



**Institute for  
Research on  
Poverty**

UNIVERSITY OF WISCONSIN–MADISON

**2018–2020 Child Support Policy Research Agreement Task 11B:**

**Stability of Placement Arrangements Among Divorced Wisconsin Families  
with Sole Mother and Shared Placement Orders**

Judith Bartfeld  
Trisha Chanda  
Lawrence M. Berger  
Institute for Research on Poverty  
University of Wisconsin–Madison

June 2021

The research reported in this paper was supported by the Child Support Policy Research Agreement between the Wisconsin Department of Children and Families and the Institute for Research on Poverty at the University of Wisconsin–Madison. Any views expressed in this paper are those of the authors and not necessarily those of the sponsoring institutions. We are grateful for expert review, editing, and production assistance from Daniel R. Meyer, Lisa Klein Vogel, James Spartz, and Dawn Duren.

## INTRODUCTION

Children’s living arrangements following divorce have changed dramatically in recent decades. In Wisconsin, where ongoing research enables close monitoring of these trends, shared placement increased from 14 percent of divorces involving children in the early 1990s to around half in 2010 (Meyer, Cancian & Cook, 2017). Since 1999, legislation in the state has required that placement schedules provide meaningful periods of time with each parent, and that such schedules seek to maximize the time with each parent subject to a range of considerations (Melli & Brown, 2008). While considerable research attention has focused on the impact of placement arrangements on children’s behavioral and developmental outcomes (for recent reviews, see Nielsen, 2018; Steinbach, 2019; Baude, Pearson & Drapeau, 2016; Steinbach, Augustijn & Corkadi, 2021), there has been far less attention in the recent literature to the stability of shared placement arrangements—that is, the extent to which they last over time, both legally and in practice. Stability of placement arrangements matters for at least two reasons. Stability is one metric of how well the arrangement is working—where legal or de facto changes may imply concerns or dissatisfaction on the part of one or more of the parties involved. Furthermore, lack of placement stability may have financial ramifications, insofar as placement impacts how the direct costs of children are shared, and the way that legal child support obligations are assessed. When real-life living arrangements are out of sync with the legal order, the associated child support order (if any) may be out of sync as well.

Stability of shared placement arrangements emerged as an issue of policy concern following a landmark study in California that revealed that children in shared placement arrangements in the mid-1980s frequently shifted towards de facto mother-placement arrangements over the two years following marital dissolution (Maccoby & Mnookin, 1992)—a

phenomenon subsequently referred to as “maternal drift” (Berger et al., 2008). Several other small-scale, nonrepresentative studies from the same period found similar patterns, broadly suggesting that shared placement arrangements proved less stable in practice than sole placement arrangements (Cloutier & Jackques, 1997; Luepnitz, 1982; Pearson & Thoennes, 1990).

Informed by these concerns, the Institute for Research on Poverty, with support from the Bureau of Child Support (BCS), has previously explored stability of placement arrangements via surveys of divorcing parents conducted in 2001 and 2004, targeting parents who divorced over the 1996–2001 period. That research, focusing on stability for a period ranging from 1–4.5 years after divorce (averaging about 3 years), reached very different conclusions from Maccoby and Mnookin (1992). The researchers found little evidence that children with shared placement spent progressively less time in their father’s care in the initial years following divorce, whether due to legal changes or de facto changes. Changes in legal placement were uncommon and, when legal placement didn’t change, most children’s de facto living arrangements were consistent with their legal placement order. Overall, the researchers found that, at least in Wisconsin, the living arrangements of children with shared placement were at least as stable as those of children with sole mother placement (Berger et al., 2008; Berger et al., 2007).

Since the time period of that early research, shared placement has grown dramatically, both in Wisconsin and nationwide (Meyer, Carlson & Alam, 2019; Meyer, Cancian & Cook, 2017). Indeed, the most recent evidence from Wisconsin suggests half of divorcing parents have shared placement of their children, with considerably higher rates among higher income couples. While earlier work on shared placement found it more common among boys than girls, and among older vs younger children, those patterns are no longer strongly evident as overall

prevalence has grown. Legal representation continues to matter, suggesting parents' relative capacity to navigate the system may play a role (Meyer, Cancian & Cook, 2017).

The implications of these trends for stability of placement arrangements are unclear. On the one hand, the continuing increase in shared placement makes it an increasingly normative arrangement, particularly among higher-income parents, which may contribute to stability of those arrangements. Indeed, the growth in shared placement could potentially even lead to less stability in the more traditional sole mother placement arrangements, particularly for higher-income parents for whom sole placement arrangements are becoming less common. To the extent that parents may perceive their own arrangements as atypical—as is, indeed, now the case with sole placement among higher-income couples—this may trigger either formal or informal changes in practice. On the other hand, the dramatic growth in shared placement may lead to parents choosing or being steered into arrangements that, in practice, may be difficult for some parents to maintain—whether due to financial, logistical, or other reasons. The reduction in child support associated with shared placement may also influence preferences for some parents. In recent work, Bartfeld and Chanda (2020) document stark differences in child support transfers in shared and sole placement households in Wisconsin. Furthermore, shared placement is a more costly way to raise children, given the necessary partial duplication in costs between two homes, which may prove challenging for lower-income parents; as shared placement moves lower down the income ladder, it may therefore create a new set of challenges.

There has been very little research since the 2001 Wisconsin study on the subject of placement stability. Recent research from the Netherlands provides some more timely evidence, albeit in a very different context. In that research, parents with higher education and less conflict had the most stable arrangements. Logistical issues were also predictive of a shift in initial

arrangements—such as longer work commutes, greater distance between parents, or very young children (Poortman & van Gaalen, 2017).

This report focuses on long-term stability of placement arrangements for children of divorced parents in Wisconsin. Using new data from an in-depth survey of parents 7–11 years after their divorce was finalized, we describe how commonly legal placement orders have changed; how closely parents without order changes report following their original placement order; and how parents characterize their adherence to the order in the past year as compared to the time of divorce. We examine these outcomes separately for children in sole-mother and shared-placement arrangements, and for a variety of subgroups of interest.

Our work expands on existing knowledge in several key ways. First, we look at stability in a period in which shared placement is much more widespread than in earlier studies. Second, we look at a much longer follow-up period than past work—7–11 years. Third, unlike earlier Wisconsin studies, we explicitly consider how placement varies for a range of subgroups of interest. We also note an important caveat: The survey captured living arrangements that, for the large majority of the sample, partially spanned anywhere from several weeks to 7 months of the COVID-19 pandemic.

## **DATA AND ANALYSES**

### **Data**

Data are from the Wisconsin Parents Survey, which includes parents in cohorts 30 and 33 of the Wisconsin Court Record Database (CRD). The CRD includes data from the court records of a sample of parents filing for divorce in 21 counties in Wisconsin; in each cohort, the sample is weighted to be representative of all divorcing parents in those counties. The cohorts from which the Wisconsin Parents Survey sample is drawn include divorces that entered the courts

during 2009–2010 (cohort 30) and 2013 (cohort 33). The sample was limited to parents with a child age 6 or under at the time of the divorce petition, such that the youngest child would still be under 18 during the survey period. The sample was also limited to parents with sole mother placement and shared placement as of the final divorce judgment. Only mothers are included from the mother-sole couples, while both parents are included from the shared-placement couples. Fathers in sole-mother-placement couples were not included because our past experience surveying this population has consistently yielded significantly lower location and response rates and less representative samples than for mothers or shared-placement fathers—a problem that would be compounded given the long time elapsed since the divorce. As such, the final sample was specifically constructed to support comparisons of mothers’ perspectives on shared and sole placement, and of differences between the perspectives of mothers and fathers in shared placement. The final eligible survey sample included 1199 parents.

The survey was conducted by the UW Survey Center in conjunction with the Institute for Research on Poverty. Interviews were administered in person during February–March 2020, and by phone April–October 2020, with the change in survey mode due to the onset of the COVID-19 pandemic. The final sample, based on parents who completed interviews, includes 637 parents consisting of 237 shared placement mothers, 230 shared placement fathers, and 170 sole placement mothers. This includes a final response rate of 55% (ranging from 54–56% across the three subgroups) after excluding 32 parents deemed ineligible due to reconciliation or death. Of each subgroup, 82–83% of participants were interviewed after the start of the pandemic. Of the shared placement respondents, 143 were from the same couple, while 94 mothers and 87 fathers did not have a corresponding survey from the other parent (Vogel, 2021).

A comparison of respondents and nonrespondents showed that shared-placement fathers who completed the survey had higher mean earnings at the time of the divorce than nonrespondents (around \$56,000 as compared to \$46,000, respectively), and slightly longer marriages, on average (8.4 vs 7.7 years), with no difference in their ex-wives' earnings, number of children, or age of youngest child. Among shared-placement mothers, those who completed the survey had somewhat higher incomes (around \$40,000 vs \$35,000), as did their ex-partners (around \$54,000 vs \$47,000), and slightly longer marriages (8.4 vs 7.6 years), with no differences in number of children or age of youngest child. Among sole-placement mothers, the only significant differences were in their ex-partners' earnings at divorce (around \$39,000 vs \$31,000) (Vogel, 2021).

For more details on the survey, including sample frame, response rates, characteristics of completes and non-completes, and details about survey administration, see Vogel (2021).

