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**BACKGROUND PAPER**

**SHARED CUSTODY  
ARRANGEMENTS:  
PILOT INTERVIEWS WITH PARENTS**

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# **Shared Custody Arrangements: Pilot Interviews With Parents**

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## EXECUTIVE SUMMARY

Since 1990, the Department of Justice Canada has undertaken a program of research on issues relating to the support and welfare of children in families that separate or divorce, including child support, and custody and access. One concept that spans both child support and custody and access issues is that of parenting arrangements. Recently, the Department commissioned a critical review of the literature on custody arrangements (Moyer 2004). This review highlighted the need for more detailed information on the characteristics and impacts of differing custody arrangements. In response, the Department of Justice Canada commissioned a pilot study to examine the feasibility of collecting information on parenting arrangements on a national level.

This project had two objectives:

1. To explore shared custody arrangements of a small sample of parents in order to generate hypotheses and directions to explore in future research.
2. To devise a methodology for conducting a study of shared custody arrangements that could extend to other parenting arrangements and national samples. The pilot study allowed for an initial examination of the limitations and practical methodological issues to be addressed in a national study, without the cost of a large survey.

The focus of this pilot is on shared custody arrangements. In this study we used the federal government's definition of shared custody as it appeared in the 1997 Child Support Guidelines—meaning that the children reside in two residences and that they spend a minimum of forty percent of time in the second residence (Department of Justice Canada, 1997). It is important, in particular, to distinguish shared custody in this sense from joint legal custody, in which parents share responsibility for key decision areas in the children's lives, but may have any of several possible living arrangements.

The sample for this study included 50 parents from Alberta who were divorced and had shared custody arrangements. These parents were contacted by phone and responded to an in-depth interview regarding their custody arrangements, including:

- Family history;
- Arrangements at the time of separation;
- Arrangements at the time of the divorce;
- Arrangements as they are currently (at the time of the interview);
- Parental responsibilities;
- Expenses associated with shared custody;
- Relationship between the parents;

- Outcomes for the children;
- Parental satisfaction with the shared custody arrangement;
- Demographic information;
- Inquiry about possible future interviews with children;

This sample was small and not generalizable outside of the current group of parents. However, there were sufficient participants to determine the feasibility of conducting further research, methodologies that would be most appropriate for a larger study and hypotheses to explore in further research.

Findings from this study provided information on how shared custody arrangements were put into practice in some cases. In the majority of cases, living arrangements in the families have been stable throughout the period after separation and beyond the time of the divorce. Parents in this sample reported an ongoing ability to work co-operatively with their former spouses to share the parenting of their children, and overall satisfaction with the living and parenting arrangements they have in place. For the most part, the parents were in frequent contact with each other and on friendly terms, discussing parenting issues as they arose and supporting each others' parenting decisions. In about 75 percent of the cases, the formal shared custody arrangement was translating, in practice, into an actual sharing of parenting on a day-to-day basis. A substantial majority of the parents considered the arrangement to be working well for the children precisely because of the fact that they were able to work together co-operatively.

In this sample, shared custody was more likely to be in place after the divorce than in the immediate post-separation period. This is contrary to some research that suggests that shared custody is sometimes a casualty of the realities that are experienced as parents adjust to their new, separate lives (Moyer, 2004: 22-23). Factors such as children growing older and becoming more independent, or a parent moving further away from the other parent for employment, were often the impetus for change in the living arrangements after divorce in this sample. Only in a very small number of cases was an apparent inability to parent co-operatively the cause of a change in arrangement. Another finding that was generalized in many of the areas we examined was that parenting arrangements and practices in our shared custody cases appear to be worked out informally and to evolve over time, as opposed to being determined through the formality of the divorce arrangement. The divorce appears to establish the shared custody as an overall parenting model, but parents develop many of the specific arrangements themselves, with little or no involvement from lawyers. Decision-making about the children is often informal, and changes in decision-making patterns reflect changes in living arrangements or other circumstances, rather than deliberate changes in the way decisions are made. The division of the many parenting responsibilities that need to be shared appears also to be somewhat informal and subject to varying interpretations by former spouses. This is largely because those responsibilities are too interwoven and changeable over time to allow for an overly structured arrangement.

The parents in this sample tended to share expenses in most areas, rather than divide the responsibilities by expense item. Few areas of disagreement about expenses were reported. The

fact that almost all of the parents we interviewed worked full-time, and that the parents in our sample reported themselves as being in a relatively high socio-economic group, may be a contributing factor. Expenses reported by both fathers and mothers for housing and utilities, in particular, were substantial, and were duplicated in both households in almost equal measure.

### **Feasibility of Undertaking a National Study**

The experience of this pilot study in Alberta indicates that a larger national research project on child custody arrangements, based on telephone interviews with parents, is feasible. Our experience suggests that parents will be willing participants in such a study, and that they will have little reluctance to address what are sometimes sensitive issues. It also suggests that it may well be possible to build into the research a component with children of divorced and separated parents. Finally, it provides some encouragement that responses to questions of the type posed in this pilot will be reliable to an acceptable level to be worthy of analysis. Our experience with the pilot has also identified some challenges that will need to be addressed in planning a national research project.



# **1. INTRODUCTION**

## **1.1 BACKGROUND**

Since 1990, the Department of Justice Canada has undertaken a program of research on issues relating to the support and welfare of children in families that separate or divorce, including child support, and custody and access. The Department has commissioned several projects to examine different aspects of custody and access. These have included a pilot project to collect data on different types of custody and access orders from court files and to interview a small sample of parents about their parenting arrangements (Ellis, 1995). Another project analyzed findings from the National Longitudinal Survey of Children and Youth (NLSCY) and the General Social Survey (GSS) on custody, access and child support (Juby, Marcil-Gratton & Le Bourdais, in press; Le Bourdais, Juby & Marcil-Gratton, 2000; Lin, in press; Marcil-Gratton & Le Bourdais, 1999). Most recently, the Department commissioned two studies examining parenting arrangements. The first is a critical review of the literature on custody arrangements (Moyer). The second, undertaken around the same time, is a pilot study of shared custody arrangements. The second study is the subject of this report.

## **1.2 SCOPE AND OBJECTIVES**

The review completed by Moyer highlighted the need for more detailed information on the characteristics and impacts of differing custody arrangements. In response, the Department of Justice Canada supported a pilot study to examine one type of custody arrangement—shared custody—and to determine the feasibility of collecting information on parenting arrangements on a national level.

The pilot had two objectives:

1. To explore shared custody arrangements in a small sample of parents. Examination of these types of arrangements in a small sample allowed for the generation of hypotheses and directions to explore in future research.
2. To devise a methodology for conducting a study of shared custody arrangements that could extend to other parenting arrangements and national samples. The pilot study allowed for an initial examination of the limitations and practical methodological issues to be addressed in a national study, without the cost of a large survey.

For this pilot, the department decided to focus on shared custody arrangements. One of the early points raised in the review by Moyer was the importance of clearly defining different parenting arrangements. Terms such as “shared parenting,” “shared custody” and “joint custody” are all used to mean a number of different things, both in the literature and in family law practice. In this study we used the federal government’s definition of shared custody in the 1997 Child Support Guidelines, as meaning that the children reside in two residences and that they spend a minimum of forty percent of time in the second residence (Department of Justice Canada, 1997). It is important in particular to distinguish shared custody in this sense from joint legal custody, in which parents share responsibility for key decision areas in the children’s lives, but may have any of several possible living arrangements.

## **1.3 CONCEPTS EXPLORED**

### **1.3.1 Characteristics of the Families Engaged in Shared Custody**

Few studies have explored the characteristics of families who share custody of their children after separation and divorce. Further, how these arrangements actually work out in daily life is unclear. There is likely a strong association between familial characteristics and the success of shared responsibility for the day-to-day care of children. For example, the number of children in the family and the age of these children may be a factor in determining shared arrangements. The age of the parents may also play a role. Finally, there has been some suggestion by researchers that parents with shared custody are from middle or upper-middle socioeconomic backgrounds, or are better educated/have better jobs than parents with other arrangements (Moyer, 18).

There has been little attention paid to conflict between parents with respect to shared custody arrangements. There is some preliminary evidence to support the hypothesis that parents with shared custody have lower levels of conflict, and that they did so even before the divorce was final (see Moyer). This finding makes intuitive sense, as parents who have shared custody likely come into contact much more often than those with other arrangements, and therefore need to be cooperative.

The relationship between the parents influences how shared custody works with respect to the interests of the children. It is important to determine the frequency and nature of contact between the parents, how often the parents discuss parenting issues and how those kinds of discussions go, what areas of disagreement arise, if any, and how the parents are able to maintain a positive parenting relationship. Further, although only peripherally related, the distance between residences of the parents also necessarily plays a role in the success of shared parenting arrangements. It is likely that parents who maintain shared custody live in close proximity to each other. Any real distance between households would likely negatively affect parents' ability to make frequent changeovers.

### **1.3.2 Characteristics of the Shared Custody Cases**

The potential stability or instability in arrangements for families with a shared custody arrangement is a very important consideration, particularly at a time when *Divorce Act* reforms are under consideration. It is generally believed that maintaining contact with both parents has a positive impact on children following separation and divorce. However, we know very little about shared custody arrangements in reality, particularly whether or not they are stable. According to Moyer, the literature suggests that living arrangements can change over time according to changes in parents' employment and other circumstances. Finally, findings from the National Longitudinal Study of Children and Youth (NLSCY) suggest that: 1) the court orders do not necessarily reflect the reality of custody; and 2) over time, shared custody arrangements are not stable and the incidence decreases (Marcil-Gratton & LeBordais, 1999: 27).

Shared custody implies more than just the dual residence of children. It assumes that there will be an agreement between parents about the sharing of other parenting responsibilities, about decision-making with regard to their children and about the expenses associated with raising the children. There is little information regarding how parents with shared physical custody delegate



decision-making responsibilities. However it is important to determine the extent to which these areas are agreed upon by the parents, the types of agreements in place, the stability of agreements, and whether parents are satisfied with the decisions made and responsibilities assigned. Regardless of where the children live after a separation, there are divisions of responsibility to be worked out as long as both parents are still actively involved in the children's lives. In shared custody arrangements there are often more decisions to make about the division of responsibilities because both parents are likely to be actively involved in the day-to-day lives of the children. The research, while limited in this area, suggests that individual areas of responsibility are more likely to be shared equally in shared custody arrangements than in other arrangements (Moyer, 27).

There has been some evidence to suggest that shared custody arrangements are associated with compliance with child support payments, although the causal direction of the effect is undetermined. However, Moyer notes that parental income has rarely been controlled in these studies, yet parents with shared custody are usually from higher income strata (those more likely to be compliant regardless of the arrangements made).

The costs of maintaining two households is recognized as a significant additional burden on separating parents, especially when children are involved. In shared custody arrangements these new costs can be especially significant since there is a need, at least to some extent, to duplicate the home environment for the children. Shared custody is found in the research to cost more than sole custody, although one Australian study found that some of the additional costs, such as having a bedroom for the children, are also often borne by non-custodial parents in sole-custody arrangements (see Moyer). However, the actual costs of shared custody, in itself or in comparison to other custody arrangements, have not been well established.

### **1.3.3 Parental Satisfaction with Shared Custody Arrangements**

It is reasonable to expect that how parents feel about their arrangements not only affects their success in maintaining shared custody, but could also affect the adjustment of their children. One might expect that parental satisfaction with the arrangements could affect longer-term stability.

Parents with shared custody may have fewer areas of dispute than other cases. There is preliminary evidence to support higher, lower, and no differences in rates by the type of custody arrangement (see Moyer). Determining whether shared custody arrangements lead to different patterns of court use and relitigation may have implications for the use or encouragement of such arrangements in the future.

### **1.3.4 Children's Adjustment and Outcome**

In Canada, the primary consideration for judges in deciding on child custody for separating and divorcing parents is what will be in the best interests of the children. The courts also review parental agreements, where those agreements come before the court, to ensure that the best interests of the children are being met. Much of the focus of federal family law policy is also on the impacts of separation and divorce on the welfare of children. Thus, in examining how shared custody arrangements are put into practice, an important interest is how the arrangements affect the children involved.

Research on divorce and separation focuses to a large extent on the relationship between parents, and their ability to cooperate in matters relating to parenting, as having a profound effect on how children cope with the break up of the family. Moyer states that different types of custody arrangements are not necessarily associated with different outcomes for children (p. 34). It appears that variables relating to the relationship between the parents (e.g. level of conflict) and characteristics of children (e.g. adaptability) have a stronger effect on outcome than the arrangements for children's residence. Most of the existing literature on outcomes for children indicates that custody arrangements, in themselves, do not have a determining affect on children's well-being. However, research looking at aspects of custody arrangements, such as cooperation between the parents and parental relationships, has found some outcome differences by custody arrangement.

#### **1.4 PILOT STUDY METHODOLOGY**

A sample of 199 cases was drawn from an initial list of divorces registered in Edmonton and Calgary, Alberta from fall 1998 through spring 2000.<sup>1</sup> The divorce order for all cases included a shared custody arrangement. Files for the selected cases were available to the research team at the two court locations. The files were reviewed to ensure that they were, in fact, shared custody cases, and contact information was drawn from the files, including the names of the two divorcing parents and any information as to their place of residence. No other information originated from the court files.

Where no address or phone number information was available, there was no attempt to contact the respondent (see Figure 2.1 for flow chart of recruitment). For 80 files, this was the case. In 84 cases, one of the parents had no address or phone number available, so no contact was made. For 35 cases (70 parents), contact information was on file for both parents. Of those cases, 50 people were interviewed, 3 declined to be interviewed, and 17 were contacted but were unavailable.

