How women make custody decisions and manage co-parenting with abusive former husbands

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ABSTRACT
This grounded theory study examined the processes by which women make custody decisions and manage co-parenting after divorce with abusive former husbands. Nineteen women who left abusive husbands were interviewed. Fears, pragmatic concerns, and family ideology pushed them toward custody agreements that continued their involvement with former husbands after divorce. Men who were controlling during marriage were very involved with children postdivorce and continued to exert control over mothers. As a result, women managed conflict, set boundaries, and resisted control in the context of ongoing fear. Postdivorce abuse, positive changes in fathers, and children's recognition of abuse influenced how women co-parented over time. Fears, pragmatic concerns, and family ideology continued to influence their decisions as they planned for the future.

KEY WORDS: co-parenting • custody • divorce • grounded theory • intimate partner violence (IPV)

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Intimate partner violence (IPV) is a key factor in many women's decisions to end their marriages (Kurz, 1996). Concerns for their own safety and their children's emotional and physical wellbeing are central to their decisions (Humphreys, 1995). Leaving, however, does not always end the abuse, and women may be at risk if forced to share custody with their former husbands. Several studies have examined abused women's experiences with divorce (e.g., Kurz, 1996; Shalansky, Ericksen, & Henderson, 1999); however, little is known about how they decide custody or manage co-parenting when custody is shared. Therefore, the purpose of the present study was to develop a theoretical model of the processes by which women make decisions about custody and manage co-parenting after divorce with men who have abused them.

**Existing literature**

**Custody decisions**
The existing literature on custody decisions and IPV has focused largely on the role of courts and the legal system in the decision-making process. In recent years, courts have moved toward preferring custody agreements that assume ongoing involvement by both parents (Bartlett, 2000). Indeed, some states mandate joint legal custody, except in cases with child abuse (Pagelow, 1993). When parents cannot reach an agreement, courts may order joint legal custody with a preference for physical custody given to the friendly parent or the parent more willing to facilitate ongoing involvement with the other parent. Courts have assumed that by ordering joint legal custody, which presumes co-operation, parents will be forced to co-operate in their children's best interests (Maccoby & Mnookin, 1992).

When there is a history of IPV, however, such an assumption may not be safe or realistic. Recognizing this, most states now consider IPV when determining the best interests of children (Family Violence Project, 1995). At least 16 states have presumption statutes against granting sole or joint custody to spousal abusers (Bartlett, 2000), and some courts acknowledge that friendly parent provisions are not appropriate in IPV cases (Family Violence Project, 1995). Nonetheless, research suggests that courts often remain uninformed and unresponsive to IPV and fail to recognize that some women remain at risk after they leave (Logan, Walker, Jordan, Horvath, & Leukefeld, 2003; O'Sullivan, 2000).

Leaving poses a direct challenge to an abuser's desire for control over his partner and can threaten his identity as a husband and father by removing him from positions of power in the family (Arendell, 1995). Such a threat can result in the escalation of violence as the abuser attempts to reestablish control (Hotton, 2001; Wood, 2004). Indeed, separation is a significant risk factor for a woman being killed by an intimate partner (Campbell et al., 2003). When there are children, efforts to reestablish control can extend to custody negotiations and include threats to pursue custody, abduct the children, or financially drain women through lengthy custody battles in coercing (Arendell, 1995) abusers after

**Co-parenting issues**

Co-parenting issues concern shared decisions about children's support, managing financial and co-parenting issues, especially when joint legal custody is involved. Interaction between parents may be conflictual although joint involvement is considered appropriate by some court officials (Hunter, 1995). An escalation of conflict can occur when co-parents are not able to manage co-parenting appropriately (King & Hunter, 1995). Whether abused women avoid conflict or continue deliberate conflict in order to protect the children remains to be seen.

