

PARENTAL SEPARATION AND OVERNIGHT CARE OF YOUNG CHILDREN, PART I: CONSENSUS THROUGH THEORETICAL AND EMPIRICAL INTEGRATION

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The AFCC Think Tank on Research, Policy, Practice, and Shared Parenting was convened in response to an identified need for a progression of thinking in the family law field, removed from the current polarizing debates surrounding the postseparation care of infants and very young children. We share this goal as our research and commentaries have been centrally implicated in the current controversies. Our collaboration over this empirical paper and its clinical counterpart endorses the need for higher-order thinking, away from dichotomous arguments, to more inclusive solutions grounded in an integrated psycho-developmental perspective. We first critically appraise the theoretical and empirical origins of current controversies relevant to attachment and parental involvement research. We then describe how attachment and parental involvement contribute complementary perspectives that, taken together, provide a sound basis from which to understand the needs of very young children in separated families. As a companion piece, Part II offers a collective view of a way forward for decision making about overnights for infants and young children, toward the integration of theoretical and empirical with clinical wisdom.

Key Points for the Family Court Community:

- An integrative perspective suggests that the goals of attachment and early parental (typically paternal) involvement with very young children after separation are mutually attainable and mutually reinforcing rather than exclusive choices.
- An optimal goal for the family is a “triadic secure base” developed through a co-parenting environment that supports the child’s secure attachment with each parent and the recognition by each parent of the other’s importance to the child.
- Cautions against overnight care during the first three years are not supported. The limited available research substantiates some caution about higher frequency overnight schedules with young children, particularly when the child’s relationship with a second parent has not been established and/or parents are in frequent conflict to which the child is exposed.

Keywords: *Attachment; Children; Divorce; Infants; Overnights; Parent Involvement; Parenting Plans; and Separation.*

Various narrative strands combine within the family law arena to form this decade’s debates about overnight care for young children of separated parents. These deliberations occur against a backdrop of increasing legislative support for shared-time parenting following separation. Presumptions are being proposed in various states, provinces, and countries for both legal (decision making) and physical (parenting time) care of children, yet the merits of such presumptions remain unclear, especially for families with very young children. While developmental vulnerability unique to this stage of life is duly acknowledged by most who offer a view on the topic, the associated solutions offered when parents separate or live apart vary, sometimes quite markedly. Common to all arguments is an attempt to protect the infant and young child by ensuring that essential components of early development are not jeopardized by the postseparation parenting arrangement.

Proposals for the arrangements that could best provide this protection vary along differing theoretical and research lines. Two foci often posed in family law as “either-or” propositions are attachment theory, with its focus on continuity of caregiving for the young child and an historic emphasis on the role of mothers in this, and joint parental involvement, with its focus on the ongoing mutual parenting roles of both parents following separation, with particular emphasis on father involvement. Reliance on *either* attachment theory or joint parental involvement research, as if these two strands of development are not overlapping and inextricably related, has in our view, fostered polarizations in legal and academic thinking and practice, impeding thoughtful integration of the existing reliable knowledge bases.

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The need to achieve a coherent view is pressing, with the certain knowledge that every family law decision carries significant and potentially enduring consequences for young children and their parents. In this paper we begin by examining the sources of dichotomous perspectives at the heart of the current debate. While acknowledging that differences in professional opinion will remain, we concur that perspectives on parenting plans and judicial orders in separated families that focus simultaneously on the developing child and his/her significant relationships are not only theoretically possible but empirically supported. After examining the scant existing research in terms of what it does and does not tell us about overnight care, we identify points of consensus we share. We conclude with a summary that lays the foundation for our companion paper (Part II, this issue). Part II provides a set of assumptions about the individual and family conditions under which overnights are most likely to support the developmental needs of the very young child, and a chart of considerations for weighing these in the individual case.

EARLY CHILDHOOD DEFINITIONS

Terminology in itself can cause problems, such as, when parties think they are describing the same events or experiences but in fact are not. The definitions pertaining to early childhood are no exception. Although researchers in the early child mental health field (National Research Council and Institute of Medicine, 2000; Zeanah & Zeanah, 2009) recognize the formative years as spanning pre-birth through to the fifth year, a “0–3 years” definition is commonly used to connote the years of greatest vulnerability (*see* www.Zerothree.org) in family law and mental health literature. Included in this definition is infancy, commonly referred to as the pre-verbal stage, which ends around the first year with the emergence of talking and locomotion. In line with the available research specific to separated parents and overnight care, we refer to early childhood as the period from birth to and including the year of being three (0–48 months). Given the significant and normative diversity of psycho-emotional and cognitive accomplishment among three year olds, ambiguity surrounds this age cutoff for overnights. At issue is whether the age of three is substantively different enough from 1–2 years old, regarding psychosocial and emotional development, to be included in the definition of “young child” and all it represents when making decisions about overnights, or whether it constitutes a significantly less vulnerable age. In this paper we adopt the view that the year between 3 and 4 belongs in this 0 to 3 period, while recognizing normative and significant variation in the age at which children manifest a range of vulnerabilities and consolidate new skills. We include the year of being three in our “young child” distinction as it affords the protective function some children of this age need.