The survey data include a range of information about parents, children, and circumstances and living arrangements at the time of the divorce and over the year preceding the survey; this is supplemented with information about the original legal placement order and other case characteristics from the CRD. Many of the survey questions were asked specifically regarding a pre-selected 'focal child'—for this survey identified as the couple's youngest child, and therefore a child who would still be under 18 at the time of the survey. It is frequent practice in surveys to choose a focal child as the subject of in-depth information gathering, as it is often not feasible within time constraints to gather details on all children.

Variables of particular relevance to the outcomes in this report include information on the placement arrangement at the time of the divorce (based on the court record); respondents' reports of how the original placement order was established, whether there have been subsequent

changes to the order, how closely the parents have adhered to the order over the past year, and how this compares to order adherence at the time of the divorce. Additionally, the survey collected detailed calendar-based data about the current legal order in effect, and the actual allocation of the focal child's nights with mothers and fathers over the past year.

## **Analyses**

We provide descriptive analyses to summarize divorced parents' legal and actual (i.e., what they reported doing in real-life over the past year) placement arrangements; the extent to which legal and actual arrangements are consistent or inconsistent; and the extent to which legal orders, and adherence to those orders, have changed since the divorce. We look at these dimensions separately for three groups of parents—mothers with sole placement, mothers with shared placement, and fathers with shared placement—with these groups defined as of the legal arrangement at divorce.

We also examine how these results differ across selected subgroups, informed by the literature regarding placement determinants and outcomes. Here, we are limited by a relatively small sample, so we focus on a small number of potentially relevant characteristics. We include the following subgroups for one or more analyses, choosing those that are of particular relevance for any given analysis:

- Age of focal child at final divorce judgement ( $\leq 4$  or older than 4; because all children were 6 or under at the start of divorce proceedings, relatively few were older than 6 at the final divorce); we posit that arrangements may be less stable over time for children who were younger versus older when those arrangements were established, as their needs and preferences—or parents' perceptions of such—may change more in the subsequent years.
- Age of focal child at time of interview ( $\leq 12$ , or teenage); because the time between divorce and the interview ranges from 7–11 years, the children in the youngest group at the final divorce may be in either the younger or older group at the survey date. We posit that adherence may differ as children enter their teen years, due to different preferences and/or greater ability to exert their own influence over day-to-day living arrangements.

- Sex of focal child
- Combined parental earnings at the time of divorce, differentiating earnings above or below \$75,000, roughly the midpoint. Because of the higher overall costs associated with shared placement, as well as the lower guidelines-based child support orders, it may prove to be a less stable arrangement for lower-income parents.
- Method of establishing the original placement order (mutual agreement or court order), as reported by parents. Orders established by the courts presumably reflect some degree of contention between parents, which could lead to different patterns of legal and/or de facto changes.
- Timing of the interview—either before or after the start of the COVID-19 pandemic. The large majority were completed after the start of the pandemic. While this does not seem germane to formal placement changes, it may be associated with differences in de facto arrangements.

Our analyses utilize the following measures related to legal orders and real-life living arrangements: Variables prefaced by ‘CRD’ are drawn from the existing court record data; variables prefaced by ‘S’ are directly reported in the survey; and variables prefaced by ‘CAL’ are constructed from detailed calendar-based data in the survey.

- **(CRD) Baseline legal order: The percent time with each parent based on the legal order in the final divorce judgment, as calculated by IRP data coders when compiling information from the court record data.** Shared placement cases have existing variables in the court record data identifying the percent time (in five-percent ranges) with each parent. This is not available in the coded court record data for sole-placement cases.
- **(S) Any changes in legal placement order:** Respondents indicate whether their placement arrangements have legally changed since the final divorce judgment.
- **(CAL) Current legal order: The percent of nights with each parent according to the legal order currently in effect, based on respondents’ detailed description of that order.** Respondents provide detailed information about how nights are allocated between parents in a typical month, according to the legal order, using a one-month calendar; they also indicate, for each month in the year, whether their legal order provides additional nights to either parent compared to the typical month, and if so, how many additional nights. Interviewers had detailed protocols on how to record information not directly

compatible with this structure. From this information, we construct the percent time legally allocated to each parent during the year based on the current order.<sup>1</sup>

- **(S) Subjective assessment of current placement type:** Respondents are asked where the child lived in the past year, differentiating between the respondent, the other parent, part-time with each parent, and some other arrangement.
- **(S) Subjective assessment of conformance to legal order:** Respondents indicate whether the focal child spent more time with the respondent than specified in the current legal order; the same amount of time as specified; or more time with the other parent than specified.
- **(S) Subjective assessment of changes in conformance to legal order:** Respondents indicate whether they and the other parent follow the legal order more closely, less closely, or about the same as when they were first divorced.
- **(CAL) Actual placement arrangements: The percent of nights actually spent with each parent in the 12 months preceding the survey.** This information is collected in similar fashion to the legal order, with respondents filling out a typical-month calendar and also indicating differences in each calendar month relative to that schedule. Interviewers had specific protocols for capturing information that was not compatible with the standard format. We again calculate the percent time with each parent during the year. We use this information to assess how closely actual practice aligns with legal orders.

### Sample Characteristics

Table 1 describes the three respondent groups, according to characteristics we explicitly consider in our analyses, as well as cohort. As described earlier, the Shared Placement: Mother and Shared Placement: Father are both drawn from the same sample of divorcing couples, have similar response rates, and include 143 shared-placement couples in which both parents completed surveys (the remainder of shared-placement couples have an interview for either the mother or father).

---

<sup>1</sup>For most analyses that require information on the specific legal order, we rely on the order as described in the CRD rather than that described in the survey, as we believe the latter is more accurate; parents' reports are subject to limitations in their own recall of the exact order. In some cases, verbatim responses indicated that parents were describing their actual practice as distinct from legal order; in those cases, we treated the survey report of the order as ambiguous and did not include in the analysis.

**Table 1: Characteristics of Sample, Wisconsin Parents Survey**

|   | Respondent Group                        |  |  | Respondent Group Differences    |                                 |                                   |
|---|---|--|--|---------------------------------|---------------------------------|-----------------------------------|
|   | Sole Placement:<br>Mother<br>(% of col) | Shared<br>Placement:<br>Mother<br>(% of col) | Shared<br>Placement:<br>Father<br>(% of col) | Shared Mother<br>vs Sole Mother | Shared Father vs<br>Sole Mother | Shared Father vs<br>Shared Mother |
| N   | 170                                     | 237  | 230  |                                 |                                 |                                   |
| <b>Focal Child Age at Divorce Judgment</b>                    |   |  |  |                                 |                                 |                                   |
| 4 or younger  | 87.29                                   | 73.68  | 77.19  | -13.61***                       | -11.41***                       | 3.92                              |
| Over 4  | 12.71                                   | 26.32  | 22.81  |                                 |                                 |                                   |
| <b>Focal Child Age at Interview</b>                           |   |  |  |                                 |                                 |                                   |
| 12 or younger   | 62.30                                   | 54.82  | 57.12  | -7.48                           | -3.71                           | 2.26                              |
| Over 12   | 37.70                                   | 45.18  | 42.88  |                                 |                                 |                                   |
| <b>Focal Child: Sex</b>                                       |   |  |  |                                 |                                 |                                   |
| Male  | 50.11                                   | 48.90  | 53.34  | -1.20                           | 3.24                            | 4.44                              |
| Female  | 49.89                                   | 51.10  | 46.66  |                                 |                                 |                                   |
| <b>Combined Parental Earnings at Time of Divorce Judgment</b> |   |  |  |                                 |                                 |                                   |
| Below \$75k   | 68.35                                   | 40.58  | 45.34  | -27.77***                       | -23.01***                       | 4.76                              |
| >=\$75k   | 31.65                                   | 59.42  | 54.66  |                                 |                                 |                                   |
| <b>Method of Establishing Placement Order</b>                 |   |  |  |                                 |                                 |                                   |
| Court determined  | 26.57                                   | 14.95  | 21.03  | -11.62***                       | -5.54                           | 6.08                              |
| Mutual agreement  | 73.43                                   | 85.05  | 78.97  |                                 |                                 |                                   |
| <b>Interview Timing</b>                                       |   |  |  |                                 |                                 |                                   |
| Pre-pandemic  | 14.41                                   | 15.53  | 18.63  | 1.12                            | 1.05                            | 0.13                              |
| Post-pandemic   | 85.59                                   | 84.47  | 81.37  |                                 |                                 |                                   |
| <b>Cohort</b>   |   |  |  |                                 |                                 |                                   |
| 30  | 58.55                                   | 54.32  | 56.97  | -4.24                           | -0.13                           | 2.70                              |
| 33  | 41.45                                   | 45.68  | 43.03  |                                 |                                 |                                   |

**Note:** Sample characteristics are weighted to adjust for different sampling rates across counties and cohorts. Asterisks denote significant differences between respondent groups. \*= $p < .1$ , \*\*= $p < .05$ , \*\*\*= $p < .01$

About half of focal children are boys in all placement groups. There are significantly more focal children who were under age 4 at divorce in the sole placement mother group (87%) as compared to shared placement (74–77%), consistent with higher use of shared placement with somewhat older children, but no differences at the time of the interview in the share of focal children who are teenagers (38–45%); age at the interview depends both on age when parents divorced but also how much time has elapsed, which ranges from 7–11 years depending on cohort. The share of parents who report court-ordered versus mutually-agreed placement ranges from 15% for shared-placement mothers to 27% for sole-placement mothers. Over two-thirds of mothers with sole placement had combined parental income below \$75,000 at the time of divorce, significantly larger than the share of sole-placement parents in this income range (41–45%). Respondents are roughly evenly divided between cohort 30 and 33, with no differences among respondent groups. And, 81–86% of interviews in each group were conducted after the start of the COVID-19 pandemic.

