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**The Prevalence of Joint Physical Custody Arrangements in Post-Separation Families
in 38 Western Societies**

Abstract

Joint physical custody (JPC), a parental care arrangement in which a child lives with each parent about equally after separation or divorce, is an increasingly common phenomenon in many countries. Although attention from social scientists is growing and the debates about the effects on children's well-being are in part highly ideological, there are hardly any numbers on the prevalence of JPC. Using data from Health Behaviour in School-aged Children (HBSC), a representative cross-national survey of adolescents in 38 countries that was conducted in 2001, 2006, and 2010, we were able to calculate the share of JPC arrangements for countries where numbers are not yet known. In addition, we were able to capture the complexity of family constellations by considering step- and sibling relations. The results provided support for the hypothesis that the significance of JPC, as well as family complexity and diversity, is growing in many Western societies.

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Extended Abstract

Joint physical custody (JPC), a parental care arrangement in which a child lives with each parent about equally after separation or divorce, is an increasingly common phenomenon in many Western societies. Given the great attention to the topic by family scholars, practitioners, and law professionals, it is surprising that the numbers on the prevalence of JPC for most countries are still missing. This might be due to the fact that representative data on care arrangements across households after a parental break-up are still very rare. Thus, the main aim of the paper is to estimate the proportion of JPC in different countries and to assess the complexity of family constellations in different care settings.

Analyses are based on the cross-national and cross-sectional Health Behaviour in School-aged Children (HBSC) study. The HBSC study was conducted by an international multidisciplinary network of research teams in cooperation with the World Health Organization (WHO) Regional Office of Europe, and the data were collected through school-based surveys using a research protocol in all participating countries. Student selection was done with a clustered sampling design in which the initial sampling unit is the school class (with some adaptation in sampling because of different school systems across countries). The response rate at the level of schools was generally high (majority of countries: 80%).

Here, we use data from 38 countries (see Figure 1) and three waves (2001, 2006, and 2010) of the HBSC study. The huge advantage of the data is that it included questions on biological and stepparents in a first and a second home and comprised, in addition, information on how often the child stays in the second home. The answer categories reached from “hardly ever” to “half of the time.” The answer category “half of the time” is unique and makes it possible to calculate the prevalence of joint physical custody in fifty-fifty care arrangements. Since JPC is defined as an arrangement in which a child spends from at least 30% to 50% of the time with either parent, this is a quite conservative estimation. However, the fifty-fifty arrangement is the ideal of JPC and the 50% threshold is used in most parts of the theoretical discussion as well as in empirical studies.

Results show that there are at least some JPC families in all countries (Figure1), even though the distribution varies widely between countries. If we look at the share of JPC among all families, we can see that in no country is it higher than about 3% and in most of the countries, it is less than 1%. Thus, JPC is—overall—still an extremely rare family form. However, more important in this context is the share of JPC on separated or divorced families, which is actually the group at risk. The differences between the countries are now much more pronounced: In Sweden, for example, more than 20% of the children stay about half of the time in a second home after a parental break-up, while in Romania it is only 0.3%. The same holds true for children who actually have two homes: Again, the prevalence of JPC is outstandingly

high in Sweden, with about 30%, in comparison to other countries, but there are several countries with a share of about 10% and more. Not very surprisingly, there is a division between Northern and Western European countries (e.g., Belgium, Iceland, Denmark, Norway, the Netherlands, and France) as well as North American countries (Canada, USA) with a higher prevalence of JPC, and Eastern and Southern European countries (e.g., Greece, Italy, Portugal, Poland, Hungary, and Bulgaria) with a lower prevalence of JPC.

An explanation of the observed pattern is that JPC arrangements are the result of an increasing gender equality that comes because mothers are participating considerably in the labor force and fathers are actively involved in their children's daily lives. The Gender Equality Index, capturing equal sharing of paid work, money, decision-making power and time, clearly placed the countries with a high prevalence of JPC at the top of the ranking. Moreover, those are the countries where JPC was introduced to divorce and family law many years ago. Thus, the public debate about joint physical custody as a logical consequence of gender equality before a parental break-up with both of the parents being involved in the children's lives and the positive effect for children's well-being after separation or divorce is long-standing.

In a second step, we captured the complexity of post-separation family constellations by considering step- and sibling relations (Table 1). Separated or divorced families with two households not only have higher odds of gaining stepparents, they obviously also do so. However, there is no difference between separated two-household families with any contact level and those with JPC. In both cases, stepparents are more often part of the family network. The same holds true for siblings: Children with two parental homes, independent of the time they spend in each household, have more siblings, including half- and stepsiblings. Accordingly, with an increase in separation and divorce as well as an increase in post-separation and post-divorce families with two homes, family complexity also increases.