Determination of a response rate for this study is not clear. There are several levels to consider (see Figure 2.1):

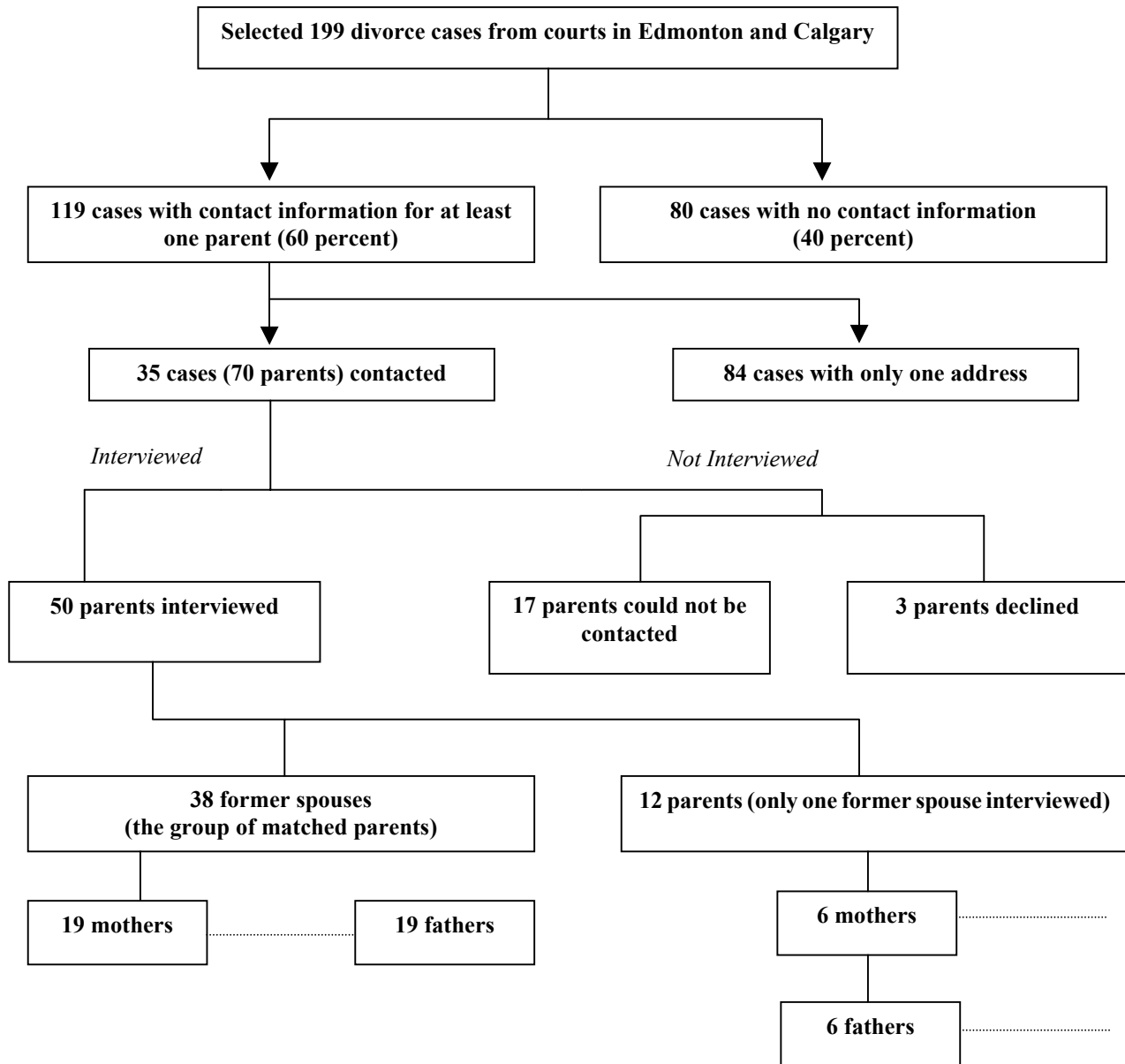
- 1) The number of families for whom at least one address was available: 59.8 percent (119/199).
- 2) The number of families for whom two addresses were available (one for each parent): 17.6 percent (35/199). This requirement put a significant limitation on the sample, taking potential cases from 119 to 35.<sup>2</sup>
- 3) The number of parents for whom contact information was available for both parents, and who agreed to participate: 71.4 percent (50/70). This is a conservative number because only three parents actually refused to participate.

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<sup>1</sup> The listing of cases was drawn from the Department of Justice Canada Survey of Child Support Awards, and represented 80 percent of the cases during that period for both courts.

<sup>2</sup> Thus, there should be serious consideration of whether it is essential to interview both parents of a previous marriage in future studies.

**Figure 2.1 Flow Chart of Participant Selection**



Information from each of these levels has an impact on determination of samples for future research (for discussion, see the feasibility section).

There were fifty interviews conducted, half with mothers and half with fathers. Thirty-eight of the fifty interviews were with “matched parents.”<sup>3</sup> The remaining 12 interviews were with parents for whom the other partner was unavailable. The inclusion of “matched parents” was designed to enable the researchers to obtain information about the expenses of maintaining two households in shared custody cases, and to be able to compare responses of the two parents on some issues.

Due to the decision to interview as many matched parents as possible, there were essentially three levels of analysis for the participants in the current study:

- 1) Total sample (N=50 individuals);
- 2) Nineteen pairs of “matched parents” (mother and father from a former union; N=38 individuals); and
- 3) Thirty-one parents (one mother or father from each family).

Analyses from the total sample were mostly those describing participants. Analyses from the “matched parents” were those in which information from both members of a former union was required: for example, the expenditures for maintaining two households in a shared parenting arrangement. The “matched parent” responses were of interest because they offered insight into varying perspectives between the two parents. Finally, the sample of parents was used for most analyses. This smaller sample was created to equalize the weighting of former unions.<sup>4</sup>

The decision to collect information through interviews with parents was made for several reasons, including the ability to obtain: 1) more detailed and accurate information than from file reviews, including parental perceptions and satisfaction with arrangements; 2) details on changes in arrangements; and 3) indication of the type of information that should be incorporated into an instrument for further research.

The interview guide was a collaborative effort between the Department of Justice Canada research officers assigned to the project, the primary researcher from the firm Alderson-Gill & Associates, and a second independent consultant with knowledge in the area of child custody and access. The issues to be covered, the analytic limitations of a small sample, the sensitivity of the subject matter, and the duration of the interviews were all considered in the development of this study. Based on the literature review by Moyer, the interview guide had eleven sections corresponding to areas of inquiry of interest to the research. These included:

- Family history;

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<sup>3</sup> Meaning that both parents of a former marriage were interviewed.

<sup>4</sup> If both parents of a former union were included, there would be greater weighting on certain families, so one parent was randomly selected for further analyses.

- Arrangements at the time of separation;
- Arrangements at the time of the divorce;
- Arrangements as they are currently (at the time of the interview);
- Parental responsibilities;
- Expenses associated with shared custody;
- Relationship between the parents;
- Outcomes for the children;
- Parental satisfaction with the shared custody arrangement;
- Demographic information; and,
- Inquiry about possible future interviews with children.

For the pilot study, the interview schedule included a total of 75 questions and 38 follow-up questions. All but one of the initial questions was closed-ended, with a pre-set list of responses, and, in most cases, the possibility of specifying an “other” response. Of the 38 follow-up questions, 30 were open-ended, typically asking respondents to elaborate on their initial response (see Appendix A for the Interview Guide).

We sought basic information about the living arrangements for the children at the time of the parents’ initial separation, at the time of the divorce, and at the time of the interview (which was usually two to three years after the divorce). Thus, although the pilot was based on a single set of interviews at one point in time, we built a retrospective look at how custody arrangements changed in the three time periods into the interview guide. These questions did not have the power of longitudinal assessment and relied on parents’ ability to recall previous periods of time. However, the questions were not of a nature to require detailed memory of events. For example, they required that parents remember whether there was a shared custody arrangement or some other living arrangement. The questions also asked respondents to recall other aspects of the arrangement, such as the process for making child-rearing decisions and the division of parenting responsibilities.

A standard letter from the Department of Justice Canada went out to all parents for whom an address was available. The letter provided a brief description of the purpose of the research and expressed the hope that they would be interested in participating through a telephone interview. The letter also gave the selected parents an option to contact the Department of Justice Canada at a 1-800 number, or the primary researcher at his office phone number, to obtain further information or to decline to participate. Those who did not decline were later telephoned, asked

to participate, and a time was arranged for the interview.<sup>5</sup> Because of this “negative option” approach, no follow-up letter was issued to prospective respondents.

Interviews were conducted by telephone. A female researcher with interviewing experience on family law policy issues conducted the majority of the interviews. The primary researcher performed the remaining interviews as a way to test the flow of the questions and make adjustments to the guide. He continued to conduct interviews on an ongoing basis to better equip him to interpret the findings. After five interviews, a small number of minor adjustments were made to the interview guide to improve the wording of a few questions, but the nature of the questions did not change.

The interviews lasted between 45 minutes and two hours, with an average length of about one hour. The great majority of respondents agreed readily to participate, showed an interest in the issues being raised and offered thoughtful responses. With very few exceptions, respondents agreed to answer all the questions they were asked, including information about their employment, income and education. One respondent declined to provide income information, and one other respondent declined to provide estimates of expenditures associated with the shared custody arrangement. For a very small number of questions, respondents said they did not know the answer. Otherwise, response rates for individual questions were 100 percent.

## **1.5 STRUCTURE OF THE REPORT**

The remainder of this report is organized into three sections. Section 2 provides and discusses the results of the pilot survey interviews. Section 3 examines the methodology of the study and discusses various considerations for conducting a larger study on parenting arrangements in Canada. Section 4 contains a short wrap-up of the findings and a feasibility portion. There are several appendices included in this report:

- Appendix A: Shared Custody Parent Interview Guide
- Appendix B: Reported Areas of Disagreement Between the Parents, and Reported Reasons For Ability to Avoid Disagreements
- Appendix C: Reasons For Parent Satisfaction or Dissatisfaction With Living Arrangements
- Appendix D: Reasons Reported For Children Being Happy or Unhappy With Living Arrangements
- Appendix E: Reported Changes in Children’s Behaviour, and Parent Attribution

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<sup>5</sup> As it turned out, not a single recipient of the letter called to decline to participate. Seven people called, and all expressed interest in participating.

## 2. PILOT STUDY RESULTS

This pilot study provided some information on shared custody in Canada. Due to constraints on sample identification and selection, the findings from this study cannot be generalized nationally. However, the findings can be used to construct hypotheses to be explored in further research. The results have been grouped into four areas: characteristics of the parents; characteristics of the arrangements; parental satisfaction; and child adjustment and outcome.

### 2.1 CHARACTERISTICS OF FAMILIES ENGAGED IN SHARED CUSTODY

*There are some common characteristics exhibited by parents who are able to make shared custody work on a longer-term basis. The majority of the parents in the pilot sample were highly educated, well-off and working full-time at the time of the interview.*

First, it should be noted that parents were queried regarding children from the relationship with the former spouse only. Sixteen of the families in the sample had two children, 12 had one child and three families had three children. Of the 53 children, 28 were male. The age of the children at the time of the interview ranged from five to 26 years, however most (n=40) were between six and 14 years of age.

The sample of parents was evenly split between males and females. Forty-four participants were younger than 45 years of age, but their ages ranged from 25 to 50 years. The education level of the parents varied (see Table 2.1). However, most parents were highly educated, having at least some post-secondary education. Forty percent held at least one undergraduate degree. The majority of respondents (n=46) said they were currently working outside the home, mostly in full-time employment.

The income level reported by the respondents was also high (compared to national standards), ranging from \$15,000 to \$150,000 or higher (see Table 2.2). Sixty-two percent of the parents in this sample had personal incomes between \$30,000 and \$70,000. Notably, almost 30 percent had incomes over \$70,000. In just over half of the cases (52 percent), the respondent was the only income earner in the household, so the household income was the same as the personal income. In 44 percent of the cases, the household income was greater than the personal income by at least one category. When we looked at the annual personal incomes of the parents, fathers' incomes exceeded mothers' incomes by an average of about \$15,000. In just over half of the cases where matched parent data was available (10 of 19, or 52 percent), the fathers' annual income was higher than the mothers' by at least \$30,000. Mothers' income exceeded fathers in only two cases.

The interviews for this study were conducted within about three years of the parents' divorces, but there was some variation in the duration of their marriages and in the amount of time they had been living separately (see Table 2.3). About half of the marriages were 10 years or longer in duration, with the remaining marriages ranging from two to nine years. None of the marriages had lasted fewer than two years. In about 60 percent of the families, the parents had been

separated for less than five years.<sup>6</sup> In one case, the separation was between two and three years old, and in one case, the parents had been separated for 10 years or more.

**Table 2.1 Respondents' Age Group and Education Level (N=50 total sample)**

<b>Characteristic</b>	<b># of Respondents</b>	<b>% of Respondents</b>	<b>Cumulative* %</b>
<b>Respondents' Age Group</b>			
25-35	13	26	26
36-40	18	36	62
41-45	13	26	88
46-50	6	12	100
Total	50	100	
<b>Educational Level</b>			
Some high school	2	4	100
Completed high school	4	8	96
Some technical or vocational/ community college	4	8	88
Completed technical/vocational/ community college	16	32	80
Some undergraduate	4	8	48
Undergraduate degree	10	20	40
Some graduate	3	6	20
Graduate degree	7	14	14
Total	50	100	

\* The cumulative education level figures assume that a respondent in a category further down the table will have an equivalent education to all the categories above—that the categories are ordinal. This is not true strictly speaking, because someone with a university degree may not have even attended a community college, for example.

<sup>6</sup> When we refer in this study to separation, we are referring to the point when parents no longer resided together as partners, as opposed to the time of the divorce.



**Table 2.2 Respondents' Annual Personal and Household Income (N=50 total sample)**

Characteristic	# of Respondents	% of Respondents	Cumulative* %
<b>Annual Personal Gross Income</b>			
Under \$30,000	6	12	100
\$30,000-\$49,999	16	33	89
\$50,000-\$69,999	14	29	56
\$70,000 and over	13	26	27
Total	49**	100	
<b>Annual Household Gross Income</b>			
Under \$30,000	6	12	100
\$30,000-\$49,999	8	16	87
\$50,000-\$69,999	11	23	71
\$70,000 and over	24	49	49
Total	49*	100	

\* One respondent declined to answer questions about income.

**Table 2.3 Duration of Marriages, and How Long Separated at Time of Interview (N=31 parents)**

Number of Years	Duration of Marriages		How Long Separated	
	# of Families	% of Families	# of Families	% of Families
2-4 years	8	26	18	60
5-9 years	7	22	11	37
10 or more years	16	52	1	3
Total	31	100	30*	100

\* No response for one case.

*Former spouses who choose shared custody have few areas of contention in their divorce and get along relatively well.*

To elaborate on the adjustments that parents made, they were asked whether they thought factors, such as the amount of child support required or disagreements about the division of marital assets, had affected their ability to make shared custody work. More than 80 percent of respondents said such factors had not had an appreciable effect. This may be because shared custody arrangements are more likely to be adopted in cases where there are no serious disagreements on issues related to the separation or divorce. It may also relate to the parents' focus on the interests of the children, and recognition of the need to resolve issues so that shared parenting works. The experience and perceived benefits of successful shared parenting after separation may help to reduce the influence of these other factors. When there were difficulties with the shared arrangement, parents indicated that financial matters had had an impact.

Finally, respondents were asked to identify the conditions that they believed needed to be in place for shared custody to be a manageable arrangement. Three of the thirty-one parents indicated that shared custody was not workable. The other parents provided responses that could, for the most part, be placed into two categories, both of which seem to be essential:

1. Parents put the children first; and/or
2. Parents need to be committed, mature and/or willing to work together.

Other conditions included: the need for help in the relationship through counselling; parenting courses or mediation; the need to have similar rules in the two households; the need for communication between the parents; and close physical proximity of the two homes.

