

**Children's Living Arrangements in Divorced Wisconsin Families with Shared Placement**

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## **Abstract**

In their 1992 book *Dividing the Child*, Maccoby and Mnookin found that divorce settlements involving joint physical custody tended to be very fluid; the authors questioned whether a shared placement order by the court is really in the child's best interests over the long term. Answering this question has become more important as shared parenting has become common nationwide.

This report sheds new light on the stability of shared physical placement for children after a divorce and provides useful evidence on the issues raised by Maccoby and Mnookin. The report examines evidence concerning shared physical custody for families who were awarded divorces in 21 of Wisconsin's 72 counties between 1996 and 1998.

We found that if families' practices are assessed against the standards of the legal record and the administrative code, shared placement families revise placement orders at a higher rate and return to court more often than sole-mother families. And although the proportion of shared placement families with living arrangements consistent with the legal record is remarkably high (over 60 percent), a much larger proportion of sole-custody families adhere to the broad guidelines set by the court.

The living arrangements of children in the sole physical custody of the mother are indeed more "stable" in terms of children's formal physical placement. But children in over one-third of these families have no overnight stays with their fathers, and over 18 percent no longer see their fathers at all. In contrast, children in over 99 percent of shared placement families have contact with their fathers, and 75 percent of them stay with those fathers at least 31 percent of the time. In terms of the well-being of children and families, it appears, the most legally "stable" arrangements do not necessarily make for the most enduring relationships between children and both their parents.

## Children's Living Arrangements in Divorced Wisconsin Families with Shared Placement

### INTRODUCTION

This report examines the living arrangements of children in a sample of divorced Wisconsin families for whom shared placement was ordered at the time of the divorce and a comparison group of divorced families with orders for sole placement with the mother. It uses data from court records and a survey of families to address the following questions:

- How frequently do families revise physical placement provisions? Are shared placement families more likely than families with mother sole placement to change the placement provisions ordered at the divorce?
- What factors differentiate between families who maintain the same placement order over time and those who do not?
- How frequently are children's living arrangements, as reported by mothers and fathers, consistent with the legally recorded placement order?
- How are families whose living arrangements meet the placement provisions different from those with patterns of residence that depart from the legal orders?

A central motivation for this study stems from research by Maccoby and Mnookin (1992), which showed considerable fluidity in children's living arrangements over time. Because this research has been influential in shaping expectations about shared placement arrangements, we begin with a brief review of its main findings and discuss characteristics that affect its applicability to the recent experience of Wisconsin families. Next, we describe the sources of our data and our analytic strategy. The results section presents analyses of (a) stability of physical placement and father-child contact over time and (b) consistency between actual and legally recorded physical placement. We estimate logistic regression equations to identify factors that differentiate patterns of "stability" of physical placement and "consistency" of living arrangements.

This report examines families who entered the court system between July 1, 1996, and June 30, 1998, a period that predates legislation requiring courts to establish placement schedules that maximize

the amount of time a child may spend with each parent.<sup>1</sup> Analyses are weighted to reflect the population of Wisconsin divorce cases in the 21 counties that constitute the study area; survey data are weighted to adjust for differential response and nonresponse bias.

### Previous Research on Shared Placement Families

Maccoby and Mnookin's *Dividing the Child* (1992) presented the results of a longitudinal study of divorced families and raised important questions about the long-term stability of shared physical placement.<sup>2</sup> Using data on a sample of divorced parents who petitioned for divorce in two California counties between September 1984 and April 1985, Maccoby and Mnookin found that the stability of living arrangements over time differed remarkably by the children's residence at the time of the divorce petition. The vast majority of families in which the children initially lived primarily with one parent (at least 10 nights during a 2-week period) maintained this arrangement 3 years later. Eighty-four percent of families in which the children lived with the mother and 70 percent of a much smaller group of families with father sole residence adhered to these arrangements over time. However, only 54 percent of families with "dual residence"<sup>3</sup> at the time of the first interview maintained this arrangement over the study period.<sup>4</sup> Empirical patterns such as these led the authors to conclude that the "label of joint physical custody often does not reflect the social reality" (p. 159).

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<sup>1</sup>Wisconsin Statute §767.24(4)(a) (1999–2000), effective May 2000, was amended to state that "the court shall set a placement schedule that allows the child to have regularly occurring, meaningful periods of physical placement with each parent and that maximizes the amount of time the child may spend with each parent, taking into account geographic separation and accommodations for different households."

<sup>2</sup>In summarizing their study, we follow Maccoby and Mnookin's practice and define a family as having "shared" or "joint" physical placement if the child stays overnight with each parent at least one-third of the time. Later in this report, we define the term "shared placement" more precisely for our analysis and distinguish between "equal shared" and "unequal shared" placement.

<sup>3</sup>Maccoby and Mnookin define an arrangement as "'dual' if the child spent a minimum of one-third of the time with each parent" (p. 336). A family exhibited a "dual residence" pattern if the child spent 4–10 overnights with the father in a 2-week period during the school year (pp. 74, 336). The dual residence designation overrode other classifications: If some children lived with each parent at least one-third of the time but other children did not, the family was considered "dual residence" in the analysis (p. 336).

<sup>4</sup>Not all of these families had shared placement orders. Only 46 percent of the 143 families with shared placement orders reported dual residence at the end of the study (p. 169). However, families reporting dual residence drew significantly from those who had orders for other types of physical placement, including 8 percent of families

Although Maccoby and Mnookin did not investigate whether parents returned to court to adjust child support or if the change in residence was ordered or acknowledged by the court, their results bolstered concerns about the long-term stability of placement orders that involved substantial sharing of time between the parents. Many policymakers and researchers have argued that placement provisions calling for children to spend substantial time with both parents have potentially beneficial effects for family and child well-being. But if shared placement families are subject to the polarizing forces of mother sole and, to a lesser extent, father sole residence, their living arrangements may change over time, leaving one parent with primary child-rearing responsibility and, without corresponding modifications in child support, disproportionately reduced support.

It is understandable that Maccoby and Mnookin's research has influenced speculation about the viability of shared placement orders. It is the only large-scale study that includes a sizable sample of shared placement families, and its key findings are not reassuring.<sup>5</sup> However, we should be cautious in the lessons we draw from this research and be aware of how the results reflect specific research objectives quite different from our own. We briefly discuss the legal environment of California in the mid-1980s and of Wisconsin in the late 1990s, changes in the social context of divorce since the mid-1980s, and differences in research design and methodology.

*The Legal Environments of California in the mid-1980s and Wisconsin in the late 1990s*

The California statutes pertaining to child placement during the period studied by Maccoby and Mnookin (1984 to 1989) were very comparable to the legal environment in Wisconsin during the period that the families in our study were divorced (1996 to 1999). Where we find differences, they appear to be related to particular circumstances or conditions rather than requirements that apply to all divorcing couples with minor children.

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with mother sole placement, 15 percent of families with father sole placement, and 14 percent of split placement cases (computed from Table 8.1, p. 166).

<sup>5</sup>Other studies that include shared placement families are hampered by designs that limit the scope and validity of their results, such as small, nonrandom convenience samples (Cloutier and Jacques 1997; Luepnitz 1982).

Neither Wisconsin statutes during the late 1990s nor the California Civil Code between 1984 and 1989 provided for a presumption of joint physical placement in all cases. But two aspects of California's law appear more favorable to awards of joint physical placement. First, in cases where the parents agreed, California Civil Code §4600.5(a) provided that "[t]here shall be a presumption, affecting the burden of proof, that joint custody is in the best interests of a minor child." In practice, this may not have differed significantly from the practice in Wisconsin in the late 1990s since courts generally enter an order for a settlement that the parents have agreed to with or without statutory presumption (Melli, Erlanger, and Chambliss 1988). Second, the California law authorized an award of joint custody "in the discretion of the court" on the request of one parent—i.e., in a disputed case. Wisconsin law in the late 1990s also allowed the courts to do so, but California law appeared to be somewhat more favorable to joint custody. California Civil Code §4600.5(b) required the court, if it denied a request for joint custody, to "state in its decision the reasons for denial of an award of joint custody." In contrast, the Wisconsin statute required the court to justify its rulings more generally. In the case of either disputed legal custody or physical placement, the Wisconsin courts were mandated to "state in writing why its finding relating to legal custody or physical placement are in the best interest of the child" (Wis. Stat. §767.24(6)(a)).

Alternatively, statutory requirements in Wisconsin during 1996–1999 also may have tended to favor shared placement. First, Wis. Stat. §767.11 required that all cases where either legal custody or physical placement was contested be referred to mediation. It is possible that mediation in custody disputes increased the likelihood of ordering shared placement, because it provided a good compromise. As a result of requiring mediation, Wisconsin may have had a higher percentage of cases ending in shared physical placement, and this order may have been entered for some divorcing couples who did not pursue this as their first preference.

Second, Wis. Stat. §767.11(5)(c) provided that any person with physical placement, visitation rights, or physical custody could seek assistance from the Family Court Commissioner to resolve a problem with physical placement, visitation, or physical custody. The availability of mediation may have

increased the likelihood that a physical placement would be “successful”—i.e., that the terms of the order would be met. As a result, shared-time arrangements in Wisconsin divorce cases from 1996 to 1999 may have been more stable than in other periods or jurisdictions where mediation has not been emphasized or statutes do not include a provision for mediation.

Neither California (1984–1989) nor Wisconsin (1996–1999) statutes specified the minimum amount of time implied by an order of joint physical placement. Cal. Civ. Code §4600.5(c) defined joint custody as “an order awarding custody of the minor child or children to both parents and providing that physical custody shall be shared by the parents in such a way as to assure the child or children of *frequent and continuing contact with both parents*” (emphasis added). Similarly, Wisconsin courts “shall allocate periods of physical placement between the parties” (Wis. Stat. §767.24(4)) where “physical placement” covers both traditional “visitation” and more substantial caretaking roles, including situations where one parent may be the primary caretaker or one parental home may serve as the primary home of the child (Wis. Stat. §767.24(6)(c)). However the Wisconsin child support administrative guidelines in effect during the late 1990s did specify the amount of time that constituted shared physical placement as over “30 percent time of a year or 109.5 out of every 365 days” (DWD 40.02(25) and (28)).

Finally, both California and Wisconsin law distinguished between physical placement—with whom a child lives or spends time—and legal custody—the right to make decisions about a child. California law explicitly stated that the court “may award joint legal custody without awarding joint physical custody” (Cal. Civ. Code §4600.5(c)). In Wisconsin the statutes in place during 1996–1999 clearly separated legal custody and physical placement (Wis. Stat. §767.24(2) and (4)).

In summary, the legal environment of California during the time of the Maccoby and Mnookin study (1984–1989) appears to be remarkably similar to that for divorcing couples in Wisconsin during the late 1990s in relation to physical custody of minor children. Both states separated the issues of joint legal custody and shared physical placement, and neither state provided for the presumption of shared physical placement. Both, however, appeared favorable to shared physical placement where the parents agreed. In

disputed physical custody cases, California law appeared slightly more favorable to an order of shared placement by the presiding judge. On the other hand, Wisconsin law provided for various avenues of mediation that may have fostered relatively more, or relatively more successful, shared placements.

*Changes in the Social Context of Divorce*<sup>6</sup>

We do not have data on the social context for divorcing families in California during the 1980s, but we do know that shared parenting has become more widespread in Wisconsin. In the mid-1980s, slightly less than two-thirds of divorce decrees awarded mothers sole *legal* custody of the children. By 1992, this figure dropped to less than one-fifth and over 80 percent of divorce decrees ordered *joint legal custody*, awarding mothers and fathers equal responsibility in major decision-making regarding the children after divorce (Melli, Brown, and Cancian 1997; Table A1). Similarly, the distribution of *physical placement* has shifted away from mother sole placement to shared placement. Although mother sole placement continues to be the dominant form of physical placement (almost 2/3 in 1996–1998), shared physical placement was ordered for one-fifth of families who petitioned for divorce between 1996 and 1998 (Cancian et al. 2002; Table A1). In comparison, shared physical placement was ordered in less than 5 percent of divorce decrees in the Wisconsin study area during the mid-1980s—the period covered by Maccoby and Mnookin. Father sole placement has remained stable at about 9 percent (Melli, Brown, and Cancian 1997; Cancian et al. 2002).

These empirical shifts are not unique to particular counties or judgeships (see Tables A2 and A3). They have occurred throughout the 21 counties of the Wisconsin study area and across a growing number of judges, and they suggest an increased acceptance of, or at least acquiescence to, shared physical placement. To the extent that they are mirrored by social structures that facilitate shared residential patterns, we might expect families with divorce judgments for shared placement in the mid-1980s—a period comparable to that studied by Maccoby and Mnookin—to behave quite differently from those with shared placement in the late 1990s.

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<sup>6</sup>Empirical analysis of Cohorts 17 and 18 documenting the patterns described in this section appear in Tables A1–A3.



*Maccoby and Mnookin's Research Design*

Maccoby and Mnookin collected survey data from parents at three points in time, with the first interview conducted shortly after the divorce petition but before the divorce judgment and follow-up interviews 1 and 2 years later. Court records from the time of the divorce judgment provided measures of physical and legal placement, child support, and other characteristics, but information on subsequent court actions, if any, was not collected.<sup>7</sup> This design has several characteristics that restrict its utility for evaluating compliance with placement orders and limit its appeal as a benchmark with which to compare our results.

First, the research design reflects a particular research objective—to understand the *process of divorce*. How do divorcing couples “develop cooperative co-parenting relationships” (Maccoby and Mnookin 1992, p. 5)? How do parents decide about the physical and legal custody of their children? What happens when they disagree? The study is less appropriate for addressing central questions of interest to us: How frequently do families revise physical placement provisions after the divorce? Are living arrangements consistent with the legally recorded provisions?

Second, Maccoby and Mnookin’s data collection schedule is likely to generate incorrect estimates of consistency between reported living arrangements and the legally recorded placement order. The California study does not include survey data on living arrangements and court record information on placement orders that cover the same period. As a result, estimates of how frequently living arrangements “match” legally recorded provisions compare data from two different periods, either a survey report that predates the divorce judgment or one that occurs 1 or 2 years later (e.g., see Maccoby and Mnookin 1992, Table 8.1). For this reason, Maccoby and Mnookin discuss either (a) how frequently the “legal decree *confirmed* the residential arrangement already in place” (p. 166, emphasis added) when comparing survey reports that predate the divorce decree with the court record, or (b) how often families “made a residential

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<sup>7</sup>The scope of Maccoby and Mnookin’s court record data is unclear. Some discussions indicate that the court record data were not updated (e.g., p. 199) while elsewhere the authors report periodic updates and a final sweep of the court records at the conclusion of the study (e.g., p. 327). Regardless, only analyses of legal provisions at the time of the divorce judgment are presented in the published results.

shift that *brought them into conformity* with the decree” (p. 166, emphasis added) when comparing the divorce decree with residential arrangements approximately 3 years later. The latter statement assumes that the original placement order has not been modified.