Within the vast spectrum of developmental achievement from infancy through preschool, three broad eras within these years are generally evident and differentiated in our formulation: the first eighteen months of life, the second eighteen months of life (18–36 months), and the year of being three. As each era presents different challenges and possibilities for parents living apart, we occasionally make these distinctions within this paper, and when combining the eras, use the collective term “early childhood”.

Synonymous with healthy social and emotional development, “infant mental health” refers to the young child’s capacity to experience, begin to regulate and express emotions, form close and trusting relationships, explore the environment and learn (Greenough, Emde, Gunnar, Massinga, & Shonkoff, 2001; Zeanah, 2009). Given the sheer dependence of infants and young children on their caregivers, mental health in early childhood is best understood in a relational frame. There is general agreement about factors important in explaining both health and dysfunction in early psychosocial and emotional development. Chief among these stressors that affect development are poverty, neglect and abuse, heritable predispositions—including cognitive capacity and temperament, and the interactions of each of these with the early caregiving environment. Multiple factors determine the overall caregiving environment, chiefly parent mental health and associated parenting capacity (Clarke-Stewart, Vandell, McCartney, et al., 2000; Cummings, Keller, & Davies, 2005; Kaufman, Plotsky, Nemeroff & Charney, 2000; Keitner & Miller, 1990; Meadows, McLanahan, & Brooks-Gunn, 2007), parental reflective

functioning (Slade, 2005), caregiving sensitivity and response (Brown, Mangelsdorf, & Neff, 2012; George & Solomon, 2008), and the quality of the co-parental relationship in collaborative caregiving (Cowan & Cowan, 2010; Pruett & Pruett, 2009). The implicating factors for childhood outcomes most substantively in the purview of family law are parenting and co-parenting capacities. During the powerful transitions in the family initiated by separation it is the nurturing and teaching that parents and supportive co-parenting provide that safeguard healthy trajectories of psychosocial, emotional, and cognitive well-being throughout the first years of life.

Whether examining child development from the perspective of attachment (Zeanah, Boris, & Lieberman, 2000), neurobiology (Schore, 2012; Siegel, 1999), or broader psycho-emotional, social and family systems perspectives (Harris, 1995; Karney & Bradbury, 1995; Minuchin, 1988), there is wide consensus that the infant's success in meeting the emotional and behavioral goals of early childhood is profoundly influenced by the relationship foundations laid in infancy and sustained thereafter.

THEORETICAL FRAMEWORKS FOR UNDERSTANDING EARLY CHILDHOOD OVERNIGHTS DEBATE: ORIGINS OF THE CONTROVERSY

Of the many early childhood and family theoretical perspectives brought to bear on the dilemma of overnights, two main bodies of knowledge have been emphasized in family law deliberations over the past 25 years: attachment and parental involvement. Controversies about overnights for young children stem, in part, from adherence to either one or the other of these theoretical positions. The attachment and parental involvement arguments over the past decade are well documented (Kelly and Lamb, 2000; Lamb & Kelly, 2001, 2009; Solomon and Biringen, 2001; Pruett, 2005; McIntosh, 2011; Warshak, 2005), and we will not repeat them here. We do describe the core tenants of each position to identify the principles from which we are working.

ATTACHMENT THEORY AND ITS INTERFACE WITH THE OVERNIGHTS DEBATE

Attachment refers to a specific facet of the infant/parent relationship. Attachment is a biologically based behavioral system in all infants of all cultures that has the set goal of ensuring protection from disorganizing anxiety through proximity to attuned and responsive caregivers, who soothe in the face of distress and support exploration in the world. Attachment relationships are understood to support the infant's growing ability to express and regulate emotions (see Siegel & McIntosh, 2011 for overview), as well as to explore and learn with confidence (Gunnar, 2000; Sroufe, Egeland, Carlson & Collins, 2005). Studies in multiple contexts have demonstrated the developmental reach of attachment trauma (Sagi-Schwartz & Aviezer, 2005; Zeanah, Danis, Hirshberg et al., 1999), as well as the power of healthy attachments to buffer trauma (Sroufe et al., 2005).