Finally, JPC is more than a new interesting care arrangement because an increasing share of JPC will change not only the capturing, but also the understanding of family constellations and complexity. In future research, we have to consider not only that there will be a primary and a secondary home after parental separation or divorce with a resident and a non-resident parent, but also, with a 50% threshold of shared care between parents, that children will live equally in two homes. Unfortunately, data collection has not yet been prepared for those constellations in most of the countries. This is a huge problem because family complexity is clearly underestimated. In addition, if children live in two homes on a regular basis, family relations change accordingly. For example, the quality of the relation with a stepmother in a second home whom the child sees every second weekend for one or two days is probably very different from the quality of the relation with a stepmother when the child lives in that household for about two weeks in a month.

Figure 1: Prevalence of joint physical custody (JPC) arrangements in 38 European and North American countries (in %)

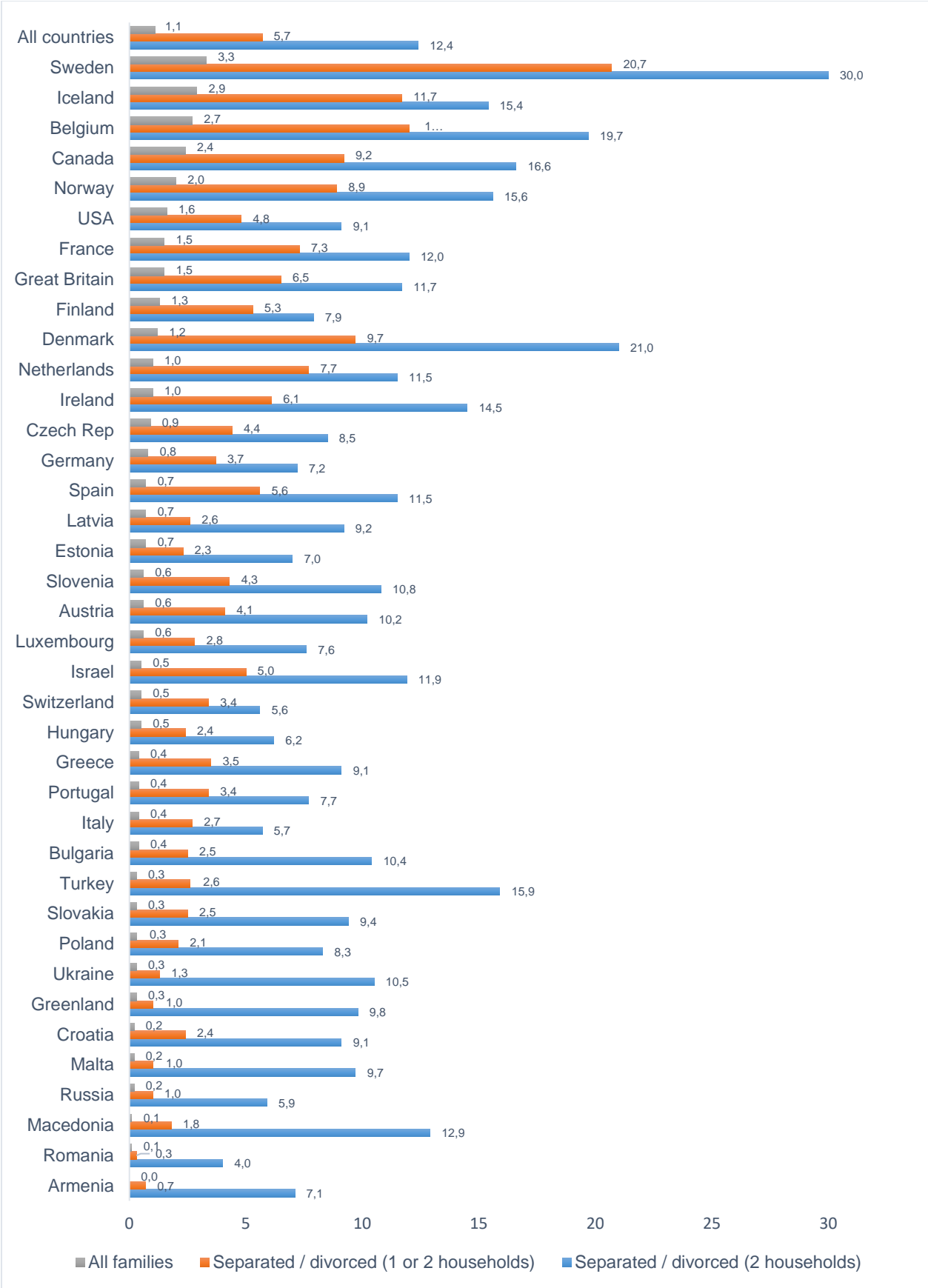


Table 1: Prevalence of stepparents and siblings in post-separation families (Mean)

	Joint physical custody	Separated / divorced (1 or 2 households)	Separated / divorced (2 households)
Stepparents	0.9	0.6	0.9
No stepmother or stepfather	38.3%	55.6%	34.9%
Stepmother or stepfather	37.0%	32.2%	38.6%
Stepmother and stepfather	24.7%	12.2%	26.5%
Number of siblings	2.5	1.8	2.3
n	5,844	102,659	47,011

Note: Own calculations based on Health Behaviour in School-aged Children (2001, 2006, 2010) (HBSC)