The similarity between the characteristics of the shared placement mother and shared placement father sample suggests mothers and fathers are equally representative of the underlying distribution of shared-placement households, at least on these dimensions. They do not differ significantly on any of the dimensions included in this report. This increases our confidence that differing responses from these two groups do not arise from substantive differences in participation patterns for mothers and fathers.

### **Analysis Plan**

Our analysis proceeds as follows: First, we describe how actual arrangements over the year preceding the survey align with original placement type at the divorce; we use ‘actual’ and ‘de facto’ interchangeably to refer to respondents’ characterization of arrangements in the past

year. Here, observed differences between real-life arrangements and the original placement type could arise from subsequent changes in the order, lack of adherence to the order, and/or inaccurate reporting of current arrangements by respondents. Next, we examine whether parents report that orders have changed for each placement group, as well as for several subgroups of interest. When orders have changed, we describe what respondents report about the new order, although the share with order changes yields too small a sample for more in-depth analyses. We then turn to parents who have not had an order change, and look at how well real-life living arrangements align with the original order. Because we limit this analysis to parents without order changes, remaining discrepancies are due to lack of adherence with the order or reporting error, but not to a change in the underlying order. We use a range of measures to assess the alignment between legal orders and actual living patterns, and we also look at how this alignment varies by subgroups. Finally, we look at respondents' subjective characterization of whether and how adherence to the order has changed compared to the time of the divorce, again limited to those without an order change.

## **RESULTS**

### **Placement at Divorce and Current Living Arrangements**

We begin by looking at how respondents describe the focal child's living arrangements in the past year, using two metrics, one subjective and one objective: their overall characterization of where the child lives (without providing a definition for what 'lives with' means), and the formal placement arrangement that matches their description of the child's actual living arrangements, based on the official thresholds for shared versus sole placement—that is, spending at least 25% of nights with each parent to be considered shared placement. We also

report the share of respondents who report any father-child contact in the past year. These results are shown in Table 2.<sup>2</sup>

By either metric, the large majority of parents describe types of living arrangements that broadly align with their original order type; such arrangements are described in Table 2 as being consistent. Looking first at subjective assessments, across respondent groups, 75–86% of parents indicate their child lives with the parent or parents implied by the placement type, with the highest alignment for shared-placement fathers, who report slightly higher rates of alignment than do shared-placement mothers, and the lowest alignment for sole-placement mothers.

The large majority of parents also provide a detailed time accounting of actual arrangements in the past year that are consistent with the original placement type, with shared-placement mothers less likely than either sole-placement mothers or shared-placement fathers to describe actual patterns that match the order type, and sole-placement mothers the most likely.<sup>3</sup> By either the objective or subjective measure, shared-placement mothers almost always describe non-aligned orders as reflecting actual sole-mother arrangements, whereas shared-placement fathers describe non-aligned orders as more divided between favoring mothers or fathers.

---

<sup>2</sup>The information on legal placement and actual living arrangements were collected with regard to one focal child because this could differ across children, and because it is not feasible to collect this level of detail about multiple children. Focusing on the youngest child ensured that the child was still under 18 at the time of the survey.

<sup>3</sup>This analysis—and all subsequent analyses that involve calendar-based descriptions of legal or real-life arrangements—exclude the roughly 12% of respondents with missing or ambiguous information on these measures. We considered data to be ambiguous when there were substantial internal inconsistencies in their reporting of legal and/or actual placement, or when comments indicated that the respondents were describing actual practice rather than legal orders. Data were missing if an incomplete schedule was provided such that a percent time could not be assessed.

**Table 2: Focal child's living arrangements, by respondent group**

|   | Respondent Group                        |  |  | Respondent Group Differences    |                                 |                                   |
|---|---|--|--|---------------------------------|---------------------------------|-----------------------------------|
|   | Sole Placement:<br>Mother<br>(% of col) | Shared<br>Placement:<br>Mother<br>(% of col) | Shared<br>Placement:<br>Father<br>(% of col) | Shared Mother<br>vs Sole Mother | Shared Father vs<br>Sole Mother | Shared Father vs<br>Shared Mother |
| N (subjective)                                    | 170                                     | 237  | 230  |                                 |                                 |                                   |
| N (objective)                                     | 154                                     | 208  | 204  |                                 |                                 |                                   |
| <b>Subjective Arrangements: Where Child Lived</b> |   |  |  |                                 |                                 |                                   |
| With mother                                       | 74.67                                   | 17.57  | 6.53   |                                 |                                 |                                   |
| With father                                       | 2.11                                    | 2.74   | 6.89   |                                 |                                 |                                   |
| Part-time with each                               | 21.30                                   | 79.22  | 85.60  |                                 |                                 |                                   |
| Other   | 1.92                                    | 0.47   | 1.00   |                                 |                                 |                                   |
| <i>% consistent with placement</i>                | 74.67                                   | 79.22  | 85.60  | 4.71                            | 11.08***                        | 6.37*                             |
| <b>Objective Arrangements: Actual Schedule</b>    |   |  |  |                                 |                                 |                                   |
| Mother-sole                                       | 85.53                                   | 25.17  | 13.63  |                                 |                                 |                                   |
| Shared  | 13.52                                   | 70.22  | 79.40  |                                 |                                 |                                   |
| Father-sole                                       | 0.95                                    | 4.61   | 6.97   |                                 |                                 |                                   |
| <i>% consistent with placement</i>                | 85.53                                   | 70.22  | 79.40  | -15.88***                       | -6.14                           | 9.74**                            |
| Any in-person father contact (%)                  | 72.31                                   | 95.32  | 98.69  | 23.01***                        | 26.39***                        | 3.37**                            |

**Note:** Sample characteristics are weighted to adjust for different sampling rates across counties and cohorts. Asterisks denote significant differences between respondent groups. \*= $p < .1$ , \*\*= $p < .05$ , \*\*\*= $p < .01$

Overall, sole-placement mothers' calendar-based schedules align somewhat more closely with their placement category than their subjective characterization of where the child lives, while the reverse is true for shared-placement parents. More generally, all three groups of respondents are somewhat more likely to characterize the child as living with both parents than they are to report schedules that meet the formal shared placement threshold, suggesting parents' conception of where a child lives don't fully accord with current legal distinctions.

Table 2 also shows the share of parents in each group who report any in-person father-child contact in the past year. We find that virtually all shared-placement parents report at least some parent-child contact, while more than one-quarter of sole-placement mothers indicate the child has had no in-person contact with their father in the past year.

Discrepancies between original order types and actual arrangements may reflect changes in orders, non-adherence to orders, and/or reporting inaccuracies. To help examine these patterns, we turn next to parents' reports of whether legal placement orders have changed since the divorce, and in subsequent analyses, to alignment between orders and real-life practice when the original placement order is still in effect.

### **Changes In Legal Placement Since Divorce**

Table 3 shows how likely parents are to report a change in the legal order and, when there is a change, the placement type of the new order. To determine the type of the new orders, we rely on parents' detailed descriptions of current orders to classify the new order as mother sole, shared, or father sole.<sup>4</sup> Because of very limited sample sizes among those with order changes, the patterns regarding the nature of these changes should be viewed as merely suggestive.

---

<sup>4</sup>While there are no father sole placement orders in our original sample, occasionally the revised orders are consistent with father sole placement.

**Table 3: Legal changes in focal child's placement order, by respondent group**

|                                      | Sole Placement:<br>Mother<br>(% of col) | Shared Placement:<br>Mother<br>(% of col) | Shared Placement:<br>Father<br>(% of col) |
|--------------------------------------|---|---|---|
| N                                    | 170                                     | 237                                       | 230                                       |
| <b>Any change in placement order</b> | 17.67                                   | 20.07                                     | 20.16                                     |
| 1 change                             | 15.50                                   | 16.97                                     | 14.42                                     |
| 2 changes                            | 1.96                                    | 2.05                                      | 1.97                                      |
| 3+ changes                           | 0.22                                    | 1.05                                      | 3.76                                      |
| Any change in placement type         | 9.75                                    | 11.29                                     | 9.56                                      |
| <b>Order changes since divorce</b>   |   |   |   |
| No change                            | 82.33                                   | 79.93                                     | 79.84                                     |
| Shared to mother sole                |   | 8.58                                      | 3.01                                      |
| Shared to shared                     |   | 8.78                                      | 10.60                                     |
| Shared to father sole                |   | 1.33                                      | 3.59                                      |
| Shared to unknown                    |   | 1.38                                      | 2.96                                      |
| Mother sole to mother sole           | 7.92                                    |   |   |
| Mother sole to shared                | 6.07                                    |   |   |
| Mother sole to father sole           | 2.18                                    |   |   |
| Mother sole to unknown               | 1.49                                    |   |   |

**Note:** Sample characteristics are weighted to adjust for different sampling rates across counties and cohorts. Asterisks denote significant differences between respondent groups. \*= $p < .1$ , \*\*= $p < .05$ , \*\*\*= $p < .01$

Across respondent groups, the original placement orders are quite stable over time: only 18–20% report at least one change, with no significant differences by placement or, among shared placement parents, by which parent is reporting (see Table 4 for significance test). Multiple order changes were uncommon. In terms of the actual schedule implied by the new order as described by parents, only 10–11% of orders are of a different placement type than at baseline. For each respondent group, the most common type of new order based on respondents’ description of their current order—comprising close to half of all order changes—is the same type as the original, suggesting that many order changes involve modifications without fundamentally altering the placement type. For instance, included in the 17.7% of the mothers with sole-placement at divorce who have a change in their legal order are 7.9% who still describe a sole-mother-placement schedule for their current order, with similar patterns for shared-placement parents.