Early attachment researchers in the Bowlby/Ainsworth tradition studied a culturally and socio-economically diverse range of families (Carlson, Sroufe, & Egeland, 2004). However, these studies lacked gender diversity, with investigations predominantly focused on the development of infant-mother attachments, their antecedents and longer-term consequences. From this research emerged the concept of attachment primacy, referring to an infant's preference in the first two or so years of life for seeking comfort from one figure over others, this figure usually being the mother, and the stress that separation from this figure posed. Application of this research to family law provided a basis for decision-making, in which lengthy and frequent separations from primary caregivers were accepted as a risk factor for infant security. For several decades in many Western countries, overnights with fathers during infancy were widely discouraged. Bowlby and Ainsworth wrote about the importance of both parents, and over the past 30 years, empirical attention has slowly but increasingly been given to attachment interaction between father and infant, and the complementary roles of mother and father in fostering developmental security. Unfortunately, to date little attention has been paid to attachment dynamics with same sex parents.

Research on infant-father and other significant attachments confirm Ainsworth's early observation (1977) that infants are equipped to form concurrent attachments to emotionally available caregivers by approximately 7–8 months (Easterbrooks & Goldberg, 1987; Lamb, 1977 a, b). There is agreement across multiple studies that infants prefer proximity to one parent or the other at different ages and for different needs and experiences, particularly in their first 18 months (Fox, Kimmerly, & Schafer, 1991 van IJzendoorn & De Wolff, 1997). Attachment status to mother and father are generally independent, with each relationship influenced by the contingent response of each parent. While security with one parent does not reliably predict security with the other, attachments to co-habiting parents are mutually influenced (Main et al., 2011; Kochanska & Kim, 2013; Sroufe, 1985; van IJzendoorn & De Wolff, 1997).

Meta-analytic studies of infant attachments to both parents in non-clinical samples found a similar proportion of infants (67%) classified with secure attachments to father or to mother (van IJzendoorn & De Wolff, 1997). In a demographically varied sample of 101 families, Kochanska and Kim (2013) reported that 45% of infants had secure attachments concurrently to both their mothers and fathers, while 17% were insecurely attached to both. Insecure attachments to both parents pose a greater risk: “double-insecure” children at 15 months had greater behavioral difficulties at six years (teacher report) and eight years (self report) than those secure with at least one parent.

As first articulated by Bowlby, normative differences between mother and father caregiving behaviors have long been noted across cultures. Mothers' sensitive response to infants' stress states and fathers' sensitive and stimulating play and teaching behaviors are particularly salient (Ainsworth, 1967; Brown et al., 2012; Grossmann et al., 2002; van IJzendoorn & DeWolff, 1997). Each pattern of interaction can foster secure attachment. Theory posits and research provides evidence that a mother's sensitive response to stress enables the child to experience that the world is predictable, safe, and that the child can learn to manage his/her distress through the relationship. Similarly, a father's sensitive challenging facilitates the child's learning to monitor and control his/her excitement, promoting the goal of self-regulation.

Normative differences between trends in mothering and fathering are often exaggerated, with exciting play and teaching attributed as the exclusive domain of fathers and sensitive response as the main province of mothers. In contemporary family life and particularly when fathers are involved in direct child care, mothers and fathers respond far more similarly than differently in the ways they soothe, play and teach, and mother and father attachments reinforce each other's influence on the child's development (Grossmann, Grossmann, Kindler, & Zimmermann, 2008; Parke & Asher, 1983). The triadic nature of attachments is only beginning to be understood. The literature on same sex parents' attachment interactions with their young child is yet to be established, but there are no theoretical grounds to suggest that empirical evidence for the independence of an infant's attachment to each parent will not also be demonstrated in these relationships. The idea that babies have gender biases in attachment formation is not well supported. The more accurate assertion is that babies respond best to sensitive and predictable caregiving that facilitates internalized patterns of care; that is, babies learn to respond across situations as if they can expect such quality of care (Bazhenova, Stroganova, Doussard-Roosevelt et al., 2007; Carlson, Cicchetti, Barnett & Braunwald, 1989; Grossman, Johnson, Farroni, Csibra, 2007; Minagawa-Kawai, Matsuoka, Dan et al., 2009; Trevarthen, 2001).

THE JOINT PARENTAL INVOLVEMENT LITERATURE AND ITS INTERFACE WITH THE OVERNIGHTS DEBATES

There is little argument that, given the opportunity, forming two secure attachment relationships in early infancy is multiply beneficial, as is preserving them beyond infancy. Policy debates during the era of the “tender years” presumptions focused on preventing disruption in the primary attachment relationship, with solutions often giving preference to safeguarding the mother–child over father–child attachment. A new wave of commentary and research has emerged in the past two decades, focusing on joint parental involvement, and bringing equal weight to examining the critical

developmental role of fathers in early childhood (Cowan & Cowan, 1992; McHale, 2007; K. Pruett, 2000).

