

| | <u>EQUAL PARENTING</u> (proposed) | <u>PRIMARY RESIDENCE</u> (current) |
|---|---|---|
| <u>PARENTAL CONFLICT</u> | <ul style="list-style-type: none"> + Analysis of 50 North American studies conclude that equal parenting was associated with less parental conflict and less relitigation (Bauserman 2012) + With equal parenting neither parents relationship with their child or their parental identity is threatened (Kelly 2007, Kruk1993b) + Equal parenting counters the harmful effects of parental conflict (Fabricius, Diaz and Braver 2012, Pruett et al 2003) | <ul style="list-style-type: none"> - Parental conflict increases with primary residence arrangements (Bauserman 2012 and 2002, Melli and Brown 2008) - Rank ordering of parents fuels discord (Warshak 2007) - Unequal parenting arrangements are perceived as unfair and ths more likely to break down than equal parenting arrangements (Warshak 2007; Melli and Brown 2008; Brinig 2001) |
| <u>PARENT-CHILD BONDS</u> | <ul style="list-style-type: none"> + There is a direct relationship between quantity of time and quality of parent-child relationships (Amato and Dorius 2012; Lamb and Kelly 2009; Kruk 2010a; Fabricius et al 2010, Fabricius et al 2011) + Attachment bonds are formed through participation in daily routines (Lamb and Kelly 2009; Fabricius et al 2010) + Shared and equal parenting arrangements are stable over time (Berger et al 2008; Cashmore and Parkinson 2010; Brinig 2001) | <ul style="list-style-type: none"> - Primary residence arrangements highly correlated with parental alienation and parental disengagement (Kruk 2010a, Kruk 2010b, Amato, Meyers and Emery 2009) - Children of primary residence arrangements spend 30% more time in substitute care (Melli and Brown 2008, Lamb and Kelly 2009) - Closeness, warmth and mutual understanding are elusive within constraints of the traditional primary residence model (Smyth 2009) |
| <u>Lack of financial resources</u> | <ul style="list-style-type: none"> + In Australia, after equal parenting was implemented, 72% of parents now settle divorces without legal services (Kaspiew et al 2010; Kaspiew et al 2009) | <ul style="list-style-type: none"> - Scarcity of resources due to ongoing litigation accounts for much of the negative impact of divorce (Semple 2010) |

Equal parenting responsibility is empirically supported.

- + Meta-studies comparing equal parenting and non-equal parenting arrangements found significantly better outcomes for children in equal parenting homes on all measures of general and divorce-specific adjustment (Bauserman 2002/2012)
- + Meta-study endorsed by 110 researchers reflect the widespread acceptance of the consensus report’s findings that favor shared parenting and overnighting for young children under normal circumstances. (Warshak 2016)
- + Studies comparing court ordered equal parenting (against objections of parents) and self-selected equal parenting found both fared equally well, confirming the findings of earlier studies that equal parenting works equally well for conflictual families (Benjamin and Irving 1989; Brotskey, Steinman and Zimmelman 1988)
- + Mounting evidence reflects consensus on the issue that equal parenting is optimal for the majority of children of divorce whose parents are in dispute (Fabricius et al 2010; Bauserman 2012; Nielson 2013)

The current custody module is not empirically supported.

- The legislatures continue to enact or maintain laws and family judges issue residential orders that directly contradict empirical research data and the teachings of child psychologist and sociologist specializing in child welfare. (Kelly 1991)

Discrimination

- Children with married parents have the protection of the “strict scrutiny” due process measure, which must be observed before their parents can be taken away. Whereas children of non-married parents have a less strenuous standard, the “best-interest-of-the-child” discretionary standard.
- Custody is not awarded, when primary custody is ordered. Rather, it is taken away, from the non-custodial parent, as custody is equally shared before divorce.