We next look at differences in order changes across selected subgroups. Within each placement group, we look at how the likelihood of an order change differs by child age at time of divorce, child sex, parents’ combined earnings at time of divorce, and how the original placement order was established (Table 4). We discuss two kinds of comparisons: Within each respondent group, we assess whether order changes are more likely for some subgroups than others (as shown in the “differences” rows). Likewise, for each characteristic, we assess whether the likelihood of an order change differs among respondent groups (as shown in the “Respondent Group Differences” columns). Because of limited sample sizes, many of the patterns that emerge are suggestive rather than conclusive.

**Table 4: Legal changes in focal child's placement order for various subgroups, by respondent group**

|   | Respondent Group          |               |                             |               |                             |               | Respondent Group Differences       |                                    |                                      |
|---|---------------------------|---------------|-----------------------------|---------------|-----------------------------|---------------|------------------------------------|------------------------------------|--------------------------------------|
|   | Sole Placement:<br>Mother |               | Shared Placement:<br>Mother |               | Shared Placement:<br>Father |               | Shared<br>Mother vs<br>Sole Mother | Shared Father<br>vs Sole<br>Mother | Shared Father<br>vs Shared<br>Mother |
|   | N                         | change<br>(%) | N                           | change<br>(%) | N                           | change<br>(%) |                                    |                                    |                                      |
| <b>Overall</b>  | 170                       | 17.67         | 237                         | 20.07         | 230                         | 20.16         | 2.40                               | 2.50                               | 0.10                                 |
| <b>Focal Child Age at Divorce Judgment</b>                    |                           |               |                             |               |                             |               |                                    |                                    |                                      |
| <=4   | 148                       | 19.35         | 170                         | 22.24         | 174                         | 22.53         | 2.30                               | 3.20                               | 0.29                                 |
| 5+  | 22                        | 6.32          | 67                          | 14.00         | 56                          | 12.15         | 7.70                               | 5.80                               | -1.85                                |
| Differences   |                           | 13.03**       |                             | 8.24          |                             | 10.38*        |                                    |                                    |                                      |
| <b>Focal Child: Sex</b>                                       |                           |               |                             |               |                             |               |                                    |                                    |                                      |
| Male  | 82                        | 12.57         | 116                         | 17.95         | 122                         | 18.60         | 5.37                               | 6.03                               | 0.66                                 |
| Female  | 88                        | 22.92         | 120                         | 22.31         | 108                         | 21.94         | -0.60                              | -1.00                              | -0.38                                |
| Differences   |                           | -10.34*       |                             | -4.40         |                             | -3.30         |                                    |                                    |                                      |
| <b>Combined Parental Earnings at Time of Divorce Judgment</b> |                           |               |                             |               |                             |               |                                    |                                    |                                      |
| Below \$75k   | 78                        | 12.51         | 81                          | 23.19         | 86                          | 20.57         | 10.68*                             | 8.06                               | -2.62                                |
| >= \$75k  | 36                        | 34.04         | 117                         | 18.30         | 104                         | 16.24         | -15.74**                           | -17.81**                           | 2.10                                 |
| Differences   |                           | -21.53**      |                             | 4.89          |                             | 4.33          |                                    |                                    |                                      |
| <b>Method of Establishing Placement Order</b>                 |                           |               |                             |               |                             |               |                                    |                                    |                                      |
| Court order   | 44                        | 10.45         | 34                          | 28.86         | 46                          | 36.32         | 18.41*                             | 25.87***                           | 7.45                                 |
| Mutual agreement  | 125                       | 20.46         | 201                         | 18.08         | 184                         | 15.86         | -2.38                              | -4.61                              | -2.22                                |
| Differences   |                           | -10.09*       |                             | 10.79         |                             | 20.46***      |                                    |                                    |                                      |

**Note:** Sample characteristics are weighted to adjust for different sampling rates across counties and cohorts. Asterisks denote significant differences between respondent groups or between characteristics within respondent groups. \*= $p < .1$ , \*\*= $p < .05$ , \*\*\*= $p < .01$

Within each respondent group, we find substantially higher rates of order changes for focal children aged four or younger at the final divorce, compared to those five or older (19–23% as compared to 6–12%), although not all the differences reach significance. However, there are no significant differences between respondent groups, including between mothers' and fathers' reports in the case of shared placement, in the likelihood of order changes for either age group. Comparing changes by child sex, we find that order changes are more common for girls than boys when they start out in sole-placement arrangements, with no substantive or significant differences by sex in shared placement households. Comparing across respondent groups, we find no significant differences in the likelihood of an order change for either boys or girls.

Turning to combined incomes at divorce, we find significantly higher likelihood of order changes for sole-mother arrangements in higher versus lower income couples, with no income-based differences in order stability for the shared-placement groups. Comparing across groups, shared-placement mothers from lower-income couples report more order changes than sole-placement mothers (at marginal statistical significance), while the opposite is true for mothers from higher income couples. Overall, the largest and most robust income-related differences are the high rates of change for higher-income parents who start out in mother-sole arrangements, relative to lower-income parents in sole-placement with mother arrangements as well as to higher-income parents with shared placement—though we caution that these differences, while large and significant, are nonetheless in a small sample. Sole-mother placement is not the normative arrangement for higher-income couples; these changes are, therefore, from a starting arrangement that is less typical for the group.

Notably, the relationship between how orders were established and subsequent changes differs among respondent groups: Both mothers and fathers with shared placement report

substantially more changes when initial orders were established by the court versus by mutual agreement, though this is only significant for fathers. Conversely, mothers with sole placement report higher likelihood of changes when the original orders were mutually agreed upon.

Looking across groups, parents with shared placement who report that their initial order was determined by the court are significantly and substantively more likely to report changes (29%–36%) than are sole-placement mothers with court-determined placement (10%). Overall, we find that court-issued orders appear more stable when they result in sole mother-placement, while mutually-agreed arrangements seem roughly equally stable for either placement arrangement. Given the legal assumptions surrounding placement, which seek to maximize time with both parents, court-determined mother-placement arrangements may be those in which both the mother and the courts are particularly reluctant to provide substantial placement with the father for whatever reason—and these outcomes seem particularly stable over time. Court-determined shared placement, on the other hand, may reflect disagreements between parents about the desirability of the shared arrangement (and thus the need for a court decision), where the courts decide the shared arrangement is appropriate. These outcomes appear somewhat less stable than when reached by mutual agreement.

### **Adherence To Legal Orders**

We look next at how actual living arrangements in the year preceding the survey compare to the legal placement arrangement, for parents who have not had an order change.<sup>5</sup> We use a variety of measures to describe alignment between actual arrangements and legal orders, including objective and subjective measures both of the alignment in type of arrangement and in

---

<sup>5</sup>We limit this analysis to parents without order changes because we are more confident of the legal placement orders as reflected in the CRD than of those reported by parents, as explained earlier (see footnote 1).

the specific time allocation; these all fall under the broad concept of adherence. First, we compare parents' legal placement type with their own assessment of where the focal child lived in the past year; we also compare legal placement to the placement type implied by parents' detailed accounting of their child's living schedule over the past year. Both of these provide insight into consistency between formal placement type and actual arrangements, considering subjective and objective ways of categorizing actual arrangements; they are akin to the analyses on Table 2, but now limited to parents without an order change. Next, we focus on how the amount of time with each parent aligns with the order, rather than whether the overall types of arrangements align. Here, we rely first on parents' subjective assessment of how the time allocation of their actual arrangement aligns with the legal order; then, we compute how close the actual patterns are to the legal order, relying on parents' report of the time allocation in their current legal order and, for shared-placement parents, the CRD description of the order. We discuss these patterns separately for each of the three respondent groups, and pay particular attention to differences reported by mothers with shared vs sole placement, as well as differences between mothers and fathers with shared placement.