We also asked respondents about whether there were any specific areas of disagreement regarding raising and caring for the children (other than financial issues, which were discussed earlier in the report), and what those areas of disagreement were. In 61 percent of cases respondents reported that there were no current areas of disagreement. Where areas of disagreement were reported, they tended to reflect general parenting values or ideas about appropriate rules of conduct, such as the nature and extent of discipline applied or the degree of structure and consistency in bedtimes, household chores and homework. Other areas included the time parents spent with their children, religion and general complaints about the behaviour of the other parent (see Appendix B).

Parents who make shared custody work have frequent contact and rate the overall tone of their interactions as positive.

Ninety percent of the respondents in our sample said they are now in direct contact with their former partners at least every week, and 52 percent said they were in contact most days. The most common method of contact identified by parents was by phone (68 percent), followed by face-to-face encounters (39 percent).<sup>7</sup> Respondents were then asked to characterize the nature of the contact on a 5-point scale, with 1 being “very friendly” and 5 being “very hostile.” Eighty percent of respondents described the contact as being friendly (one or two of five). However, four of the parents reported contact to be negative in tone.

*Parents with shared custody generally have few financial disagreements.*

How expenses are shared in a custody arrangement is an area that can be difficult for an agreement to cover adequately, because expenses vary over time and new expenses emerge that may not have been anticipated. We asked respondents to indicate whether there were any areas of disagreement between them and their former partners on financial matters. Twenty-four of thirty-one respondents said there were no current areas of disagreement. Of the remaining seven parents, disagreements centred on the amount of child support being paid, expenditures on sports and recreation, unanticipated expenditures on schooling and medical supplies, and everyday household expenses

Divorces can, and often do, contain clauses that assign responsibility for specific types of expenses to one or both parents. However, this by no means precludes financial issues emerging between divorced parents once the divorce terms are in place. In our sample, disagreements about expenses appear to be very limited. As well, we have found that most expense areas are reported as being shared more or less equally between the two parents, in keeping with what they

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<sup>7</sup> Not cumulative, parents could choose more than one method.

report about the terms of their divorces. We see some differences in the estimates that fathers and mothers make about annual expenses in different expense categories, but these differences do not appear to be a source of disagreement. The fact that almost all of our respondents work full time, and that most are relatively high earners, may reduce financial pressures somewhat. For these former families, smaller discrepancies in expenditures may not put a strain on the post-divorce relationship.

*In shared custody arrangements where the parents are well-off, either parent may be in the role of child support payor. In the case of other unexpected or unplanned expenses, parents with shared custody may just pay the expenses as they arise.*

Directly related to the division of responsibility for child-related expenses in a shared custody arrangement is the issue of child support. Even when responsibility for the children is equally or almost equally divided, there can be provisions for child support to take into account differences in the expenses being incurred by one parent or the other. We asked respondents whether there was a provision for child support in their divorce arrangement, what the child support arrangement was, and how much support was expected each month.

In 14 of the 31 cases, a child support provision was in place. In eight of those cases, the father was paying child support, and in six, the mother was paying support to the father. In the 14 cases in our sample, the monthly child support requirement ranged widely, from \$115 per month in one case, to \$997 per month in another. Seven of the 14 cases had a support obligation in the \$600 to \$800 a month range. Most of the support amounts were set under the Federal Child Support Guidelines (Alberta has not tabled its own guidelines). In 4 of the 14 cases with child support, respondents said the amounts were not based on the Guidelines.

In some cases, parents incur unexpected expenses related to child rearing that are not anticipated when the parents' agreement is made or when their divorce is granted. We asked respondents whether any such expenses had arisen, without offering any examples of types of expenses that may have arisen. The great majority (81 percent) did not identify any unanticipated expenses. When cited, these expenses were not so much new areas, as these were unexpected expenses within established expense categories that were not anticipated. For example, one respondent cited food expenses. Respondents in five of the six cases said they had reached a mutually satisfactory agreement about covering these unexpected expenses.

We also inquired about expenses that arise on a day-to-day basis, such as money for children's allowance, purchases of clothing, incidental school fees or personal health needs. In 26 of the 31 cases, the respondent said the parents each paid as required.

Looking to possible future changes in expenses, we asked respondents whether they could anticipate that their agreement on expenses might have to be changed in the future to deal with new circumstances. In 13 cases, some changes were anticipated, such as alterations to the actual divorce arrangements or variations in child support orders. Other changes noted had more to do with changing circumstances (e.g. one parent moving farther away).

## 2.2 CHARACTERISTICS OF SHARED CUSTODY CASES

*There is considerable stability over time in shared custody arrangements.*

When we examined the families through the three time periods (at the time of separation, divorce, and at the time of the interview), we saw considerable stability, particularly in the period between the divorce and the time of the interviews, two or three years later. More than half of the cases (n=17) had maintained a shared custody arrangement throughout the period since their separation. In another eight cases, divorce resulted in movement to a shared arrangement from a previous sole custody arrangement. We cannot say with certainty why these cases changed to a shared custody arrangement at the time of the divorce, but it may be that the formal divorce process provided motivation for parents to reconsider their parenting arrangement. It may be also that the parent who was previously the non-custodial parent (usually the father) did not have a stable living situation at the time of separation, but by the time of the divorce was better equipped to share parenting more equally. The parents may also have been influenced by lawyers, parenting educators or the courts to consider shared custody from the point of view of the best interests of their children. In any case, 81 percent of cases (25 of 31) had maintained a shared custody arrangement at least from the time of the divorce (see Table 2.4).

**Table 2.4 Stability of Living Arrangements**

Number of Cases	Custody Arrangement		
	Immediate Post-separation	At Time of Divorce	At Time of Interview
17	Shared	Shared	Shared
8	Sole	Shared	Shared
2	Shared	Shared	Sole
1	Shared	Sole	Sole
1	Sole	Shared	Split
1	Sole	Sole	Shared
1	Sole	Sole	Sole

Our sub-sample of 19 matched parents allowed us to look at any differences in perception about living arrangements reported. For 8 of the 19 matched cases (42 percent), there were differences between what the father and mother said about living arrangements. However, almost all of these differences relate to the description of the period after separation and before the divorce. It is interesting also to note that the differences did not predominantly reflect a tendency on the part of the parents to emphasize their role with the children relative to that of their former partner. They were just as likely to reflect the opposite.

*Shared custody arrangements are flexible; successful cases will make adjustments over time, reflecting changing needs.*

Aside from where the children lived, the interviews sought some additional information to describe the living arrangements for the families in our sample. Because shared custody can involve a lot of interaction between the parents to discuss parenting issues, make decisions, and identify and resolve issues relating to the raising and well-being of the children, it is often the

result of parents reaching agreement between themselves about the best living arrangements after separation. However, shared custody can also result from an adversarial process through legal counsel, or as a result of a court-imposed settlement of a custody dispute. The way that shared custody was decided upon may be a factor in the long-term success of the arrangement.

As Table 2.5 shows, almost two-thirds of respondents said they and their former partners together had made adjustments to their arrangements over time. Only seven respondents said both parents had adhered strictly to the divorce conditions. Since we know that most of the arrangements in our sample remained as shared custody and that most have been described as working reasonably smoothly and without major problems, this finding suggests that parents in our sample have exercised some flexibility in adapting their arrangements to evolving circumstances. There is no reason to infer from our data that non-adherence to formal divorce conditions should be interpreted as a breakdown of the shared custody arrangement in any way. What the data does suggest is that concepts of shared custody need to recognize the dynamic nature of parenting arrangements.

**Table 2.5 Adherence to Terms of Divorce Regarding Living Arrangements, From Time of Divorce to Date of Interview (N=31 parents)**

<b>Level of Adherence</b>	<b># of Respondents</b>	<b>% of Respondents</b>
Both parents adhered strictly	7	23.3
Parents made adjustments jointly	19	63.3
Former partner adhered, but respondent sometimes did not	1	3.3
Respondent adhered, but former partner did not	3	10
<b>Total</b>	<b>30*</b>	<b>100</b>

\* One respondent did not answer this question.

Reported living arrangements in our sample were consistent with findings in previous research, in that shared custody was less likely to be in place in the period immediately after separation than it was at the time of the divorce, and that circumstances led some parents to adopt a different arrangement in the post-divorce period. In a few cases, one or the other parent became the primary custodial parent, and in one case a split custody arrangement was adopted. Overall, however, living arrangements were stable in the great majority of cases in our sample, particularly once the terms of the divorce were in place. Since only two or three years had passed between the time of the divorce and our interviews, this stability cannot be assumed to be necessarily long-term. However, the parents in the sample had also had a number of years apart prior to the divorce and in most cases had already had a shared custody arrangement during that period. This suggests a fair degree of stability. Factors such as the children growing older and becoming more independent, or one parent moving further away, were more often reported as the impetus for a change in the living arrangement than was a breakdown in the parenting relationship.

*Often parents with shared custody have been able to reach an agreement by themselves. There was limited involvement by legal professionals in the separation and divorce arrangements.*

Respondents were asked if they reached an agreement about where the children would reside themselves, if they had help reaching an agreement, or if issues of contention were decided in the courts after their separation. This question was repeated with reference to the time of the divorce, if a change in living arrangement was indicated. Table 2.6 indicates that few cases required the intervention of the courts, and that while separation agreements were frequently reached by the parents themselves, divorce arrangements were much more likely to have been reached with professional advice.

**Table 2.6 Agreements Regarding Living Arrangements (N=31 parents)**

<b>How Arrangements Were Decided Upon</b>	<b>Immediate Post-separation</b>		<b>At Time of Divorce</b>	
By parents themselves	22	71%	13	42%
With lawyers/mediator	7	23%	17	55%
Through court	2	6%	1	3%
Total	31	100%	31	100%

The distinction between those who used lawyers or other professionals and those who reached agreements themselves is not absolute, however. In some cases, the lawyers were seen as having formalized an agreement that was already in place. It may also be that some parties who said they reached agreement themselves used a law firm to assist in getting the agreement approved as a consent order in the courts. As well, many of the cases for which a professional had provided advice indicated no areas had been contested, suggesting that the lawyers' role may have been limited and more formal than substantial in terms of their reaching an agreement. Lawyers may also have convinced parents not to contest certain aspects.

The limited role of lawyers is borne out by the responses to a question about the role of lawyers or other professionals in arriving at the arrangement put into place by the divorce. At this second point of inquiry, 18 of 31 respondents said they had engaged lawyers, but that their role was just a legal formality. In three other cases, they said professionals played no role.

*Many parents in shared custody arrangements do not have formalized arrangements regarding day-to-day responsibilities (e.g. pick-up and drop-off of children).*

We inquired about arrangements for exchanging the children between the two parents, and about how far apart the parents lived. As Table 2.7 indicates, about half the cases in our sample had a formal agreement in place for the exchange of the children, and half did not. For those parents who made formal arrangements, there were many different ways to exchange children. Although we cannot make statements about the arrangements for the cases where no formal agreement was in place, it is likely that exchanges were accomplished in a relatively informal manner.

**Table 2.7 Agreements Regarding Exchanging Children (N=31 parents)**

Arrangements Agreed Upon for Exchanging Children	Immediate Post-separation		At Time of Divorce		At Time of Interview	
	N	%	N	%	N	%
Parents shared pick-up and drop-off to the family homes	5	16	5	16	5	16
One parent did all pick-up and drop-off	3	10	2	7	3	10
Pick-up and drop-off at day care, school, school bus	6	19	7	23	7	23
Third party pick-up and drop-off	1	3	1	3	1	3
Children relocated independently	0	0	1	3	1	3
No specific arrangement	16	52	15	48	14	45
Total	31	100	31	100	31	100

*Many parents with shared custody live close together.*

We might expect that families with shared custody arrangements would live in reasonably close proximity to each other to facilitate the regular exchange of the children. For the most part, this is indicated in our sample (see Table 2.8). All but six families lived within 10 kilometres of each other from separation through to the time of the divorce, and one of the families had moved closer together at the time of the divorce. One family had moved further apart by the time of the interview.

**Table 2.8 Proximity Between Homes (N=31 parents)**

Distance Between Two Homes	Immediate Post-separation		At Time of Divorce		At Time of Interview	
	N	%	N	%	N	%
Walking distance	13	42	11	36	11	35
Within 10 kilometres	12	39	15	48	14	45
About 50 kilometres	5	16	5	16	5	16
400 kilometres or more	1	3	0	0	1	3
Total	31	100	31	100 (99)	31	100

*It is expensive to maintain a shared custody arrangement. Both parents must maintain a space for their children and many expenses are duplicated (e.g. bikes, clothes).*

In order to gain a sense of the magnitude of child-related expenses that parents in shared custody arrangements need to cover, we asked respondents to estimate what they spent in an average month for a range of different areas/items. With our parent sample of 31 cases and our matched sample of 19 cases, we were able to examine these expenses in two ways. First, we looked at what individual parents, both fathers and mothers, told us about their expenses. Second, we analyzed the responses of our matched parents to calculate total “family” expenses and compare

how different types of expenses break down between mothers and fathers in shared custody cases.

Tables 2.9 and 2.10 show the median and mean reported annual expenditures in different expense categories, and the average total monthly expenses for child-related expense items reported by individual respondents. They show that housing and utilities are the two largest expense items by a fair margin. The cost of maintaining two households where once a single household was shared inevitably adds significantly to the overall cost of raising the children. Aside from these two major expense items, travel and clothing expenses are the next largest.

**Table 2.9 Median and Mean Annual Reported Expenditures (N=31 parents)**

<b>Expense Item</b>	<b>Median Annual Expenditure (\$)</b>	<b>Mean Annual Expenditure (\$)</b>
Housing	9,180	9,700
Utilities	3,550	3,540
Travel	1,200	1,660
Clothing	930	1,110
Sports & Recreation	600	1,180
Household Maintenance/Repairs	550	950
Toys	240	440
Furniture	225	340
School Supply	200	990
Hobby	50	320

**Table 2.10 Average Total Monthly Child-Related Expenses (N= 31 parents)**

<b>Expense Range</b>	<b># of Respondents</b>	<b>% of Respondents</b>
Up to \$999	1	3
\$1,000-\$1,499	9	30
\$1,500-\$1,999	14	47
\$2,000-\$2,999	6	20
Total	30*	100

\* In one case the respondent declined to answer questions about expenses.

We also looked at expenses reported by the fathers and mothers in our sample of 19 matched parents. In Table 2.11 we show the median and average annual expenditures in key expense areas, for the mothers and fathers separately and as a total for the family. This table shows that fathers report expenses equal to or somewhat higher than those reported by their former partners in all but the “hobbies” category, but that looked at in total, the expenses reported by matched parents are generally remarkably close in amount.