The concept of parental involvement is a broader one than attachment, encompassing behavioral and learning systems that support relational as well as cognitive, educative, socio-economic, moral, cultural, and spiritual developmental goals. Parental involvement literature focuses on the developmental advantages accrued to children when both parents are physically and emotionally accessible, participate in direct care taking tasks and decision making, and provide financial support (Collins, Maccoby, Steinberg, Hetherington, & Bornstein, 2000; Luster & Okagaki, 2006; Pleck, 2010).

A research focus on fathers has emerged, particularly in the separation and divorce literature, as a natural outgrowth of the knowledge imbalance about the role each parent plays in child development. Whereas a wealth of theory and research had already confirmed the salient influence of early mother-infant relationships on long-term outcomes, less was known with respect to father-infant relationships. A second major impetus for father-focused research came from several decades of custodial determinations and parenting plans that minimized the non-resident father's role and the time allotted to him to spend with his children (typically every other weekend or 14% of time). In response to the realization that a growing number of children were growing up with minimal, if any, involvement of their fathers, a concern developed across academia, policy and government about what effect "fatherless America" (Blankenhorn, 1996) was having on children's developmental trajectories in the U.S., with similar concerns expressed in other Western nations and more recently, in countries worldwide.

Studies on father involvement repeatedly showed that school aged children whose fathers were minimally present or absent from their lives had difficulties across behavioral, cognitive and academic achievement, social, moral, and emotional domains (Furstenberg, Morgan, & Allison, 1987; McLanahan, 1999; Wallerstein & Kelly, 1980). In contrast, significant benefits for children across domains are associated with higher levels of positive paternal involvement (for reviews, see Kelly, 2012, King, 2002, Cowan, Cowan, Cohen, Pruett & Pruett, 2008; Sandler et al., 2012). Like mothers, fathers' warmth, structure, and discipline benefit children. Studies find that fathers also make unique contributions to sibling, peer, behavioral and achievement outcomes, with many of the benefits manifested through middle childhood and into adolescence and adulthood (Flouri & Buchanan, 2004; Steele, Steele & Fonagy, 1996; Verissimo et al., 2011; Verschueren & Marcoen, 1999). Still, the ideal bases for development of positive father-child relationships and benefits, like mother-child, are initiated in the earliest years of life (Boyce et al., 2006; Brown et al., 2012; Feinberg & Kan, 2008). The attachment literature added support to the father involvement literature on this very point. Researchers from both theoretical leanings established through their studies what children have always demonstrated clinically: the early years matter *and* young children desire and benefit from warm and positive involvement with both of the people who gave birth to and/or are invested in their well-being.

An important contribution of the father involvement research was the identification of demographic, personal, interpersonal, and institutional barriers that impede many separated fathers' ability to remain meaningfully involved with their children (Cowan, Cowan, Pruett, & Pruett, 2007; Kelly, 2007). Demographic variables associated with diminished father involvement include being unmarried at childbirth, unemployment, lower income, less education, and the younger age of the child (Amato & Dorius, 2010; Amato, Meyers, & Emery, 2009; Insabella, Williams, & Pruett, 2003). Fathers' personal barriers include prior marginal involvement with their children, inability to be consistent and in compliance with parenting plan schedules, mental illness, substance abuse, violence, anger and depression (Hetherington & Kelly, 2002; Johnston, 2006; Johnston et al., 2008; Kelly, 2007). Interpersonal barriers include highly conflicted co-parental relationships (Maccoby & Mnookin, 1992), and maternal gatekeeping when it unjustifiably discourages or limits contacts (Austin, Fieldstone, & Pruett, 2013; Pruett et al., 2012; Trinder, 2008). Cultural and institutional policies and practices often reflect a disproportionate lack of support for an active paternal parenting role after separation (Alio, Bond, Padilla, Heidelbaugh, Lu & Parker, 2011; Coakley, 2013; Cowan et al., 2008; Parkinson, 2010).

PARENTING TIME DISTRIBUTION AFTER SEPARATION: AT THE HEART OF THE DEBATE

The question of overnights for young children of separated parents is embedded in several questions concerning “what amount of time” with each parent optimizes adjustment to separation and ongoing general development. How much time is needed to ensure that separated parents each continue to invest in the early relationship with their young child and are able to consolidate a foundation for lifetime involvement? How much time with one parent is needed for a baby to become or to remain behaviorally secure in that attachment? How much time away from a parent, at what point in early childhood, and in what circumstances, is stressful and disruptive to that attachment and to related developmental goals? How should the amount of time spent with each parent be considered in the context of attachment with one or both parents who have seriously compromised mental health?

