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Workshop 22

Using Child Development Research to Construct Parenting Plans for Attorneys and Child Custody Evaluators

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Neurological Issues in Attachment

- Increase in volume of brain growth during birth – 2 years (primary attachment period)
- Right hemisphere dominant in early development
- Right brain link to self-regulation
- Attachment relationships facilitate development of the brain's self-regulatory mechanisms
- Early life experiences shape how we regulate emotions
- Mental capacities that result from a secure attachment are developed through early childhood experiences (Siegel – The Developing Mind, 1999)

Right Hemisphere Attachment Capacities

- Autonomic consciousness (knowing oneself)
- Social cognition (empathy)
- Self-reflection
- Emotional regulation (ability to soothe self and be soothed by others)
- Response flexibility (ability to weigh options)

How does Brain Develop?

- Birth – 2: Use of mature functions of caregivers brain to develop these capacities
- Importance of secure and healthy attachment experiences for caregivers
- Importance of assessing for and understanding attachment relationships of the parent/caregiver

Effects of Trauma

- Cortisol is high for traumatized children but low in adults who have a trauma history
- Why?: Neurological adaptation and accommodation decrease levels of cortisol
- What does it mean?: Lots of excitement needed for arousal
- Link to hippocampus
- Lower brain volume in PTSD kids
- Left hemisphere is larger
- PTSD affects response inhibition (impulsivity)
- Stanford Early Life Stress Research Program: Suggests window of opportunity for intervention with kids

Implications for Divorce and Custody Assessment

- Evaluate for the presence of healthy attachments
- Do not disrupt healthy attachments
- –Use care in crafting parenting time plans for extremely young children
- –Sensitivity to costs/benefits in modifying custody or restricting visitation
- Intervene expediently if unhealthy attachment patterns have been identified

Functional Attachment Issues

- Internalization of parents or use of ‘objects’ to maintain attachment bonds
- A/k/a: It’s important for child to bring teddy bear during non-residential parent’s ‘parenting time’
- A/k/a 2: It’s ok (and important) for children to have reminders of the other parent when they are not together

Cognitive Development

Sensorimotor Period

- Birth through 2 years
- Thinking consists of sensory perception and motor action
- Infants and toddlers learn through touching, perceiving and doing
- Infants do not know that objects/people exist who cannot be seen

Preoperational

- Age 2 through 7
- Increasing use of words to symbolize their experiences
- Thought and communication continues to be relatively inflexible and influenced by child’s own perspective.
- –Child is not able to objectively interpret their experiences.
- –“mommy is mean” may not mean “mommy is mean”
- –These kids attempt to recreate “fantasy” of parent’s reunification

Concrete Operational

- Age 7 to 12
- Children can begin to apply more logical reasoning.
- Thought continues to be limited to concrete objects and events.
- Continued importance of using calendars/schedules etc.
- These kids are prone to negotiating between their parents
- –If only they knew to take a retainer...
- These kids are more prone to alienating behaviors by a parent – children of an unhealthy parent may demonstrate alliances and black and white thinking regarding their parents (i.e. dad is good, mom is bad)

Formal Operational

- Age 12 to adult
- Ability for abstract and hypothetical reasoning
- Greater ability to understand conceptualization of divorce
- May be hypersensitive to how they think others will perceive them (especially if the divorce is initiated when they are in their teen years)
- –Personal Fable

- –Adult Egocentrism

Effects of Violence and Abuse

- Incidence of child abuse in families with domestic violence estimated at 30% to 60% (Edelson, 1999)
- Children who *observe* spousal abuse *do not differ* consistently from physically abused children (Kitzmann et al, 2003; Steinberg et al, 2006)

Social Learning Theory (Patterson)

- Aggression in children is linked to coercive family interactions that are characterized by:
 - –Coercive interactions between children and parents
 - –Poor parental monitoring

Social Cognitive Theory (Perry)

- Aggressive children are more likely than less aggressive peers to:
 - –Believe it is difficult to inhibit aggression.
 - –Expect positive outcomes from aggression.
 - –Misinterpret the behaviors of others as intentionally hostile.

Table 1. *Phases of Attachment*

◆ **Indiscriminate social responsiveness: 0-2 months**

- accepts care from any caregiver
- uses crying & smiling to bring caregivers closer
- growing response to adult vocalizations & facial expressions
- no mental image of caregivers in caregiver's absence

◆ **Discriminating sociability: 2-7 months**

- Begins to recognize & prefer parents & regular caregivers
- Begins to anticipate caregiver's responses to child's signals
- Initiates & enjoys social interactions
- Shows signs of developing attachments, but does not usually protest separation from parents
- Still does not realize caregivers exist when they are not present

◆ **Attachment: 7-24 months**

- Increasing signs of attachment:
 - Wants to be near preferred caregivers
 - More easily comforted by preferred caregivers
 - Protests separation from primary attachment figures
 - Reacts warily to strangers
 - Starts to recognize that caregivers exist when they are not present