**Table 2.11 Parent and Combined Annual Expenditures in Selected Expense Categories (N=19 matched parents)**

<b>Expense Item</b>	<b>Median/Mean Fathers' Reported Expenses</b>	<b>Median/Mean Mothers' Reported Expenses</b>	<b>Median/Mean Total Reported Expenses</b>
Housing	\$9,600/\$10,520	\$9,000/\$9,190	\$20,400/\$19,720
Utilities	\$3,600/\$3,540	\$3,600/\$3,570	\$7,200/\$7,110
Household maintenance and repairs	\$1,800/\$1,940	\$600/\$1,050	\$3,000/\$2,980
Travel	\$1,000/\$1,520	\$700/\$2,130	\$2,900/\$3,640
Clothing	\$1,200/\$1,290	\$1,200/\$1,230	\$2,280/\$2,520
Sports & recreation	\$600/\$1,650	\$500/\$910	\$1,800/\$2,560
Toys	\$240/\$430	\$200/\$390	\$440/\$820
Children-related furniture	\$300/\$420	\$0/\$160	\$400/\$580
School supplies	\$200/\$700	\$200/\$260	\$350/\$960
Hobbies	\$0/\$390	\$100/\$240	\$300/\$630
<b>Total</b>	<b>\$18,540/\$22,400</b>	<b>\$16,100/\$19,130</b>	<b>\$39,070/\$41,520</b>

*In shared custody arrangements, the majority of expenses will be shared between parents. However, parents may perceive that they pay more of the expenses than the other.*

Table 2.12 presents what respondents told us about how their divorce agreement guided the division of responsibilities for expenses. For most expense areas, there was no provision in the divorce agreements, or the agreement dictated the equal sharing of expenses between the two parents. Medical and dental expenses, and to a lesser extent costs associated with sports and recreation and school-related expenses, were assigned to one parent in some cases. But even they were most often shared or not specified in the agreements. In the case of medical and dental expenses, we were often told that one parent had a plan at their place of employment that covered those expenses.

When we compared those figures with the respondents' descriptions of how expenses are currently divided between the parents (Table 2.13), we still found 70 percent of expenses being shared between the two parents. There were more expenses that respondents said they were primarily responsible for than were indicated in the divorce agreements, but it is reasonable to assume that many of those were not referenced specifically in the agreement. We still saw that respondents, both mothers and fathers, were much more likely to attribute responsibility for expenses to themselves than to their former partners (53 as compared to eight responses), but the numbers of cases were such that no strong patterns emerged as far as which expense areas mothers, or fathers, were most likely to be solely responsible for.

**Table 2.12 Divorce Arrangement Regarding Responsibility For Expenses (N=31 parents)**

Expense item	Primarily Respondent		Primarily Ex-Partner		Shared	No Reference	Unknown	Total
	Mother	Father	Mother	Father				
Food	0	0	1	0	17	12	1	31
Clothing	0	1	2	1	14	12	1	31
Furniture	0	0	1	0	16	13	1	31
Medical/dental	5	6	0	4	10	5	1	31
Sports & Recreation	2	3	1	0	14	10	1	31
Hobbies	1	0	0	0	16	13	1	31
Travel	0	0	0	0	15	15	1	31
School-related	1	3	1	0	16	8	2	31
Total	9	13	6	5	118	88	9	248

**Table 2.13 How Expenses Are Currently Divided (N=31 parents)**

Expense item	Primarily Respondent		Primarily Ex-Partner		Shared	No Expense	Total
	Mother	Father	Mother	Father			
Food	0	1	0	0	30	0	31
Clothing	7	3	1	1	18	1	31
Furniture	0	0	0	0	29	2	31
Medical/dental	8	7	1	2	13	0	31
Sports & Recreation	4	6	1	2	16	2	31
Hobbies	2	1	0	0	21	7	31
Travel	3	1	0	0	25	2	31
School-related	5		0	0	20	1	31
Total	29	24	3	5	172	5	248

When we examined who was actually taking responsibility for expenses in our set of 19 matched parents, we found that there were substantial differences in perspective for some expense items (Table 2.14). These differences included cases where one parent said the responsibility was shared and the other said one of the parents took primary responsibility, and cases where the parents differed as to which parent took primary responsibility. For food and furniture, agreement was almost complete. Both of these areas were described by almost all respondents as shared in our sample of 31 parents. The areas where the greatest differences exist among matched parents (medical/dental, sports and recreation and clothing) are the areas in our sample of 31 families where respondents were most likely to say they took primary responsibility themselves. The differences reported by matched parents reinforce the fact that (aside from child support) these areas of expenditure are likely to be the most contentious where there are disagreements related to expenditures, perhaps because of the nature of the expenses.

It is interesting to note that the first two of those three expense areas were the ones most likely to be specified in divorce agreements. It may be that these are types of expenses that often arise and can be the subject of disagreement if they are not considered in advance. On the other hand, it may be that even where they are specified in divorce agreements, these types of expenses vary

in nature and amount sufficiently that the agreements may not cover all the possible circumstances. Even the fact that responsibility is identified in the divorce order/judgement may encourage disagreement if the terms are not interpreted in the same way, or are seen as not taking actual circumstances into account adequately.

**Table 2.14 Agreement in Matched Responses on Expense Responsibilities (N=19 matched parents)**

Expense Item	Parents Agreed	Parents Disagreed	Total matched cases
Food	18	1	19
Clothing	11	8	19
Furniture	17	1	18*
Medical/dental	9	9	18*
Sports & Recreation	7	11	18*
Hobbies	12	6	18*
Travel	12	6	18*
School-related	14	4	18*
Total	100	46	146

\* In one case, one of the parents did not provide information for this question, so the case was not included.

*There is considerable inter-parental variation in perceptions of what arrangements are made and who takes responsibility for particular decisions.*

We asked respondents to consider the division of responsibilities in their arrangement for medical issues, schooling, sports and recreation, shopping, religious upbringing and day care, and to tell us whether the responsibilities for each area were shared more or less equally, or were primarily the responsibility of one parent or the other.<sup>8</sup> We might have expected, given the apparent stability of the shared custody arrangements in our sample, that the division of responsibilities between parents would be shared quite equally, or at least that there would be agreement about areas of responsibility. Some interesting patterns emerged from the parents' responses (Tables 2.15 and 2.16).

**Table 2.15 Attribution of Parenting Responsibilities in the Period After Separation (N= 31 parents)**

Division of Responsibilities	Medical	School	Sports & Recreation	Shopping	Religious Upbringing	Daycare
Shared	14	21	20	11	5	7
Primarily Respondent	16	5	10	17	7	11
Primarily Ex-partner	1	0	0	2	5	4
Not Applicable	0	5	1	1	14	9
Total	31	31	31	31	31	31

<sup>8</sup> We invited respondents to suggest other areas where a division of responsibilities was relevant to them, but none of them suggested additional categories.

**Table 2.16 Attribution of Parenting Responsibilities, by Mother/Father, in the Period After Separation (N= 31 parents)**

Division of Responsibility		Medical	School	Sports & Recreation	Shopping	Religious Upbringing	Daycare	Total
Shared	Father	10	10	7	5	4	5	41
	Mother	4	11	13	6	1	2	37
Prim. Respndt.	Father	4	3	8	7	3	3	28
	Mother	12	2	2	10	4	8	38
Primarily Ex.	Father	1	0	0	2	2	2	7
	Mother	0	0	0	0	3	2	5
N/A	Father	0	2	0	1	6	5	14
	Mother	0	3	1	0	8	4	16
Total	Father	15	15	15	15	15	15	90
	Mother	16	16	16	16	16	16	96

For schooling, sports and recreational activities, the majority of respondents said responsibilities were shared equally (67 percent and 61 percent respectively). In the other four areas, respondents were most likely to say that they took primary responsibility themselves. Religious upbringing, and to a lesser extent day care, were areas where the attributions were most evenly divided. In those two areas as well, a substantial number of respondents said that responsibility was not an issue.

We examined responses by the gender of the respondents to see if any patterns emerged as to the types of responsibilities reported to be typically carried out by one or the other parent. Looking at all areas of responsibility together (the right hand column in Table 2.16), we see that fathers often reported that responsibilities were shared, while mothers often reported that they took primary responsibility. Neither fathers nor mothers were inclined to attribute responsibility to their former partners. The most noticeable difference was in the responsibility for medical matters, where two-thirds of fathers said responsibility was shared, while three-quarters of mothers said they took primary responsibility. Sports and recreational activities and shopping were the two areas where fathers were most likely to say they took primary responsibility. Finally, for most of the families in our sample, the divorce and the period after the divorce did not bring about changes in the division of responsibilities. Where change was reported, it reflected a general change in the behaviour of one parent or the other (typically the former partner of the respondent), as opposed to a change in the agreed upon responsibilities in specific areas.

Differences in the perspectives of fathers and mothers were reinforced, to some degree, when we examined our sub-sample of 19 matched sets of parents. Across all six categories, exactly half of parents' responses were in agreement and half indicated disagreement about who took primary responsibility. This included many cases in which one parent said responsibilities were shared and one attributed the responsibility to one parent (overwhelmingly the respondent him or herself). It also included cases in which one parent said the issue was not applicable to them, while the other parent made an attribution of responsibility. Agreement was most likely with regard to schooling and sports and recreation, and least likely in relation to medical matters.

Our findings on the division of responsibilities offer more insight into the varying perspectives of parents in shared custody arrangements, than into who actually takes responsibility in different

areas. However, the findings do suggest, as we might expect in shared custody arrangements, that there is a complex blending of shared and divided responsibilities that can be perceived differently at times by the two parents.<sup>9</sup> In our sample at least, there appears to be stability in the parenting arrangements and little in the way of reported serious disagreements about parenting, despite the differing perspectives on who takes on parenting responsibilities.

### **2.3 PARENTAL SATISFACTION WITH SHARED CUSTODY ARRANGEMENTS**

*Parents with a shared custody arrangement are generally satisfied with their arrangements, providing there are few outstanding areas of contention.*

Respondents were asked how satisfied they had been with their parenting arrangements in the post-separation period, and then again at the time of the interview, on a 5-point scale with 1 being “very satisfied” and 5 being “very dissatisfied.” Most respondents reported at least some degree of satisfaction with their living arrangements in both periods.

Respondents were asked to describe what, if anything, they found satisfactory about the current arrangements, and what, if anything, they found unsatisfactory. Many parents had responses on both sides. By far the most frequent “satisfied” responses related to the fact that the children were able to have quality time with both parents, and that the parents had a regular break from the children (or regular support/backup with parenting). Sources of dissatisfaction were fewer and varied more greatly, but most related to the logistics of having the children moving between two homes, or the fact that one parent was not spending as much time with the children as had been agreed to.<sup>10</sup>

### **2.4 CHILDREN’S ADJUSTMENT AND OUTCOME (AS REPORTED BY PARENTS)**

*When parents get along and children are able to have considerable contact with both parents, parents perceive that their children are happier. However, some children may have difficulty with the constant transitions required by shared custody arrangements.*

Two-thirds of respondents reported that they thought their children were relatively happy with the living arrangement. Only five parents reported thinking that their children were unhappy with the current situation. Children’s dissatisfaction with the set up may be due less to the shared custody arrangement than to other variables, such as parental conflict or the separation itself. However, these findings need to be regarded with caution, as the children were not involved in this pilot research.

Parents were asked which factors they thought would affect their children’s happiness with the current arrangements. By far, the main reported contributors to children’s happiness were:

- That the parents got along well together; and,
- That, those children were able to spend substantial amounts of time with both parents.

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<sup>9</sup> Our discussion of parent satisfaction with shared custody later in this section addresses this latter issue.

<sup>10</sup> Comments of individual respondents are provided in Appendix C.

The main reported sources of unhappiness for the children were:

- Having to move and back and forth between homes (sometimes contrary to the children's own preference at the time);
- Differences in parenting approaches between the two homes; and,
- Parents' new relationships.<sup>11</sup>

Respondents were asked if they had noticed any changes in their children's behaviour under the current living arrangements (and were reminded that the changes could be positive or negative). As well, they were asked to what they attributed these changes. Half of the respondents noted changes since the divorce, and half said they had not. There was a wide variation in the changes reported. Some reported more aggressive, angry or moody behaviour, and some noted more positive changes or developments that reflected the maturing of the children.

A similar question was asked with regard to changes in children's behaviour when they returned to the respondents' homes after they had been with the other parent. The changeover period is recognized as being a point at which children's difficulties with a separation, or with a particular parent, can be especially evident. Eighteen of the 31 respondents (58 percent) said they noticed changes in behaviour when the children returned to their home. These responses tended to reflect a more negative view of the behaviours, focusing more often on increases in belligerence, moodiness or clinginess, as opposed to the few cases in which the children were reported to be simply happy to be back in the respondent's home.<sup>12</sup> When asked how often the children were caught in the middle of disagreements between the parents, all but two respondents said that it never or almost never happened. One respondent said it happened very frequently, and one other said it happened frequently.

The final question in this part of the interview was about changes in the living arrangements that the respondents thought might have worked better for the children. Nineteen parents reported that the arrangements were satisfactory for their children. The 12 remaining parents noted changes in two areas that could improve things for their children:

- Changes in day-today arrangements within the shared custody framework (including length of time with each parent, proximity and temporary changes in arrangements, having two homes); and
- A few parents felt that alternative custody arrangements may have been better for the children (i.e. shared to sole custody arrangements).

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<sup>11</sup> Detailed responses are provided in Appendix D.

<sup>12</sup> Detailed responses are provided in Appendix E.

### **3. FEASIBILITY OF FUTURE RESEARCH**

One goal of this undertaking was to determine the feasibility of conducting a national study on custody arrangements. Any Canada-wide study of shared custody or other types of custody arrangements would require a significant commitment of resources. In order to make such a commitment, the Department of Justice Canada required information on the feasibility of conducting such a study, and some idea of an appropriate methodology to utilize. This small-scale pilot has been able to provide useful information in several areas including:

1. The ability to obtain a sample of parents and the methodology to use;
2. The logistical aspects of conducting research involving interviews with divorced and separated parents;
3. The potential feasibility of interviewing children; and,
4. Challenges with respect to the reliability of information obtained through interviews with parents.

A discussion of these issues is contained in the following sections.

#### **3.1 CASE IDENTIFICATION**

The primary challenge of conducting a national study, from a logistical perspective, will be to obtain a sufficiently large sample of parents. Such a sample would need to include cases of each targeted type of custody arrangement (e.g. shared, sole and split), and identify enough cases on a national basis from which to draw a random sample that would be representative.