### *Sole Placement Mothers*

As seen in Table 5, 81% of mothers with sole placement say that the focal child lived with them in the past year (listed under subjective living arrangements), and 94% of them report living arrangements in the past year that are consistent with sole placement (listed under objective living arrangements). For both measures, these are defined as 'consistent' on the table. Likewise, for both measures, reports not consistent with mother-sole placement describe shared-placement arrangements (living with both parents part-time in the case of the subjective measure,

**Table 5: Alignment of de facto living arrangements with placement orders, by respondent group**

|  | Respondent Group                     |  |  | Respondent Groups Differences |                              |                                |
|--|--------------------------------------|--|--|-------------------------------|------------------------------|--------------------------------|
|  | Sole Placement: Mother<br>(% of col) | Shared Placement: Mother<br>(% of col) | Shared Placement: Father<br>(% of col) | Shared Mother vs Sole Mother  | Shared Father vs Sole Mother | Shared Father vs Shared Mother |
| N (for subjective arrangements)  | 135                                  | 187                                    | 186                                    |                               |                              |                                |
| N (for objective arrangements)   | 122                                  | 165                                    | 166                                    |                               |                              |                                |
| <b>Alignment In Placement Type</b>   |                                      |  |  |                               |                              |                                |
| Subjective arrangements: Where child lived                                       |                                      |  |  |                               |                              |                                |
| With mother  | 80.79                                | 14.68                                  | 6.80                                   |                               |                              |                                |
| With father  | 0.00                                 | 2.29                                   | 3.40                                   |                               |                              |                                |
| Part-time with each  | 18.37                                | 82.82                                  | 89.24                                  |                               |                              |                                |
| Other  | 0.84                                 | 0.21                                   | 0.56                                   |                               |                              |                                |
| (% consistent)   | 80.79                                | 82.82                                  | 89.24                                  | 2.04                          | 8.45***                      | 6.42*                          |
| Objective arrangements: time allocation based on actual schedule                 |                                      |  |  |                               |                              |                                |
| Mother placement   | 94.25                                | 20.12                                  | 11.40                                  |                               |                              |                                |
| Shared placement   | 5.75                                 | 75.93                                  | 85.91                                  |                               |                              |                                |
| Father placement   | 0.00                                 | 3.95                                   | 2.69                                   |                               |                              |                                |
| (% consistent)   | 94.25                                | 75.93                                  | 85.91                                  | -18.31***                     | -8.34**                      | 9.98**                         |
| <b>Alignment In Amount of Time</b>   |                                      |  |  |                               |                              |                                |
| Subjective comparison:   |                                      |  |  |                               |                              |                                |
| Same   | 41.00                                | 44.58                                  | 60.57                                  | 3.58                          | 19.56***                     | 15.98***                       |
| More mom   | 50.39                                | 43.14                                  | 16.51                                  |                               |                              |                                |
| More dad   | 8.61                                 | 12.27                                  | 22.93                                  |                               |                              |                                |
| Objective comparison: actual schedule compared to legal order from court records |                                      |  |  |                               |                              |                                |
| Same   |                                      | 49.32                                  | 61.82                                  |                               |                              | 12.50**                        |
| mom: 5–10% extra   |                                      | 11.25                                  | 9.37                                   |                               |                              |                                |
| mom: >10% extra  |                                      | 29.40                                  | 14.39                                  |                               |                              |                                |
| dad: 5–10% extra   |                                      | 1.71                                   | 7.01                                   |                               |                              |                                |
| dad: >10% extra  |                                      | 8.31                                   | 7.41                                   |                               |                              |                                |

|   |       |       |       |          |          |          |
|---|-------|-------|-------|----------|----------|----------|
| Actual schedule   |       |       |       |          |          |          |
| Percent of annual nights with father                      | 7.25  | 40.44 | 44.94 | 33.19*** | 37.68*** | 4.49**   |
| Extra nights with mother (% of year):                     |       |       |       |          |          |          |
| Actual schedule vs order in court record                  |       | 7.85  | 2.16  |          |          | -5.68*** |
| Actual schedule vs order described by parent              | 4.11  | 3.62  | 1.52  | -0.49    | -2.59*   | -2.10    |
| Percent of children with no in-person contact with father | 26.82 | 1.28  | 0.48  |          |          |          |

---

**Note:** Sample characteristics are weighted to adjust for different sampling rates across counties and cohorts. Sample is limited to parents who report the child's placement order has not changed since the divorce judgment. Asterisks denote significant differences between respondent groups. \*= $p < .1$ , \*\*= $p < .05$ , \*\*\*= $p < .01$

and spending at least 25% of nights with each parent for the objective measure). None report sole-father arrangements.

When we focus on how the actual amount of time with each parent aligns with the order—not just on the overall placement category implied by real-life living arrangements—we find that only 41% of sole-placement mothers report following the time allocation in the order based on their subjective assessment, while half indicate the child spent more time with the mother than stated in the placement order, and only 9% spent more time with fathers. On average, children in mother-sole placement spent 7.3% of nights with their father over the past year, and 26.8% of mothers indicate the child had no in-person contact with the father at all. Compared to their own detailed description of the legal order, this represents an additional 4.1% of the year with mothers beyond than dictated by the order, or roughly 15 nights per year.

Taken as a whole, the patterns for sole-placement mothers suggest very little movement away from sole placement, and a strong tendency to spend even less time with fathers than stated in the order; but also that some mothers characterize the child as living part-time with both parents even when the reported time allocation is less than the shared placement threshold—as evidenced by the difference between the 18% who report living part-time with each parent, and the 6% describing at least 25% of time with each parent.

### *Shared Placement Mothers*

Turning to reports from mothers with shared placement, we find evidence of extra time with mothers across all indicators. We find modest movement towards sole vs shared placement based both on where mothers say their child lived in the past year, and on the detailed time accounting. Of shared-placement mothers, 83% indicate the child lived part-time with both

parents in the past year, with almost all the rest indicating the child lived with her. In terms of consistency with formal arrangements, this is comparable to sole-placement mothers.

In terms of objective consistency between real-life schedules and official placement type, just over three-quarters describe a time allocation consistent with shared placement, while most of the rest (20%) describe following a sole-mother-placement schedule, that is, more than 75% of nights with her. This represents significantly less consistency in de facto placement type compared to sole-placement mothers.

Focusing on the amount of time rather than the implied placement category, 45% of mothers describe the time allocation as roughly in line with the legal order—similar to what is reported by sole-placement mothers. Forty-three percent report more time with mothers than the order, and 12% more time with fathers. On average, shared-placement mothers report that their child spent 40.4% of nights with their father over the past year. Compared to the detailed descriptions of the legal order that mothers provided, this represents an additional 3.6% of annual nights with mothers beyond those specified in the order—a gap that is not significantly different than reported by sole-placement mothers. When comparing real-life schedules with the original order as captured in the CRD, the gap is larger—an additional 7.9% of annual nights with mothers, beyond the legal order. (We do not have an analogous comparison for sole-placement mothers since the CRD does not provide coded data showing a specific percentage for sole placement arrangements). Looking more closely at the gap between real-life arrangements and orders in the CRD, we find that about half of mothers report a time allocation within 5 percentage points of the order, 40% report more than 5% of additional nights with mothers (including 29% where the gap is larger than 10%), and 10% report more than 5% of additional

nights with fathers. Notably these patterns are quite consistent with mothers' subjective assessment as described above.

Overall, these patterns reflect modest movements away from shared placement, whether based on actual schedules or subjective assessment. Similar to the reports from sole-placement mothers, we find a tendency to spend less time with fathers than described in the formal order, with changes in amount of time more common than changes in de facto order type; but we find no evidence of either more frequent or larger average discrepancies between the two groups.

### *Shared-Placement Fathers*

Finally, we look at how shared-placement fathers characterize placement arrangements. While the actual arrangements of shared-placement mothers and fathers should be similar in that they both are drawn from the same sample and both sub-samples, while only partially overlapping, are very similar on observed characteristics; we find substantial differences in their descriptions of their de facto arrangements.

Looking first at how fathers describe the type of current arrangement, we find that 89% of shared-placement fathers describe the child as living part-time with both parents; this is moderately higher than the analogous report from shared-placement mothers, though this is a subjective characterization and wouldn't necessarily align. Fathers also differed from shared-placement mothers in the type of arrangement implied by their detailed accounting of real-life schedules, with 86% of fathers reporting shared placement schedules—significantly higher than reported by mothers. However, when schedules deviate from shared placement, fathers—like mothers—are more likely to describe mother-sole than father-sole schedules.

Turning to estimates of how closely actual time divisions match the legal order, fathers are much more likely than mothers to report that the actual time allocation is the same as the

order (61% vs 45%). Furthermore, when the legal order is not followed, fathers are more likely to report that the child spends more time with him than they are to report more time with the mother; mothers, as described above, are much more likely to report extra time with her, and rarely with fathers. Things are a little different when we compare fathers' detailed accounting of actual schedules with the order in the CRD. Fathers are still more likely to describe actual patterns that conform closely to the order (62%, compared to 49% for mothers); however, when reported schedules are not in conformance with the order, they are more likely to deviate towards extra time with mothers than fathers. The average gap between real-life schedules and CRD orders is smaller than for mothers (2.2% percent of extra annual nights with mothers, as compared to mothers' reports of 7.9% extra annual nights).