These questions must be asked for each infant–parent relationship. Yet they are often laced with an implicit assumption that one parent’s gain is the other parent’s loss, and that the baby either wins or loses, as well. An integrated perspective suggests that the goals of both attachment and parental involvement are mutually attainable, though achieving both goals becomes more complicated when parents separate. As with parents in dispute, the best interests of the child are likely to be met by the best care that each parent provides. We focus the remainder of the paper on a fundamental reconceptualization of the current debate, wherein attachment and parental involvement become nested concepts, and the place where they meet becomes the locus for crafting parenting arrangements for very young children.

REFRAMING THE QUESTIONS AND ISSUES TOWARD AN INTEGRATED SOLUTION

We start from a developmental perspective, and ask: “What is the developmental goal of a parent spending time with a baby?” For many attachment researchers, the answer is equipping the baby with “at least one caregiving relationship” that is constant and responsive enough for the baby to develop an organized strategy for finding protection, relief from anxiety, and delight in shared interaction (Main, Hesse, & Hesse, 2011). Organized strategies refer to secure and insecure ambivalent or insecure avoidant patterns. All three patterns represent adaptations made by the baby to the caregiver. Disorganized attachment refers to the young child who shows little consistency in behavior toward attachment figures at times when most would seek reassurance. Instead, the child appears fearful of the parent and unsure about what to expect in terms of the care that will be provided. Separation and divorce, like other major transitions, are associated with an increase in children’s insecure behaviors. Separating parents may be preoccupied and stressed, responding to the child with less attentiveness, more anger, and less patience; moreover, the structure of the family unit has abruptly changed (Hamilton, 2000; Hetherington, Cox & Cox, 1985; Waters, Merrick, Treboux et al., 2000). It is expected that behaviors associated with a more aroused attachment system will be evident, though a constant arousal puts the baby at risk for disorganized attachment becoming stable. High levels of parent conflict and violence during marriage and after separation are similarly related to increased evidence of insecure behaviors and may challenge the consolidation of healthy attachment relationships that were forming (Cummings & Davies, 2010; Solomon & George, 1999).

Both attachment and parent involvement perspectives express concern about the impact of lengthy or extended separations on infant–parent attachments and stress levels. One problem has been the lack of concrete definitions for these terms. In separation/divorce research, father–child time has been most commonly measured by the frequency of contacts in a defined period of time. This imprecise measure fails to indicate the amount of actual time children and nonresident parents spend together or the pattern of that time. Recently, researchers have used the quantity of time spent between children and nonresident parents in a given period because it better indicates opportunities for parenting (Fabricius, Sokol, Diaz, & Braver, 2012), but this does not address the issue of time intervals between contacts (i.e., the length of the separation from either parent) or the frequency of transitions made by the child.

From the attachment perspective, “frequent” separation refers to repeated absences occurring regularly, and concern focuses on the impact of frequent change on the baby’s security with main

caregivers. From the paternal attachment perspective, “frequent” contact was intended to avoid lengthy separations of the infant from the father which had previously characterized parenting plans for very young children. Here, the outcome of concern was nurturing or sustaining the infant-father attachment without stressing the infant. “Lengthy” separations address the number of continuous hours within a unit of contact, but there is no agreement as to whether “lengthy” means eight hours, 24 hours or three days. “Extended” separation refers to the continuing absence of a caregiver over many days or weeks, but this too is not well defined, and there is no consensus about what is “too long”, or how this might differ by age and temperament.

Attachment theory is clear that a core determinant of stress in separation from an attachment figure is the presence or absence of another effective attachment figure. Profound distress arises when such a relationship is not available, leaving the infant’s attachment state “switched on”. When another effective attachment figure is available, the baby’s anxieties can be assuaged and stress reduced. This attachment perspective on the years 0–3 provides this guidance: at least one organized attachment is essential for the young child, especially in the face of stress and adversity (Sroufe et al., 2005). When two positive relationships with parents have been established prior to separation, the facilitation of two organized attachments after separation will normally enhance developmental outcomes, and thus represent the young child’s interests (van IJzendoorn et al., 1997). In this scenario, parenting time needs to allow for regular responsive interaction with infants.

Taking a longer view, we ask: how do we create a healthy start for life-long relationships that begin from a fragile basis, without jeopardizing early attachment organization? There is irony in the attempt to compartmentalize these developmental issues into “either-or” options. Whatever their theoretical persuasion, developmental experts regard the nucleus of early development as occurring in the context of caregiving relationships that exist within concentric family and community rings of influence (Bronfenbrenner, 1986; Sagi & Van IJzendoorn, 1996; Tavecchio & van IJzendoorn, 1987). Just as each parent crafts his/her child’s attachment security (Sroufe, 1985; van IJzendoorn & DeWolff, 1997), similarly, each parent contributes to the development of wider behavioral systems and psychosocial attainment. Just as neither parenting function covers the gamut of childhood developmental needs, “either-or” thinking about children’s needs after separation is incomplete.