##### **3.1.1 Sample Considerations for a National Study**

In any future project on custody arrangements in Canada, it is essential to have a nationally representative sample. This sample should not only include families with shared custody arrangements, but also those with sole-mother, sole-father and split custody. The pilot gave us an indication that we could identify and contact parents with shared custody. There is no reason to believe that it would be difficult to expand the categories to include other custody arrangements.

The courts in Alberta have tended recently to issue a greater proportion of shared custody orders than some other provinces. Nationally, shared custody arrangements account for an average of 5.3 percent of all divorce custody orders. In Alberta, shared custody orders average about 5.5 percent (Department of Justice Canada, 1999). These differences mean that some provincial variation will need to be taken into account during sampling.

##### **3.1.2 Divorced and Separated Families**

The pilot sample included only cases in which parents were divorced. However, in the wider population, many parents never marry, and many married parents who separate, never divorce. Thus, another issue to be considered is the inclusion of families that have separated, but not

divorced. If a decision is made to include separated families, the methodology of the proposed study will be affected to some degree (to allow for identification of these families). Also, consideration must be given to the fact that in these cases, the provinces have jurisdiction. Thus any decision to include separated parents would require consideration of different provincial legislative regimes.

### **3.1.3 National Case Identification**

The methodology used in this study to identify potential cases proved to be effective for the purposes of selecting a small sample of cases in which parents divorced and were granted an order for shared custody. However, even within Alberta, the cases selected were not necessarily representative of all divorces in that province. The Survey of Child Support Awards (SCSA), which includes cases from 16 courts in all provinces and territories except Quebec and Nunavut, could be used to identify potential cases for inclusion in a national study. This database provides a convenient source for cases in selected courts, which is easily sorted by custody type. The one significant exception to the representativeness of the SCSA cases is the fact that it does not include any cases from Quebec. However, Quebec has created a survey that includes divorces, separation and common-law cases that could be used to obtain a sample of cases living in Quebec. To obtain an even greater number of potential cases (and a more representative sample), it may be possible to supplement the cases identified from the SCSA with cases drawn directly from some courts not included in the survey. However, it should be noted that such a process would be labour intensive, and the information may be difficult to access.

### **3.1.4 Representativeness and Over-sampling**

A decision would also have to be made as to whether to attempt to pursue representativeness beyond including several types of custody arrangements. It would be more difficult to undertake stratified random sampling on a nationwide basis, but this procedure would potentially provide a more accurate picture of custody arrangements in Canada. Also, due to the small proportions of families with shared, sole-father and split custody, it would be important to over-sample families in these categories. This would improve the long-term usefulness and value of the study. Otherwise, for example, if 4% of families in Canada had shared custody arrangements (based on their divorce outcome), and the proposed random sample was 1000 cases, only 40 families would be sampled.

### **3.1.5 Cultural and Language Issues**

We did not attempt to identify any cultural influences on shared custody or whether shared custody is a likely alternative in different Canadian communities. In designing a national study, it may be of interest to consider this aspect in asking respondents about what influenced their choice of custody arrangement and how they put their arrangement into practice. In addition, in the pilot study, we were prepared only to conduct interviews in English or French (however all interviews were conducted in English). In a larger national study, some parents will choose to respond in languages other than English or French. Those developing a national study would have to consider whether to conduct interviews in other languages or, if not, what biases this might impose (likely as a separate study).



### **3.1.6 Comparison samples**

In a national study, it might be advisable to include a comparison sample of intact families that could be similar to the divorced/separated sample in terms of socioeconomic and demographic factors. This addition would strengthen the research design and allow for comparisons between families that have dissolved and those still intact. Although this inclusion would increase the number of cases to be included in the prospective research, the pay-off might be worth the cost.

## **3.2 RECRUITMENT PROCEDURES AND PARTICIPATION RATES**

As expected, the major difficulty in contacting prospective respondents was that the family-court case files often did not provide up-to-date addresses, and in many cases, phone numbers were out-of-date or not available. Where only an address was provided, an effort was made using Canada 411 and other telephone search services, to obtain a phone number. Where this was successful, the respondent was usually contacted.

At the outset of this project, a decision was made to include, where possible, both parents of a former union. Further research projects will have to consider the cost and benefits of this approach, because in our experience, this decision introduced several problems:

- 1) Initial calls were made only when a correct phone number for both parents was available. This placed considerable constraint on the potential participant pool.
- 2) The researcher required an accurate address for both parents in order to attempt contact with either one. In the pilot study, this occurred for only 35 cases (versus 119 cases with one address available).
- 3) For the majority of analyses, only one parent from each former union was included. This procedure raised some concern about the appropriateness of obtaining a full set of data for some respondents that would not be ultimately used for the full purpose of analysing responses. In this pilot, we randomly selected one parent from each of the matched sets for our parent sample (which was the sample used for the majority of the analysis). The responses from the other parent were not used except for comparing mothers' and fathers' responses to certain questions. The primary value of the "matched" parent responses was in examining the agreement or shared perceptions of both parents of a former union on certain issues. The matched responses were also used to identify aspects of shared custody arrangements that appeared contentious in that the two parents had widely differing points of view on parenting issues. Having responses from both parents regarding expenses also helped to provide some preliminary information on the costs of shared parenting. These were of value in assisting the Department to plan subsequent research, but may not be as important in a follow-up national study.

In planning a larger national research project, it would be worth considering obtaining a full sample of randomly selected parents, and then approaching the former partners of a sub-sample of the original respondents for limited and specific purposes only. In this case, it might be preferable to develop two questionnaires; the new one shorter and focused on particular issues for one of the "matched" parents. This approach would be supported by the fact that for most areas, parents agreed on the major issues, with small differences. Also, the cost of fully

interviewing both parents in a large sample would be prohibitive, and to some extent wasteful, as there is no way to determine which parent is “more” correct. Using information from two members of the same former union would also over-emphasize the responses of certain families.

### **3.2.1 Ability to Contact Potential Participants and Alternative Methodologies**

The other key step in obtaining an adequate sample for a national study involves contacting the cases identified for evaluation. For the current study, court files with a least one address were available for more than half of the cases initially drawn for our sample. Thus, one might expect that similar research would require an initial sample of almost twice the number of cases required to meet sampling requirements (e.g. identify 2000 cases to obtain 1000 participants). In the pilot study, however, we decided to include both parents of a former union. This requirement greatly reduced the potential number of cases for the research.

It might be feasible to consider alternative methods of contacting potential participants. Obtaining information from court files presents a problem because of the lack of contact information in some cases. One potential avenue to explore is to approach lawyers for the contact information. The court files always contain the name and address of the lawyers who represented the parents in their divorce proceedings. It would be possible, although more time-consuming, to contact these law firms and request that they contact their clients to provide information about the research, and if they are interested, either ask them to contact the research team or give the team permission to contact them. In the case of a mail-out survey, clients could be asked to consider completing the questionnaire.

### **3.3 COSTS AND BENEFITS OF THE INTERVIEW METHODOLOGY**

In the present study, the decision was made to directly interview parents over the phone. The benefits of using the one-on-one telephone interview methodology are numerous and include the ability to:

- Get a higher rate of participation because of direct person-to-person contact;
- Ensure timely responses are made that require little investment on the part of the respondent;
- Probe and clarify responses;
- Ensure that the respondent understands the question;
- Make a connection with the respondent and potentially obtain a higher quality and greater amount of information; and,
- Determine how well the interview schedule suits the sample and make changes.

The costs of this methodology include:

- Significant time and resources must be dedicated to each participant;
- Increased time to translate comments into quantitative data; and,

- A requirement for a well-trained and experienced interviewer.

In further research, this methodology could prove sound. However, other possible protocols could be explored to reduce costs in a larger scale study. Alternative methodologies could include: 1) a mail-out survey; 2) focus groups and group testing; and 3) file reviews, in combination with other sources of information. Each of these options (described below) would have benefits and costs, and should be thoroughly considered, in addition to maintaining the interview methodology.

### **3.3.1 Mail-outs**

A mail-out survey would require the development of a questionnaire that could be mailed to potential participants. In general, this approach will garner a very low rate of response from parents who lead busy lives and have no incentive to fill out yet another form. However, a survey such as this one could be paired with measures designed to increase response rates, such as calls to the home in attempt to solicit participation, or limited incentives. It's possible that any potential cost savings through a survey of this kind would be offset by the high expense of sending out the large numbers of surveys required to obtain an adequate sample size. This problem would be more significant in the smaller provinces and territories, where there may be small samples of cases to begin with, particularly for sole-father, shared and split custody cases.

### **3.3.2 Group Testing and Focus Groups**

Group testing sessions or alternative group methodologies, such as focus testing, could be used to collect information. The benefit of this type of approach is that a larger number of respondents can be given questionnaires at the same time. It is likely that a higher participation rate could be obtained through use of this methodology and the cost of individual interviews reduced. Further, the method provides for more contact between the interviewer and the respondents, making it easier to clarify questions if required. On the other hand, getting parents to a particular location would require significant organization and planning. Incentives might be needed to encourage parents to come to the place of testing.

### **3.3.3 File Reviews and Supplementary Information Gathering**

File reviews, although perhaps the least preferred and least informative option, could be used to supplement any other methodology chosen, depending on the information sought.

## **3.4 INFORMATION COLLECTED THROUGH INTERVIEWS**

Based on the pilot study, researchers may decide to make changes to the information solicited, however it appears that the questionnaire was well designed for shared custody arrangements. There were no questions that parents (as a whole) refused to answer or appeared to misunderstand. However, any changes to the target sample for future studies (e.g. different custody arrangements and intact families) would require the interview schedule to be adapted to different family experiences. These changes would flow from research team discussions, but would likely be heavily influenced by the structure of the current instrument. Below are some items for consideration as additional questions/areas for exploration.

### **3.4.1 Number of Children in the Household**

In the pilot study, the number of children in the household was not determined. Only information on the number of children from the prior marriage was collected. It may be important, however, to obtain this information in a future research project. For example, in examining household expenses related to parenting, the number and age of children in the household is relevant. To factor these elements into the analysis in a larger national study, several issues will need to be considered. First, researchers should inquire not only about children of the relationship with the two parents in question, but also any children from new or past relationships who may be residing in the parents' residences. Also, depending on the depth of analysis to be undertaken with regard to expenses, the national study may need to inquire directly about expenses related to each of the children separately, so that the influence of the children's ages can be adequately taken into account. Finally, it should be recognized that in some cases there might be no children in a parent's household (for example because the children are older and have moved out on their own by the time of the interview). Researchers will need to consider whether to include such cases in the sample.

### **3.4.2 Reliability of Responses**

There were no formal tests of social desirability or examinations of reliability built into the design of the interview guide for this pilot. However, the fact that we had a sub-sample of 19 matched sets of parents meant that we could compare responses from parents on questions of fact, as one way of assessing reliability. The interview included many questions that sought descriptions of the living arrangements of the family at different points in time, questions that inquired about the division of responsibilities and expenses, and other questions for which there might be some expectation of similar responses between former partners.

For these questions, there was an overall "agreement rate" of 83 percent in our study. That is, for all instances in which former partners were asked the same factual questions, 83 percent of the time the partners responded consistently with each other. This does not indicate the extent of disagreement. For example, some questions invited a range of possible responses of greater or lesser divergence, and we have not analysed the degree of divergence between the matched parents in their responses to these questions. Further analysis on a question-by-question basis may be of interest in helping to guide the structure of questions for future interviews. For our purposes, it is sufficient to say that the degree of agreement between the matched parents is an indication that the reliability of responses on sensitive issues may be at an acceptable level. However, some disagreement did exist on questions where one might have expected high agreement, such as the duration of the couple's marriage or how long they had been separated. This indicates that, where possible, objective sources of information should be sought. Court files have information on dates of marriages and divorces and the specific terms of divorce. Independent confirmation of these details would be useful to have as a starting point for understanding custody arrangements.

Figures provided by respondents for annual expenses in different expense categories represent estimates only; we have no way of assessing their accuracy. On this point, there may be merit in providing respondents with written explanations of the types of expenses the interviewer would be asking about, prior to the interviews. This would not alleviate the risk of some

misinformation being obtained, but it might reduce the risk somewhat by limiting error due to a misunderstanding of what expense information was being requested.

### **3.4.3 Parenting Arrangements and Divorce Proceedings**

In our pilot, we noted that a number of families had been in sole-custody arrangements prior to the divorce, and had then adopted a shared custody arrangement. We don't know what the impetus was for the change in custody arrangement, or what the impetus was for the divorce itself, but it may be that the formality of the divorce process (e.g. the involvement of legal counsel with differing ideas of a position to assume) may lead parents to reconsider their arrangements. It may also be that a resolution of the parenting arrangements is a factor in the decision to divorce. In either case, the divorce process may affect the type of custody in place and the way the details of the arrangements are worked out in individual cases. To the extent that this is true, it will be important to look at non-divorce cases to understand more fully the factors influencing custody arrangements and the outcomes for children.

## **3.5 INTERVIEWS WITH CHILDREN**

It is important to assess the outcomes of custody arrangements for children. The Department of Justice Canada is interested in the possibility of obtaining some information directly from children as part of the national research project. The methods to obtain this data could range from individual interviews to focus group testing, such as was undertaken by the Federal/Provincial/Territorial Task Force on Custody and Access.

In the current study, parents were asked to comment on their children's adjustment and satisfaction. But more importantly they were asked whether they would feel comfortable with the participation of their children in a future study. The majority of respondents (over 60 percent) indicated their willingness, with some caveats and suggested limits.

There are, of course, sensitivities and confidentiality issues associated with interviewing children on a subject as personal and potentially distressing to them as their living situation after their parents separate. But any protocol developed would consider these issues, including follow-up referrals in the event intervention is required. As well, certain methodologies (e.g. group testing with sufficient supervision) would likely be more appropriate than others.

Finally, we need to recognize the possibility that parents who are not getting along and are having disagreements about custody, access, child support or other issues relating to their children, may be more reluctant to have their children discuss their situation with an interviewer. No such linkage emerged from our small sample of parents who did not appear to be getting along together, but there were too few of them to draw any inferences.



## **4. CONCLUSION**

### **4.1 HYPOTHESIS BUILDING**

Findings from this study provided information on how shared custody arrangements were put into practice in some cases. We found that, in the majority of cases, living arrangements in the families have been stable throughout the period after separation and beyond the time of the divorce. Parents in our sample reported an ongoing ability to work co-operatively with their former spouses to share the parenting of their children, and overall satisfaction with the living and parenting arrangements they have in place. For the most part, the parents were in frequent contact with each other and on friendly terms, discussing parenting issues as they arose and supporting each others' parenting decisions. We found that in about 75 percent of the cases, the formal shared custody arrangement was translating, in practice, into an actual sharing of parenting on a day-to-day basis. A substantial majority of the parents considered the arrangement to be working well for the children precisely because of the fact that they were able to work together co-operatively.