To assess whether the differences between shared-placement mothers and fathers arise from unobserved differences in the two samples, we replicated the comparison of subjective living arrangements, and the comparison of subjective reports of how actual practice conforms to the order, on the 112 matched mothers and father included in the full-sample reports shown. In both cases, the differences between mothers and fathers were slightly larger even than found for the full sample, confirming that the differences persist with a fully matched set of parents (not shown).<sup>6</sup>

Overall, fathers are more likely than mothers to describe conformance with their orders, in both form (shared vs sole) and specific time allotment, and considering both objective and subjective measures. Furthermore, these results seem to reflect genuine differences in how they characterize the same underlying arrangements, in that, for the measures we tested, they persist

---

<sup>6</sup>We do not do a matched-couple comparison for the objective measures because we have differentially missing information for mothers and fathers for the calendar-based measures, which, while not large nor different in frequency between the samples, further reduces the size of the matched sample, making meaningful comparisons increasingly difficult.

in a matched subsample. One implication of these differences is that, whereas we found no differences between shared-placement and sole-placement mothers in the subjective reports of where the child lived and how the actual time comparison aligned with the order, this is not true when we consider fathers' reports. Comparing sole-placement and shared placement based on fathers' reports for the latter group, we find higher alignment in the shared-placement group.

### *Differences Among Subgroups*

The results above show that sole placement and shared placement mothers report similar degrees of conformance to their legal placement orders, while shared-placement fathers report higher conformance than shared-placement mothers. Table 6 describes the extent to which those patterns hold for a variety of subgroups. The table shows the percent of parents whose subjective description is that actual time division matches the order. We show this for parents of younger ( $\leq 4$ ) and older ( $\geq 5$ ) at the time of divorce; teenagers vs younger children at the time of the interview; parents of boys and girls; parents with higher and lower combined earnings at divorce; parents whose orders were mutually agreed and those with orders set by the courts; and those whose interviews were before or after the start of the pandemic.

**Table 6. Percent of parents reporting focal child's de facto living arrangements over previous year were consistent with placement order, by respondent group**

|   | Respondent Group |                        |                |                          |                |                          |                | Respondent Group Differences |                              |                                |
|---|------------------|------------------------|----------------|--------------------------|----------------|--------------------------|----------------|------------------------------|------------------------------|--------------------------------|
|   |                  | Sole Placement: Mother |                | Shared Placement: Mother |                | Shared Placement: Father |                | Shared Mother vs Sole Mother | Shared Father vs Sole Mother | Shared Father vs Shared Mother |
|   | N                | N                      | consistent (%) | N                        | consistent (%) | N                        | consistent (%) |                              |                              |                                |
| <b>Focal Child Age at Divorce Judgment</b>                    |                  |                        |                |                          |                |                          |                |                              |                              |                                |
| <=4   | 379              | 115                    | 39.06          | 130                      | 47.48          | 134                      | 61.15          | 8.40                         | 22.1***                      | 13.7**                         |
| >4  | 127              | 20                     | 52.33          | 57                       | 37.25          | 50                       | 58.83          | -15.10                       | 6.50                         | 21.6**                         |
| Differences   |                  |                        | -13.27         |                          | 10.23          |                          | 2.32           |                              |                              |                                |
| <b>Focal Child Age at Interview</b>                           |                  |                        |                |                          |                |                          |                |                              |                              |                                |
| <=12  | 315              | 91                     | 40.44          | 108                      | 53.60          | 116                      | 65.09          | 13.16*                       | 24.66***                     | 11.49*                         |
| >12   | 191              | 44                     | 42.00          | 79                       | 34.54          | 68                       | 54.26          | -7.46                        | 12.26                        | 19.72**                        |
| Differences   |                  |                        | -1.56          |                          | 19.06***       |                          | 10.83          |                              |                              |                                |
| <b>Focal Child: Sex</b>                                       |                  |                        |                |                          |                |                          |                |                              |                              |                                |
| Male  | 261              | 70                     | 44.48          | 92                       | 43.20          | 99                       | 56.76          | -1.28                        | 12.28                        | 13.56*                         |
| Female  | 244              | 65                     | 36.95          | 94                       | 45.24          | 85                       | 65.23          | 8.30                         | 28.27***                     | 20***                          |
| Differences   |                  |                        | 7.53           |                          | -2.04          |                          | -8.46          |                              |                              |                                |
| <b>Combined Parental Earnings at Time of Divorce Judgment</b> |                  |                        |                |                          |                |                          |                |                              |                              |                                |
| Below \$75k   | 198              | 66                     | 26.02          | 62                       | 38.50          | 69                       | 48.19          | 12.47                        | 22.17                        | 9.70                           |
| >= \$75k  | 206              | 24                     | 47.93          | 95                       | 49.01          | 87                       | 67.44          | 1.08                         | 19.51*                       | 18.43**                        |
| Differences   |                  |                        |                |                          | -10.51         |                          | -19.24**       |                              |                              |                                |
| <b>Method of Establishing Placement Order</b>                 |                  |                        |                |                          |                |                          |                |                              |                              |                                |
| Court   | 91               | 38                     | 50.23          | 24                       | 49.19          | 29                       | 56.71          | -1.04                        | 6.48                         | 7.52                           |
| Mutual agreement  | 413              | 96                     | 37.91          | 162                      | 43.37          | 155                      | 61.36          | 5.46                         | 23.45***                     | 17.98***                       |
| Differences   |                  |                        | 12.32          |                          | 5.81           |                          | -4.64          |                              |                              |                                |
| <b>Interview Timing</b>                                       |                  |                        |                |                          |                |                          |                |                              |                              |                                |
| Pre-pandemic  | 85               | 20                     | 57.39          | 34                       | 57.62          | 31                       | 56.64          | 0.23                         | -0.75                        | -0.98                          |
| Post-pandemic   | 421              | 115                    | 38.63          | 153                      | 42.30          | 153                      | 61.36          | 3.67                         | 22.73***                     | 19.06***                       |
| Differences   |                  |                        | 18.76          |                          | 15.32          |                          | -4.72          |                              |                              |                                |

**Note:** Sample characteristics are weighted to adjust for different sampling rates across counties and cohorts. Sample is limited to parents who report the child's placement order has not changed since the divorce judgment. Asterisks denote significant differences between respondent groups or between characteristics within respondent groups. \*= $p < .1$ , \*\*= $p < .05$ , \*\*\*= $p < .01$

For virtually all groups, as for the sample as a whole, there were no significant differences in the percentage of shared-placement vs sole-placement mothers who report following the time division in their order. The only exception is by child's age at the time of the interview: for younger children, shared-placement mothers are (marginally significantly) more likely than sole-placement to report following the order. And, the pattern of shared-placement fathers reporting higher adherence to orders than shared-placement mothers is evident across almost all subgroups. Consistent with the differences between mothers' and fathers' reports, many of the subgroups also show significant differences in conformance by placement (shared vs sole), when we consider fathers' vs mothers' reports.

We have focused in this discussion on whether there are differences across respondent groups in the likelihood of adhering to legal orders, rather than on differences within respondent groups for different subgroups. There are almost no significant differences within any respondent groups in the likelihood of adherence by the characteristics considered here, with two exceptions: mothers with shared placement report significantly lower adherence to the placement order for teenage versus younger children, a difference that is similar in direction in fathers' reports but the latter is smaller and not significant; this pattern may reflect older children having greater agency over their day-to-day schedules than younger children. Additionally, fathers with shared placement report significantly lower adherence if they are from a lower versus higher income couple, a difference that is similar in direction but not significant when reported by mothers.

Finally, we note that both sole-placement mothers and shared-placement mothers report substantially higher rates of adhering to orders if they were interviewed before versus during the pandemic—57% vs 39% for sole-placement mothers, and 58% vs 42% for shared-placement mothers—but neither reach significance, which is not surprising given the very small share of

cases in the pre-pandemic group. While not conclusive, the direction of these differences provides a useful reminder that the patterns we see here may not be typical, if parents are altering their schedules to respond to the pandemic. On the other hand, only 13% of shared and sole-placement mothers who did not follow the order, and 9% of fathers, explicitly mentioned the pandemic when asked why the time allocation in the order wasn't followed (not shown).

### **Changes In Adherence Since Divorce**

Next, we describe parents' reports of how closely they are following the placement order now, compared to at the time of the divorce (Table 7). Here too, we limit the analysis to parents with no order changes, in part because the meaning of the question is unclear when orders have changed. Across groups, there is a strong shift over time away from adherence with the specific time allocation of the order. Almost half of sole-placement mothers report following the order as closely as at the time of divorce, while 45% follow it less closely now, and the remaining 8% more closely. Shared-placement mothers are similar to sole-placement mothers in the likelihood of stable adherence over time, though they rarely report increased adherence (only 2%, with over half reporting decreased adherence). Shared-placement fathers are significantly less likely than mothers to report a decline in adherence—41% as compared to 51%. Furthermore, this difference is larger when we limit our analysis to the sample of 112 couples with completed surveys and no order change for both parents (not shown), indicating it reflects differences in perception or reporting, not in underlying behavior. Note that this question only asks about the direction of any changes in adherence relative to adherence at the time of divorce—not about whether those changes involve more time with mothers or fathers.