CURRENT RESEARCH FINDINGS: UNDERSTANDING THE DATA BEFORE MOVING TO A CONSENSUS PERSPECTIVE

In integrating disparate perspectives, we suggest that a consensus perspective of the available research on young children and parenting plans is also possible. Toward this end, we summarize the small pool of studies reporting data on the demography of pre-school overnight care arrangements, parent–child time data, and the developmental correlates of various parenting arrangements.

DEMOGRAPHY OF OVERNIGHT CARE ARRANGEMENTS

While representative studies show that rates of overnight parenting time across the world have climbed in school age and adolescent populations (Bjarnason et al., 2010; Carlsund, Eriksson, Lofstedt, & Sellstrom, 2012), relatively few families undertake high levels of overnights in early childhood. Current general population statistics in the United States and Australia indicate that in separated families, between 93–97% of children aged 0–3 years spend less than 35% of their nights with the non-resident parent (Kaspiew et al., 2009; McIntosh, Smyth, Kelaher, 2010; Tornello, Emery, Rowen, Potter, Ocker, & Xu, 2013). These data appear to reflect normative sociological differences in parenting roles during infancy. While active parenting by fathers is increasing in intact families, across many western countries (Casper & Bianchi, 2001; Pleck & Masciadrelli, 2004) the majority of hands-on caregiving during infancy is still undertaken by mothers (Baxter, Gray & Hayes, 2010). Furthermore, a significant amount of leisure time is spent by parents together with their young child.

Divorce and separation not only changes individual parenting time, but also clearly subtracts normative “together time” from the young child’s caregiving equation.

Parents who share higher frequency overnight schedules tend to be socioeconomically advantaged relative to lower frequency or no contact groups (Smyth, Qu & Weston, 2004; McIntosh, Smyth & Kelaher, 2013). Differentiating factors include significantly higher incomes, educational attainment, marital status, prior co-habitation in a committed pre-separation relationship, and maintenance of a cooperative relationship postseparation. The clustering of these characteristics in family court populations, especially among parents who have never been married, is less frequent, suggesting that parental choices about overnights, and hence disputes, may play out differently across family structures.

DEVELOPMENTAL OUTCOMES IN EARLY CHILDHOOD ASSOCIATED WITH PARENTING TIME

Studies examining correlates of postseparation parenting plans for very young children are scant. Any new field of science begins with single studies that form an incomplete picture. Commonalities can be identified across studies as the research pool grows. Research in this area is still a long way off from forming a critical mass. Four of the five existing studies are recently and thoroughly reviewed elsewhere (Kuenhle & Drozd, 2012), and our attention to them here is in the service of integration. A brief review of the five studies is provided below (see McIntosh & Smyth, 2012; Pruett, Cowan, Cowan, & Diamond, 2012, for more extensive details on sampling, methodology, analytic strategy, and limitations). A summary of relevant sample similarities and differences is presented in Table 1.

Solomon and George (1999) conducted the first study in this area with a voluntary sample of 126 separated mothers and explored the course of attachment organization to the mother from ages one to three years. Most of the parents had not shared a live-in relationship prior to or after the child’s birth. At follow-up, using a modified Strange Situation (Ainsworth, 1978) as the methodology of study, they found evidence of significantly more anxious, unsettled, and angry behavior in toddlers who as infants had weekly or more overnights with non-resident fathers (compared to a mixed group of non-overnighters and children in intact families—a confound in the study). High parental conflict, anxiety, and parents’ inability or unwillingness to communicate with each other about their baby influenced the children’s outcomes. Notably, 41% of children moved to an overnight plan in the intervening year before the follow-up. Some had not seen their fathers regularly in the intervening year, and a few had no prior contact.

Pruett et al. (2004) studied a working and middle class sample of 132 parents with children 0–6 years who averaged 4.9 years old a year and a half after the parents entered the study and when the overnights data were collected. The family court-involved parents agreed to be part of a randomized study that included a cooperative co-parenting intervention and a control condition; data were collected from both parents. Most (75%) of the children had one or more overnights per week. Parenting plans were reported in terms of overnights (yes/no), number of caregivers and consistent schedules week-to-week. Reports of children’s cognitive, social and emotional difficulties according to each parent were studied. Similar to the Solomon & George and McIntosh et al. studies, parental conflict and parent–child relationships were more highly related to children’s difficulties than were the parenting plan variables. Consistency of schedule and number of caregivers were more important than overnights in and of themselves. Girls were beneficiaries of overnights and multiple caregivers, but boys were not. Two characteristics of the data to note are: 1) These children were not infants, the majority were preschoolers. 2) Parents reported moderate or lower levels of conflict and high conflict parents were excluded or opted out of participation.

