

Jason Hans

Department of Family Studies, University of Kentucky, USA

Jennifer Hardesty

Department of Human and Community Development, University of Illinois, USA

Mtgan Haselschwerdt

Department of Human and Community Development, University of Illinois, USA

CHILD CUSTODY EVALUATIONS IN THE CONTEXT OF DOMESTIC VIOLENCE ALLEGATIONS

Introduction: Domestic violence (DV) is a pattern of assaultive and coercive behaviors, including physical, sexual, and emotional abuse, used to intimidate or control a current or former intimate partner. Although researchers have found that false DV allegations are rare (Jaffe, Lemon, & Poisson, 2003), a widespread misperception in the US court system is that mothers often make false DV allegations to gain an advantage against their former partners in child custody disputes (Jaffe et al.). Two other commonly held beliefs are that DV is synonymous with high conflict and that women are either equal participants or initiate violence (Bancroft & Silverman, 2002), and these beliefs may further the notion that DV allegations are often false. There is no empirical support for these beliefs, yet they disadvantage women and their children if custody decisions fail to adequately account for DV allegations due to these misconceptions.

Objective: With a sample of child custody evaluators, we examined the relative influence of commonly held misperceptions about DV and the research literature concerning DV on custody recommendations.

Methods: We developed two multiple segment factorial vignettes, which is a true experimental design for examining beliefs by randomly manipulating key variables in a vignette that spans several paragraphs (see Ganong & Coleman, 2006). The factors in one vignette were *type of violence* (conflict-based, control-based) and the *father's counter allegation* (none, mutual aggression, female initiated aggression), and in the other vignette were *mother's disposition* toward the father (receptive, hostile), *severity of violence* (minor, severe), *type of violence* (conflict, control), *documentation of violence* (none, protective order), and *father's counter allegation* (none, parental alienation). Respondents' knowledge of the DV research literature was measured by the author-developed *Beliefs about Domestic Violence Scale* (BDVS). The sample was comprised of 607 custody evaluators (331 females and 276 males) in the US who had been custody evaluators between 1 and 38 years ($M = 14.1$, $SD = 8.6$). Respondents as a whole estimated that 43 % of all custody evaluations they conducted involved domestic violence issues and about 74 % indicated that they had received domestic violence training or education within the past 3 years.

Results: The recommended physical custody arrangements (sole mother, sole father, or joint) were not affected by the type and severity of violence portrayed, favored fathers when the mother's disposition was portrayed as hostile and when fathers made counter allegations, and documentation of the alleged violence reduced the likelihood of a recommendation for sole father custody but did not increase the likelihood of a recommendation for sole mother custody. Those who exhibited knowledge more congruent with the DV research literature, as measured by the BDVS, were more likely to believe the mother's allegations of violence.

Conclusions: The results indicate that child custody evaluators in the US, who are charged with determining the optimal living arrangements for children following parental divorce, are poorly equipped to evaluate situations involving DV allegations. It is essential that child custody evaluators be better trained to ensure the safety and well-being of women and children are prioritized following divorce.

References

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Д. Хэнс

доктор психологии, Университет Кентукки, США, факультет исследований семьи,

Д. Хардести

факультет развития человека и общества, Иллинойский университет, США

М. Хасельшвердт

факультет развития человека и общества, Иллинойский университет, США

ОЦЕНИВАНИЕ ОПЕКИ РЕБЕНКА В КОНТЕКСТЕ ЗАЯВЛЕНИЙ О ДОМАШНЕМ НАСИЛИИ

Резюме

В статье показано, что оценка качества ухода за ребенком одним из родителей после развода зависит от наличия у социальных работников знания литературы о насилии в семье, которое способствует повышению доверия к заявлениям матери о таком насилии.

Д. Хэнс

доктор психологи, Університет Кентуккі, США, факультет досліджень родини,

Д. Хардести

факультет розвитку людини й суспільства, Іллінойський університет, США

М. Хасельшвердт

факультет розвитку людини й суспільства, Іллінойський університет, США

ОЦІНЮВАННЯ ОПІКИ ДИТИНИ В КОНТЕКСТІ ЗАЯВ ПРО ДОМАШНЄ НАСИЛЬСТВО

Резюме

У статті показано, що оцінка якості догляду за дитиною одним з батьків після розлучення залежить від наявності в соціальних працівників знання літератури про насильство в родині, що сприяє підвищенню довіри до заяв матері про таке насильство.