Third, the California data are likely to overestimate “instability” in living arrangements over time. The first survey interview served as the reference point or baseline measure from which all subsequent change was assessed, and this interview was conducted before the divorce proceedings concluded. In other words, baseline measures were collected when issues such as living arrangements, visitation schedules, and child support were the focus of continuing and perhaps contested negotiations. The authors themselves seem to expect a fair degree of instability since “these initial arrangements may not remain in place as family circumstances change and negotiations between the parents (and their attorneys) proceed” (p. 71).

Finally, the composition and representativeness of Maccoby and Mnookin’s sample present important differences. Two-thirds of the shared placement families in the California study had unequal shared living arrangements in which the mother was the primary parent (i.e., the child lived with the father 4 to 6 nights during a 2-week period, computed from Table 8.1, p. 166). In contrast, almost 75 percent of our shared placement sample is composed of families with equal shared placement orders. Past research suggests that equal and unequal shared placement families differ in terms of parent-child contact and family conflict (Melli, Brown, and Cancian 1997). These differences are reaffirmed by Maccoby and Mnookin’s finding that over one-half of their shared placement cases reported “substantial or intense legal conflict” (p. 159).<sup>8</sup>

Maccoby and Mnookin completed interviews at Time 1 with only 57 percent of the sample, and sample attrition over time “served to accentuate joint-custody bias” (p. 323). Analyses of these data, without correcting for potential nonresponse bias, may generate misleading results if larger proportions of

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<sup>8</sup>Lengthy divorce proceedings may also reflect higher levels of conflict. Between 15 and 17 percent of the families in the California study had not finalized their divorce 5 years after the divorce petition (computed from data reported on pages 98 and 327). The Wisconsin data show that only 6.2 percent of families who filed a divorce petition between July 1, 1996, and June 30, 1998, had not pursued further court action by spring 2000.

joint custody families are included in the panel data, possibly at the expense of “less stable” or “harder-to-locate” sole mother families that were lost to follow-up. With the exception of fathers in families with mother sole placement orders, we achieved higher response rates with parents in our sample. Our analyses of survey data are weighted to adjust for nonresponse bias.

In sum, important differences in the social and legal environment, research design, and analytic objectives lead us to be cautious about comparing results from this report with earlier research by Maccoby and Mnookin. The latter suggests relationships or patterns that we can investigate, but the empirical results are unlikely to be applicable to our sample and do not address the same questions.

## DATA AND METHODS

We use data from the Wisconsin Court Record Data (CRD) and from the Parent Survey 4 (PS4). The CRD, a sample of cases entering the court system in 21 Wisconsin counties, provided the sample frame for the survey (see Brown and Marshall 1992, Brown and Roan 1997, and Brown and Wimer 2002 for details on the design and methodology of the CRD). We used the CRD to select a target survey sample from cases that entered the court system between July 1, 1996, and June 30, 1998, and in which a final divorce decree was granted prior to May 1, 2000.<sup>9</sup> We focus exclusively on divorced families. Shared placement orders occur so seldom in paternity cases that there are too few cases to support statistical analysis (1.2 percent of all cases, N=10).

The target survey sample was limited to divorce cases with orders for shared placement or mother sole placement at the time of the divorce judgment.<sup>10</sup> Father sole placement, split placement, third-party placement, and arrangements involving a mixture of sole or shared placement were not eligible for the survey sample. We further limited the sample to cases in which there was at least one child under age 18 on June 1, 2001, so that survey questions about children’s living arrangements would be applicable. After

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<sup>9</sup>The most recent divorce judgment in the survey sample was entered in February 2000.

<sup>10</sup>By “divorce judgment” we mean the order issued when the divorce decree was entered.

these exclusions, we derived a target survey sample of 293 shared placement cases and a comparison sample of 300 mother sole placement cases.<sup>11</sup>

Prior to fielding the survey (PS4), we randomly selected a focal child from among the children listed in each case who were under age 18 on June 1, 2001. The survey asked detailed questions about the living arrangements of the focal child during the previous 12 months (June 2000 through May 2001). Time constraints for a telephone survey prevented us from asking the full sequence of questions about other children.

We attempted to interview the mother and the father associated with each case, and each parent was asked questions about the same focal child. In addition to children's living arrangements, we collected data on the respondent's demographic characteristics and economic resources, employment, and household composition, as well as the frequency of contact and extent of conflict with the other parent. We conducted abbreviated interviews if a parent reported that the couple was reconciled or if the other parent was reported to be dead.<sup>12</sup> We completed interviews with 70.8 percent of fathers and 67.8 percent of mothers in the shared placement sample. Among mother sole placement cases, we interviewed 49.0 percent of fathers and 70.0 percent of mothers.<sup>13</sup>

### Analytic Strategy

The CRD provides a history of placement orders and related actions since the divorce judgment. We use these data to examine change in physical placement provisions over time and the distribution of

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<sup>11</sup>One case in which the parents were living together at the time of the divorce judgment was identified after the survey was completed. We exclude this case in the sample count provided here and elsewhere in this report.

<sup>12</sup>Cases in which the other parent was reported dead or the parents were reconciled are not included in the analyses. If the parents were living together or married and living together at the time of the interview, we defined them as reconciled. While preparing the data, we identified one case in which the parents had been reconciled during the reference period and two cases in which the parents were living together for other reasons (e.g., health) even though they were not reconciled as a couple, per se. Of the nine cases in which the parents were reconciled or living together, seven had shared placement orders at the divorce judgment and two had mother sole placement orders.

<sup>13</sup>We conducted telephone interviews from June 14, 2001, through October 24, 2001. Interviews lasted about 30 minutes, on average. Survey efforts included several measures to minimize nonresponse, including advance notification letters and a follow-up/thank you letter which included a free telephone calling card. PA Consulting Group was contracted to conduct the fieldwork.

subsequent court actions. The survey data assess individual characteristics at a single point in time and measure children's living arrangements for a 12-month period that corresponds to updated records in the CRD. We use survey data to compare parents' reports of children's living arrangements with the placement order in effect during the same period as recorded in the CRD.

Our approach to comparing survey and court record data is guided by the definitions published in the Wisconsin Administrative Code. These definitions indicate that a measure of "overnight child care" or "equivalent care" can be used to classify the living arrangements of a family. Specifically:

"Shared-time payer" means a payer who provides overnight child care or equivalent care beyond the threshold and assumes all variable child care costs in proportion to the number of days he or she cares for the child under the shared-time arrangement.

Note: There are physical placement arrangements in which the payer provides child care beyond the threshold and incurs additional cost in proportion to the time he or she provides care, but because of the physical placement arrangement he or she does not provide overnight care (e.g., payer provides day care while the payee is working). Upon request of one of the parties the court may determine that the physical placement arrangement other than overnight care is the equivalent of overnight care. (DWD 40.02(25))

"Threshold" means 30 percent of a year or 109.5 out of every 365 days (DWD 40.02(28)).

Thus, we examine the percentage of time that the child lived with the father during the 12-month period that included the 2000–2001 school year and the summer of 2000. As a first effort, we measure "lived with" as "stayed overnight" to capture the meaning of "physical placement" and "overnight child care" contained in the Administrative Code. Focusing on overnights is also consistent with strategies adopted in previous research (Maccoby and Mnookin 1992). In an attempt to represent the concept of "equivalent care," we present alternative estimates of a father's time-shares for equal shared placement cases using additional survey data.

We analyze data from mothers and fathers separately since we expect parents' reports to differ. Previous research shows that mothers tend to report that children have less frequent contact with their fathers than fathers do (Seltzer and Brandreth 1995), parents appear to have different thresholds in mind when deciding whether a child "lives" with them (Tuschen 1994), and the errors in mothers' and fathers'

reports of things like contact with a child or child support payments differ (Schaeffer, Seltzer, and Klawitter 1991; see Schaeffer, Seltzer, and Dykema 1998 for a review). Our analysis is not limited to matched pairs of parents, and therefore some of the differences we find between mothers' and fathers' reports derive from different situations. When sufficient sample sizes are available, we conduct additional analyses on matched pairs and report the extent to which these mirror or depart from the main findings.

The Appendix provides a detailed discussion of how physical placement order is defined in the CRD, how we measured children's living arrangements in the survey, and how these data were used to construct a time-share measure based on a count of overnights.

### Definitions

For purposes of our analysis, we define *shared placement* as orders in which each parent is responsible for overnight or equivalent care of the child more than 30 percent of the time. Thirty percent was selected because this is the threshold used to compute child support obligations in the state of Wisconsin (DWD 40.02(25), 40.02(28)). We define as *sole placement* cases in which one parent has physical placement of the child more than 70 percent of the time. *Mother sole placement* refers to situations in which the child is in the care of the mother more than 70 percent of the time; likewise *father sole placement* indicates the child is primarily in the care of the father.

Shared placement orders are further differentiated into *equal shared placement*, *unequal shared placement/mother primary parent* and *unequal shared placement/father primary parent*. Again, the Wisconsin Administrative Code provides the rationale for these distinctions. By *equal shared placement*, we mean cases in which each parent has physical placement of the child at least 183 days (50 percent) of a year (DWD 40.02(20)). *Unequal shared placement* involves orders in which each parent has physical placement of the child more than 30 percent of the year (i.e., at least 110 overnights, DWD 40.04(2a)). For unequal shared placement cases, we also identify whether the mother or the father is the primary parent or the "parent with more time," meaning that he or she has physical placement of the child more than 50 percent (183 days) of a year (DWD 40.02(21)). The lesser time parent in unequal shared custody

cases has physical placement of the child more than 30 percent and less than 50 percent of a year. Hence, we distinguish families with orders for unequal shared/mother primary placement and unequal shared/father primary placement.

Unless otherwise stated, we use the term “shared placement” to refer jointly to families with equal shared placement *and* unequal shared placement orders. We use the terms “equal shared placement,” “unequal shared/mother primary,” and “unequal shared/father primary” to distinguish among types of shared physical placement when we conduct analyses of these groups separately.

## RESULTS

### Stability of Physical Placement and Father-Child Contact Over Time

We examine three measures of stability in physical placement and contact between fathers and their children over time: (1) the distribution of child placement orders at the time of the divorce judgment and the extent to which those placement orders have been revised by the time of the survey; (2) the frequency with which parents have pursued court actions since the divorce judgment; and (3) retrospective reports by mothers and fathers about changes in the amount of father-child contact since the time of the divorce.

#### *How Often Did the Physical Placement Order Change since the Divorce Judgment?*

Table 1 shows the distribution of placement orders in effect at the time of the divorce judgment and at the time of the survey for all families in the survey sample. On average, about 3 years elapsed between these two time points. Figures along the diagonal cells show that physical placement remained unchanged for the vast majority of families. Of the 300 families with mother sole placement orders at the divorce judgment, 95 percent continued to have mother sole placement. Similarly, 90 percent of families with unequal shared placement orders in which the mother is the primary parent and 88 percent of families with equal shared placement orders maintained the same physical placement after approximately

**TABLE 1**  
**Distribution of Child Placement Orders at Time of Divorce Judgment and Orders at Time of Survey**

Placement Order at Survey	Child Placement Order at Time of Divorce Judgment							
	Mother Sole		Unequal Shared Placement				Equal Shared	
	Percent	N	Percent	N	Percent	N	Percent	N
Living Together	1.0	3	0.0	0	0.0	0	0.0	0
Sole Placement								
Mother sole	94.7	284	1.5	1	0.0	0	6.5	14
Father sole	1.3	4	3.0	2	0.0	0	1.9	4
Unequal Shared Placement								
Mother primary	0.3	1	89.5	60	0.0	0	2.8	6
Father primary	0.0	0	0.0	0	100.0	11	0.0	0
Equal Shared Placement	0.7	2	6.0	4	0.0	0	87.9	189
Split Placement	1.3	4	0.0	0	0.0	0	0.9	2
Third Party	0.7	2	0.0	0	0.0	0	0.0	0
Totals		300		67		11		215
Years from divorce judgment to 6/1/2001								
Mean (sd)	3.13	(0.70)	2.80	(0.70)	2.62	(0.71)	2.99	(0.76)
Minimum	1.27		1.48		1.56		1.26	
Maximum	4.54		4.23		3.80		4.50	

**Notes:** Excludes 1 case in which the parents were living together at the time of the divorce judgment. This case was surveyed in error. Percentages and Ns are unweighted.



a 3-year period. Among the small number of cases with unequal shared placement orders in which the father is the primary parent, all maintained the same placement provisions.<sup>14</sup>

Twenty-six families with equal shared placement orders at the divorce judgment had a different placement order at the time of the survey. Of these 26, two-thirds (N=18) moved to sole placement, primarily mother sole placement (N=14), although a small number changed to father sole placement. The number of cases initially ordered unequal shared/mother primary placement is small, but families who modified the physical placement provisions moved more often to equal shared placement than to sole placement. Of the 16 families who changed an initial order of mother sole placement, roughly equal numbers moved to father sole placement or split placement or the parents were living together at the time of the survey.

#### *Factors Associated with Change in Physical Placement Orders*

Table 2 presents estimates from logistic regressions of change in physical placement since the divorce judgment. We examine two measures of change. In equation 1, we examine *any* change from the physical placement order at the divorce judgment. A shift from equal shared placement to unequal shared placement is treated as a change, just as a move from equal shared to mother sole placement and vice versa. Equation 2 does not differentiate between gradations of shared placement, and only shifts between shared and sole placement or to another arrangement (e.g., split placement) are considered changes. Arguments can be made to justify either approach. For example, modifying an equal shared placement order to an unequal shared placement order is important because it gives one parent greater responsibility for child rearing.

Unequal shared placement orders are also more likely to include provisions for formal child support. Nevertheless, such a revision in physical placement involves gradations in shared parenting

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<sup>14</sup>This stability among physical placement provisions is not surprising. Wisconsin Statute §767.325(2) prohibits substantial modifications of physical placement within 2 years of the order except under two conditions: (a) if circumstances make it impractical for parties to continue to have substantially equal physical placement (Wis. Stat. §767.325(2)), and (b) when both parties agree to a modification of physical placement or legal custody (Wis. Stat. §767.329).