McIntosh et al. (2010, 2013) used a sample of parents living apart, drawn from a large randomized general population database¹. Emotional regulation was examined for children in three age groups—infants under two years, 2–3 years, and 4–5 years. Different thresholds of overnight care were defined for infants under two years, and for 4–5 year olds, ranging from no overnights but regular day contact,

Table 1
Comparison of Samples in Overnights Studies

	<i>Solomon & George</i>	<i>Pruett et al.</i>	<i>McIntosh et al.</i>	<i>Altenhofen et al.</i>	<i>Tornello et al.</i>
Parents' prior relationship status	Married/Living together/Non-cohabitating Mothers	Married/Living together Mothers and Fathers	Married/Living together/Non-cohabitating 0-2 years: Mothers; 2-5 years: 75% Mothers	Married Mothers	Predominantly Non-cohabiting Mothers
Primary Reporter	Mothers	Mothers and Fathers	Mothers	Mothers	Mothers
Measures	Attachment observations at age 1 and 3 years	Child behavior surveys	Emotional regulation by parent and teacher report	Observed ratings of mother-child interaction	Attachment and childhood adjustment at 1,3 and 5 years
Child Age	1 year, then 3 years	2-7 years at time of study	3 groups at time of study: 0-24 mos., 2-3 yrs, 4-5 yrs	1-7 years At time of study	1, 3 and 5 years
Socioeconomic Status	Mixed	Mixed	Mixed	Middle	Low

to some overnights, and most frequent overnights (one per week or more for babies under two years, and 35–50% for 3–5 year olds). Emotional regulation outcomes were studied after accounting for parenting style, co-parenting relationship qualities, and socio-economic status, variables known to influence developmental outcomes.

Parents with higher levels of angry disagreement and parenting and lower education had children with poorer health, emotional functioning, and lower persistence. No differences were found in global health or other scores related to physical or other aspects of development in any of the three age groups.

While some variables studied showed no group effects, infants in the “most frequent” overnight group (1+ nights per week) were reported to be more irritable than the “less than weekly” overnight group, and kept watch of their parent significantly more often than the “daytime only” group. Children aged 2–3 years in the “most overnights” group (35% or more overnights between their parents) showed significantly lower persistence in play and learning than those in either of the lower contact groups, and more problematic behaviors. Overnights did not predict significant group differences in the 4–5 year old group on any outcomes. Limitations of this study include small sample sizes for the infant group and relatively small effects. Given that the analyses were conducted at one point in time, neither cause and effect between overnights and outcomes nor the clinical significance of such findings over time can be concluded.

Altenhofen, Sutherland & Biringen (2010) conducted a small study of child attachment in a sample of 24 divorcing mothers and children, ages 12 to 73 months, the majority of whom were 2–4 years old. Parents were white, educated, and infants averaged eight overnights per month with fathers. Waters’ Attachment Q-Set (AQS) (Vaughn & Waters, 1990; Waters & Deane, 1985) and the Infancy/Early Childhood version of the Emotional Availability (EA) Scales (Biringen, Robinson, & Emde, 2000) provided the main assessment tools. In this sample, 54% of children showed an insecure attachment with the mother. Mothers’ emotional availability was related to a less conflictual co-parenting relationship, and the children involving their mothers in play contributed to attachment outcomes. Neither age at which overnights started nor other relevant variables in the study explained differences in children’s attachment security. Similar to Pruet et al., this study showed the most salient contributors to child difficulty or adjustment to be the quality of parenting and the co-parenting relationship. Limitations of the study include the small sample and lack of a control group or data from fathers.

Tornello, Emery, Rowen, Potter, Ocker & Xu (2013) utilized data from the Fragile Families and Child Well-being Study. These data are representative of the population of 20 major inner US cities, consisting of predominantly black, unmarried, low income mothers who typically had not lived together with the father at birth or follow-up. The study analyzed attachment and childhood adjustment data provided by mothers from a separated families sample of 1,023 one-year-olds and 1,547 three-year-olds who had contact with both parents. Consistent with Solomon and George (1999) and McIntosh et al. (2010), one year olds with more frequent overnights (1 or more per week) were more likely to show attachment insecurity or emotional dysregulation when those infants were three-years-old. Consistent with (Kline) Pruet et al., three-year-olds with more frequent overnights (at 35%+) did not show adjustment problems at either ages three or five years. One of 28 analyses showed that three year olds with more frequent overnights had more positive behavior at age five than those who had rare overnights or day only contact. As with the other studies, overnights were not related to a number of child outcomes when the child was age three. The socio-economically disadvantaged sample of inner-city parents, most of whom had never lived together, is applicable to families with similar characteristics seen in the family court, but is not generalizable to the whole spectrum of families seen in separating families with or without parenting disputes.

