

How Older Children Cope With Joint Custody

(An excerpt from *The Unexpected Legacy of Divorce: a 25 Year Landmark Study* By Judith S. Wallerstein, Julia M. Lewis, & Sandra Blakeslee (2000). Hyperion Publishers.

What about the school aged child? Can all children handle living in two homes? Can everyone deal with two sets of friends and the need to engage in activities that don't conflict with their parents' schedules?" Obviously there are differences among children that affect their ability to deal with changes in daily life. The chief job of the school-aged child is to learn at school and to develop socially. For this reason, the child's personality and temperament need to be carefully considered in making custody plans. People are born with different levels of reactivity and arousal, a basic difference in neurological system "hard wiring" stays with us throughout our lives. Some children adjust easily to change and transition, indeed, some seek it out and thrive on it. Others have much harder time accepting change. It stresses their neurological system and it takes them longer to get used to it. Translating these basic differences into the school and social arenas of children, it follows that kids for whom transition is harder need more protection so that transitions don't interfere with learning and making friends. Some children can spend the weekend with one parent and be dropped off at school Monday morning without missing a beat. Other kids with more sensitive temperaments are not able to do any of this unless they've had a day or at least an evening to readjust. Without a transitional day for reentry they fall behind in school and play.

As we saw in Racer's story, school-aged kids can also become deeply involved in after-school activities such as sports, music or gymnastics, to name a few. Friendships as well as ability and talent are fostered through participation in these activities. As children try different activities and schedules change, conflicts with custody arrangements are inevitable. Invitations to friend's birthday parties, play dates, and outings with other families don't fall neatly into established time-sharing schedules. Usually, the farther away the parents live from each other, the harder it is to get the child to all of their activities and events. Racer seems to be a sturdy child who is very aware of that he is missing out on some practices and opportunities, but once he's there, he's able to try his hardest and enjoy the experience. Other, more delicately balanced kids worry themselves sick over the possibility of being late, missing a practice, disappointing a dance teacher or coach, or being the only one in their group to miss the slumber party. This, too, is detrimental to their development. I have found that their anger at feeling "pushed around" is often lasting.

As in intact families, parents attempting joint custody should pay close attention to how much stress their children are experiencing. There needs to be fairly constant checking in with the child, with each other, and with teachers. Parents should be prepared to readjust their own schedules as the progresses in critical areas of learning and social development. Mediated agreement or court orders should make provisions at the outset for changes based on the predictable changes in the child.

Parents in intact families monitor their children carefully for a match between their schedule and the child's response. Surely the child of divorce needs the same loving care. She needs it even more. There is no way to generalize about the custody of teenagers. They mature at different rates and they follow idiosyncratic pathways. One principle is clear. In intact families teenagers have increased voices in planning their schedules.

The same privileges should be available for youngsters in divorced families. It is absolutely clear that parents will need in most instances to confer even more frequently and help each other during these years if only to keep the youngster from playing them off each other or from going from home to home in order to avoid responsibilities in either place.

I can only conclude that joint custody, as a legal presumption for all children is a misguided policy. Although our legal system is mandated to protect the best interest of children, it often makes life harder for them. The emphasis on finding policies that suit all children is unrealistic and detrimental to the individuality of children and their family situations. We need to develop procedures that allow children to discuss their needs and wishes before visiting arrangements are made- and we need to make provisions for monitoring these arrangements through time. Each arrangement should be tailored to individual circumstances.