**TABLE 2**  
**Logistic Regression Estimates of Change in Physical Placement Orders since Divorce Judgment<sup>a</sup>**

Independent Variable	Any Change in Placement Order <sup>b</sup>		Major Change in Placement Order <sup>c</sup>	
	Equation 1		Equation 2	
	Coefficient	Significance	Coefficient	Significance
Placement Order at Divorce Judgment (mother sole)				
Equal shared placement	1.128	<b>0.003</b>	0.746	<b>0.060</b>
Unequal shared placement	0.983	<b>0.054</b>	-0.095	0.887
Less than 3 years since divorce judgment	-0.569	0.158	-0.352	0.419
Married 10 years or more	-0.124	0.732	-0.436	0.279
One child from the marriage	-0.003	0.994	0.020	0.957
Youngest child under age 6	-0.516	0.329	-0.389	0.469
Parents' Legal Representation (both parents had attorneys)				
Only father represented	0.687	0.195	0.451	0.464
Only mother represented	0.645	0.148	0.505	0.301
Neither parent represented	1.234	<b>0.002</b>	1.089	<b>0.013</b>
Parents lived within 15 miles of each other <sup>d</sup>	-0.125	0.760	0.194	0.677
Intercept	-3.045	<b>&lt;.0001</b>	-3.151	<b>&lt;.0001</b>
N	593		593	
Mean dependent variable	0.083		0.066	
Likelihood ratio, df	27.95, 16	0.032	18.49, 16	0.296

**Notes:**

<sup>a</sup>Models also include controls for divorce cohort, county of divorce, and an indicator for missing information on distance between parents' homes at time of the divorce judgment. Coefficients with a significance level of 0.10 or lower (in **bold**) are considered statistically significant.

<sup>b</sup>Includes any change in physical placement order between divorce judgment and January 1, 2001.

<sup>c</sup>Does not differentiate changes in physical placement between "equal" and "unequal" shared placement.

<sup>d</sup>Measured at the time of the divorce judgment. Parents living in the same ZIP Code area are classified as living within 15 miles of each other.

responsibility and can imply the difference of staying a few more (or fewer) nights per month at one parent's house than the other's. The substantive importance of these shifts can be overstated by a statistical analysis that treats all changes equivalently.

Neither measure differentiates between *increases* and *decreases* in the share of time that a child lives with the father. Isolating only decreases in time more directly addresses a central motivation of this report—i.e., whether fathers in shared placement families reduce the time that their children live with them. However, only a small fraction of cases experience *any* change in physical placement (8 percent of the entire survey sample of 593 cases). Limiting the scope of the analysis further skews the dependent variable and makes it difficult to obtain reliable estimates. Thus, the coefficients can be interpreted as effects that increase or decrease the likelihood of changing physical placement, with some of these changes involving increased father-child time and some reflecting decreased time.

The main results of the two regression analyses are largely the same, with differences in the magnitude of coefficients and statistical significance affected by the relatively small number of changes that occur.<sup>15</sup> Only two factors consistently differentiate between families that changed the initial physical placement order and those that did not—whether the parents had legal representation during the divorce proceedings, and initial placement type.

Families in which both parents had attorneys were least likely to revise the initial placement order. In contrast, if neither parent had legal representation, the family was three times more likely to revise the placement order ( $\exp(1.234)=3.43$ ,  $\exp(1.089)=2.97$ ). Several factors may account for this result. For example, attorneys may provide parents not only with legal counsel as to their parental rights but also with advocacy and negotiating skills that increase the chances of reaching a settlement. Even if these settlements are not always “agreeable” to both parties, the parents are more likely to recognize that they “got the best they could” (Melli, Erlanger, and Chambliss 1988). Perhaps having vested themselves

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<sup>15</sup>To maximize the number of cases available for analysis, we limit the analysis to variables that are measured with data from the CRD. Other variables available only from survey interviews (e.g., parents' education or residential mobility) would reduce the sample size by more than half. The analysis includes controls for divorce cohort and county of divorce to adjust for stratification of the sample.

in the settlement emotionally and financially, the parents are less likely to seek a revision. Alternatively, divorces in which neither parent has legal representation may reflect more amiable relationships that are marked by greater flexibility and cooperation, even to the extent of modifying the provisions of the divorce in later years.

Families with equal shared placement or unequal shared placement are significantly more likely to modify the placement order than are parents with initial orders of mother sole placement. Compared with families who have initial orders for mother sole placement, those with orders for equal shared placement are 3 times more likely to revise the order ( $\exp(1.128)=3.09$ ). Similarly, those with unequal shared/mother primary placement are more than 2.5 times more likely to revise the physical placement order than families with mother sole placement ( $\exp(0.983)=2.67$ ). The effect of unequal shared/mother primary placement loses significance in equation 2, and the impact of equal shared placement is reduced to a factor of 2 ( $\exp(0.746)=2.11$ ). Indeed, equation 2 as a whole, which does not differentiate among gradations of shared placement, is not statistically significant ( $p=0.296$ ). However, none of the control variables introduced in equation 1 account for the greater likelihood that families with equal shared or unequal shared placement revise the original placement order, and potential interaction effects with other variables did not approach statistical significance.

We examined other factors associated with the initial placement outcome, including parents' earnings, sex composition of the children, previous marital history of the parents, parents' ages, and whether child support was ordered at the divorce judgment. None of these variables had effects that approached statistical significance.

#### *How Often Did Parents Pursue Court Actions since the Divorce Judgment?*

The frequency of court actions since the divorce judgment provides another indicator of stability. While modifications in the physical placement provisions necessarily involve action by the court, parents or parties acting on behalf of the children may petition the court to enforce or modify child support orders, appoint guardians for the children, order mediation, assign parenting classes, or take other

evaluative measures. Court actions, in and of themselves, are not inherently “bad” or “negative.” If the share of time that a child stays with one parent has changed substantially since the initial placement order, then it may be appropriate to seek a modification in child support or to establish a child support order. Nonetheless, the occurrence and frequency of court actions since the divorce judgment indicate that at least one party perceives, or desires, a significant departure from the terms of the original divorce decree. If court actions occur more frequently among families with shared placement orders, then this evidence supports concerns about the instability of such arrangements.

Table 3 shows the distribution of court actions since the divorce judgment by initial placement order. When we examine a wide range of reasons for court actions,<sup>16</sup> we find little difference by placement type in the rate with which families return to court. About 47 percent of families with mother sole placement and the same percentage of families with unequal shared/mother primary placement ever returned to court since the divorce judgment. A somewhat smaller share of families with equal shared placement pursued court action; the small sample of families with unequal shared/father primary placement were least likely to return to court. Neither the likelihood of ever returning to court nor the number of court actions differs significantly by placement type.

However, differences by placement type become statistically significant when we exclude returns to court for reasons related to child support (lower panel of Table 3). Shared placement, especially equal shared placement, is less likely to include orders for child support. Group comparisons that include all court actions may be affected by relatively frequent legal activity by families with mother sole placement to enforce or modify a child support order.<sup>17</sup>

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<sup>16</sup>We examine data on returns to court for the purposes of modifying or enforcing a child support order; modifying or enforcing a child access schedule or physical placement order; requesting mediation, custody, or visitation studies; or appointing a *guardian ad litem*. Court actions for wage assignment effectuation and arrearage calculation are not included.

<sup>17</sup>We can only partially adjust our measure by excluding court actions *solely* for reasons related to child support (i.e., actions to enforce or modify a child support order). Court actions with multiple issues, some of which involve child support, are not excluded.

**TABLE 3**  
**Distribution of Court Actions after Divorce Judgment, by Child Placement Order at Divorce Judgment**  
**(weighted percentages)<sup>a</sup>**

	Mother Sole Placement		Equal Shared		Unequal Shared Placement				Test of Differences (p-value)		
					Mother Primary Parent		Father Primary Parent				
	N	Percent	N	Percent	N	Percent	N	Percent	Sole vs. Equal	Sole vs. Unequal-Mother	Equal vs. Unequal-Mother
Total N	300		215		67		11				
Any court actions <sup>b</sup>	152	46.8	86	42.6	28	47.4	5	37.1	ns	ns	ns
Number of Court Actions											
Mean (incl 0's) (sd)	0.94	(1.55)	0.80	(1.30)	0.80	(1.12)	1.1	(1.51)	ns	ns	ns
Mean (excl 0's) (sd)	2.01	(1.55)	1.87	(1.36)	1.69	(0.96)	2.9	(1.34)	ns	ns	ns
<b>Excluding Returns to Court for Reasons Related to Child Support<sup>c</sup></b>											
Any court actions	62	18.8	49	21.0	22	34.5	2	15.9	ns	<.05	<.10
Number of Court Actions											
Mean (incl 0's) (sd)	0.30	(0.87)	0.42	(1.01)	0.55	(0.89)	0.51	(1.21)	ns	<.10	ns
Mean (excl 0's) (sd)	1.59	(1.15)	2.01	(1.17)	1.58	(0.72)	3.22	(2.12)	<.05	ns	<.10

**Notes:**

<sup>a</sup>Percentages and means are weighted. Ns and standard deviations are unweighted. Significance tests are based on weighted data. Significance tests of differences for cases with unequal shared/father primary placement were not performed because there were too few cases.

<sup>b</sup>Measures include returns to court since the divorce judgment for purposes of modifying or enforcing a child support order; modifying or enforcing a visitation schedule or physical placement order; requesting mediation, custody, or visitation studies; or appointing a *guardian ad litem*. Court actions for wage assignment effectuation and arrearage calculation are not included.

<sup>c</sup>Court actions for the purpose of modifying or enforcing a child support order are not counted in these measures.

The lower panel of Table 3 confirms this idea. When court actions related to child support are excluded, the percentage of mother sole placement cases that ever return to court decreases by more than one-half, from 47 percent to 19 percent. Families with equal shared and unequal shared/mother primary placement are also less likely to return to court, but the decreases are smaller. Moreover, the occurrence and frequency of court actions now differ significantly by placement type. Unequal shared/mother primary placement families are significantly more likely to return to court than families with mother sole placement or equal shared placement. Families with equal shared placement and those with mother sole placement are equally likely to return to court. However, among the families who do return to court, those with equal shared placement participate in a significantly greater number of court actions.

*How Often Did Father-Child Contact Change since the Divorce Judgment?*

Tables 4A and 4B present survey data on retrospective reports of changes in the amount of father-child contact since the time of the divorce. Specifically, parents were asked, “Compared to when you were first divorced, is the amount of time that <focal child> spends with <his/her> father MORE time now, LESS time now, or ABOUT THE SAME?”<sup>18</sup> If any change was reported, we ascertained when the child first started spending more (less) time with the father. If there was no reported difference in contact between those two time points, we asked if there had *ever* been a period since the divorce when the amount of time spent together was different.

Table 4A, based on data from interviews with mothers, shows that changes in father-child contact occur significantly less often among families initially ordered equal shared placement than those with mother sole placement or unequal shared/mother primary placement orders. About one-third of families with equal shared placement indicated that the amount of father-child contact was different at the time of the survey compared with the time of the divorce; another 10 families (increasing the share to 40 percent) reported that there was ever a change in father-child contact since the divorce. Slightly more than one-half

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<sup>18</sup>Because of the skip patterns in the survey, mothers generally were asked to report about the time that fathers spent with the child and fathers were asked about the time that they, themselves, spent with the child. We cannot reliably assess changes in parent-child contact for the small number of cases that followed a different skip pattern.

**TABLE 4A**  
**Mothers' Survey Reports of Change in Father-Child Contact by Placement Type at Time of Divorce Judgment**  
**(weighted percentages)<sup>a</sup>**

	<u>Mother Sole Placement</u>		<u>Equal Shared</u>		<u>Unequal Shared/ Mother Primary</u>		<u>Test of Differences (p-value)</u>		
	N	Percent	N	Percent	N	Percent	Sole vs. Equal	Sole vs. Unequal	Equal vs. Unequal
Total N	176		132		47				
<b>Mother Reports Change in Amount of Father-Child Contact</b>									
Now compared to time of divorce	91	51.6	44	33.9	22	52.8	<.05	ns	<.10
If father-child contact has changed <sup>b</sup>									
More time now	45	48.7	21	55.2	18	79.7	ns	<.05	<.10
Less time now	45	50.9	22	43.5	4	20.3			
Ever changed since divorce <sup>c</sup>	102	56.7	55	40.4	28	61.3	<.05	ns	<.05
<b>Excluding Families Who Revised the Placement Order from the Divorce Judgment</b>									
Total N	171		115		45				
Now compared to time of divorce	90	52.0	35	30.1	21	52.9	<.01	ns	<.05
If father-child contact has changed <sup>b</sup>									
More time now	44	47.7	18	58.9	17	79.2	ns	<.01	ns
Less time now	45	51.9	16	39.3	4	20.8			
Ever changed since divorce <sup>c</sup>	100	57.0	46	37.7	27	61.6	<.01	ns	<.05

**Notes:**

<sup>a</sup>Percentages are weighted, Ns are unweighted. Significance tests are based on weighted data. Excludes cases in which the father had no contact with the child during the past 12 months and cases for which change in father-child contact could not be computed (N=35 mothers, N=26 fathers).

<sup>b</sup>Increase or decrease in father-child contact shown only for cases reporting change in the amount of father-child contact. Excludes cases in which the parent reported the amount of father-child contact was “not more or less but different” (N=2 mothers, N=1 father).

<sup>c</sup>Includes cases in which the amount of father-child contact “now” compared to the time of the divorce is different and cases in which there was ever a period since the divorce when the amount of father-child contact was different than it is now.



of families with mother sole or unequal shared/mother primary placement indicated that father-child contact differs from what it was at the time of the divorce.<sup>19</sup>

The middle two rows in the first panel of Table 4A indicate whether father-child contact increased or decreased since the divorce. Mother sole placement cases are evenly divided. Among those reporting that the amount of time the father spends with the child has changed, about half indicate the father spends *less* time than when the parents were first divorced and about half indicate the father spends *more* time now. Families with equal shared placement are also divided about evenly, though a slightly higher percentage report increases in father-child contact. Families with unequal shared/mother primary placement, however, are significantly more likely than families in the other two placement types to increase father-child contact. Eighty percent of families with unequal shared/mother primary placement report that the father spends *more* time with the child now than at the time of the divorce. This finding is consistent with modifications in placement orders reported in Table 1: six of the seven families with unequal shared/mother primary placement at the divorce judgment who revised the placement provisions moved to arrangements that involved greater shares of the father's time (i.e., equal shared or father sole placement).