In our sample, shared custody was more likely to be in place after the divorce than in the immediate post-separation period. This is contrary to some research that suggests that shared custody is sometimes a casualty of the realities that are experienced as parents adjust to their new, separate lives (Moyer, 22-23). We also found that factors such as children growing older and becoming more independent, or a parent moving further away from the other parent for employment, were often the impetus for change in the living arrangements after divorce. Only in a very small number of cases was an apparent inability to parent co-operatively the cause of a change in arrangement. Another finding that was generalized in many of the areas we examined was that parenting arrangements and practices in our shared custody cases appear to be worked out informally and to evolve over time, as opposed to being determined through the formality of the divorce arrangement. The divorce appears to establish the shared custody as an overall parenting model, but parents develop many of the specific arrangements themselves, with little or no involvement from lawyers. Decision-making about the children is often informal, and changes in decision-making patterns reflect changes in living arrangements or other circumstances, rather than deliberate changes in the way decisions are made. The division of the many parenting responsibilities that need to be shared appears also to be somewhat informal and subject to varying interpretations by former spouses. This is largely because those responsibilities are too interwoven and changeable over time to allow for an overly structured arrangement.

The parents in our sample tended to share expenses in most areas, rather than divide the responsibilities by expense item. Few areas of disagreement about expenses were reported. The fact that almost all of the parents we interviewed worked full-time, and that the parents in our sample reported themselves as being in a relatively high socio-economic group, may be a contributing factor. Expenses reported by both fathers and mothers for housing and utilities, in particular, were substantial, and were duplicated in both households in almost equal measure.

## **4.2 FEASIBILITY STUDY**

The experience of this pilot study in Alberta indicates that a larger national research project on child custody arrangements, based on telephone interviews with parents, is feasible. Our experience suggests that parents will be willing participants in such a study, and that they will have little reluctance to address what are sometimes sensitive issues. It also suggests that it may well be possible to build into the research a component with children of divorced and separated parents.

The purpose of a national study would be to understand how different custody arrangements function in practice, to examine the factors that influence how well each type of custody works, and to assess the conditions that appear most amenable to these types of custody arrangements. Ultimately, such research would contribute to the federal government's policies to help ensure that children's best interests are served in custody orders and agreements.

There are several pivotal concerns that would need to be closely considered. These include determination of the potential sample and methodologies to be used to obtain the information. However, the drawbacks and potential difficulties of undertaking a national study do not outweigh the benefits of obtaining current and accurate information on custody arrangements in Canada.



## REFERENCES

- Department of Justice Canada  
1997 *Formula for the table of amounts contained in the Federal Child Support Guidelines: A technical report.* Ottawa: Department of Justice Canada.
- Ellis, D.  
1995 *Custody access and child/spousal support: A pilot project.* Ottawa: Department of Justice Canada
- Le Bourdais, Celine, Heather Juby, and Nicole Marcil-Gratton  
2000 *Keeping contact with children: assessing the father/child post-separation relationship from the male perspective.* Ottawa: Department of Justice Canada.
- Lin, Z., and G. Kiefl  
In press *Custody Arrangements, Parenting and Child Outcomes: An Exploratory Analysis of Canadian Longitudinal Data.* Ottawa: Department of Justice Canada.
- Marcil-Gratton, Nicole, and Céline Le Bourdais  
1999 *Custody, access and child support: Findings from the National Longitudinal Survey of Children and Youth.* Ottawa: Department of Justice Canada.
- Moyer, S.  
2004 *Child Custody Arrangements: Their Characteristics and Outcomes.* Ottawa: Department of Justice Canada.
- Walker, J.  
1999 *Contact between children and violent parents: Summary of research in progress.* London: Lord Chancellor's Department (LCD Research). Retrieved from: <http://www.lcd.gov.uk/research/general/srp/srpcon.htm> (June 21, 2001).



**APPENDIX A: SHARED CUSTODY PARENT INTERVIEW GUIDE**



## SHARED CUSTODY PARENT INTERVIEW GUIDE

### PART I—FAMILY HISTORY

This first part of the interview is to obtain some background information about you, your children and your former spouse.

1. For how long were you married to your former spouse?
  - 01 Less than 1 year
  - 02 1 to less than 2 years
  - 03 2 to less than 3 years
  - 04 3 to less than 4 years
  - 05 4 to less than 5 years
  - 06 5 to less than 10 years
  - 07 10 years and over
  - 98 Unknown
  - 99 Refused
  
2. How long have you been separated (living apart) from your former spouse?
  - 01 Less than 1 year
  - 02 1 to less than 2 years
  - 03 2 to less than 3 years
  - 04 3 to less than 4 years
  - 05 4 to less than 5 years
  - 06 5 to less than 10 years
  - 07 10 years and over
  - 98 Unknown
  - 99 Refused
  
3. What are the sexes and current ages of the children from your relationship with your former spouse?

	First Name	Sex	Age
Child 1			
Child 2			
Child 3			
Child 4			
Child 5			
Child 6			
Child 7			
Child 8			
Child 9			
Child 10			
Child 11			

98 Unknown

99 Refused

**PART II—ARRANGEMENTS AT THE TIME OF SEPARATION**

These next few questions are about your living arrangement immediately following separation from your partner.

4. In the period after you separated, what living arrangements did you have for each of the children from your marriage to your former spouse? **(REPEAT FOR EACH CHILD. IF RESPONDENT SAYS THE ARRANGEMENT CHANGED OVER TIME, ASK FOR THE PREDOMINANT ARRANGEMENT IN THE POST-SEPARATION, PRE-DIVORCE PERIOD.)**

	Shared custody (01)	Primarily Respondent (02)	Primarily Partner (03)	Neither parent (04)	Unknown (98)	Refused (99)
Child 1						
Child 2						
Child 3						
Child 4						
Child 5						
Child 6						
Child 7						
Child 8						
Child 9						
Child 10						
Child 11						

98 Unknown

99 Refused

5. On a scale from 1 to 5, with 1 being “very satisfied” and 5 being “not at all satisfied,” how satisfied would you say you were in the period after the separation with these living arrangements?

Very satisfied      1      2      3      4      5      not at all satisfied

98 Unknown

99 Refused

- 5a. *If (3-5),* What kind of arrangement would you have preferred?

---



---

97 Not applicable

98 Unknown

99 Refused

6. About how far apart did you and your former spouse live at the time of your separation?  
**(IF CHANGED OVER TIME, ASK FOR DISTANCE FOR LONGEST LASTING ARRANGEMENT DURING THE PERIOD)**

- |    |                                   |    |  |
|----|-----------------------------------|----|--|
| 01 | Walking distance                  | 08 | Beyond 1000 km (Can or US;<br>< 625 mi or 10 hr by car)? |
| 02 | 10 km (6 mi or 10 min by car)?    | 09 | Outside Canada or United States?                         |
| 03 | 50 km (30 mi or 30 min by car)?   | 98 | Unknown  |
| 04 | 100 km (60 mi or 1 hr by car)?    | 99 | Refused  |
| 05 | 200 km (120 mi or 2 hr by car)?   |    |  |
| 06 | 400 km (250 mi or 4 hr by car)?   |    |  |
| 07 | 1000 km (625 mi or 10 hr by car)? |    |  |

7. *If a child/children did not live with respondent*, Did you have access to the child/children, or were you able to visit?

- |    |                |    |         |
|----|----------------|----|---------|
| 01 | Yes            | 98 | Unknown |
| 02 | No             | 99 | Refused |
| 97 | Not applicable |    |         |

7a. *If yes*, How frequent were your visits?

- |    |   |    |  |
|----|---|----|--|
| 01 | Most days                                   | 07 | Every second weekend and two additional days |
| 02 | Every weekend                               | 08 | Bi-weekly                                    |
| 03 | Every weekend and one additional day        | 09 | Monthly                                      |
| 04 | Every weekend and two additional days       | 10 | Four times a year                            |
| 05 | Every second weekend                        | 11 | Annually or less frequently                  |
| 06 | Every second weekend and one additional day | 12 | Other  |
|    |   | 97 | Not applicable                               |
|    |   | 98 | Unknown                                      |
|    |   | 99 | Refused                                      |

8. Were there any arrangements for changeovers (pick-up and drop-off of the children) between you and your former spouse?

- |     |    |         |
|-----|----|---------|
| Yes |    |         |
| No  |    |         |
|     | 98 | Unknown |
|     | 99 | Refused |

8a. *If yes*, specify \_\_\_\_\_

9. In the period after the separation, were you and your former spouse able to reach a separation agreement yourselves, did you work through lawyers to settle areas of disagreement, or were some areas of disagreement settled in court?

- |    |                              |    |         |
|----|------------------------------|----|---------|
| 01 | No pre-divorce agreement     | 04 | Court   |
| 02 | Reached agreement themselves | 98 | Unknown |
| 03 | Agreement with lawyers       | 99 | Refused |

10. What issues, if any, were contested?

- |    |                             |    |                                   |
|----|-----------------------------|----|-----------------------------------|
| 01 | Child support               | 07 | Cost of living clause (inflation) |
| 02 | Custody                     | 08 | Review clause                     |
| 03 | Access                      | 09 | Other: _____                      |
| 04 | Spousal Support             | 98 | Unknown                           |
| 05 | Arrears                     | 99 | Refused                           |
| 06 | Award termination provision |    |                                   |



### PART III—ARRANGEMENTS AT THE TIME OF DIVORCE

The next few questions are about the living arrangements at the time of your divorce.

11. At the time of your divorce, what did your arrangement say about living arrangements for each of the children from your marriage to your former spouse? **(REPEAT FOR EACH CHILD)**

	Shared custody (01)	Primarily Respondent (02)	Primarily Partner (03)	Neither parent (04)	Unknown (98)	Refused (99)
Child 1						
Child 2						
Child 3						
Child 4						
Child 5						
Child 6						
Child 7						
Child 8						
Child 9						
Child 10						
Child 11						

98 Unknown

99 Refused

12. Was this arrangement actually put in place, or were there parts of the formal divorce arrangement that were never really part of the living arrangements after the divorce?

- 01 Divorce arrangement actually put into place  
02 Some parts not put in place

- 98 Unknown  
99 Refused

- 12a. *If some parts not put in place, Describe* \_\_\_\_\_

- 97 Not applicable  
98 Unknown

- 99 Refused

13. How far apart did you and your former spouse live at the time of your divorce?

- 01 Walking distance  
02 10 km (6 mi or 10 min by car)?  
03 50 km (30 mi or 30 min by car)?  
04 100 km (60 mi or 1 hr by car)?  
05 200 km (120 mi or 2 hr by car)?  
06 400 km (250 mi or 4 hr by car)?  
07 1000 km (625 mi or 10 hr by car)?

- 08 Beyond 1000 km (Can or US; < 625 mi or 10 hr by car)?  
09 Outside Canada or United States?  
98 Unknown  
99 Refused

14. (IF THE CHILD/CHILDREN DID NOT LIVE WITH RESPONDENT) Did you have access to the child/children, or were you able to visit?

- |    |                |    |         |
|----|----------------|----|---------|
| 01 | Yes            | 98 | Unknown |
| 02 | No             | 99 | Refused |
| 97 | Not applicable |    |         |

14a. (If yes) How frequent were your visits?

- |    |   |    |  |
|----|---|----|--|
| 01 | Most days                                   | 07 | Every second weekend and two additional days |
| 02 | Every weekend                               | 08 | Bi-weekly                                    |
| 03 | Every weekend and one additional day        | 09 | Monthly                                      |
| 04 | Every weekend and two additional days       | 10 | Four times a year                            |
| 05 | Every second weekend                        | 11 | Annually or less frequently                  |
| 06 | Every second weekend and one additional day | 12 | Other  |
|    |   | 97 | Not applicable                               |
|    |   | 98 | Unknown                                      |
|    |   | 99 | Refused                                      |

15. Did the divorce arrangement result in changes in the way you and your former spouse arranged picking up/dropping off the children?

- |    |                 |    |         |
|----|-----------------|----|---------|
| 01 | Yes, changes    | 98 | Unknown |
| 02 | No, no changes  | 99 | Refused |
| 03 | No arrangements |    |         |

15a. (If yes) Specify \_\_\_\_\_

- |    |                |
|----|----------------|
| 97 | Not applicable |
| 98 | Unknown        |
| 99 | Refused        |

16. At the time of the divorce, were you and your former spouse able to reach an agreement yourselves, did you work through lawyers or other professionals to settle areas of disagreement, or were some areas of disagreement settled in court?

- |    |   |    |         |
|----|---|----|---------|
| 01 | Reached agreement themselves                  | 03 | Court   |
| 02 | Agreement with lawyers or other professionals | 98 | Unknown |
|    |   | 99 | Refused |

17. What issues, if any, were contested?

- |    |                             |    |                                   |
|----|-----------------------------|----|-----------------------------------|
| 01 | Child support               | 07 | Cost of living clause (inflation) |
| 02 | Custody                     | 08 | Review clause                     |
| 03 | Access                      | 09 | Other: _____                      |
| 04 | Spousal Support             | 98 | Unknown                           |
| 05 | Arrears                     | 99 | Refused                           |
| 06 | Award termination provision |    |                                   |

18. Were there lawyers, mediators, social workers or any other professionals involved in the process leading to your court agreement?

- |    |  |    |               |
|----|--|----|---------------|
| 01 | Lawyer for respondent                  | 04 | Mediator      |
| 02 | Lawyer for respondent's former spouse  | 05 | Social Worker |
| 03 | Lawyer for government agency (welfare) | 06 | Other: _____  |
|    |  | 98 | Unknown       |
|    |  | 99 | Refused       |

18a. *(If had professionals involved)* What role would you say these professionals/this professional played in arriving at the arrangement that your divorce put in place?

---

- |    |                |    |         |
|----|----------------|----|---------|
| 97 | Not applicable | 99 | Refused |
| 98 | Unknown        |    |         |

19. Did you take parenting courses during the divorce?

- |    |     |    |         |
|----|-----|----|---------|
| 01 | Yes | 98 | Unknown |
| 02 | No  | 99 | Refused |

20. Was a parenting plan part of your court agreement at the time of your divorce?

- |    |     |    |         |
|----|-----|----|---------|
| 01 | Yes | 98 | Unknown |
| 02 | No  | 99 | Refused |

**PART IV ARRANGEMENTS AS THEY ARE CURRENTLY**

This next set of questions is about your current living/custody arrangements.