**Table 7: Changes in adherence to placement order since time of divorce judgment, by respondent group**

|                         | Respondent Group       |                          |                          | Respondent Group Differences |                              |                                |
|-------------------------|------------------------|--------------------------|--------------------------|------------------------------|------------------------------|--------------------------------|
|                         | Sole Placement: Mother | Shared Placement: Mother | Shared Placement: Father | Shared Mother vs Sole Mother | Shared Father vs Sole Mother | Shared Father vs Shared Mother |
|                         | (% of col)             | (% of col)               | (% of col)               |                              |                              |                                |
| N                       | 135                    | 187                      | 186                      |                              |                              |                                |
| Follow more closely now | 8.31                   | 1.93                     | 4.04                     | -6.4***                      | -4.30                        | 2.10                           |
| Follow less closely now | 44.64                  | 51.23                    | 40.81                    | 6.60                         | -3.80                        | -10.4**                        |
| Same as at divorce      | 47.05                  | 46.83                    | 55.15                    | -0.20                        | 8.10                         | 8.30                           |

**Note:** Sample characteristics are weighted to adjust for different sampling rates across counties and cohorts. Sample is limited to parents who report the child's placement order has not changed since the divorce judgment. Asterisks denote significant differences between respondent groups. \*= $p < .1$ , \*\*= $p < .05$ , \*\*\*= $p < .01$

Finally, we examine how adherence has changed across subgroups. Table 8 shows the percent of parents in each respondent group who report following the placement order less closely than at the time of divorce, looking at subgroups defined as in the previous analyses. We find few significant differences between mothers with shared versus sole placement, though shared-placement mothers in the higher income group are 17 percentage points less likely than their sole-placement counterparts to report a decrease in their original level of adherence; very small cell sizes for sole-placement mothers in the higher income group strongly limit our ability to detect differences. Comparing consistency of mothers' and fathers' reports, shared-placement fathers report significantly lower likelihood of a decrease in adherence than do shared-placement mothers, for many of the subgroups examined.

We also look at differences within respondent groups. Sole-placement mothers show no differences across any of the subgroups in the likelihood of decreasing adherence over time; among shared-placement parents, mothers and/or fathers are more likely to report declining adherence over time for children who were over 4 at the divorce; for children who were teenagers at the interview; for boys rather than girls; and with lower combined incomes at divorce. Mothers and fathers provide opposing patterns based on how orders were set, perhaps reflecting the very small number of court-issued orders remaining in the sample (since those with changing orders—comprising 29–36% of the court-ordered shared placement orders in the full sample—are not included in this table).

**Table 8. Percent of parents following placement order less closely than at time of divorce judgment, by respondent group**

|   | Respondent Group       |     |                          |     |                          |     | Respondent Group Differences    |                                 |                                   |          |
|---|------------------------|-----|--------------------------|-----|--------------------------|-----|---------------------------------|---------------------------------|-----------------------------------|----------|
|   | Sole Placement: Mother |     | Shared Placement: Mother |     | Shared Placement: Father |     | Shared Mother vs<br>Sole Mother | Shared Father vs<br>Sole Mother | Shared Father vs<br>Shared Mother |          |
| N   | N                      |     | 135                      | N   | 187                      | 186 |                                 |                                 |                                   |          |
| <b>All with No Order Change</b>                       | 508                    | N   | less closely (%)         | N   | less closely (%)         | N   | less closely (%)                |                                 |                                   |          |
| % following less closely                              |                        |     | 44.64                    |     | 51.23                    |     | 40.81                           | -6.59                           | 3.83                              | 10.42**  |
| <b>Focal Child Age at Divorce Judgment</b>            |                        |     |                          |     |                          |     |                                 |                                 |                                   |          |
| <=4   | 379                    | 114 | 45.42                    | 130 | 46.20                    | 135 | 40.72                           | -0.78                           | 4.70                              | 5.48     |
| >4  | 127                    | 20  | 40.13                    | 56  | 64.27                    | 51  | 41.07                           | -24.14*                         | -0.94                             | 23.2**   |
| Differences   |                        |     | -5.30                    |     | 18.07**                  |     | 0.35                            |                                 |                                   |          |
| <b>Focal Child Age at Interview</b>                   |                        |     |                          |     |                          |     |                                 |                                 |                                   |          |
| <=12  | 314                    | 91  | 41.70                    | 107 | 42.27                    | 116 | 32.54                           | -0.56                           | 9.16                              | 9.73     |
| >12   | 192                    | 43  | 49.96                    | 79  | 61.08                    | 70  | 51.99                           | -11.12                          | -2.03                             | 9.09     |
| Differences   |                        |     | 8.26                     |     | 18.82**                  |     | 19.45***                        |                                 |                                   |          |
| <b>Focal Child: Sex</b>                               |                        |     |                          |     |                          |     |                                 |                                 |                                   |          |
| Male  | 261                    | 70  | 48.86                    | 92  | 56.11                    | 99  | 47.57                           | -7.24                           | 1.29                              | 8.53     |
| Female  | 244                    | 64  | 39.63                    | 93  | 46.94                    | 87  | 32.74                           | -7.31                           | 6.89                              | 14.19*   |
| Differences   |                        |     | -9.23                    |     | -9.17                    |     | -14.83**                        |                                 |                                   |          |
| <b>Combined Parental Earnings at Divorce Judgment</b> |                        |     |                          |     |                          |     |                                 |                                 |                                   |          |
| Below \$75k   | 198                    | 66  | 45.35                    | 62  | 56.94                    | 70  | 50.15                           | -11.59                          | -4.81                             | 6.78     |
| >= \$75k  | 206                    | 24  | 61.43                    | 95  | 44.17                    | 87  | 35.95                           | 17.26                           | 25.48**                           | 8.22     |
| Differences   |                        |     | 16.08                    |     | -12.77                   |     | -14.21*                         |                                 |                                   |          |
| <b>Method of Establishing Placement Order</b>         |                        |     |                          |     |                          |     |                                 |                                 |                                   |          |
| Court   | 90                     | 38  | 49.66                    | 23  | 34.13                    | 29  | 50.54                           | 15.53                           | -0.88                             | -16.41   |
| Mutual agreement                                      | 414                    | 95  | 41.76                    | 162 | 53.26                    | 157 | 38.85                           | -11.5*                          | 2.90                              | 14.42*** |
| Differences   |                        |     | -7.90                    |     | 19.14*                   |     | -11.69                          |                                 |                                   |          |
| <b>Interview Timing</b>                               |                        |     |                          |     |                          |     |                                 |                                 |                                   |          |
| Pre-pandemic  | 85                     | 20  | 35.13                    | 34  | 39.03                    | 31  | 42.99                           | -3.90                           | -7.86                             | -3.96    |
| Post-pandemic   | 421                    | 114 | 46.03                    | 152 | 53.38                    | 155 | 40.37                           | -7.35                           | 5.66                              | 13.01**  |
| Differences   |                        |     | 10.90                    |     | 14.35                    |     | -2.62                           |                                 |                                   |          |

**Note:** Sample characteristics are weighted to adjust for different sampling rates across counties and cohorts. Sample is limited to parents who report the child's placement order has not changed since the divorce judgment. Asterisks denote significant differences between respondent groups or between characteristics within respondent groups. \*= $p < .1$ , \*\*= $p < .05$ , \*\*\*= $p < .01$

## CONCLUSIONS AND POLICY IMPLICATIONS

In considering the findings and implications of this study, we first highlight three important limitations. First and foremost, the survey took place largely during the COVID-19 pandemic; more than 80% of respondents answered questions about their real-life placement arrangements with a 12-month reference period that included anywhere from several weeks to 7 months of a period with pandemic-related restrictions in effect. While only 11% of respondents who didn't follow their time allocation of their placement order offered the pandemic as a reason, the findings nonetheless cannot be abstracted from the context in which they were collected.

Secondly, and as noted at several points in the report, the cell sizes from some of the subgroups we look at are small, resulting in differences that at times are substantively large without being statistically significant. We view these kinds of results as suggestive but not conclusive, and we differentiate in our discussion between results that do and don't achieve significance, even when the magnitude of differences is large. Because of the limited power to detect results, we show and discuss results at a 10% significance level, to better highlight the patterns we detect in subgroup comparisons.

Finally, we acknowledge the importance of hearing from fathers of children with sole-mother placement arrangements to ensure we have an accurate understanding of the degree of contact in those cases. In light of the stark differences between reports from mothers and fathers in shared placement couples, we cannot assume that their reports of child contact would comport with those from mothers.

These caveats notwithstanding, our study provides important new insight into patterns of stability in placement arrangements in a period in which shared placement—rather than the

traditional sole mother placement—has become the norm. Furthermore, we examine stability over a considerably longer period than past research—7–11 years, as compared to follow-up periods of 1–4.5 years in past Wisconsin research, and similarly short periods in the limited other work that exists. We do so in a focused sample of parents with young children at the divorce, which limits the generalizability to older children, whose patterns may be different, but which does provide unique insight into an age group for whom long-term patterns are particularly meaningful. We summarize several key takeaways:

We find no evidence that shared placement orders are particularly unstable, either in an absolute sense or relative to sole placement—and this conclusion holds whether we rely on mothers’ or fathers’ reports in the case of shared placement. When orders of either type are revised, the changes are often, at least based on parents’ descriptions, a change in the details of time allocation but not in the overall order type. Over the 7–11 year post-divorce period, only 10–11% of either placement type report a change in type, while 18–20% report some manner of change.