The lower panel of Table 4A examines changes in father-child contact among the subgroup of families who maintained the same placement order since the divorce judgment. The results suggest that shifts in father-child contact can be attributed only partly to modifications in the legally recorded provisions. The overall pattern of results is very similar to that presented for the sample of mothers as a whole, with changes in father-child contact differing significantly by placement type. However, families with equal shared placement who report change in father-child contact are now more likely to experience increased contact, and the differences between equal shared and unequal shared/mother primary placement are no longer statistically significant.

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<sup>19</sup>We define as a change only those cases in which the parent indicated that the change occurred the year of the divorce judgment or later. Preliminary analysis showed that some parents reported a change in father-child contact occurring in years *prior* to the divorce judgment or even prior to the divorce petition, perhaps because of comprehension and recall difficulties.

The pattern of results based on data from interviews with fathers differs somewhat (Table 4B). According to fathers, families with unequal shared/mother primary placement are least likely to change father-child contact, followed by families with equal shared placement. Both groups are significantly less likely than families with mother sole placement to change the amount of father-child contact. Among the subgroup of families who report change in father-child contact, the pattern of results appears similar to that reported for mothers, though the weighted percentages and statistical tests may be sensitive to the small number of cases in some cells. Also like the results summarized for mothers, significant differences in the direction of change in father-child contact are minimized when families who revised the placement order are excluded from the analysis (lower panel of Table 4B).

#### *Factors Associated with Change in Father-Child Contact*

Table 5 presents logistic regression estimates of change in father-child contact as reported by mothers.<sup>20</sup> The dependent variable in equation 1 is comparable to the first row reported in Table 4A—namely, is the amount of time the father spends with the child now *different* from what it was immediately after the divorce? Equation 1 does not differentiate between increases and decreases in father-child contact but merely captures change. Equation 2 examines factors associated with unchanged or increased contact compared to *reduced* contact between fathers and their children. The dependent variable contrasts families in which father-child contact either remained the same *or* increased with families in which the father spends less time with the child now than he did at the time of the divorce. Positive coefficients indicate an increase in the likelihood that the amount of father-child contact increased or remained the same; negative coefficients denote lower probabilities that father-child contact remained steady.

The logistic regression results for equation 1 suggest that placement type does not consistently affect patterns of father-child contact after we control for other characteristics. Moreover, changes in

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<sup>20</sup>Table A4 presents results using data from interviews with fathers. Because we were unable to eliminate all identifiable nonresponse bias among fathers in the sole placement sample, estimates that contrast fathers in shared and sole placement cases may be biased.

**TABLE 4B**  
**Fathers' Survey Reports of Change in Father-Child Contact by Placement Type at Time of Divorce Judgment**  
**(weighted percentages)<sup>a</sup>**

	Mother Sole Placement		Equal Shared		Unequal Shared/ Mother Primary		Test of Differences (p-value)		
	N	Percent	N	Percent	N	Percent	Sole vs. Equal	Sole vs. Unequal	Equal vs. Unequal
Total N	130		131		49				
<b>Father Reports Change in Amount of Father-Child Contact</b>									
Now compared to time of divorce	68	52.2	41	27.3	13	18.9	<.001	<.001	ns
If father-child contact has changed <sup>b</sup>									
More time now	36	52.7	17	43.8	9	72.6	ns	ns	<.10
Less time now	31	46.9	24	56.2	4	27.4			
Ever changed since divorce <sup>c</sup>	78	60.7	50	32.0	16	24.7	<.001	<.001	ns
<b>Excluding Families Who Revised the Placement Order from the Divorce Judgment</b>									
Total N	124		117		45				
Now compared to time of divorce	63	50.3	35	22.3	11	17.9	<.001	<.001	ns
If father-child contact has changed <sup>b</sup>									
More time now	33	53.6	16	49.9	7	69.5	ns	ns	ns
Less time now	29	46.0	19	50.1	4	30.5			
Ever changed since divorce <sup>c</sup>	73	59.2	42	26.1	14	23.9	<.001	<.001	ns

**Notes:**

<sup>a</sup>Percentages are weighted, Ns are unweighted. Significance tests are based on weighted data. Excludes cases in which the father had no contact with the child during the past 12 months and cases for which change in father-child contact could not be computed (N=35 mothers, N=26 fathers).

<sup>b</sup>Increase or decrease in father-child contact shown only for cases reporting change in the amount of father-child contact. Excludes cases in which the parent reported the amount of father-child contact was "not more or less but different" (N=2 mothers, N=1 father).

<sup>c</sup>Includes cases in which the amount of father-child contact "now" compared to the time of the divorce is different and cases in which there was ever a period since the divorce when the amount of father-child contact was different than it is now.

**TABLE 5**  
**Logistic Regression Estimates of Change in Father-Child Contact since Divorce Judgment**  
**as Reported by Mothers<sup>a</sup>**

Independent Variable	Father-Child Contact Changed		Father-Child Contact Unchanged or Increased	
	Equation 1 <sup>b</sup>		Equation 2 <sup>c</sup>	
	Coefficient	Significance	Coefficient	Significance
Child Placement at Divorce Judgment (mother sole)				
Equal shared placement	-0.312	0.297	0.187	0.622
Unequal shared placement	0.057	0.877	1.133	<b>0.057</b>
Placement order revised since divorce judgment	-0.038	0.937	0.027	0.962
Less than 3 years since divorce judgment	-0.580	<b>0.062</b>	1.163	<b>0.003</b>
Married 10 years or more	0.357	0.222	-0.577	0.114
One child from the marriage	-0.002	0.994	-0.288	0.364
Youngest child under age 6	-0.056	0.875	0.375	0.439
Residential Mobility since Divorce Judgment				
Mother lived at 3 or more addresses	0.273	0.331	0.095	0.792
Father lived at 3 or more addresses	0.099	0.694	-0.562	<b>0.076</b>
Parents' Earnings in 2000 (compared to Father ≥ \$30K and Mother ≥ \$20K)				
Father ≥ \$30K and Mother < \$20K	0.638	<b>0.064</b>	-0.188	0.678
Father < \$30K and Mother ≥ \$20K	0.525	0.120	-0.362	0.380
Father < \$30K and Mother < \$20K	0.666	<b>0.050</b>	-0.522	0.211
Household Composition at Time of Survey				
Other minor children live with mother	0.028	0.922	0.242	0.519
Other minor children live with father	0.746	<b>0.005</b>	-0.138	0.674
Parents disagree about childrearing <sup>d</sup>	0.638	<b>0.009</b>	-1.125	<b>&lt;.001</b>
Intercept	-0.745	0.187	1.286	<b>0.061</b>
N	355		355	
Mean dependent variable	0.442		0.794	
Likelihood ratio, df	45.29, 21	<b>0.002</b>	49.98, 21	<b>&lt;.001</b>

**Notes:**

<sup>a</sup>Includes only families with mother sole placement, equal shared placement, or unequal shared/mother primary placement at the divorce judgment. Cases in which the father had no contact with the child during the 12 months prior to the survey, and cases for which change in father-child contact could not be assessed, are excluded. Models include controls for divorce cohort, county of divorce, father's earnings in 2000, length of marriage, and child support payments in the 12 months prior to the survey to adjust for sample stratification, differential response, and nonresponse bias. Coefficients with a significance level of 0.10 or lower (in **bold**) are considered statistically significant.

<sup>b</sup>Father-child contact at the time of the survey is different than at the time of the divorce.

<sup>c</sup>Father-child contact now is unchanged, or increased, since the time of the divorce

<sup>d</sup>Parents disagree "very much" or "extremely" about rules they have for the child, child care arrangements, how much time the child spends with each parent, or the financial support each parent provides for the child.

father-child contact—at least to the extent that we can capture them with a retrospective report—are not sensitive to changes in the legally recorded placement order.<sup>21</sup> Instead, length of time since the divorce, father’s household composition and residential mobility, and parental conflict play a more consistent role in accounting for shifts in father-child contact.<sup>22</sup> Parents’ earnings differentiate between families who change amounts of father-child contact, but they do not account for decreases in contact.

Fathers who, at the time of the survey, had other children living with them were significantly more likely to change the pattern of contact with children from the previous marriage. Perhaps because the formation of a new family presents competing demands on fathers’ time or requires modifications in established routines, these fathers were twice as likely ( $\exp(0.746)=2.1$ ) to change patterns of contact with children. Alternatively, families that had divorced more recently were about half as likely to report changes in father-child contact ( $\exp(-0.580)=0.56$ ).

When we distinguish the direction of change in father-child contact in equation 2, placement type reappears as a significant factor. Fathers in families with unequal shared/mother primary placement are significantly more likely to maintain or increase the amount of time they spend with their children compared with fathers in mother sole placement cases. Differences between equal shared placement and the other placement types are not statistically significant.

Residential mobility, length of time since divorce, and parental conflict are also associated with reduced father-child contact. Mother’s residential mobility does not affect father-child contact, but children are less likely to maintain the same level of contact with fathers who have moved three or more

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<sup>21</sup>The analysis of father-child contact provides an additional piece of evidence about the stability of living arrangements, but we should not interpret these measures as a good reflection of the legally recorded placement provisions or living arrangements per se. The survey questions asked about changes in the “amount of time” that a parent spends with a child. Responses might appropriately reflect an increase or decrease in the number of Saturday afternoons that a child spends with a parent as well as a change in the amount of time a child “lives with” or stays overnight with a parent.

<sup>22</sup>We also examined the effects of parents’ ages, parents’ education, parents’ current marital status, sex composition of the children, and other specifications of parents’ earnings. None of these variables had significant effects. All models include controls for divorce cohort, county of divorce, child support payments in the 12 months prior to the survey, length of marriage, and father’s earnings in 2000 to adjust for sample stratification, differential response, and nonresponse bias.

times since the divorce. Consistent with past research demonstrating declines in father-child contact with time since the divorce (e.g., Furstenberg and Cherlin 1991; Seltzer 1991), children from families who divorced 3 or more years ago are almost two times more likely to experience reduced father contact than children in recently divorced families.

Parental conflict has large and statistically significant effects in equations 1 and 2. Parents who disagree about childrearing issues<sup>23</sup> are twice as likely to report changes in father-child contact and three times more likely to reduce contact between fathers and their children over time. However, we cannot determine from these data if parental conflict leads to reduced contact between fathers and children or if families in which fathers are less involved with their children are more likely to experience parental disagreements.<sup>24</sup>

Together, the analyses in Tables 1–5 help to elucidate different aspects of change associated with placement type. In terms of *formal* change, shared placement families are less stable than families with divorce judgments for mother sole placement over the 3-year period of this study. Families with initial orders for equal shared or unequal shared/mother primary placement are more likely to revise the placement order even after we control for other factors. Nevertheless, the *statistical* significance of this result can overshadow a pattern of remarkable stability across all placement types. The descriptive analysis reported in Table 1, while unadjusted for other factors, shows that physical placement is very stable across all placement types. Thus, the 88 percent of families with equal shared placement or the 90

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<sup>23</sup>The variable identifies parents who disagree “very much” or “extremely” about rules they have for the child (e.g., curfews, chores, TV), child care arrangements, how much time the child spends with each parent, or the financial support each parent provides for the child.

<sup>24</sup>The analysis in Table 5 excludes 29 mothers who reported that the father had no contact with the child during the previous 12 months. Because of the skip pattern in the questionnaire, we did not ascertain whether these families experienced a change in father-child contact since the divorce. We reestimated the logistic regression analyses after including these 29 cases and counting them as having experienced a change in father-child contact and having experienced a decrease in contact, under the assumption that there had been at least some father-child contact at the time of the divorce. The substantive pattern and statistical significance of the results is unchanged with one exception. After including these 29 cases, we find a significant negative effect of equal shared placement in equation 1—i.e., families with equal shared placement were significantly less likely than mother sole placement families to report that the amount of time fathers spend with their children had changed since the time of the divorce.

percent of unequal shared/mother primary placement families who maintained the placement order appear to be low relative to the high mark of 95 percent set by mother sole placement families.

Modifications of the legal record suggest that shared placement families are less stable, but families with mother sole placement experience greater instability in the amount of contact that children have with their fathers. Mother sole placement families experience significantly higher rates of change in father-child contact since the divorce, and these changes more frequently involve reduced time with children. Multivariate analysis indicates that other factors account for differences by placement type in whether father-child contact changed. Other factors account for some, but not all, of the differences by placement type in whether father-child contact stayed the same or increased. The data suggest that shared placement families with less stable patterns of father-child contact are more likely than families with mother sole placement to maintain or increase the amount of father-child contact over time. The direction of these shifts—and not merely their occurrence—suggests the importance of considering the concept of stability in the context of the actual amount of time that children spend with their fathers. The next analyses address this issue more directly by summarizing data on the share of time that fathers care overnight for their children.

#### Comparisons between Actual Living Arrangements and Physical Placement Orders

The analyses presented in Tables 6 and 7 examine mothers' and fathers' survey reports of the percentage of time that the child lived with the father in shared placement cases. We analyze families with equal shared placement separately from those with unequal shared/mother primary placement, because previous research suggests that the characteristics of families with equal and unequal shared placement differ (Cancian and Meyer 1998; Melli, Brown, and Cancian 1997). Since the number of unequal shared placement cases is small, and the survey data available to define "time-share" are limited in these cases to a measure of overnights, we focus most of our analysis on equal shared placement cases. We exclude cases with placement orders that designate the father as the sole custodial parent or as the primary parent

in an unequal shared placement order. There are too few such cases to support statistical analysis, but we briefly discuss living arrangements in these families at the end of this section.

The tables report detailed distributions, but we focus on broader categories in our discussion. Factors such as measurement error, response bias, and cell counts too small to generate reliable estimates advise against emphasizing an exact count of overnights that correspond precisely to definitions in the child support guidelines (e.g., a 30 percent threshold versus a range of 1 to 25 percent). For this reason, we consider a survey report of 46 to 54 percent to be consistent with an order of equal shared placement and make similar allowances in other types of cases.

*Do Parents Report Living Arrangements That Are Consistent with the Physical Placement Order?*

Table 6 shows that a majority of mothers and fathers with equal shared placement report living arrangements, as defined by overnights, that are consistent with the physical placement order. Sixty percent of mothers and fathers indicate that the child stayed overnight with the father about half the time (46 to 54 percent). Slightly fewer than 30 percent of mothers and half as many fathers report that the father cared for the child overnight less than 46 percent of the time. An additional 13 percent of mothers and almost one-quarter of fathers indicate that the child stayed with the father more than half the time.<sup>25</sup> If the analysis is limited to matched pairs of parents (N=91), about 64 percent of mothers report that the child stayed overnight with the father half the time, as did 60 percent of fathers. An additional 11 percent of mothers and 20 percent of fathers reported that the child stayed with the father more than half the time (results not shown).