On many levels, the studies are difficult to summarize, and defy grouping. Each used different samples and different data sources, asked different questions about how outcomes are related to overnight time schedules for infants, and explored different schedules and amounts of overnight time. None of the studies can be said to provide a comprehensive coverage of the relevant developmental issues. The usual research caveats are applicable: data collected at one time point precludes interpretations that suggest cause and effect (this pertains to all of the studies except Tornello), and statistically significant findings may be small enough in absolute terms not to be clinically relevant (*see*

Pruett & DiFonzo, 2014, for an expanded explanation of the latter caveat). Moreover, the studies illustrate the importance of taking into account differences between and within samples of families with widely varying demographic characteristics. Multiple questions remain, such as which infants fare better with more frequent overnight arrangements, and what aspects of development—such as cognitive, language, and psychosocial outcomes—may be enhanced by including overnight care in parenting schedules from an early age as well as later ages. None have covered the range of families seen in family court and those who negotiated parenting plans with lawyers, mediators, or among themselves. This field of knowledge will advance and increasingly differentiate family and parenting circumstances based on the collective evidence of multiple studies that are yet to be conducted.

From the overlap across existing studies and an integration of the broader developmental and family literatures, we offer seven points of consensus that form the basis of subsequent clinical recommendations and policy considerations (see Part II of this issue). Bear in mind that the research utilizes group data, and we encourage a view that validates *both* group trends in these data *and* the importance of appreciating variation in each family's individual situation.

POINTS OF CONSENSUS ABOUT THE DEVELOPMENTAL NEEDS OF YOUNG CHILDREN IN FAMILIES LIVING APART

- #1: Early childhood (0–3 years inclusive) is a period critical to subsequent psychosocial and emotional development and is deserving of special attention and planning in family law matters.
- #2: Across all family structures, healthy development in the young child rests on the capacity of caregivers to protect the child from physical harm and undue stress by being a consistent, responsive presence.
- #3: Similarly, healthy development rests on the capacity of caregivers to stimulate and support the child's independent exploration and learning and to handle the excitement and aggression that accompanies the process of discovery.
- #4: Secure development in this phase requires multiple supports to create both continuity and an expanding caregiving environment for the young child that includes family, community, educational and cultural connections.
- #5: A “both/and” perspective on early attachment formation and joint parental involvement is warranted. The young child needs early, organized caregiving from at least one, and most advantageously, more than one available caregiver. An optimal goal is a “triadic secure base” constituted by both parents and the child as a family system, where a healthy co-parenting environment supports the child's attachment relationships with each parent and vice versa.
- #6: The small group of relevant studies to date substantiates caution about high frequency overnight time schedules in the 0–3 year period, particularly when the child's security with a parent is unformed, or parents cannot agree on how to share care of the child. Equally true, clinical and theoretical cautions against any overnight care during the first three years have not been supported.
- #7: Critical variables in considering readiness for and the likely impact of overnight schedules include parents' psychological and social resources, the current nature of parental dynamics—particularly conflict, and the nature and quality of each parent–child relationship prior to separation.

CONCLUSIONS

As articulated throughout this article, and addressed elsewhere (Pruett & DiFonzo, 2014), little is yet known about the developmental impacts of overnight care. The field is practically devoid of longitudinal datasets or studies that follow children's adjustment through preschool and into school.

The roles of other family members (siblings, grandparents, etc.) and the potential influences of child care as additional forces that influence children's responses to separation and overnights remain unexplored terrain. The place of ethnic and cultural identities and practices raise questions that are virtually untouched. The relevance of parent gender will in time be explicated by research conducted with separating same-sex couples, and by studies of heterosexual fathers who were stay-at-home dads prior to the separation. Studies differentiating age, education level, and family values will enable us to better compare international trends. We eagerly anticipate the time in which answers to questions about infant overnight care evolve from methodologically sophisticated studies with diverse samples.

Until that time, we stand together as three authors whose viewpoints have been linked to differing attitudes and findings about overnights for young children, and have been used in court rooms and conference rooms as "proof of" evidence for which we declare there to be no proof. We present here, instead, an attempt at integrating foundational knowledge. Our synthesis of attachment and parental involvement perspectives points to the centrality of parent-child relationships for sound decision making. Even though we strongly encourage co-parenting, we also understand that some relationships and family contexts restrict how much and how well parents living separately can raise their child together at a given time. For children 0–3 years, parents' capacity to function as a supportive unit in the service of protecting the child's rapidly developing and highly vulnerable world may determine whether overnights support, are neutral, or are harmful to the child. In Part II of our parental separation and overnight care of young children series, we take the next step of building upon the consensus principles we have reached here by charting the facilitative and protective conditions under which the youngest children are likely to thrive in overnight care.

NOTE

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