Table 2. *Types of Attachment*

- ◆ **Secure attachment: 65% of infants**
 - Cries during absence of attachment figure
 - Greets attachment figure actively on their return
 - Resumes play after greeting returning attachment figure

- ◆ **Insecure attachment: 35% of infants**
 - **Avoidant attachment**
 - Does not cry on separation
 - Attends to toys or environment while attachment figure is absent
 - Ignores and avoids attachment figure on reunion

 - **Ambivalent attachment**
 - Preoccupied with attachment figure throughout procedure
 - Actively angry; alternately seeks and resists attachment figure
 - Does not return to toys or exploration after reunion; continues to cry and focus on attachment figure

 - **Disorganized or disoriented attachment**
 - Unusual behavior, e.g. acts dazed & confused during reunion
 - Moves towards then abruptly turns away from attachment figure as they approach

Table 3. Children's Developmental Stages and Responses to Separation and Divorce, part 1*

Age	Developmental Tasks and Abilities	Response to Separation	Implications for Parenting Plan
♦ Infant-- Birth to 9 months	<ul style="list-style-type: none"> ● Form multiple attachments ● Develop basic trust 	<ul style="list-style-type: none"> ● Anxiety and Fear ● Eating and Sleeping Disturbed 	<ul style="list-style-type: none"> ● Frequent contact with both parents – at least 3-4 times/week, including caretaking: feeding, bathing, playing, soothing, holding, napping ● Predictable schedule and routine ● Communication between parents – written daily log about baby to create same routines in each home
♦ Baby -- 9 to 18 months	<ul style="list-style-type: none"> ● Crawling, standing, walking ● Communication – simple sounds, smiles, words ● Simple expression of emotions – hugs, kisses, anger, fear, anxiety 	<ul style="list-style-type: none"> ● Anxiety and Fear ● Eating and Sleeping Disturbed 	<ul style="list-style-type: none"> ● Same as for infant
♦ Toddler – 18 to 36 months	<ul style="list-style-type: none"> ● Attachments to many caregivers ● Respond to different parenting styles ● Growing independence – age of “no!” ● Ability to self-comfort – favorite blanket or toy ● Complex language 	<ul style="list-style-type: none"> ● Fearful of separations ● Resistance to exchanges ● Sensitive to tension, anger, and violence between parents 	<ul style="list-style-type: none"> ● Predictable schedule and routine ● Frequent contacts with parents, – but can be away from either parent for 2 or 3 days at a time ● Daily telephone contact may be reassuring to child and absent parent ● Keep picture of absent parent with child, in child's room

* Table 3 is reprinted from J. B. Rohrbaugh (2008). Chapter 8: Developmental Needs of Children and Families. In J. B. Rohrbaugh, *A Comprehensive Guide to Child custody Evaluations: Mental Health and Legal Perspectives* (Box 26, pp.125-128).NY: Springer, 2008

Table 3. Children's Developmental Stages and Responses to Separation and Divorce, part 2

Age	Developmental Tasks and Abilities	Response to Separation	Implications for Parenting Plan
<ul style="list-style-type: none"> ◆ Preschool – 3 to 5 years 	<ul style="list-style-type: none"> ● Feel they are center of universe ● Impulsive ● Concrete in thinking ● Nightmares – can imagine frightening things but can't cope with the resulting fear ● Changing sleep schedule 	<ul style="list-style-type: none"> ● Feel responsible for separation/divorce ● Say what they think parent wants to hear ● Fear abandonment ● Fearful and anxious when not with regular caretakers ● Upset by transition from parent to parent ● Regressive behavior 	<ul style="list-style-type: none"> ● Consistency and predictability ● Structured time with age-peers, without parents ● Communicate and adapt to changes in sleep schedule
<ul style="list-style-type: none"> ◆ Early School – 6 to 9 years 	<ul style="list-style-type: none"> ● Develop peer relationships ● Personal and social skills build self-esteem ● Empathy and sense of right and wrong ● Understand concepts of time and routine 	<ul style="list-style-type: none"> ● Used to multiple separations, different parenting styles, and two residences ● Loyalty conflict ● Intense longing and worry about absent parent 	<ul style="list-style-type: none"> ● Frequent contact with both parents ● Minimize transitions ● Weekday and weekend overnights ● Child calls parent in privacy ● Support child's social activities and relationships outside the family ● Time with each parent on same days each week
<ul style="list-style-type: none"> ◆ Middle School/ Pre-teen 10 to 12 years 	<ul style="list-style-type: none"> ● Better understanding of time and planning ● Understand different parental values and rules ● See people as all good or all bad 	<ul style="list-style-type: none"> ● Good vs. bad parent ● Rule-bound 	<ul style="list-style-type: none"> ● Variety of parenting plans work well if have frequent contact with both parents – same elements as for age 6-9 ● Support increased independence ● Respect child's preferences (but parents make final decision)

Table 3. Children's Developmental Stages and Responses to Separation and Divorce, part 3