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custody battles (Arendell, 1995; Ptacek, 1997). Such threats can be effective in coercing women into custody decisions that maintain fathers’ contact (Arendell, 1995). Consequently, women often have ongoing exposure to abusers after divorce for the purposes of co-parenting.

Co-parenting after divorce
Co-parenting refers to the involvement of both parents with each other on issues concerning their children after divorce. Involvement may include shared decision making and discussions about the children, sharing children’s school and medical information, planning special events, and managing finances. Co-parenting does not imply co-operation, however, as joint involvement by the parents can range from minimal to high levels of interaction and agreement (Ahrons & Wallisch, 1987). Furthermore, although joint custody is encouraged to facilitate co-operation, those who are successful participate in a variety of arrangements with no particular arrangement being associated with more co-operation (see Ehrenberg, Hunter, & Elterman, 1996). Even among successful and satisfied co-parents, conflict still occurs.

An elevated level of conflict is common after divorce, as former spouses restructure their relationship as co-parents (King & Heard, 1999). One way parents can restructure their relationship is by setting clear boundaries between parental roles and former marital roles. Another is to define appropriate topics of communication (e.g., limiting communication to information and decisions about the children) and to structure communication (e.g., communicate in writing) (Baris & Garrity, 1997). Studies indicate that some fathers decrease contact with children in the first 2 years after divorce (King & Heard, 1999; Marsiglio, Amato, Day, & Lamb, 2000), perhaps to avoid conflict with their former wives (Leite & McKeny, 2002). For those who continue to actively co-parent, conflict tends to decline over time and deliberate efforts to manage relationships may become less necessary (Maccoby & Mnookin, 1992).

Whether existing knowledge about co-parents in general reflects how abused women manage co-parenting is unknown. Although some studies include abusive acts within the general construct ‘high conflict,’ definitions of abuse are often inconsistent and unclear and do not differentiate abuse from typical conflicts during and after divorce (Edleson, 2002). Nonetheless, studies suggest that ongoing contact with abusive former husbands for the purposes of co-parenting may leave women vulnerable to further violence and threats (Carlson, Harris, & Holden, 1999; Sheeran & Hampton, 1999).

Purpose of the study
The purpose of the present study was to develop a theoretical model that explains the processes by which women make custody decisions and manage co-parenting after divorce with men who have abused them. This
study addresses several limitations of existing literature. First, we move beyond the role of courts and the legal system in the decision-making process by exploring how abused women make decisions about custody, particularly when violence and threats continue after separation. Although we focus on the decisions women make, it is important to note that women do not have complete control over custody arrangements. Indeed, the results point to the complex context within which women manage these decisions. Second, existing research on IPV and custody issues focuses largely on the process of leaving and the period immediately after separation, but we know little about what happens after divorce. Finally, much of what is known about abused women's postseparation experiences is based on help-seeking populations (Belamaric, 2003), such as women in battered women's shelters or women involved in civil or criminal legal proceedings, and includes legal and clinical observations. Empirical research is limited (Hardesty, 2002). The current study builds upon existing knowledge by interviewing abused women who participated in a court-mandated education program for all divorcing parents. The sample included both women who had used helping services in the past and those who had not.

Grounded theory methods were used to analyze the data. This qualitative method uses systematic procedures to develop an inductively derived theory about a phenomenon. A grounded theory is 'discovered, developed, and provisionally verified through systematic data collection and analysis of data pertaining to that phenomenon' (Strauss & Corbin, 1998, p. 23). The intent is to develop a theory that identifies the key constructs of the phenomenon of interest and their relationships as well as context and process. A grounded theory approach was appropriate for the present study because it is well suited to uncovering processes about which little is known and thus not enough existing information is available to propose specific hypotheses. It is also useful for examining interpersonal processes and subjective experiences (Gilgun, Daly, & Handel, 1992).

