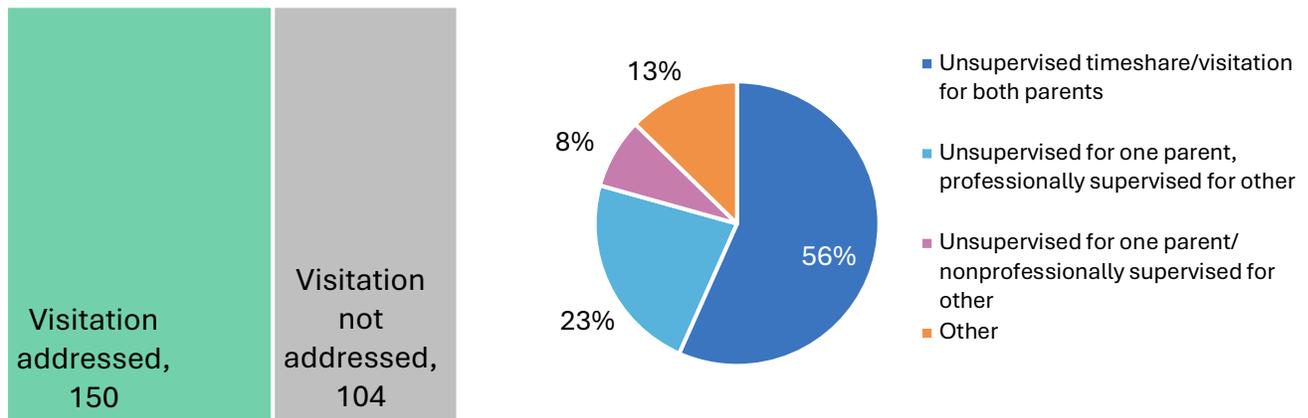
²⁸ Due to rounding, the total sums to over 100 percent.

²⁹ Of the 150 sessions, 2 are omitted for selecting “not addressed” as the outcome of the timeshare/visitation.

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Child Abuse Findings

Of the 1,224 mediation sessions, there were 73 cases with a history of substantiated child abuse.³⁰ Of these cases, 38 percent did not reach an agreement (no recommendation provided); 22 percent reached a full, temporary, or partial agreement (with no additional recommendation); and 36 percent either reached a partial agreement with a recommendation or required a full recommendation from the child custody recommending counselor. Additionally, 4 percent of cases were referred to Child Protective Services for further investigation.

Timeshare/Visitation Outcomes in Cases of Child Abuse Findings

Of the 73 cases involving child abuse findings, 39 addressed timeshare/visitation during their mediation session.

Outcomes included:

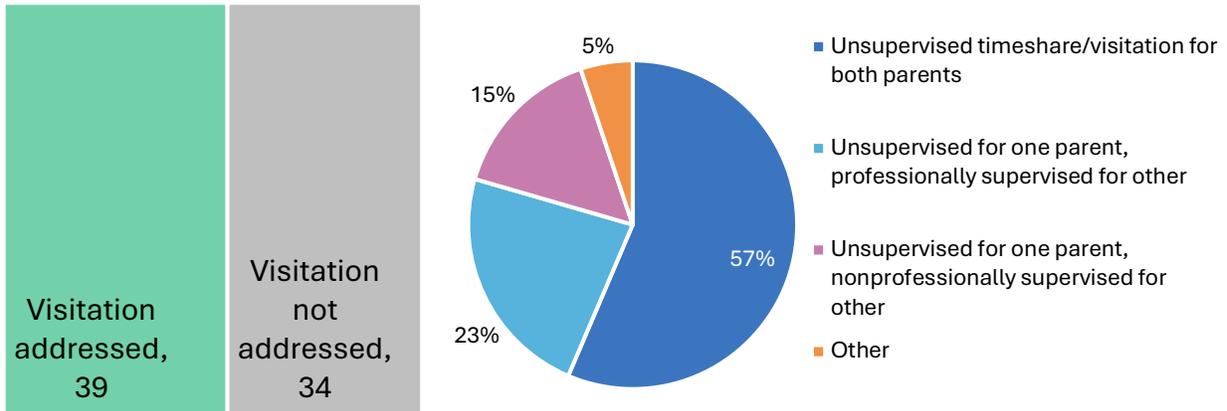
- Unsupervised timeshare/visitation for both parents (22 cases);
- Unsupervised timeshare/visitation for one parent and professionally supervised visitation for the other parent (9 cases);
- Unsupervised timeshare/visitation for one parent and nonprofessionally supervised timeshare/visitation for the other parent (6 cases); and
- Other visitation arrangements (2 cases):
 - Unsupervised for one parent and visitation limited to occur in a public setting for the other (1 case); and
 - Multiple supervision types for one or more parents (1 case).

³⁰ Substantiated child abuse is defined as an allegation of child abuse that has been investigated by Child Protective Services and determined to be substantiated/founded when one or both parents are convicted of child endangerment or child abuse under Penal Code section [273a](#) or [647.6](#). A finding of child abuse requires a substantiated report from Child Protective Services or other official determination by the court.

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Next Step

The next mediation outcome study is scheduled for spring 2026.

Contact

For more information, please contact Nadine Blaschak-Brown, Supervising Analyst, at the Judicial Council of California's Center for Families, Children & the Courts at nadine.blaschak-brown@jud.ca.gov.