The number of unequal shared/mother primary placement cases available for analysis is small (N=50 mothers and N=51 fathers). As a result, the estimates shown in Table 7 are less reliable, and the discrepancies between mothers' and fathers' reports may be magnified. Keeping these cautions in mind, one-third of mothers report that the fathers spent fewer than 26 percent of the year's overnights caring for

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<sup>25</sup>Of the 8 fathers who described sole (father) placement arrangements, 3 of the mothers were not interviewed. Two mothers reported that the focal child lived with the father 50 percent or more of the time. One mother's report is internally inconsistent. In the 3 remaining cases, the parents appear to describe different situations, perhaps because there had been a change in living arrangements near the reference period of the survey.



**TABLE 6**  
**Mothers' and Fathers' Survey Reports of Nights Focal Child Stayed with Father during Past 12 Months, among Cases with Equal Shared Placement Orders in Effect at the Time of the Survey (weighted percentages)**

Percentage Time Child Stayed Nights with Father	Mothers' Reports (N=118)			Fathers' Reports (N=128)		
	Percent	Cum. Percent	N	Percent	Cum. Percent	N
0 percent	0.0	0.0	0	0.0	0.0	0
1 to 25 percent	9.9		13	3.1		5
1 to 5	3.9	3.9	4	0.0	0.0	0
6 to 10	1.9	5.7	4	1.7	1.7	2
11 to 15	1.8	7.5	2	0.8	2.5	2
16 to 20	0.6	8.1	1	0.0	2.5	0
21 to 25	1.8	9.9	2	0.6	3.1	1
26 to 45 percent	18.4		25	13.2		11
26 to 30	1.9	11.8	4	9.9	13.0	3
31 to 35	0.7	12.4	2	0.7	13.7	2
36 to 40	0.5	12.9	1	0.0	13.7	0
41 to 45	15.4	28.3	18	2.6	16.3	6
46 to 54 percent	59.2		64	60.6		74
46 to 49	14.6	43.0	13	8.4	24.6	10
50 percent	41.6	84.6	48	50.7	75.4	61
51 to 54	3.0	87.5	3	1.6	76.9	3
More than 54 percent	12.5		16	23.1		38
55 to 59	1.6	89.1	4	7.2	84.1	16
60 to 69	5.7	94.7	8	2.1	86.2	2
70 to 99	5.3	100.0	4	10.1	96.4	12
100 percent	0.0	100.0	0	3.6	100.0	8

**Notes:** Percentages are weighted, Ns are unweighted. Excludes cases in which the time-share cannot be computed because of missing data (N=5 mothers, N=2 fathers).

**TABLE 7**  
**Mothers' and Fathers' Survey Reports of Nights Focal Child Stayed with Father during Past 12 Months, among Cases with Unequal Shared/Mother Primary Placement Orders in Effect at the Time of the Survey (weighted percentages)**

Percentage Time Child Stayed Nights with Father	Mothers' Reports (N=50)			Fathers' Reports (N=51)		
	Percent	Cum. Percent	N	Percent	Cum. Percent	N
0 percent	1.1	1.1	1	0.0	0.0	0
1 to 25 percent	32.6		14	14.4		5
1 to 5	3.0	4.1	2	0.0	0.0	0
6 to 10	4.0	8.0	1	1.1	1.1	1
11 to 15	10.6	18.7	5	8.7	9.8	2
16 to 20	3.6	22.3	2	0.0	9.8	0
21 to 25	11.4	33.7	4	4.5	14.4	2
26 to 45 percent	63.2		32	57.0		30
26 to 30	21.7	55.4	10	4.2	18.5	4
31 to 35	0.0	55.4	0	2.8	21.4	2
36 to 40	13.9	69.3	8	12.9	34.3	6
41 to 45	27.6	96.9	14	37.1	71.4	18
46 to 54 percent	0.9		1	14.9		10
46 to 49	0.9	97.8	1	0.0	71.4	0
50 percent	0.0	97.8	0	6.4	77.8	6
51 to 54	0.0	97.8	0	8.5	86.3	4
More than 54 percent	2.2		2	13.7		6
55 to 59	1.4	99.2	1	5.4	91.7	4
60 to 69	0.0	99.2	0	8.3	100.0	2
70 to 99	0.9	100.0	1	0.0	100.0	0
100 percent	0.0	100.0	0	0.0	100.0	0

**Notes:** Percentages are weighted, Ns are unweighted.

the child. Fourteen percent of fathers report spending fewer than 26 percent of the overnights with the child. Nonetheless, 63 percent of mothers and 57 percent of fathers indicate that the child stayed overnight with the father 26 to 45 percent of the time. Another 30 percent of fathers report overnight care amounting to one-half or more of the year. There are too few cases available to examine reports among matched pairs of parents.

*Accounting for “Equivalent Care” in Equal Shared Placement Cases*

The analyses presented thus far define the child’s living arrangement in terms of “number of overnights” with the father. However, this definition may not present the most comprehensive representation of the living situation, and it may miss significant periods during which the child is in the care of the father. For several reasons, an analysis relying solely on a measure of overnights may be incomplete in shared placement cases.

First, the guidelines for shared placement refer to “overnight care or equivalent care” and acknowledge that parents may meet the expectations of a shared placement guideline even though they do not provide overnight care (e.g., by providing care during the day) (DWD 40.02(25)). A measure incorporating only overnight care may omit other, perhaps extended or enduring, periods of time during which the child is under the parent’s care.

Second, it is difficult to measure parent-child overnights for a 12-month period accurately and reliably in the context of a telephone interview.<sup>26</sup> The PS4 was designed to capture the living and visiting patterns of children that included a wide variety of patterns, both regular and irregular, that spanned summer schedules, school year schedules, and holiday arrangements. This complexity presented problems, on occasion, for both respondents and data coders, and it is possible that not all child living arrangements could be recorded accurately. A seemingly straightforward count of days or overnights, for example, might be lost in the details of a 2- or 3-week pattern of moving from one parent’s home to the other.

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<sup>26</sup>One could measure overnights for a shorter or recent interval more accurately (e.g., last week or last month), but the report is less likely to be a valid measure of a parent’s time-share over the course of a year.

Third, during the survey field period, we observed parents whose relationships with their children were sufficiently fluid that it was difficult for them to quantify the number of days or nights that a child stayed with one parent. For example, some mothers reported coordinating work schedules such that the father picked up the child after school and provided care until later in the evening when the mother was home. Other parents indicated that the children came and went from each other's homes almost continuously. Parents such as these may use a mix of overnights and equivalent daytime care to define shared placement.

Fourth, the practicalities of arranging overnight stays may tend to reduce the frequency with which a child stays with one parent rather than another. Both parents must maintain households that can provide sleeping accommodations for the child. If a scheduled overnight falls on a school night, transportation to school the following morning may require special arrangements. Parents who frequently must work in the evenings, nights, or early morning hours may have fewer overnights with a child because they cannot be home at night or when a child prepares to leave for school in the morning. These and other constraints may reduce parents' time-share as measured by overnights.

In an effort to address these issues, we examine other indicators of parent-child and family living arrangements and how they are associated with the overnight time-share measure. We focus our analysis on equal shared placement cases because there are enough of these cases to examine separately, and because the survey includes additional data that may shed light on periods of parental care other than overnights.

Tables 8A and 8B show the distribution of several measures of parent-child contact, by time-share categories as defined by overnights from interviews with mothers (Table 8A) and fathers (Table 8B). Our objective is to examine how these indicators of parental care are associated with the overnight time-share measure. Presumably, families in which the child stays overnight with the father about half the time will also show high rates of other types of contact associated with a shared living situation—e.g., frequent daily contact or a perceived home environment. If we find similarly high rates of such contact

**TABLE 8A**  
**Distribution of Other Measures of Contact by Levels of Fathers' Time-Share as Defined by Overnights**  
**among Cases with Equal Shared Placement Orders in Effect at the Time of the Survey**  
**(weighted percentages)**

	Fathers' Time-Share as Reported by Mothers									
	< 41%		41-45%		46-54%		55-59%		60% or more	
	Percent	N	Percent	N	Percent	N	Percent	N	Percent	N
Total N		20		16		63		4		12
Described as "50-50" or "half-time" <sup>a</sup>	18.9	5	62.6	13	86.6	54	69.2	3	48.6	7
Focal Child's Home										
With mother	72.5	14	17.9	4	3.7	4	30.8	1	16.3	1
With father	1.5	1	0.0	0	3.8	4	0.0	0	44.9	3
Both parents	26.0	5	82.1	14	90.7	54	69.2	3	38.8	8
Other	0.0	0	0.0	0	1.7	1	0.0	0	0.0	0
Periodicity of Father-Child Contact during School Year										
Every day	5.0	2	0.0	0	8.9	5	13.4	1	40.0	4
At least 6 days/2 weeks	57.8	11	66.4	15	90.3	58	55.8	2	46.7	7
Less often	37.2	7	33.6	3	0.9	1	30.8	1	13.3	1
Percentage of Days Father-Child Contact during School Year										
Less than 50%	79.3	16	81.3	14	1.6	2	30.8	1	13.3	1
50 to 75%	14.2	2	18.7	4	89.6	57	55.8	2	46.8	7
76 to 89%	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0
90% or more	6.5	2	0.0	0	8.9	5	13.4	1	40.0	4

<sup>a</sup>As indicated by postsurvey interviewer observation that respondent used the words "50-50" or "half-time" to describe the child's living arrangements.

**TABLE 8B**  
**Distribution of Other Measures of Contact by Levels of Fathers' Time-Share as Defined by Overnights**  
**among Cases with Equal Shared Placement Orders at the Time of the Survey**  
**(weighted percentages)**

	Fathers' Time-Share as Reported by Fathers									
	< 41%		41-45%		46-54%		55-59%		60% or more	
	Percent	N	Percent	N	Percent	N	Percent	N	Percent	N
Total N		9		6		73		16		22
Described as "50-50" or "half-time" <sup>a</sup>	14.1	3	65.4	4	89.0	65	79.4	13	33.3	10
Focal Child's Home										
With mother	18.7	6	5.6	1	0.0	0	4.7	1	0.0	0
With father	0.0	0	13.0	1	11.7	8	5.4	1	66.8	14
Both parents	81.3	4	81.5	4	88.3	66	89.9	14	30.9	7
Other	0.0	0	0.0	0	0.0	0	0.0	0	2.3	1
Periodicity of Father-Child Contact during School Year										
Every day	8.0	1	0.0	0	10.9	12	17.1	3	53.5	13
At least 6 days/2 weeks	9.2	3	65.4	4	84.2	59	79.5	12	7.8	2
Less often	82.8	6	34.6	2	4.9	2	3.4	1	38.8	7
Percentage of Days Father-Child Contact during School Year										
Less than 50%	89.5	8	84.1	5	2.4	2	11.5	2	43.4	8
50 to 75%	2.5	1	15.9	1	86.9	60	66.0	9	3.1	1
76 to 89%	0.0	0	0.0	0	0.0	0	5.4	1	0.0	0
90% or more	8.0	1	0.0	0	10.7	12	17.1	3	53.5	13

<sup>a</sup>As indicated by postsurvey interviewer observation that respondent used the words "50-50" or "half-time" to describe the child's living arrangements.

among families with overnight time-shares below the halfway mark, this might suggest that some of these families have a shared living situation, albeit one that involves a greater mix of day and overnight care.

We examine parents' reports of whether the child has a "home" with both parents or primarily lives with one parent and visits the other and whether the parent described the living arrangements as "half-time" or "50-50." The latter measure derives from postsurvey observations recorded by interviewers indicating that the parent used these terms to describe the child's living arrangements.

We also examine the frequency or periodicity of father-child contact during days in the school year and the percentage of days of father-child contact during the school year. These measures were collected the same way that we elicited information about overnights, but the questions asked about the number of days that the parent and child "spent time together" rather than the number of nights that the child "stayed overnight" with the parent. These variables should be interpreted cautiously because we do not know how much time, on average, the father spends with the child each day. Based on these measures alone we cannot distinguish, for example, between the father who picks up his child each day from school and takes him or her to the other parent's house or the child care center and the father who takes care of his child all day and then works at night.

The results shown in Tables 8A and 8B suggest important associations between the child's home and the original time-share measure as well as descriptions of "half-time" for the living arrangements. Almost 90 percent of mothers and fathers who report time-shares of 46 to 54 percent describe the living arrangements as "50-50" or "half-time" and indicate that the child has a home with "both" parents. Relatively high proportions also occur among parents who report overnight time-shares just below half-time (41–45 percent) or just above (55–59 percent), though the number of cases in these categories is very small. When the father's overnight time-share is 41–45 percent, about two-thirds of mothers describe the living arrangements as "half-time" and 80 percent claim the child has a home with both parents. Very similar proportions are reported by fathers, but the number of cases is extremely small (N=6 fathers who report 41–45 percent overnight-time-share). Among cases in which the child stays overnight with the

father slightly more than half-time, 80 to 90 percent of fathers report “half-time” living arrangements and a home for the child with both parents. Somewhat lower percentages occur among mothers and only four cases are available for analysis.

The relationship between periodicity and frequency of contact is weaker. Parents with a share of overnights consistent with equal shared placement generally spend time with the child at least 6 days during a 2-week period and between 50 and 75 percent of days during the school year. In the time-share category just below half-time, a smaller proportion of parents report contact with the child at least 6 days during a 2-week period, and they generally spend less than 50 percent of the school days with the child. In a small number of cases, the father spends time with the child “every day” or more than 90 percent of days during the school year even though the overnight time-share falls below 41 percent. These may represent arrangements in which the father provides daytime care consistent with a half-time arrangement and yet has relatively few overnights.

Based on this analysis, we adjusted our time-share measure to provide an upper bound on cases that met the definition of equal shared. Specifically, we reclassified a report as “half-time” if the parent indicated that the focal child’s home was with “both” parents *or* the parent used the words “50-50” or “half-time” to describe the arrangements *and* the time-share based on overnights was 41 to 45 percent or 55 to 59 percent. Our rationale is that the overnight count may have been slightly under- or overestimated because of the complexities of the individual situation and the inadequacy of the questionnaire to measure the arrangements accurately.