Although grounded theory was the primary tool of analysis, a feminist perspective provided an overarching framework by guiding our initial inquiry and analysis. As such, we were attentive to the socio-structural conditions (e.g., male power, social expectations of mothers and families) influencing women’s decisions and experiences. Consistent with a feminist perspective, we considered the women's subjective experiences of violence, divorce, and co-parenting to be legitimate and valid sources of knowledge (Wuest, 1995), and we sought to ground a theory that was reflective of their voices and experiences.

**Method**

**Sample selection and description**

Potential participants were identified through a court-mandated education program for all divorcing parents in two counties in the central US. The Court

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for these counties requires all parents with minor children (under the age of 18) who are divorcing or filing a motion to modify custody or child support to attend a 2.5-hour education session led by a pair of faculty members from a university department of human development and family studies. The purpose of the education program is to help parents facilitate their children’s adjustment to divorce. About 600 parents (with approximately equal numbers of women and men) attend these programs per year. Few parents are allowed by the Court to miss this program.

At the completion of the program, parents were asked to provide their names, addresses, and phone numbers if they were willing to participate in research. Approximately 35% gave permission for us to contact them to participate in research. The chair of the program facilitators’ department kept the list of the parents who were willing to be contacted.

The sample criteria were that the women’s former husbands had physically hurt them, or threatened or attempted to physically hurt them, more than once before or after separation. Physical abuse that began after separation was included because verbal and emotional abuse during marriage may escalate to physical abuse when a woman initiates separation (Toews, 2002). We screened women based on physical abuse in an effort to distinguish IPV from high conflict, which may be common among divorcing spouses. To establish a pattern of abuse, women were asked if their former husbands had ever performed any of seven specific acts of physical abuse, ranging from threatening to hit them to using a knife or gun on them, and if the acts had occurred on more than one occasion. The items were derived from the Physical Assault subscale of the Revised Conflict Tactics Scales (CTS2; Straus, Hamby, Boney-McCoy, & Sugarman, 1996). Although threats of violence were included in the screening criteria, none of the women reported only being threatened; all the women reported abuse that had the potential to cause injury.

The co-occurrence of child abuse and IPV is a serious issue with implications for women’s custody decisions and co-parenting experiences. In the informed consent process, we explained our ethical obligation to notify appropriate officials of any reports of child abuse; however, we did not specifically ask women about physical abuse of their children.

The names of 133 women who had attended the program in the prior 30 months were randomly selected to screen for participation via phone contact. Sixty women could not be reached by phone or contact information was no longer valid. Of the 73 women contacted, 4 declined to participate before they were asked the screening questions, 31 did not meet study criteria, and 2 had reconciled with their husbands. Of the 36 women who met our participation criteria, 34 agreed to be interviewed. Of these, 15 did not keep appointments or could not be reached again and 19 were interviewed.

Participants were White, 21 to 44 (M = 34) years of age, with education ranging from high-school diploma to doctoral degree (M = 14 years of formal education). Occupations included student, nurse, service provider, secretary, faculty member, and business owner. They had married in their teens to late 30s (range = 15–38, M = 21) and were married for periods between 1.5 to 25 years (M = 11 years). Divorce was pending for one participant who had been separated for 8 months. The rest had been divorced from 6 months to 9 years (M = 2 years). They had from 1 to 4 children (M = 2.1; a total of 40 children), ranging in age from 1 to 22 (M = 9 years old). Four women also were raising children from a previous relationship; however, none of these children had
university campus office with the exception of 4 that that were performed by phone. Prior to consent, participants were informed that the study would explore their experiences with abuse, divorce, and parenting. Grounded theory interviews are typically unstructured, with the researcher asking broad questions followed by probes designed to gain additional information and clarification. For this study, a list of broad questions was developed to facilitate conversation on IPV, custody, and co-parenting and to gather information on demographics, family structure, separation and divorce, and the court-mandated education program. The questions served as a guide but did not restrict the course of the interviews. Questions followed a chronology of the women’s relationships with former husbands, beginning with dating and marital histories, proceeding to separation and divorce, and, finally, to co-parenting after divorce. Each participant received $20.