21. Since the time of your divorce, have there been changes in the living arrangements for any of your children?

- 01 Yes
- 02 No
- 98 Unknown
- 99 Refused

**(IF NO, MOVE ON TO PART V)**

22. Were these changes made informally between you and the other parent, or formally in court?

- 01 Informal
- 02 Formal Variation  
(How many \_\_\_\_\_)
- 98 Unknown
- 99 Refused

23. What are the current living arrangements for each of the children from your marriage to your former spouse? **(REPEAT FOR EACH CHILD)**

	Shared custody (01)	Primarily Respondent (02)	Primarily Partner (03)	Neither parent (04)	Unknown (98)	Refused (99)
Child 1						
Child 2						
Child 3						
Child 4						
Child 5						
Child 6						
Child 7						
Child 8						
Child 9						
Child 10						

98 Unknown

99 Refused

24. How far apart do you and your former spouse live currently?

- 01 Walking distance
- 02 10 km (6 mi or 10 min by car)?
- 03 50 km (30 mi or 30 min by car)?
- 04 100 km (60 mi or 1 hr by car)?
- 05 200 km (120 mi or 2 hr by car)?
- 06 400 km (250 mi or 4 hr by car)?
- 07 1000 km (625 mi or 10 hr by car)?
- 08 Beyond 1000 km (Canada or US; < 625 mi or 10 hr by car)?
- 09 Outside Canada or United States?
- 98 Unknown
- 99 Refused

25. (If a child/children does/do not live with respondent) Do you have access to the child/children, or are you able to visit?

- |    |                |    |         |
|----|----------------|----|---------|
| 01 | Yes            | 98 | Unknown |
| 02 | No             | 99 | Refused |
| 97 | Not applicable |    |         |

25a. (If yes) How frequent are your visits?

- |    |   |    |  |
|----|---|----|--|
| 01 | Most days                                   | 07 | Every second weekend and two additional days |
| 02 | Every weekend                               | 08 | Bi-weekly                                    |
| 03 | Every weekend and one additional day        | 09 | Monthly                                      |
| 04 | Every weekend and two additional days       | 10 | Four times a year                            |
| 05 | Every second weekend                        | 11 | Annually or less frequently                  |
| 06 | Every second weekend and one additional day | 12 | Other  |
|    |   | 97 | Not applicable                               |
|    |   | 98 | Unknown                                      |
|    |   | 99 | Refused                                      |

26. Are there any new arrangements for changeovers (pick-up and drop-off of the children) between you and your former spouse?

- |    |     |    |         |
|----|-----|----|---------|
| 01 | Yes | 98 | Unknown |
| 02 | No  | 99 | Refused |

26a. (If yes) Specify \_\_\_\_\_

- |    |                |    |         |
|----|----------------|----|---------|
| 97 | Not applicable | 99 | Refused |
| 98 | Unknown        |    |         |

## PART V—PARENTAL RESPONSIBILITIES

These next questions are about how you and your former spouse have shared the responsibilities of raising your children (aside from living arrangements).

27. On a day-to-day basis there are many decisions parents make regarding their children. These may be decisions about their schooling, their religious upbringing, discipline, household rules about behaviour, bedtimes, recreation and sports and many other kinds of decisions.

At the time of separation, did you and your former spouse agree on how these kinds of decisions would be made that affect the children?

01	Yes	98	Unknown
02	No	99	Refused

28. On a scale from 1 to 5, with 1 being “very satisfied” and 5 being “not at all satisfied,” how satisfied would you say you were **in the period after the separation** with how decisions were made about the children?

Very satisfied	1	2	3	4	5	not at all satisfied
98	Unknown				99	Refused

28a. *(If 3-5)* What were you dissatisfied with?

---

97	Not applicable	99	Refused
98	Unknown		

29. Did the arrangement for decision-making change when the divorce arrangement was first in place?

01	Yes	98	Unknown
02	No	99	Refused

29a. *(If yes)* Describe

---

97	Not applicable	99	Refused
98	Unknown		



32. Even with shared custody, some division of parenting responsibilities is common. I'd like to read you a list of common areas of parenting responsibility. Thinking now about **the period after you separated and before your divorce**, can you tell me, for each of these areas, if it is an area that you were primarily responsible for, an area that your former spouse was primarily responsible for, or an area that was shared? Are there other areas where responsibility is divided?

	Primarily Respondent (01)	Primarily Former spouse (02)	Shared (03)
Medical (doctor, dentist)			
Schooling (homework, meetings with teachers, attending events)			
Sports or recreational activities			
Shopping for clothing, equipment, other non-food necessities			
Religious upbringing			
Organizing Day Care			

98 Unknown

99 Refused

34. Did the division of responsibilities change as a direct result of the divorce arrangement?

01 Yes

98 Unknown

02 No

99 Refused

34a. (If yes) Describe

---

97 Not applicable

99 Refused

98 Unknown

35. Has the division of responsibilities changed between the time of the divorce and now?

01 Yes

02 No

98 Unknown

99 Refused

35a. (If yes) Describe

---

97 Not applicable

99 Refused

98 Unknown



**PART VI—EXPENSES ASSOCIATED WITH SHARED CUSTODY**

The next set of questions is about the costs of raising your children in two households.

36. Thinking about your formal divorce arrangement, can you tell me, for the following types of child-related expenses, whether **the arrangement says** it is primarily you who should pay for them, primarily your former spouse, or if the expense should be shared between the two of you? Are there any other types of expenses that your divorce arrangement specifies?

	Primarily Respondent (01)	Primarily Former spouse (02)	Shared (03)	No reference in arrangement (04)	Unknown (98)
Food					
Clothing					
Furniture					
Medical/dental					
Sports and recreation					
Hobbies					
Travel					
School-related					

98 Unknown

99 Refused

37. Is there a provision for child support in your divorce arrangement?

01 Yes

98 Unknown

02 No

99 Refused

37a. (If yes) Can you tell me what the child support arrangement is?

01 Respondent pays child support

02 Former spouse pays child support

03 Other: \_\_\_\_\_

97 Not applicable

98 Unknown

99 Refused

37b. How much child support is required to be paid per month? \_\_\_\_\_

97 Not applicable

99 Refused

98 Unknown

38. Was the child support amount based on Alberta's child support guidelines?

- 01 Yes
- 02 No
- 97 Not applicable
- 98 Unknown
- 99 Refused

39. Now thinking about how expenses are **actually being divided**, can you tell me, for those same types of child-related expenses, whether it is primarily you who pays, primarily your former spouse, or if the expense is shared between the two of you?

	Primarily Respondent (01)	Primarily Former spouse (02)	Shared (03)	No expenses (04)	Unknown (98)
Food					
Clothing					
Furniture					
Medical/dental					
Sports and recreation					
Hobbies					
Travel					
School-related					

98 Unknown

99 Refused

40. Since the divorce arrangement, have there been additional expenses that were not anticipated?

- 01 Yes
- 02 No

- 98 Unknown
- 99 Refused

40a. (If yes) What kind of additional expenses? Who is paying those expenses?  
**(CHECK ONLY THOSE EXPENSE ITEMS IDENTIFIED BY RESPONDENT)**

	<b>Primarily Respondent (01)</b>	<b>Primarily Former spouse (02)</b>	<b>Shared (03)</b>
Food			
Clothing			
Furniture			
Medical/dental			
Sports and recreation			
Hobbies			
Travel			
School-related			

97 Not applicable  
 98 Unknown

99 Refused

41. (If yes to Question 40) How did you and your former spouse come to an agreement about who should pay these additional expenses?

- |  |                               |
|--|-------------------------------|
| 01 Reached a mutually satisfactory agreement ourselves | 05 Did not reach an agreement |
| 02 Mediated settlement                                 | 97 Not applicable             |
| 03 Went to court                                       | 98 Unknown                    |
| 04 Reached agreement through lawyer                    | 99 Refused                    |

42. How do you and your former spouse deal with the sharing of small or incidental expenses related to the children, such as money for allowances, purchases of clothing, incidental school fees, personal health needs?

- |                                 |                |
|---------------------------------|----------------|
| 01 We each pay them as required | 04 Other _____ |
| 02 Respondent usually pays      | 98 Unknown     |
| 03 Former spouse usually pays   | 99 Refused     |

43. Do you anticipate that your divorce arrangement may have to be changed in the future to deal with new circumstances?

- |        |            |
|--------|------------|
| 01 Yes | 98 Unknown |
| 02 No  | 99 Refused |

43a. (If yes) What type of events or expenses do you think might require changes to the existing arrangement?

- |    |  |    |                 |
|----|--|----|-----------------|
| 01 | One parent moves away, thus costs associated with travel   | 04 | Child moves out |
| 02 | Child may attend university/college/other training program | 05 | Other _____     |
| 03 | Major medical or dental costs                              | 97 | Not applicable  |
|    |  | 98 | Unknown         |
|    |  | 99 | Refused         |

44. What would you estimate that you spend in an average month on the following types of expenses?

	Average Expense	Monthly / Yearly	
Housing (rent/mortgage)		M	Y
Household maintenance and repairs		M	Y
Utilities		M	Y
Clothing (kids only)		M	Y
Furniture (kids related)		M	Y
Toys		M	Y
Sports and recreation		M	Y
Hobbies		M	Y
Travel		M	Y
School supplies		M	Y

98 Unknown

99 Refused

45. Are there currently any areas of disagreement between you and your former spouse over financial issues?

01 Yes

98 Unknown

02 No

99 Refused

45a. (If yes) What areas of disagreement? (LET RESPONDENT IDENTIFY AREAS)

- |    |  |    |   |
|----|--|----|---|
| 01 | Child support                            | 06 | Unanticipated expenses (e.g. school, medical) |
| 02 | Expenses related to original family home | 07 | Other _____                                   |
| 03 | Regular expenses (e.g. food, clothing)   | 97 | Not applicable                                |
| 04 | Travel costs related to parenting        | 98 | Unknown                                       |
| 05 | Sports and recreation expenses           | 99 | Refused                                       |

45b. (If yes to Q45) How do you go about resolving those disagreements?

---

98 Unknown

99 Refused

## PART VII—RELATIONSHIP BETWEEN PARENTS

This part of the survey asks questions about the nature of the relationship between you and your former spouse.

46. How often are you and your former spouse in contact with one another?

- |    |              |    |         |
|----|--------------|----|---------|
| 01 | Most days    | 05 | Rarely  |
| 02 | Weekly       | 06 | Never   |
| 03 | Monthly      | 98 | Unknown |
| 04 | Occasionally | 99 | Refused |

47. What means of contact do you and your former spouse most often have with one another?

- |    |                         |    |             |
|----|-------------------------|----|-------------|
| 01 | By phone                | 05 | Other _____ |
| 02 | In person               | 98 | Unknown     |
| 03 | By mail/e-mail          | 99 | Refused     |
| 04 | Mainly via the children |    |             |

48. On a scale from 1 to 5, with 1 being “very friendly” and 5 being “very hostile,” how would you characterize the nature of your contact with your former spouse?

- |               |         |   |   |   |    |              |
|---------------|---------|---|---|---|----|--------------|
| Very friendly | 1       | 2 | 3 | 4 | 5  | very hostile |
| 98            | Unknown |   |   |   | 99 | Refused      |

49. In the event of an emergency, do you rely on your former spouse to provide childcare or to pick up the children?

- |    |                        |    |         |
|----|------------------------|----|---------|
| 01 | Yes                    | 98 | Unknown |
| 02 | No                     | 99 | Refused |
| 03 | Never thought about it |    |         |

50. Before you separated, how did you and your former spouse make decisions about raising the children?

- |    |  |    |  |
|----|--|----|--|
| 01 | Discussed parenting issues on a regular on-going basis | 04 | Respondent usually made the decisions    |
| 02 | Discussed issues as situations arose                   | 05 | Former spouse usually made the decisions |
| 03 | Both just made decisions as they arose                 | 98 | Unknown                                  |
|    |  | 99 | Refused                                  |

51. On a scale from 1 to 5, with 1 being “very supportive” and 5 being “not at all supportive,” how supportive would you say your former spouse is of your parenting decisions?

Very supportive      1      2      3      4      5      Not at all supportive

98    Unknown

99    Refused

52. On a scale from 1 to 5, with 1 being “very frequently” and 5 being “never,” how often since the separation do you and your former spouse discuss parenting issues together?

Very frequently      1      2      3      4      5      Never

98    Unknown

99    Refused

53. Are there currently any areas of disagreement between you and your former spouse regarding raising and caring for the children, other than financial issues?

01    Yes

98    Unknown

02    No

99    Refused

53a. (*If yes*) What are those areas of disagreement?

---

---

97    Not applicable

99    Refused

98    Unknown

53b. (*If no*) How do you think you and your former spouse are able to avoid disagreements?

---

---

---

97    Not applicable

98    Unknown

99    Refused





55b. (If yes to Q55) What do you think is responsible for these changes?

---

---

97 Not applicable  
98 Unknown

99 Refused

56. Do you notice any differences in the children's behaviour when they first return from their other parent's home (*remind them it can be positive or negative change*)?

01 Yes  
02 No

98 Unknown  
99 Refused

56a. (If yes) Please describe these changes.

---

---

97 Not applicable  
98 Unknown

99 Refused

56b. (If yes to Q56) What do you think is responsible for these changes?

---

---

97 Not applicable  
98 Unknown

99 Refused

57. Despite your best intentions, how often would you say the children are caught in the middle of disagreements between you and your former spouse, on a scale from 1 to 5, with 1 being "very frequently" and 5 being "never?"

Very frequently    1    2    3    4    5    Never

98 Unknown

99 Refused

58. If it was up to you, is there any change in the living arrangements that you think might have worked better for the children?

01 Yes  
02 No

98 Unknown  
99 Refused

58a. *(If yes) What changes do you think would have worked better?*

---

---

---

97 Not applicable  
98 Unknown

99 Refused



60b. *(If no)* What was it about the divorce arrangements that you did not like?

---

---

97 Not applicable  
98 Unknown

99 Refused

61. Would you say that you and your former spouse strictly adhered to the formal divorce arrangements, or have you found that between the two of you, you have made adjustments to accommodate your circumstances?

01 Both strictly adhere  
02 Made adjustments together  
03 Former spouse strictly adheres, but I sometimes do not

04 I adhere strictly, but former spouse sometimes does not  
05 Other \_\_\_\_\_

98 Unknown

99 Refused

62. What conditions do you think need to be in place for shared custody to be a workable arrangement?

---

---

98 Unknown

99 Refused

62. Do you believe that factors not directly related to raising the children, such as the amount of child support required, or disagreements about the division of your marital assets, have affected the ability to make shared custody work?

01 Yes  
02 No

98 Unknown  
99 Refused

63a. *(If yes)* What are those factors, and how have they affected the shared custody arrangement?

---

---

97 Not applicable  
98 Unknown

99 Refused



69a. (If yes) Are you ....?

- |    |                   |    |         |
|----|-------------------|----|---------|
| 01 | Working full-time | 98 | Unknown |
| 02 | Working part-time | 99 | Refused |
| 97 | Not applicable    |    |         |

69b. (If no) Are you ....?

