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Is Joint Custody a Good Idea?- It Depends....

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Traditionally, sole custody to the mother was the only option considered by the courts for divorcing parents. More recently, over half of the states have enacted legislation authorizing joint custody. About 16 percent of separated/divorced couples actually have a joint custody arrangement. In a typical joint physical custody arrangement, the parents continue to live in close proximity to each other. The children may spend part of each week with each parent or may spend alternating weeks with each parent.

One potential disadvantage of joint custody is that it tends to put hostile ex-spouses in more frequent contact with each other, and the marital war continues. Children do not profit from being subjected to bickering, yet relationships between children and bickering parents are not significantly different from those between children and parents who do not have joint custody. In a national study of children whose parents had a joint custody arrangement, the researchers found no evidence of less conflict or better relationships with their parents than if the children lived with one parent and saw the other on a visitation basis.. California, confronted with evidence that joint custody is not always in the best interest of children, has rescinded its 1979 law of “presumptive joint custody.”- It no longer assumes that joint custody is best.

The bottom line- if you and your former spouse get along and can cooperate, joint custody will be wonderful for your child. But if you are at war, it will only create more times that you fight and this will upset your children.

Depending on the level of hostility between the ex-partners, their motivations for seeking sole or joint custody, and their relationship with their children, any arrangement could have positive or negative consequences for the ex-spouses as well as for the children. In those cases in which the spouses exhibit minimal hostility toward each other, have strong emotional attachments to their children, and want to remain an active influence in their children’s lives, joint custody may be the best of all possible choices.