While legal order types remain quite stable, *de facto* living arrangements reported by shared-placement mothers who have not had an order change reflect modest movements away from shared placement—whether based on details parents provide of their actual schedules (24% describe something other than shared placement) or their subjective assessments of where the child lives (17% describe something other than the child living part-time with both parents); and these differences almost always involve a shift towards a *de facto* sole-mother arrangement. Interestingly, shared-placement and sole-placement mothers who have not had an order change are equally likely to report a subjective characterization of the child’s living arrangement that differs from the legal order—indeed, 18% of mothers with sole placement describe their child as

living part-time with each parent—even as sole placement mothers almost always provide a time allocation consistent with shared placement.

In terms of actual time allocation relative to the order, both shared and sole-placement mothers describe the child spending less time with fathers than the legal order specifies, but we find no evidence of either more frequent or larger average discrepancies for shared-placement compared to sole-placement arrangements, based on mothers' reports. We do find that the increasing time with mothers sometimes results in de facto sole placement for shared-placement mothers, whereas an analogous shift in placement type due to increasing time with mothers is not possible for mothers already starting in a sole-placement arrangement. The amount of contact between children and fathers, moreover, remains substantially higher with shared versus sole placement; and around one-quarter of sole-placement mothers report the child had no in-person contact with the father at all during the past year.

Mothers and fathers with shared placement generally agree on whether orders have changed, but the two groups provide strikingly different assessments of the degree to which de facto arrangements align with orders—and this persists even when we confirmed the pattern in the smaller sample of matched couples. These differences make it challenging to reach clear conclusions about adherence. In general, shared-placement fathers describe a considerably higher rate of adherence to orders, in form and in amount of time, than do shared-placement mothers, and smaller shift towards less adherence over time. The differences are somewhat less stark in how they characterize the nature of differences when they do occur, though fathers still describe more of the time deviations being in their favor than do mothers. Overall, the differences in mothers' and fathers' reports highlight the inherent limitations in relying solely on either

mothers' reports or fathers' reports to characterize post-divorce outcomes, as is common in much of the literature.

Finally, we find several intriguing differences in how stability plays out over time across various subgroups. One example is higher likelihood of order changes for younger vs older children at the time of divorce, particular those who start in sole placement. A second is lower adherence with orders for teenage children in shared placement arrangements as compared to younger children, both in an absolute sense and relative to adherence at the time of divorce. These differences may reflect increasing agency of older children with regards to their day-to-day living arrangements. A third difference involves lower real-life adherence to legal placement arrangements on the part of children from lower-income as compared to higher-income parents in shared-placement arrangements—both in an absolute sense and potentially relative to adherence at the time of divorce. Given the interplay between legal placement and guidelines-based child support, this raises concerns about the financial ramifications of shared placement in more economically vulnerable households. A related observation is the strikingly high rate of order revisions among higher-income parents with sole-mother placement. A final difference is in the long-term stability of court-issued orders: we find that court-issued shared placement orders have a high rate of change—in an absolute sense (28–36% change over the follow-up period), relative to mutually-agreed shared placement orders, and relative to court-ordered sole placement.

Overall, while our findings do not suggest differential maternal drift in the case of shared vs sole placement, we do document larger shifts in the de facto living arrangements of children than has been found in past work in Wisconsin. These are consistent with the substantially longer observation period in the current study. Over the long-term—7–11 years in this study—many

other family changes are likely to occur that impact day-to-day arrangements, including residential moves, repartnering of parents, new children, changes in work, etc. Furthermore, as children age, they likely have more agency in deciding where they want to spend their time, as well as more social or extracurricular activities that may facilitate more time at one or another household. These factors are all important areas for future research, and the current survey data can offer important insights.

These findings have a number of policy implications. Insofar as a growing body of work suggests that shared placement has a range of benefits for children, nothing in our findings suggests that lack of stability of these arrangements provides an offsetting argument. Indeed, we find no evidence that, in the aggregate, the legal orders are any less stable than mother-sole arrangements. Further, we find that 7–11 years after divorce, children in shared placement arrangements spend dramatically more time in the care of their fathers than do children with sole placement. While our analyses are not causal—they do not show that shared placement causes these differences—they certainly suggest that shared placement goes hand in hand with far greater father care.

While we don't find evidence of differential shifts away from father care in the case of shared vs sole placement, we do find that the shifts towards more time with fathers results in 14–24% of shared placement parents who have de facto sole placement arrangements (almost always mother-sole), based on their reports of actual time allocation, and depending whether we focus on fathers' or mothers' reports. Furthermore, even when there is not an evident shift across the shared-placement threshold, the details of real-life time-shares very frequently differ from the legal order. In the case of shared placement, child support guidelines not only use a different formula than sole placement, but explicitly factor in the specific nature of the time share; thus,

deviations from the legal order in either form or degree mean that guidelines-based child support orders may, over time, become out-of-date. This suggests that simple mechanisms to readjust orders as real-life practices change may be appropriate. Our findings with regard to differences in stability by income at divorce suggest that these opportunities may be particularly important for the most economically vulnerable families. The importance of ensuring that child support orders keep pace with changes in placement schedules is reinforced by the findings of a recent IRP report illustrating that child support transfers—in total and as a share of mothers' post-divorce incomes—are substantially lower for shared versus sole placement mothers (Bartfeld and Chanda 2020). These lower payments are a particular concern if they are reflective of outdated assumptions about placement patterns.

Finally, our findings regarding high rates of change in court-issued shared placement orders offers a caution about the long-term viability of shared-placement arrangements that are not mutually supported by parents. Insofar as these arrangements may require a high degree of coordination and collaboration, they may be more challenging to maintain when the decision to implement them is not mutual. We note, however, that these patterns, while statistically significant, arise from a very small sample of court-ordered cases; even statistically significant differences are best viewed as suggestive vs definitive. This is an area ripe for more in-depth study.

**REFERENCES**

- Bartfeld, J. & Chanda, T. (2020). Shared Placement and Post-Divorce Economic Well-Being. Report to the Wisconsin Department of Children and Families. Institute for Research on Poverty, University of Wisconsin–Madison.
- Baude, A., Pearson, J., & Drapeau, S. (2016). Child Adjustment in Joint Physical Custody Versus Sole Custody: A Meta-Analytic Review. *Journal of Divorce & Remarriage*, 57(5), 338–360.
- Berger, L. M., Brown, P., Joung, E. H., Melli, M. S., & Wimer, L. (2007). The Stability of Shared Child Physical Placements Following Divorce: Evidence from Wisconsin. Institute for Research on Poverty (Discussion Paper No. 1329-07), University of Wisconsin–Madison.
- Berger, L.M., Brown, P.R., Joung, E., Melli, M.S. & Wimer, L. (2008). The Stability of Child Physical Placements Following Divorce: Descriptive Evidence from Wisconsin. *Journal of Marriage and Family*, 70, 273–283. <https://doi.org/10.1111/j.1741-3737.2008.00480>.
- Cloutier, R., & Jacques, C. (1997). Evolution of Residential Custody Arrangements in Separated Families: A Longitudinal Study. *Journal of Divorce and Remarriage*, 28, 17–33.
- Luepnitz, D. A. (1982). *Child Custody: A Study of Families After Divorce*. Lexington, MA: Lexington Books.
- Maccoby, E. E., & Mnookin, R. H. (1992). *Dividing the Child: Social and Legal Dilemmas of Custody*. Cambridge, MA: Harvard University Press.
- Melli, M. S. & Brown, P.R. (2008). Exploring a New Family Form—The Shared Time Family. *International Journal of Law, Policy and the Family*, 22(2), 231–269.
- Meyer, D. R., Cancian, C. & Cook, S.T. (2017). The Growth in Shared Custody in the United States: Patterns and Implications. *Family Court Review* 55(4), 500–12.

- Meyer, D.R., Carlson, M.J. & Alam, M.M.U. (2019). Changes in Placement after Divorce and Implications for Child Support Policy. Report to the Wisconsin Department of Children and Families. Institute for Research on Poverty, University of Wisconsin–Madison.
- Nielsen, L. (2018). Joint Versus Sole Physical Custody: Children’s Outcomes Independent of Parent–Child Relationships, Income, and Conflict in 60 Studies. *Journal of Divorce & Remarriage*, 59(4), 247–281.
- Pearson, J., & Thoennes, N. (1990). Custody After Divorce: Demographic and Attitudinal Patterns. *American Journal of Orthopsychiatry*, 60, 233–249.
- Poortman, A.-R. and van Gaalen, R. (2017). Shared Residence After Separation: A Review and New Findings from the Netherlands. *Family Court Review*, 55, 531–544.  
<https://doi.org/10.1111/fcre.12302>
- Steinbach, A. (2019). Children’s and Parents’ Well-Being in Joint Physical Custody: A Literature Review. *Family Process*, 58(2), 353–369.
- Steinbach, A. Augustijn, L. & Corkadi, G. (2021). Joint Physical Custody and Adolescents’ Life Satisfaction in 37 North American and European Countries. *Family process*, 60(1), 145–158.
- Vogel, L.K. (2021). Task 11A: Wisconsin Parents Survey Final Field Report. Report to the Wisconsin Department of Children and Families. Institute for Research on Poverty, University of Wisconsin–Madison.