We also reclassify a small number of cases with time-shares based on nights below 41 percent in which the father sees the child “every day” or “90 percent or more of the school days” if the parent also indicated that the child had a home with both parents. Our rationale here is that the father is providing extensive daytime care but that scheduling, financial, or other constraints preclude a higher share of overnights.



Table 9 shows the results of our reanalysis of equal shared placement cases using the adjusted measure and provides an upper-bound estimate on the proportion of families whose living arrangements are consistent with the placement order. Three-quarters of mothers and slightly more than 70 percent of fathers report living arrangements that are broadly consistent with an equal shared placement order. The share of mothers who report that the father cares for the child less than 46 percent of the time is reduced by about half, accounting for less than 15 percent of the sample versus 28 percent when the time-share is based only on overnights. The adjusted measure alters the fathers' distribution more noticeably at the high end of the distribution. The proportion of fathers who care for the child more than half-time declines to 16 percent compared with almost a quarter in the original analysis.

These results should be interpreted cautiously and viewed as a first attempt to adjust for “equivalent care” using measures that were not initially designed for that purpose. The postsurvey observation indicator of half-time living arrangements is subject to nonrandom variation across interviewers and respondents. In addition, mothers and fathers may interpret concepts such as “home” or “live with” differently, and use different time thresholds in applying these definitions (Tuschen 1994). In addition to knowing the frequency or periodicity of parent-child contact, a more comprehensive representation of equivalent care would require information about the kinds of care provided. For example, did the parent provide child care most of the day or for extended periods of time while the other parent worked? Did the parent provide meals for the child, supervise his or her daily activities, or tend to educational or health care needs that required parental involvement? Measures such as these would make it possible to incorporate equivalent care into analyses of *unequal shared* placement cases as well. These families may also employ a mix of daytime and overnight care to define shared placement, but these arrangements—and the corresponding time-shares that range widely from one-third to almost one-half—cannot be adequately captured using the proxy measures, such as “home” and “half-time” living arrangements, that we have employed here.

**TABLE 9**  
**Upper-Bound Estimates of Father's Time-Share during Past 12 Months, among Cases with Equal Shared Placement Orders in Effect at the Time of the Survey, Using an Adjustment for "Equivalent Care" (weighted percentages)**

Percentage Time with Father	Mothers' Reports (N=118)			Fathers' Reports (N=128)		
	Percent	Cum. Percent	N	Percent	Cum. Percent	N
0 percent	0.0	0.0	0	0.0	0.0	0
1 to 25 percent	9.5		12	2.0		4
1 to 5	3.9	3.9	4	0.0	0.0	0
6 to 10	1.5	5.4	3	0.6	0.6	1
11 to 15	1.8	7.1	2	0.8	1.4	2
16 to 20	0.6	7.8	1	0.0	1.4	0
21 to 25	1.8	9.5	2	0.6	2.0	1
26 to 45 percent	3.5		8	10.6		5
26 to 30	1.9	11.4	4	9.9	11.9	3
31 to 35	0.2	11.6	1	0.7	12.6	2
36 to 40	0.5	12.1	1	0.0	12.6	0
41 to 45	0.9	13.0	2	0.0	12.6	0
46 to 54 percent	75.6		85	71.6		97
46 to 49	14.6	27.6	13	8.4	20.9	10
50 percent/"half-time"	58.0	85.6	69	61.7	82.6	84
51 to 54	3.0	88.6	3	1.6	84.1	3
More than 54 percent	11.4		13	15.9		22
55 to 59	0.5	89.1	1	0.0	84.1	0
60 to 69	5.7	94.7	8	2.1	86.2	2
70 to 99	5.3	100.0	4	10.1	96.4	12
100 percent	0.0	100.0	0	3.6	100.0	8

**Notes:** Percentages are weighted, Ns are unweighted. N=5 mothers and N=2 fathers with missing data are excluded.

### *Living Arrangements Among Mother Sole Placement Cases*

For purposes of comparison, we examine living arrangements among families with mother sole placement orders (Table 10). Living arrangements—as defined by overnights—in mother sole placement cases differ markedly from those reported by parents with shared placement. Among all shared placement cases, only one mother and not a single father reported zero nights of contact with the child. In contrast, more than one-third of sole placement mothers and 15 percent of fathers indicated that the child *never* stayed overnight with the father during the survey reference year.<sup>27</sup> And over 18 percent of mothers reported that the child had had no physical contact at all—no nights or daytime visits—with the father in the last year (figure not shown on table). The range of time expected under a sole placement order is broad—0 to 30 percent—and, as expected, the vast majority of both fathers and mothers reported living arrangements consistent with this standard. About 5 percent of mothers and 15 percent of fathers indicated levels of father-child residence exceeding 35 percent.<sup>28</sup>

### *Living Arrangements When the Father Is the Primary Parent*

Although our original survey sample excluded cases with initial orders of father sole placement, a small proportion of families modified their physical placement provisions since the divorce judgment (see Table 1). At the time of the survey, 10 families had father sole placement orders and another 11 families had unequal shared placement orders that designated the father as the primary parent. Of these 21, we completed interviews with 11 mothers and 14 fathers. There are too few cases to support statistical analysis, but the frequency counts can be summarized briefly. Four of the 8 mothers and 6 of the 8 fathers with unequal shared/father primary placement orders reported that the child stayed with the father more than 50 percent of the time. Likewise, 2 of the 3 mothers and 4 of the 6 fathers with father sole placement

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<sup>27</sup>In one case the father was denied access.

<sup>28</sup>The discrepancies between reports of mothers and fathers with mother sole placement should be interpreted cautiously. We were able to complete interviews with only 49 percent of fathers in the sole placement sample. Though the statistical analyses in this report are weighted to adjust for nonresponse bias, we were unable to eliminate all identifiable sources of bias among fathers in the sole placement sample.

**TABLE 10**  
**Mothers' and Fathers' Survey Reports of Nights Focal Child Stayed with Father during Past 12 Months, among Cases with Mother Sole Placement Orders in Effect at the Time of the Survey (weighted percentages)**

Percentage Time Child Stayed Nights with Father	Mothers' Reports (N=210)			Fathers' Reports (N=141)		
	Percent	Cum. Percent	N	Percent	Cum. Percent	N
0 percent	35.5	35.5	65	15.0	15.0	22
1 to 35 percent	59.9		137	69.9		96
1 to 5	11.5	47.0	32	11.8	26.7	12
6 to 10	10.9	57.9	22	3.2	29.9	8
11 to 15	15.2	73.0	38	14.7	44.5	20
16 to 20	9.2	82.3	18	7.0	51.5	12
21 to 25	6.3	88.5	13	14.7	66.3	17
26 to 30	6.5	95.1	12	12.1	78.3	19
31 to 35	0.4	95.4	2	6.5	84.9	8
More than 35 percent	4.6	100.0	8	15.1	100.0	23

**Notes:** Percentages are weighted, Ns are unweighted. Excludes cases in which the time-share cannot be computed because of missing data (N=1 mother, N=3 fathers).

orders reported that father-child residence prevailed 70 percent or more of the time during the reference year.

*Factors Associated with Consistency between Living Arrangements and Physical Placement Order*

Table 11 presents logistic regression estimates of consistency between living arrangements and the physical placement orders among families with mother sole placement, equal shared placement, or unequal shared/mother primary placement at the time of the survey. We use data from interviews with mothers to examine whether placement type is significantly associated with consistency between the reported amount of overnight care provided by the father and the time-shares expected under the placement order.<sup>29</sup> The number of overnights that a child must have with the father to be consistent with the placement order are those used in the previous analysis that did not adjust for “equivalent care” and which allow for some reporting and measurement error: 46 to 54 percent for equal shared placement, 26 to 54 for unequal shared/mother primary placement, and 0 to 34 percent for mother sole placement. Cases in which the child lives with the father either more *or* less often than expected are defined as “inconsistent.”

Results from the logistic regression show that the likelihood of overnights being consistent with the placement order differs significantly by placement type after controlling for other characteristics. Compared with families with mother sole placement, those with equal shared or unequal shared/mother primary placement are much more likely to report living arrangements that do not match the placement order. Specifically, families with equal shared placement are 26 times more likely to have living arrangements that are not consistent with the order, reporting that the child stays overnight with the father less than 46 percent of the time or more than 54 percent of the time. Similarly, families with unequal shared placement are 13 times more likely than families with mother sole placement orders to have living

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<sup>29</sup>We focus our discussion on the analysis of mothers’ survey reports. Table A5 presents results using data from interviews with fathers. Because we were unable to eliminate all identifiable nonresponse bias among fathers in the sole placement sample, estimates that contrast fathers in shared and sole placement cases may be biased.

**TABLE 11**  
**Logistic Regression Estimates of Consistency between Physical Placement Order and**  
**Nights Child Stayed with Father during Past 12 Months, as Reported by Mothers<sup>a</sup>**

Independent Variable	Effects on Consistency of Reported Nights & Placement Order <sup>b</sup>	
	Coefficient	Significance
Placement Order at Time of Survey (mother sole)		
Equal shared placement	-3.264	<.0001
Unequal shared placement	-2.585	<.0001
Placement order revised since divorce judgment	-0.380	0.566
Less than 3 years since divorce judgment	0.592	0.135
Married 10 years or more	0.511	0.129
Sex of Children (both boys and girls)		
All boys	-0.183	0.632
All girls	-0.053	0.893
Parents' Education		
Mother completed high school or more	-0.107	0.762
Father completed high school or more	-0.126	0.734
Parents' Earnings in 2000 (compared to Father ≥ \$30K and Mother ≥ \$20K)		
Father ≥ \$30K and Mother < \$20K	-1.068	<b>0.013</b>
Father < \$30K and Mother ≥ \$20K	0.272	0.569
Father < \$30K and Mother < \$20K	-0.111	0.809
Household Composition at Time of Survey		
Other minor children live with mother	0.321	0.394
Other minor children live with father	-0.245	0.497
Intercept	2.706	<b>0.001</b>
N	378	
Mean dependent variable	0.791	
Likelihood ratio, df	117.20, 20	<.0001

**Notes:**

<sup>a</sup>Includes only families with mother sole, equal shared, or unequal shared/mother primary placement at the time of the survey. All models include controls for divorce cohort, county of divorce, father's earnings, length of marriage, and child support payments in the 12 months prior to the survey to adjust for sample stratification, differential response, and nonresponse bias. Coefficients with a significance level of 0.10 or lower (in **bold**) are considered statistically significant.

<sup>b</sup>A case is defined as consistent with the placement order if the percentage of overnights is 46 to 54% for equal shared cases, 26 to 54% for unequal shared/mother primary cases, and 0 to 34% for mother sole placement cases. Overnight time-shares above or below these ranges are treated as not consistent.

arrangements that do not match the range of overnight care (26 to 54 percent) expected under the placement order.

The large differences by placement type are not surprising. First, as illustrated in Tables 6–10, a majority of families across all placement types have living arrangements that are broadly consistent with the placement order. But a much larger share of mother sole placement families report overnight time-shares that match the placement provisions (95 percent vs. 60 percent of equal shared placement cases). When contrasted with the very high level of compliance among mother sole placement cases, families with equal shared or unequal shared/mother primary placement orders are much more likely to have living arrangements that are not consistent with the court orders.

Second, the acceptable range of time for mother sole placement cases is somewhat wider than that for unequal shared/mother primary placement cases (35 percentage points versus 29) and much wider than that for equal shared placement cases (only 9 percentage points). More important, the acceptable range for mother sole placement cases only allows for deviations in one direction. Since 0 percent time is included in the child support guidelines for mother sole placement cases, an overnight time-share can never be too small and be inconsistent with the legal provisions. Instead, mother sole placement cases are defined as inconsistent with the order only when fathers' time-shares exceed a value of 34 percent. As a result, shared placement cases are more apt to appear inconsistent almost by definition with departures for consistency occurring in both directions.

Differences in parents' earnings also affect the likelihood that the overnight care provided by the father is consistent with the placement order. We classify mothers and fathers as having relatively high earnings if their earnings in 2000 were at or above the median values for the samples as a whole (\$20,000 for mothers, \$30,000 for fathers). Families in which both parents have relatively high earnings and those in which both parents have relatively low earnings are not significantly different in terms of consistency between the reported and legally recorded living arrangements. Similarly, situations in which the mother has relatively high earnings but the father earns less than \$30,000 do not account for variation in

consistency with the placement order. However, when fathers have relatively high earnings but mothers' earnings are below average, the overnight care provided by the father is about three times more likely to be inconsistent with the levels expected under the placement order. This inconsistency may derive from situations in which the father cares overnight for the child more often than expected or less often than expected; the analysis in Table 11 does not differentiate between the two.

*Factors Associated with Meeting or Exceeding the Terms of the Child Access Agreement*

The analysis of consistency with placement orders presented in Table 11 does not allow us to distinguish cases in which the children stay with their fathers more often than expected under the legal provisions from cases in which the children stay with their fathers less often than expected. Table 12 addresses this problem by using data from interviews with mothers to examine whether fathers care overnight for their children at least as often as expected under the physical placement order and child access agreement for the case.<sup>30</sup> In contrast to the previous analysis, coefficients reported in Table 12 can be interpreted as increases in the probability that the child stays with the father at least as many nights as expected under the placement provisions. Negative coefficients indicate increases in the probability that the father does not provide the minimum expected level of overnight care.

To conduct this analysis, we use information from physical placement orders and child access schedules to specify the expected overnight time-share for each case.<sup>31</sup> Specifically, we define the percentage of time that the child was to spend with the father based on the percentage of time used in the child support formula for the case. In mother sole placement cases and in shared placement cases without specific wording regarding a child support formula, we calculated the percentage of time from

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<sup>30</sup>Table A6 presents results using data from interviews with fathers. Because we were unable to eliminate all identifiable nonresponse bias among fathers in the sole placement sample, estimates that contrast fathers in shared and sole placement cases may be biased.

<sup>31</sup>It is impossible to estimate this equation with the broad categories used in the bivariate analysis or the equation estimated in Table 11. Because a time-share of 0 percent is appropriate for mother sole placement, all values from 0 to 100 meet or exceed the placement provisions. There is no variation on the dependent variable and the model will not converge.