Data analyses
Data analyses occurred as data were collected. Interviews were audio-taped, transcribed verbatim, and then coded by both researchers. We used a combination of the methods described by Glaser (1978) and Strauss and Corbin (1998) to code the interview data. Initially, open coding and the constant comparative method, as described by Glaser, were used to name and categorize phenomena. More specifically, we separately coded the first interview transcript by labeling discrete ideas or events related to making custody decisions and managing co-parenting after divorce. For example, one code was ‘limiting physical contact.’ We then compared our codes. There was generally agreement between the coders and any discrepancies were discussed until consensus was reached. We also grouped similar codes into categories and assigned conceptual labels to each grouping. For example, we combined the codes ‘limiting physical contact’ and ‘limiting communication’ into one category and assigned it a conceptual label: ‘Setting boundaries.’ We completed our analysis of the first interview before proceeding to the second interview.

In subsequent interviews, we followed the same procedure of coding separately and then comparing our codes. Together, we went back and forth between the interview transcripts and our codes and conceptual categories, constantly comparing new data to emerging concepts and modifying the categories according to new data. We also went back and recoded previously coded transcripts as new codes emerged from subsequent interviews.

After identifying emerging concepts and categories in the first half of the interviews, we moved toward Strauss and Corbin’s (1998) more procedure-oriented approach to axial and selective coding. Axial coding was important for our purposes because we wanted to develop a theoretical model and hypotheses that could be later tested quantitatively. More specifically, with axial coding, we began to look at the connections between categories; for example, we identified a potential connection between repeat abuse after divorce and women’s efforts to set boundaries. During subsequent interviews, efforts were made to verify or refute hypothesized relationships through theoretical sampling (i.e., sampling based on emerging concepts and relationships). Finally, axial coding led to selective coding, in which we integrated proposed relationships into a more abstract paradigmatic model. We continued using Strauss and Corbin’s method as we refined our model of making custody decisions and co-parenting with an abusive former husband. Saturation of recurring categories was reached with the 19 women interviewed.
Trustworthiness refers to the degree to which study findings are backed by evidence and can be trusted as accurate reflections of participants' experiences (Lincoln & Guba, 1985). Trustworthiness in the present study was enhanced in several ways. First, we carefully examined participants who appeared to be the exceptions in the study and incorporated these differences into the results through negative case analysis. Second, trustworthiness of the results was enhanced by investigator triangulation, or the process of analyzing the interview data separately, comparing findings, and discussing discrepancies until a consensus is reached. Third, trustworthiness was enhanced by thoroughly describing the sample, method, results, and emerging theoretical model and using participants' quotes when reporting the results as well as by maintaining a detailed audit trail, including audiotapes, transcripts, analysis notes, and reflexive memos.

Results

Making custody decisions
All of the women initiated the final separation. Most did so upon realizing the abuse was not going to end and because they worried about the effects of abuse on their children. Upon initiating separation, they entered the legal system to make decisions about their children. Custody agreements included: Maternal legal and physical custody with paternal visitation ($n = 6$); maternal physical custody and joint legal custody with paternal visitation ($n = 7$); and joint physical and legal custody ($n = 6$). On the surface this seems to be a contradiction: Women left abusive husbands to protect themselves and their children but then made custody decisions that would maintain children's contact with fathers, which also meant the mothers having ongoing exposure to former husbands. Their decisions were influenced by a complex combination of fears, pragmatic concerns, and family ideology.

Fears
In addition to the obvious fear of being hurt further or killed, mothers feared that their former husbands would harm or take their children. They also feared the legal divorce process. After gaining the courage to leave, they wanted to avoid protracted hostile negotiations over the children. Some mothers were unable to identify specific fears but still felt afraid.