- |    |                                       |    |                       |
|----|---------------------------------------|----|-----------------------|
| 01 | A homemaker?                          | 06 | Other (specify) _____ |
| 02 | Retired/pensioned?                    | 97 | Not applicable        |
| 03 | A student?                            | 98 | Unknown               |
| 04 | Unemployed?                           | 99 | Refused               |
| 05 | On leave/disability/illness/accident? |    |                       |

70. Into which of the following groups does your total annual **personal, before tax** income fall?

- |    |                      |    |                        |
|----|----------------------|----|------------------------|
| 01 | No personal income   | 09 | \$70,000 to \$79,999   |
| 02 | Under \$15,000       | 10 | \$80,000 to \$89,999   |
| 03 | \$15,000 to \$19,999 | 11 | \$90,000 to \$99,999   |
| 04 | \$20,000 to \$29,999 | 12 | \$100,000 to \$149,999 |
| 05 | \$30,000 to \$39,999 | 13 | \$150,000 and over     |
| 06 | \$40,000 to \$49,999 | 98 | Unknown                |
| 07 | \$50,000 to \$59,999 | 99 | Refused                |
| 08 | \$60,000 to \$69,999 |    |                        |

71. Into which of the following groups does your total **household, before tax** income fall?

- |    |                      |    |                        |
|----|----------------------|----|------------------------|
| 01 | No personal income   | 08 | \$60,000 to \$69,999   |
| 02 | Under \$15,000       | 09 | \$70,000 to \$79,999   |
| 03 | \$15,000 to \$19,999 | 10 | \$80,000 to \$89,999   |
| 04 | \$20,000 to \$29,999 | 11 | \$90,000 to \$99,999   |
| 05 | \$30,000 to \$39,999 | 12 | \$100,000 to \$149,999 |
| 06 | \$40,000 to \$49,999 | 13 | \$150,000 and over     |
| 07 | \$50,000 to \$59,999 | 98 | Unknown                |
| 99 | Refused              |    |                        |

## PART XI—INTERVIEW WITH CHILDREN

72. As a follow-up to interviews such as this one with parents, we may be interested in talking to some children about how they have experienced their new living arrangements after separation. The focus would be on hearing their point of view about shared custody, and how well it works for them. If you were asked about the possibility of your children participating in an interview of this kind, do you think you would agree?

- |    |          |    |         |
|----|----------|----|---------|
| 01 | Yes      | 98 | Unknown |
| 02 | No       | 99 | Refused |
| 03 | Not sure |    |         |

73. Are there conditions that you would want to see in place before you would agree?

- |    |     |    |         |
|----|-----|----|---------|
| 01 | Yes | 98 | Unknown |
| 02 | No  | 99 | Refused |

73a. (If yes) Describe \_\_\_\_\_

- |    |                |    |         |
|----|----------------|----|---------|
| 97 | Not applicable | 99 | Refused |
| 98 | Unknown        |    |         |

73b. Do you think your children would agree to participate?

- |    |     |    |         |
|----|-----|----|---------|
| 01 | Yes | 98 | Unknown |
| 02 | No  | 99 | Refused |

74. We will be contacting other parents in Alberta with shared custody arrangements for similar interviews, including your former spouse. Do you have a current phone number where he/she could be reached?

---

**That's all the questions I have for you. Thank-you very much for participating in our research. Do you think you would like to receive a summary report of what the research tells us? If so, what address should we send it to? (It will be the fall before a report is ready).**





**APPENDIX B: REPORTED AREAS OF DISAGREEMENT  
BETWEEN THE PARENTS, AND REPORTED REASONS FOR  
ABILITY TO AVOID DISAGREEMENTS**



# **REPORTED AREAS OF DISAGREEMENT BETWEEN THE PARENTS, AND REPORTED REASONS FOR ABILITY TO AVOID DISAGREEMENTS**

## **1. AREAS OF DISAGREEMENT**

### **Issues that reflect parenting values**

- Spouse gives too freely—doesn't teach them about earning and responsibility.
- There is a disparity in the standard of living in the two homes; father feels children don't need to have the best of everything.
- General education issues (2 cases).
- Child has problems at school, but mother doesn't want to address them.

### **Disagreement related to rules of conduct for the children**

- Father gives daughter too much freedom—but he isn't willing to discuss the issue.
- Differences in household rules.
- Child rides on father's motorcycle; mother doesn't like it.
- At mother's home children ride trail bikes, but father feels they are too young. Daughter broke her arm the first time she rode the trail bike.
- Rules in the household—respondent wants the same rules in each house—bedtime; manners; teeth brushing; seatbelts.
- Disagree over amount of time spent on sports and how it affects school.
- Discipline (2 cases).
- Basic parenting—bedtime, meals—former partner doesn't do these things, or have a routine for them.

### **Disagreement about time spent with children**

- Kids want to stay in town to be with friends, but weekend is the only time father sees the children.
- Leaving daughter with mother's boyfriend—respondent would like to have first rights of refusal.

- Father will get babysitter when he has child, or send child over to friends—mother thinks he should spend all his time with child, or at least let her have the child instead of paying a babysitter.
- Support for extra-curricular events.

### **Disagreement about religion**

- Children have to attend Catholic school.
- Respondent exposes daughter to different religions, but the father doesn't like it.

### **Disagreement related to general complaints about the former partner**

- Father trying to build a new home for children by severing links with mother and extended family (in this case the parents are in contact only in court, and there is a mutual restraining order in place).
- Former husband is selfish—if something interferes with his plans, he won't do it.

## **2. REASONS FOR ABILITY TO AVOID DISAGREEMENT**

For the 19 respondents who reported no current areas of disagreement with their former partner, we asked how they thought they were able to avoid disagreements. The main theme emerging from those responses was that the parents put the interests of the children first, and therefore avoided any regular disagreement. Fourteen of the 19 respondents mentioned this as a motivation. For some it was the only explanation, and for others it was one of several. Other explanations were:

- Parents never discuss child rearing, the mother is disengaged from the child.
- Mutual respect for each other.
- Don't discuss money.
- Approach subjects from a neutral perspective (not offensive or defensive).
- Always discussing parenting issues.
- Both open to discussing honestly.
- Negotiation in all situations.
- Avoid personality conflicts, former relationship does not come into play.
- Parents work on communicating.
- Respondent is very easy going.

- Not that many issues to address, status quo being maintained.
- Respondent doesn't get excited or let himself/herself be drawn into arguments.
- Both have a brain, maturity to realize that shared parenting has to work.
- Parents see eye-to-eye on key issues.
- Parents willing to work together, no bitterness or vindictiveness.
- Both professionals; know what the other side is; sought professional help re: communication.
- Both reasonably mature.



**APPENDIX C: REASONS FOR PARENT SATISFACTION OR  
DISSATISFACTION WITH LIVING ARRANGEMENTS**





## **REASONS FOR PARENT SATISFACTION OR DISSATISFACTION WITH ARRANGEMENTS**

Respondents were asked to think about the formal terms of their divorce arrangements that related to the children, and to indicate whether they had found them to be satisfactory at the time. They were also asked to comment on what they liked or did not like about the divorce arrangements. Eighty percent of respondents said they had been satisfied with the arrangements as set out formally in their divorces. Six respondents said they had not been satisfied, and two declined to answer.

### **Reasons for satisfaction included:**

- Everything is split 50/50, is equitable (4).
- Everything is put in writing/it is detailed (4).
- Parents drafted it/worked together (4).
- Fluid and flexible agreement (4).
- Agreement is in the best interests of the child (3).
- There were no power struggles/non-adversarial nature (2).
- It was well thought out by both parents (2).
- It is simple (2).
- It reflected the parents' current custody arrangements.
- Don't pay/collect child support.
- Gets the child half of the time.
- Gets to raise daughter.
- Parenting is shared.
- Shared custody is good in principle.
- It keeps both parents informed.

**Reasons for dissatisfaction were:**

- Just the fact of having shared custody (2).
- The agreement stated that the respondent had the children every second weekend, plus 2 additional days and that he pay child support. In reality he has them half of the time (180 days) and still pays child support.
- The agreement stipulated that respondent cannot move without permission from the court.
- While the respondent was awarded money, she never was fully apprised of her financial rights.
- Child support payments cause a great deal of trouble between parents.
- The custody arrangement is inflexible.
- The agreement has no teeth—one must go to court to make changes and this is expensive.

**APPENDIX D: REASONS REPORTED FOR CHILDREN BEING  
HAPPY OR UNHAPPY WITH LIVING ARRANGEMENTS**



## **REASONS REPORTED FOR CHILDREN BEING HAPPY OR UNHAPPY WITH LIVING ARRANGEMENTS**

To pursue what factors might be influencing the children's happiness, we asked respondents to comment on what, if anything, contributed to their children being happy with the current arrangements, and what, if anything, contributed to their being unhappy. Three respondents had only negative responses, 14 had both positive and negative responses, and 13 had only positive comments. One respondent had no comments in either direction. The comments are provided below, with numbers in brackets indicating how many respondents provided each type of comment.

### **Reasons for the children being happy with the arrangement**

- Parents get along—there is no tension between them; they have a good (i.e. open and flexible) working relationship (15).
- The children appreciate having influences and relationships from both parents; get to be with both parents on a regular basis (11).
- Because parents are mature and put the children first; parents work problems out (3).
- The children know both parents love them (3).
- School, friends, neighbourhood and extracurricular activities have all remained the same (4).
- Spends more time with father than before (2).
- Has a home in each place (3).
- Child has a lot of control; parents include children in decision-making (2).
- Children understand that their parents' relationship is no reflection on them.
- We don't speak badly of one another.
- Parents support one another's decisions; are respectful of one another.
- There is consistency in terms of where they are going to be on a certain day.
- Consistency in rules between houses.
- They have "two" of a lot of things.
- The children appreciate a change of surroundings.
- Excuse for missing homework and lost clothing.
- Financially well off—less strain.

- Stable atmosphere at the respondent's house (father).

### **Reasons for the children being unhappy with the arrangement**

- Moving back and forth between parents (6).
- Would like parents to get back together/wish they were still together (3).
- Differences of rules between houses or a perceived lack of rules at one house (3).
- Sometimes children want to be at one home when it is the other parent's turn to have them (3).
- Parents' new relationships; stepmother/stepfamily is sometimes cause of unhappiness (3).
- The quality of time spent with one parent is poor/not enjoying time at one parent's house (2).
- Having to explain family structure to people—why he has two fathers.
- One parent's home is restrictive.
- Missing clothing/toys when children want them.
- Two children. Daughter tried to commit suicide, can't live with mother despite counselling. Father abusive of daughter and favoured son before suicide attempt; now lets her do as she pleases. Son is manipulative of father, especially concerning money.

**APPENDIX E: REPORTED CHANGES IN CHILDREN'S  
BEHAVIOUR, AND PARENT ATTRIBUTION**





## REPORTED CHANGES IN CHILDREN’S BEHAVIOUR, AND PARENT ATTRIBUTION

**Table E-1      Reported Changes in Children’s Behaviour Under Current Living Arrangements, and Parent Attribution**

	<b>Behaviour</b>	<b>Attribution</b>
1	Daughter maturing in terms of responsibility; son angry about going to father’s on weekends.	Daughter gets counselling at school; son wants to stay with mother to be near friends.
2	More outgoing and able to deal with social situations.	Learned to adapt to two different households.
3	Ex-wife is “fun” parent, so son wants same amount of attention from his father—not always possible.	Shared parenting—different rules at different houses; lack of consistency.
4	No rules at other house, so difficult to establish rules at this home. 90 percent of detentions children receive come on the Monday after the children have spent weekend at their mother’s.	Lack of discipline at mother’s home.
5	Son quiet and moody; takes 3 days to “de-program.”	For father anything the son does is never good enough, especially in sports.
6	Bed wetting at father’s home.	Father lets him drink close to bedtime; may be some underlying problems—father tells children that mom doesn’t want to be a family.
7	Child appears to be happier.	There is now more stability in his mother’s life.
8	Daughter seems more worried about father, and that he isn’t remarried.	Because mother remarried.
9	More secure and confident.	Understands that separation is not the end of the world; makes her realize that problems and challenges can be resolved.
10	Older son was bitter and still is; daughter was more dependent.	Older son was more aware of what was happening; daughter was insecure.
11	Because the divorce occurred during the child’s early learning years, she was delayed in certain aspects (e.g. potty training).	Turmoil in life; two different households.

	<b>Behaviour</b>	<b>Attribution</b>
12	Youngest daughter tells them that she is unhappy.	The separation; youngest child wants parents to get back together.
13	School notices that children are more aggressive, moody and rude.	Constant upheaval and disruption.
14	Talks back to his mother—never used to.	He gets away with it, has some anger toward mother, asks a lot of questions about her—why she acts like she does.
15	Daughter attempted suicide; son manipulates father for money.	Dynamics between parents; lack of communication; father is trying to punish mother; lack of rules at father's house while mother has rules; children are aware of strained relationship between the parents.

**Table E-2      Reported Changes in Children’s Behaviour When Returning From Other Parent’s Home, and Parent Attribution**

	<b>Behaviour</b>	<b>Attribution</b>
1	Crabby; grumpy; mousiness.	Tired, haven’t had enough sleep; father’s bedtime rules aren’t as strict as mother’s.
2	It takes a day to re-adjust.	Different rules, children are ill-mannered.
3	More distant; bed-wetting.	Change of routine is difficult; relationship with mother—knows she’s not too interested.
4	More quiet and withdrawn.	Unknown.
5	Sometimes plays one parent off against the other.	Partly being a six-year-old; variance in parenting methods.
6	There is something of a re-acquaintance period.	Moving back and forth.
7	Hyper, excited.	Happy to see me, have lots to say, do, show me.
8	It depends—sometimes son is more clingy, or in a bad mood for a few days.	Way he interacts with father; father is quite authoritarian—he gets worked up.
9	Happy.	Glad to be back home with parent (respondent).
10	Happy to see mother; everyone is in a good mood for a few days.	Its like a honeymoon period—happy to come and happy to go.
11	Challenge their boundaries.	Constant upheaval and disruption.
12	Has a hard time sleeping when she returns from other parent’s home.	Transition.
13	Disrespectful to her mother; uses improper language.	More relaxed about language at the other home.
14	Bad attitude—she has to “retrain” them each week.	Lack of rules at father’s home.
15	Rude; children have belligerent attitude.	Lack of rules and discipline at mother’s home.
16	He is very immature or babyish.	Gets to be baby with mom.
17	Mouthier/sassy.	Spoiled over at father’s house.
18	Testing of the water—adjustment period.	Totally different lifestyles; father’s home is laid-back, lots of people, no bedtime; mom’s home is structured.