**TABLE 12**  
**Logistic Regression Estimates of Meeting or Exceeding Overnight Time-Shares**  
**Specified in Placement Order and Child Access Agreement, as Reported by Mothers<sup>a</sup>**

Independent Variable	Effects on Meeting or Exceeding Terms of Child Access Agreement			
	Equation 1 <sup>b</sup>		Equation 2 <sup>c</sup>	
	Coefficient	Significance	Coefficient	Significance
Placement at the Time of Survey (mother sole)				
Equal shared placement	0.980	<b>0.008</b>	0.978	<b>0.006</b>
Unequal shared placement	-0.206	0.603	-0.212	0.588
Child Access Schedule (specified no. of nights)				
Only mentions “reasonable” visitation			-0.385	0.296
Only mentions “liberal” visitation			0.659	0.322
Placement order revised since divorce judgment	0.613	0.310	0.562	0.347
Less than 3 years since divorce judgment	0.149	0.649	0.082	0.785
Married 10 years or more	0.360	0.202	0.291	0.257
Sex of Children (both boys and girls)				
All boys	0.457	0.157	0.645	<b>0.029</b>
All girls	0.035	0.916	0.197	0.510
Parents’ Education				
Mother completed high school or more	0.218	0.463	0.314	0.245
Father completed high school or more	0.595	<b>0.063</b>	0.577	<b>0.048</b>
Parents’ Earnings in 2000 (compared to Father ≥ \$30K and Mother ≥ \$20K)				
Father ≥ \$30K and Mother < \$20K	-0.271	0.475	-0.288	0.412
Father < \$30K and Mother ≥ \$20K	0.328	0.389	0.076	0.824
Father < \$30K and Mother < \$20K	-0.221	0.546	-0.439	0.198
Household Composition at Time of Survey				
Other minor children live with mother	0.734	<b>0.026</b>	0.887	<b>0.003</b>
Other minor children live with father	-0.245	0.409	-0.212	0.432
Intercept	-1.411	<b>0.033</b>	-1.345	<b>0.028</b>
N	282		348	
Mean dependent variable	0.546		0.517	
Likelihood ratio, df	37.89, 20	<b>0.009</b>	49.80, 22	<b>0.001</b>

**Notes:**

<sup>a</sup>Includes only families with mother sole, equal shared, or unequal shared/mother primary placement at the time of the survey. All models include controls for divorce cohort, county of divorce, father’s earnings, length of marriage, and child support payments in the 12 months prior to the survey to adjust for sample stratification, differential response, and nonresponse bias. Coefficients with a significance level of 0.10 or lower (in **bold**) are considered statistically significant.

<sup>b</sup>A case is defined as meeting or exceeding the terms of the child access agreement if the percentage of overnights is equal to or greater than the percentage specified in the agreement minus a value of 5 to allow for measurement and reporting error. Analysis excludes mother sole placement cases in which the child access agreement did not specify a percentage of nights or specified zero overnights.

<sup>c</sup>A case is defined as meeting or exceeding the terms of the child access agreement if the percentage of overnights is equal to or greater than the percentage specified in the agreement minus a value of 5 to allow for measurement and reporting error. In mother sole placement cases that did not specify a percentage of nights, we used minimum values of 5% for cases allowing for “reasonable” visitation and 10% for cases allowing for “liberal” visitation. Excludes mother sole placement cases in which the child access agreement did not specify “reasonable” or “liberal” or the specified percentage of overnights was zero.

information about child access.<sup>32</sup> To allow for measurement and reporting error, we defined a minimum expected amount of overnight care by subtracting 5 from the percentage that was computed from the child support formula or child access information.<sup>33</sup> Families in which the percentage of nights that the child stayed with the father was equal to or greater than this minimum value are defined as meeting or exceeding the terms of the child access agreement.

Initially, we exclude 66 mother sole placement cases that do not specify an amount or range of time but merely indicate that “reasonable” or “liberal” visitation will be allowed. We later devise coding rules for these cases and include them in the logistic regression analysis. All analyses exclude 30 mother sole placement cases because the expected time-share is zero, access is denied (N=1), or the amount of time is not specified and there is no mention of “reasonable” or “liberal” visitation.

Equation 1 in Table 12 shows that placement type, father’s education, and mother’s household composition are significantly associated with meeting or exceeding the terms of the child access agreement. Families with equal shared placement are significantly more likely to meet or exceed the terms of the placement provisions and access agreement. Specifically, fathers in equal shared placement cases are over 2.5 times more likely than fathers in mother sole placement cases to have their children stay overnight with them at least as often as expected ( $\exp(0.980)=2.66$ ). Differences between equal shared and unequal shared/mother primary placement are also significant. Fathers in equal shared placement cases are three times more likely than fathers in unequal shared/mother primary placement families to have their children stay with them as often as expected.

Completion of high school or schooling beyond high school by fathers has a large and significant effect on whether the father provides the minimum expected amount of overnight care. Fathers with at least a high school education are almost twice as likely to care for the child overnight as often as expected

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<sup>32</sup>We defined a percentage of time based on the midpoint if only a range of nights was mentioned regarding child access. In 29 cases only a minimum number of nights was indicated, and we used this number to compute a percentage of expected overnight care.

<sup>33</sup>For 3 unequal shared/mother primary placement cases that did not specify the number of overnights and 4 that specified a value below 30 percent, we used a minimum value of 25 to define compliance with the placement provisions and child access agreement.

( $\exp(0.595)=1.8$ ). Similarly, families in which the mother has other children from outside the marriage are more likely to have living situations in which the children stay with the father at least as often as specified by the placement provisions and access agreement.

In equation 2, we include 66 mother sole placement cases that did not specify a number of days or nights in the child access schedule but merely indicated that “reasonable” or “liberal” visitation would be allowed. We used minimum expected time-shares of 5 percent and 10 percent for cases with reasonable and liberal visitation, respectively, and included them in the analysis. Dummy variables differentiate these cases from mother sole placement cases that specified a number of days or nights. The results show that placement type, father’s education, and mother’s household composition continue to have significant effects on meeting or exceeding the terms of the placement orders or child access agreement. In addition, sex composition of the children becomes significant.

Fathers whose children are all boys are significantly more likely to meet or exceed the terms of the access agreement. Compared with fathers whose children include boys and girls, fathers with only boys are almost twice as likely to care overnight for their children at least as often as expected ( $\exp(.645)=1.9$ ). The difference between fathers with only boys and those whose children are all girls is in the same direction (greater likelihood of compliance) and approaches statistical significance ( $p=0.11$ , not shown).

Neither length of marriage, length of time since the divorce, mother’s education, nor parents’ earnings differentiates families with living arrangements that meet or exceed the placement and access provisions from those in which the child stays with the father less often than expected. We also examined the effects of number and age of children, parents’ current marital status, parents’ ages, residential mobility, parental conflict about child rearing, and other specifications of earnings. None of these variables were significantly associated with meeting or exceeding the expected overnights.

To summarize, the analyses presented in Tables 6–12 do not provide strong evidence to bolster concerns about the viability of shared placement. Multivariate analysis of whether living arrangements

match the terms of the placement order reveal that families with shared placement are less likely than families with mother sole placement to report levels of overnight care that are consistent with the order. The effects of placement type are large and statistically significant even after controlling for other factors. However, discrepancies occur in both directions. When we examine whether fathers provide overnight care at least as often as expected under the placement order and access agreement, the large negative effects of shared placement disappear. In fact, multivariate analyses show that fathers in equal shared placement families are significantly more likely to have the children in their care at least as often, if not more often, than expected under the placement and access provisions. Differences between unequal shared/mother primary and mother sole placement families lose significance when we control for other characteristics. These findings run counter to what we would expect if shared parenting arrangements dissolve over time.

## CONCLUSIONS

In a book published 10 years ago, Maccoby and Mnookin raised concerns about the stability of shared placement arrangements. Reporting that “dual residence” had dissolved in almost one-half of families and left mothers with primary responsibility for the children, the authors’ results prompted speculation that shared placement orders might lead to large numbers of mothers raising children with disproportionately reduced support. We have discussed in detail important reasons to be cautious about generalizing from this research, including a study design that uses measures prior to the final divorce judgment as the baseline, a sample that was marked by high levels of parental conflict, and selectivity bias that tended to accentuate joint-custody bias, possibly at the expense of representing similarly “unstable” sole placement families. In our analysis of recently divorced families in Wisconsin, we find three reasons to be more optimistic about the viability of shared placement arrangements.

First, the overwhelming majority of parents in our sample maintained the same placement order since the divorce judgment, a period of 3 years on average. About 95 percent of families with mother sole

placement and about 90 percent of families with shared placement orders at the time of the divorce retained the placement order. Shared placement families are more likely to revise the placement order than families initially ordered mother sole placement, but the statistical significance of this effect relies largely on a measure that includes any modification, including gradations of time in shared placement and revisions that increase the amount of time children spend with their fathers. If we consider only shifts between major categories, such as mother sole, father sole, and shared (equal shared and unequal shared) placement, differences by placement type diminish in importance. The effects of equal shared placement continue to be large and significant, but families with unequal shared/mother primary placement are no more likely to revise physical placement orders than families with mother sole placement. The most consistent and largest effect on whether physical placement orders are maintained over time is legal representation for the parents. If both parents are represented by attorneys during the divorce proceedings, they are less than one-third as likely to revise the physical placement order than in situations in which neither parent is represented, and almost one-half as likely when only one parent is represented.

Second, the apparent stability of mother sole placement families as defined by the lack of formal change in placement orders masks fluctuations in the actual amount of time that fathers spend with their children. Such change occurs less often among shared placement families and, to the extent that they occur, often involve *increases* rather than decreases in the amount of contact that children have with their fathers. This finding runs counter to what we would expect if shared placement arrangements tend to dissolve over time.

Third, although shared placement families more often have living arrangements that depart from the legal orders, the majority of families with shared placement report living arrangements that are consistent with the placement order in effect. Approximately 60 percent of mothers and fathers with equal shared placement have living arrangements in which the children spend roughly half their time living with each parent. A similar proportion of families with unequal shared/mother primary placement orders have the children stay with their father at least 26 percent of the time. Measures that attempt to adjust for

“equivalent care” suggest that as many as 75 percent of families with equal shared placement orders have appropriately shared living situations. These figures fall short of those for mother sole placement where all but 5 percent of families meet the terms of the placement order. This is not surprising, however, since the only deviation possible in mother sole placement cases, by definition, is when fathers care for their children more than 30 percent of the time.

Although shared placement families more often have living arrangements that are not consistent with the legal orders, many involve fathers who provide care beyond that expected under the placement provisions. When we consider whether families *meet or exceed* the overnight care expectations associated with the child access provisions, mother sole placement no longer claims a position of greater compliance. Indeed, families with equal shared placement are significantly more likely than other families to share overnight care responsibilities as expected under the access agreement. Differences among other placement types lose significance after we control for other characteristics.

Viewed with an eye to auditing families’ practices and assessing them against the standards of the legal record and administrative code, the analyses can be summarized simply. Shared placement families revise placement orders at a higher rate, and return to court more often. Smaller proportions of their children share time between parental homes consistent with the placement order.

However, viewed with an eye on the larger social context, the analyses suggest a paradox. Mother sole placement families are indeed more stable in terms of formal physical placement. They revise their placement orders less often and all but a small fraction have living arrangements consistent with the court’s order. But children in over one-third of these mother sole placement families had no overnight stays with their fathers and over 18 percent had not seen their fathers at all in the last 12 months. In contrast, children in 99 percent of shared placement families continue to have contact with their fathers and three-quarters stay with their fathers at least 31 percent of the time. In terms of family and child well-being, the most legally “stable” placement arrangements do not necessarily make for the most enduring relationships between children and both their parents.

**APPENDIX****Measurement of Key Constructs**Definition of Physical Placement Provisions in the CRD

The CRD records the physical placement award in a case at the time of each court appearance. This includes information recorded at the time of the final divorce judgment as well as any change in the placement award prior to the end of the reference period of the survey.

The placement award was coded by the data collectors, based on language used in the child custody and support sections of the Final Divorce Judgment, whether or not there was a child support award. In most cases the child placement award was clear from a reading of the case: sole mother, sole father, split, serial family, third party, or shared placement. Within the “shared placement” category, however, the distinction between equal shared placement and unequal shared placement was not always clearly stated. To clarify this distinction we relied on information in the child access schedule to determine into which of two broad categories of shared placement a case should be assigned—equal shared placement, or shared placement with 31–49 percent time with the lesser-time parent.

After defining each case based on the physical placement award, we compared the placement award to the amount of time each parent should care for the child as indicated in a reading of the access language. Discrepancies between the placement award and actual time scheduled with the children occurred in 4 equal shared cases, where the mother or the father was to care for the child less than half of the time. There also were 24 sole mother placement cases where the father was scheduled to care for the children more than 30 percent of the time. In all of these cases we maintained the original definition of physical placement. In all of these cases it appears that the wrong child support guideline may have been applied, given the amount of time the child spent in the care of each parent.<sup>34</sup>

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<sup>34</sup>The analyses summarized in this report include data from 15 fathers and 16 mothers who have a sole placement award but the amount of time with the father specified in the child access schedule is greater than 30 percent. The analyses also include data from 1 father and 1 mother who have an equal shared placement award but the amount of time with the father specified in the access schedule is less than 50 percent.

#### Measurement of Time-Share in the Parent Survey 4

The Parent Survey 4 included a detailed sequence of questions to measure the contact between a parent and the randomly selected focal child during the 12-month period that included the school year 2000–2001 and the summer of 2000. We asked about the summer and school year separately because we expected living arrangements and family schedules to vary over this time, and we also asked separately about holidays and about any period of 1 week or more during which the child stayed with someone other than the parents. Separate questions were asked about the number of days the child spent with a parent and the number of nights that a child stayed with a parent. Because of time constraints for a telephone interview and concerns about response bias, each respondent was asked to report on the time that the focal child spent with one of the parents, not both. The parent about whom the respondent was queried depended on whether the respondent indicated that the child lived with one parent all of the preceding 12 months or lived with each parent part of the time. The vast majority of mothers were asked questions about the time the focal child spent with the father, and most fathers were asked about the time the focal child spent with him.

Questions from the survey thus yielded measures of the number of days and the number of nights that the child stayed with the parent during the school year, during the summer months, and during holidays. We also had a direct measure of the number of nights the child stayed with someone other than a parent during the school year and during the summer. These variables were then used to construct a measure of the percentage of time over a 12-month period that the focal child stayed overnight with a parent. The time-share could not be computed if there was item nonresponse (e.g., a response of “don’t know” or “refused”) on a variable required by the calculation. Likewise, we did not compute time-shares in a small number of cases in which the reported number of overnights or days was illogical given the periodicity (e.g., 10 nights every week). Cases in which a time-share could not be computed are excluded from the analyses.