<i>Age</i>	<i>Developmental Tasks and Abilities</i>	<i>Response to Separation</i>	<i>Implications for Parenting Plan</i>
<ul style="list-style-type: none"> ◆ Early Adolescence – 13 to 15 years 	<ul style="list-style-type: none"> ● Increase independence from family ● Develop separate self-identity ● Developing but inconsistent decision-making abilities ● See others in terms of complex, abstract, stable characteristics ● Understand causes of others' emotional reactions 	<ul style="list-style-type: none"> ● Loyalty conflicts ● Ambivalence about parental control 	<ul style="list-style-type: none"> ● Support growing independence while maintaining basic structure and close contact with both parents ● Encourage activities and relationships outside family even when they interfere with parenting plan ● Begin to negotiate time directly with child ● Consider one home base to accommodate increasing importance of child's own activities
<ul style="list-style-type: none"> ◆ Late Adolescence -- 16 to 18 years 	<ul style="list-style-type: none"> ● Gradual separation from parents ● Develop individual identity ● Self-regulation re. pressure from peers, school, and society ● Understand feelings and sexuality in relationships 	<ul style="list-style-type: none"> ● Fear having to take care of parent(s) ● Confusion and fear about love relationships 	<ul style="list-style-type: none"> ● Be flexible while maintaining age-appropriate controls ● Consult and inform child of plans but maintain adult/child relationship ● Continue communication between parents, especially re. curfews, driving, dating, and overnights away from both homes

Table 4. Criteria for Overnights -- Infants & Toddlers, part 1¹

CRITERIA	POSITIVE <i>(Supports overnights)</i>	NEGATIVE <i>(Does not support overnights)</i>
Child		
1. Age	<ul style="list-style-type: none"> • Over 18 months 	<ul style="list-style-type: none"> • 8-12 months -- stranger anxiety is strongest • 12-18 months -- at greatest risk for intense separation anxiety
2. Attachment	<ul style="list-style-type: none"> • Equal attachment to both parents • Multiple attachments 	<ul style="list-style-type: none"> • Primary attachment to one parent • Attachment problems with both parents
3. Personality	<ul style="list-style-type: none"> • Easy-going; outgoing; flexible 	<ul style="list-style-type: none"> • Shy; demanding; difficult; slow-to-warm-up
4. Gender	<ul style="list-style-type: none"> • Female 	<ul style="list-style-type: none"> • Male
5. Siblings	<ul style="list-style-type: none"> • Older sibling -- presence helps infant/toddler tolerate separation 	
6. Feeding Method	<ul style="list-style-type: none"> • Bottle-feeding • Solid food 	<ul style="list-style-type: none"> • Breast-feeding -- schedule should not be interrupted; pediatricians recommend breast-feeding until 12 months of age.
Residential (custodial) Parent		
7. Separation Anxiety	<ul style="list-style-type: none"> • Little or no separation anxiety 	<ul style="list-style-type: none"> • Anxious about separation from child
8. Feelings about other parent	<ul style="list-style-type: none"> • Trust 	<ul style="list-style-type: none"> • Fear of other parent's time with child
Non-residential (non-custodial) Parent		
9. History of Parenting	<ul style="list-style-type: none"> • Extensive involvement in parenting before separation 	<ul style="list-style-type: none"> • Little involvement in parenting before separation
10. Parenting Skills	<ul style="list-style-type: none"> • Good in both daytime and nighttime tasks 	<ul style="list-style-type: none"> • Inattentive, unable to interact with child in a warm and sensitive manner

Table 4. Criteria for Overnights -- Infants & Toddlers, part 2

Both Parents / Relationship Between Parents		
11. Conflict	<ul style="list-style-type: none"> • Low or none 	<ul style="list-style-type: none"> • High
12. Communication	<ul style="list-style-type: none"> • Parental Communication is non-defensive and detailed (re: bedtime rituals, night awakenings, food preferences, feeding schedules) 	<ul style="list-style-type: none"> • Parental communication is limited, critical, or defensive
13. Task-sharing before separation	<ul style="list-style-type: none"> • Equal or shared parenting time and responsibilities (both day and night time) 	<ul style="list-style-type: none"> • One parent primarily responsible for care of child
14. Involvement with child after separation	<ul style="list-style-type: none"> • Both parents feed, bathe, play with and comfort the child 	<ul style="list-style-type: none"> • Only primary parent engages in these activities
15. Consistent schedules	<ul style="list-style-type: none"> • Able to set-up and maintain consistent schedules (re: sleep, feeding, and waking cycles) 	<ul style="list-style-type: none"> • Unable to set-up and maintain consistent schedules

¹ The criteria for overnights summarized in Table 3 are based on the following sources:

Gould, J. W., & Stahl, P. M. (2001). Never paint by the numbers: A response to Kelly and Lamb (2000), Solomon and Biringen (2001), and Lamb and Kelly (2001). *Family Court Review*, 39(4), 372-376.

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Whiteside, M. F., & Becker, B. J. (2000). Parental factors and the young child's postdivorce adjustment: A meta-analysis with implications for parenting arrangements. *Journal of Family Psychology*, 14(1), 5-26.