The analyses summarized in this report exclude the count of holidays from the computation of time-shares. During preliminary investigation of the data, we discovered a design flaw in the questionnaire such that we knew only the number of holidays that a child spent with one parent but not the other. Because we could not determine the base number of holidays appropriate for a case, it was impossible to identify the number of holiday overnights that should be assigned to the other parent. As a result, calculations that included a count of holidays tended to inflate the time-share of one parent at the expense of the other. After analysis of time-share calculations with and without a count of holidays, we concluded that the best measure excluded holidays from consideration. On average, the two measures differ very little (about 1 percentage point among mothers and 2 percentage points among fathers), but the distributions are skewed by a small number of cases reporting a very large number of holiday overnights.

**TABLE A1**  
**Joint Legal Custody and Shared Physical Placement in Wisconsin Divorce Cases, over Time**

Cohort	Dates of Petition	Cases Awarded Joint Legal Custody		Cases Awarded Shared Physical Placement <sup>a</sup>	
		N	Percent	N	Percent
1	7/80–6/81	866	18.1	863	2.0
2	7/81–6/82	854	20.6	844	1.2
3	7/82–6/83	657	22.8	598	2.2
4	7/83–6/84	695	32.7	696	2.1
5	7/84–6/85	921	33.1	914	2.8
6	7/85–6/86	1087	33.2	1084	1.9
7	7/86–6/87	879	34.9	880	2.8
8	7/87–6/88	805	45.8	808	4.9
9	7/88–6/89	727	63.8	736	6.5
10	7/89–6/90	726	65.0	729	5.6
11	7/90–6/91	670	73.2	676	5.9
12	7/91–6/92	665	81.0	674	6.4
17	7/96–6/97	782	83.0	785	18.2
18	7/97–6/98	748	83.7	752	20.2

**Data Source:** IRP Wisconsin Court Record Data (CRD).

Data are weighted to correct for disproportionate sample sizes in small, medium, and large counties.

Cases with missing information on the variables in question are deleted from the analysis.

**Notes:**

The court hearing examined for information on joint legal custody and shared physical placement was the Final Divorce Judgment and Decree.

Data for CRD Cohorts 13–16 have not been collected.

<sup>a</sup>The definition of “shared physical placement” is conservative. Cases in which parents were awarded sole placement of some children and shared placement of other children are considered “mixed placement” cases rather than shared placement cases. And situations where the physical placement order is sole or split placement, although the “child access” or “visitation” language of the award indicates that children were to be in the care of the both parents more than 30% of the year, are also not defined here as shared placement cases.

**Table A2**  
**Percentage of Shared Placement Divorce Cases over Time, County Analysis**

Shared Placement as a Percentage of Divorce Caseload	Number of Counties				
	Cohorts 7–8	Cohorts 9–10	Cohorts 11–12	Cohorts 13–16	Cohorts 17–18
0%	5	1	3	—	0
1–4.9%	12	5	6	—	2
5–9.9%	4	13	6	—	1
10–14.9%		2	5	—	3
15–19.9%			1	—	7
20–24.9%					4
25–29.9%					4
Total counties	21	21	21	—	21
Mean % shared placement	3.8%	6.0%	6.2%	—	19.2%
N cases	1688	1465	1350	—	1537

**Data Source:** IRP Wisconsin Court Record Data (CRD).

Data are weighted to correct for disproportionate sample sizes in small, medium and large counties. Cases with missing information on the variables in question are deleted from the analysis.

**Notes:**

- The court hearing examined for information on shared physical placement was the Final Divorce Judgment and Decree.
- Cohorts 7–8 include cases which petitioned to court for divorce in the period 7/86–6/88.  
Cohorts 9–10 include cases which petitioned to court for divorce in the period 7/88–6/90.  
Cohorts 11–12 include cases which petitioned to court for divorce in the period 7/90–6/92.  
No cases were collected from the court records in the period 7/93–6/96.  
Cohorts 17–18 include cases which petitioned to court for divorce in the period 7/96–6/98.
- The definition of “shared physical placement” is conservative. Cases in which parents were awarded sole placement of some children and shared placement of other children are considered “mixed placement” cases rather than shared placement cases. And situations where the physical placement order is sole or split placement, although the “child access” or “visitation” language of the award indicates that children were to be in the care of the both parents more than 30% of the year, are also not defined here as shared placement cases.

**TABLE A3**  
**Percentage of Shared Placement Divorce Cases over Time, Judge Analysis**

Shared Placement as a Percentage of Final Divorce Judgments Presided Over	Number of Judges				
	Cohorts 7–8	Cohorts 9–10	Cohorts 11–12	Cohorts 13–16	Cohorts 17–18
0%	23	10	13	—	1
1–4.9%	8	6	5	—	1
5–9.9%	6	18	13	—	6
10–14.9%	5	9	9	—	10
15–19.9%	1	4	5	—	11
20–24.9%		1	2	—	9
25–29.9%				—	7
30–34.9%				—	8
35–39.9%				—	2
40–44.9%				—	2
45–49.9%				—	1
50–54.9%				—	1
Total judges	43	48	47	—	59
N cases	1126	1223	1105	—	1286

**Data Source:** IRP Wisconsin Court Record Data (CRD).

Data are unweighted. Cases with missing information on the variables in question are deleted from the analysis.

**Notes:**

- Judges were included on this table if they had presided over at least 10 Final Divorce Judgments within the two-cohort time-frame. If they had presided over fewer than 10 divorce judgments, this was considered too few cases for purposes of computing a breakdown by custody type.
- The definition of “shared physical placement” is conservative. Cases in which parents were awarded sole placement of some children and shared placement of other children are considered “mixed placement” cases rather than shared placement cases. And situations where the physical placement order is sole or split placement, although the “child access” or “visitation” language of the award indicates that children were to be in the care of the both parents more than 30% of the year, are also not defined here as shared placement cases.
- Cohorts 7–8 include cases which petitioned to court for divorce in the period 7/86–6/88.  
Cohorts 9–10 include cases which petitioned to court for divorce in the period 7/88–6/90.  
Cohorts 11–12 include cases which petitioned to court for divorce in the period 7/90–6/92.  
No cases were collected from the court records in the period 7/93–6/96.  
Cohorts 17–18 include cases which petitioned to court for divorce in the period 7/96–6/98.

**TABLE A4**  
**Logistic Regression Estimates of Change in Father-Child Contact since the Divorce Judgment as Reported by Fathers<sup>a</sup>**

Independent Variable	Father-Child Contact Changed Equation 1 <sup>b</sup>		Father-Child Contact Decreased Equation 2 <sup>c</sup>	
	Coefficient	Significance	Coefficient	Significance
Child Placement at Divorce Judgment (mother sole)				
Equal shared placement	-0.969	<b>0.003</b>	0.712	<b>0.069</b>
Unequal shared placement	-1.092	<b>0.007</b>	1.381	<b>0.021</b>
Placement order revised since the divorce judgment	0.716	0.134	-0.887	0.102
Less than 3 years since divorce judgment	-0.440	0.170	0.243	0.536
Married 10 years or more	0.022	0.944	0.176	0.660
One child from the marriage	0.248	0.379	-0.343	0.322
Youngest child under age 6	-0.194	0.631	-0.035	0.941
Residential Mobility since Divorce Judgment				
Mother lived at 3 or more addresses	-0.132	0.646	-0.176	0.616
Father lived at 3 or more addresses	0.006	0.986	0.067	0.867
Parents' Earnings in 2000 (compared to Father ≥ \$30K and Mother ≥ \$20K)				
Father ≥ \$30K and Mother < \$20K	-0.030	0.937	-0.364	0.455
Father < \$30K and Mother ≥ \$20K	0.256	0.479	-0.805	<b>0.068</b>
Father < \$30K and Mother < \$20K	0.365	0.307	-0.629	0.156
Household Composition at Time of Survey				
Other minor children live with mother	0.528	<b>0.071</b>	-0.095	0.792
Other minor children live with father	0.475	<b>0.094</b>	-0.454	0.175
Parents disagree about childrearing (d)	0.384	0.175	-0.280	0.418
Intercept	-0.562	0.368	1.457	<b>0.061</b>
N	309		309	
Mean dependent variable	0.395		0.806	
Likelihood ratio, df	38.25, 21	<b>0.012</b>	29.16, 21	<b>0.110</b>

**Notes:**

<sup>a</sup>Includes only families with mother sole placement, equal shared placement, or unequal shared/mother primary placement at the divorce judgment. Cases in which the father had no contact with the child during the 12 months prior to the survey, and cases for which change in father-child contact could not be assessed, are excluded. Models include controls for divorce cohort, county of divorce, father's earnings in 2000, length of marriage, and child support payments in the 12 months prior to the survey to adjust for sample stratification, differential response, and nonresponse bias. Coefficients with a significance level of 0.10 or lower (in **bold**) are considered statistically significant.

<sup>b</sup>Father-child contact at the time of the survey is different than at the time of the divorce.

<sup>c</sup>Father-child contact now is less than it was at the time of the divorce

<sup>d</sup>Parents disagree "very much" or "extremely" about rules they have for the child, child care arrangements, how much time the child spends with each parent, or the financial support each parent provides for the child.

**TABLE A5**  
**Logistic Regression Estimates of Consistency between Physical Placement Order and Nights Child Stayed with Father during the Past 12 Months, as Reported by Fathers<sup>a</sup>**

Independent Variable	Effects on Consistency of Reported Nights & Placement Order <sup>b</sup>	
	Coefficient	Significance
Child Placement at Divorce Judgment (mother sole)		
Equal shared placement	-1.326	<b>0.001</b>
Unequal shared placement	-0.100	0.824
Placement order revised since divorce judgment	-1.553	<b>0.004</b>
Less than 3 years since divorce judgment	-0.190	0.591
Married 10 years or more	-0.236	0.449
Sex of Children (both boys and girls)		
All boys	0.250	0.460
All girls	0.372	0.280
Parents' Education		
Mother completed high school or more	0.274	0.388
Father completed high school or more	0.096	0.758
Parents' Earnings in 2000 (Compared to Father ≥ \$30K and Mother ≥ \$20K)		
Father ≥ \$30K and Mother < \$20K	-0.050	0.898
Father < \$30K and Mother ≥ \$20K	0.501	0.248
Father < \$30K and Mother < \$20K	-0.332	0.394
Household Composition at Time of Survey		
Other minor children live with mother	0.117	0.714
Other minor children live with father	0.514	0.131
Intercept	1.568	<b>0.029</b>
N	319	
Mean dependent variable	0.724	
Likelihood ratio, df	45.45, 20	<b>0.001</b>

**Notes:**

<sup>a</sup>Includes only families with mother sole, equal shared, or unequal shared/mother primary placement at the time of the survey. All models include controls for divorce cohort, county of divorce, father's earnings, length of marriage, and child support payments in the 12 months prior to the survey to adjust for sample stratification, differential response, and nonresponse bias. Coefficients with a significance level of 0.10 or lower (in **bold**) are considered statistically significant.

<sup>b</sup>A case is defined as consistent with the placement order if the percentage of overnights is 46 to 54% for equal shared cases, 26 to 54% for unequal shared/mother primary cases, and 0 to 34% for mother sole placement cases. Overnight time-shares above or below these ranges are treated as not consistent.

**TABLE A6**  
**Logistic Regression Estimates of Meeting or Exceeding Overnight Time-Shares Specified in Placement Order and Visitation Agreement, as Reported by Fathers<sup>a</sup>**

Independent Variable	Effects on Meeting or Exceeding Terms of Visitation Agreement			
	Equation 1 <sup>b</sup>		Equation 2 <sup>c</sup>	
	Coefficient	Significance	Coefficient	Significance
Child Placement at Divorce Judgment (mother sole)				
Equal shared placement	1.417	<b>0.004</b>	1.333	<b>0.003</b>
Unequal shared placement	0.952	<b>0.053</b>	0.962	<b>0.046</b>
Visitation Schedule (specified no. of nights)			0.005	0.992
Only mentions “reasonable” visitation			0.775	0.352
Only mentions “liberal” visitation				
Placement order revised since divorce judgment	0.093	0.889	0.156	0.813
Less than 3 years since divorce judgment	0.312	0.459	0.286	0.451
Married 10 years or more	-0.216	0.569	-0.251	0.453
Sex of Children (both boys and girls)				
All boys	-0.113	0.795	0.125	0.747
All girls	-0.491	0.236	-0.366	0.321
Parents’ Education				
Mother completed high school or more	0.576	0.149	0.614	<b>0.082</b>
Father completed high school or more	0.328	0.398	0.291	0.378
Parents’ Earnings in 2000 (compared to Father ≥ \$30K and Mother ≥ \$20K)				
Father ≥ \$30K and Mother < \$20K	-0.085	0.860	0.050	0.916
Father < \$30K and Mother ≥ \$20K	0.689	0.231	-0.040	0.929
Father < \$30K and Mother < \$20K	-0.473	0.300	-0.640	0.130
Household Composition at Time of Survey				
Other minor children live with mother	0.716	<b>0.079</b>	0.683	<b>0.065</b>
Other minor children live with father	-0.183	0.627	-0.227	0.507
Intercept	0.294	0.725	0.190	0.803
N	262		307	
Mean dependent variable	0.798		0.775	
Likelihood ratio, df	35.59, 20	<b>0.017</b>	41.77, 22	<b>0.007</b>

**Notes:**

<sup>a</sup>Includes only families with mother sole, equal shared, or unequal shared/mother primary placement at the time of the survey. All models include controls for divorce cohort, county of divorce, father’s earnings, length of marriage, and child support payments in the 12 months prior to the survey to adjust for sample stratification, differential response, and nonresponse bias. Coefficients with a significance level of 0.10 or lower (in **bold**) are considered statistically significant.

<sup>b</sup>A case is defined as meeting or exceeding the terms of the visitation agreement if the percentage of overnights is equal to or greater than the percentage specified in the visitation agreement minus a value of 5 to allow for measurement and reporting error. Analysis excludes mother sole placement cases in which the visitation agreement did not specify a percentage of nights or specified zero overnights.

<sup>c</sup>A case is defined as meeting or exceeding the terms of the visitation agreement if the percentage of overnights is equal to or greater than the percentage specified in the visitation agreement minus a value of 5 to allow for measurement and reporting error. In mother sole placement cases that did not specify a percentage of nights, we used minimum values of 5% for cases allowing for “reasonable” visitation and 10% for cases allowing for “liberal” visitation. Excludes mother sole placement cases in which the visitation agreement did not specify “reasonable” or “liberal” or the specified percentage of overnights was zero.





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