Physical safety fears. Nearly all ($n = 13$) of the mothers experienced abuse in some form between the time they initiated separation from their husbands and when their legal divorces were finalized. Abuse included threats, property violations, sexual manipulation, attempted rape, physical abuse, and stalking. Initiating change by leaving challenges an abuser's control, and some men responded violently when women told them of their intention to leave. One woman described her husband's response: 'He grabbed me up out of bed and he had a fit. He shoved me down two or three times. He threw a beer bottle at me and hit me.' Another woman's husband was very angry: 'He told me I shouldn't plan on having the children very long. He grabbed me around the throat and slammed me up against the wall.'

Abuse also occurred after separation: 'We were discussing the divorce, and he started threatening me. He blocked me from getting in my car, and he started

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trying to hit me. I rolled up the window, and he hit the window.' Another woman said she was forced to return home: 'He came by where I was living and proceeded to physically throw me around. He tried to rape me. It was probably an hour-long session of verbal [and] physical abuse. He forcibly made me move home.' One woman was hit in the face several times after filing for divorce, and in their last fight before the divorce was final, her husband strangled her with a necklace. Stalking after separation also occurred: 'He'd get off work at 3:00 in the morning and drive by my apartment and see whose vehicles were parked out front then call me the next morning [and describe the vehicles] so that [I] knew he was coming around.'

Several women recalled their husband's resistance when they tried to set boundaries during separation. For example, one woman was terrified of her husband after they had separated. For her safety, she set limits around when he could return to the house to gather his belongings. She said he ignored her requests and on one evening gained entry into the house even though she had changed the locks. Another woman resisted her husband's attempts at reconciliation and he responded violently: 'I told him, "I will not take you back." He came [across the room and] "pow, pow" on the back of my head.'

Because threats and physical abuse continued after separation, most of the women remained somewhat afraid of what their estranged husbands might do to them: 'I just make sure the house is locked up when I get home at night. I'm scared to come home. He might be there.' Grounded in past experience, threats of further violence were credible. One woman told how her husband threatened to kill her if she pursued sole custody of their children. She felt certain that his threat was serious; he had carried out threats of violence in the past.

Child-related fears. According to the women's accounts, some men appeared to use their children to control their former wives. Consequently, fears related to men fighting for custody or kidnapping children were common. One woman told how her former husband moved with their daughter during the separation period, without informing her of his plans to move or leaving her any contact information. She was unable to find them and did not have contact with her daughter for a month. From her perspective, this was an example of his efforts to maintain control over her: 'I wondered at the time if he thought maybe he could push me a little bit and maybe I would back off [from] following through with the divorce.'

Women also feared that their former husbands would attempt to punish them by mistreating their children. According to one woman, her husband offered her money in exchange for sex when he came to visit their children. If she refused his offer, he took his anger out on the children by leaving without acknowledging them. She felt that he mistreated the children to punish her. Another woman said that her husband emotionally abused her by upsetting their child. He would tell the child, 'I'm going to go to the judge and tell them that you're going to come live with me.' This confused the child who was somewhat afraid of the father.

Legal system fears. All but one woman hired an attorney to represent them in the divorce process. For all but one of the women, their attorneys were aware of prior IPV. This did not alleviate their fears about the divorce process, as half of them felt their attorneys did not advocate for them as abused women. They reported being discouraged from mentioning the abuse during the divorce
process or taking other steps to protect themselves. Another woman believed that her husband's calm demeanor fooled her attorney into thinking that a detailed parenting plan was not necessary. The woman insisted that specific plans were needed because his future treatment of her was unpredictable.

Attorneys also discouraged seeking full custody or otherwise pursuing restricted paternal involvement. A woman who agreed to joint legal and joint physical custody recalled: 'I wanted full custody but my attorney said, "Look, the divorce papers are really, really vague. Look at him. The man's not very smart. Just agree with him and do whatever you want anyway."' Another woman whose husband strangled her unconscious when she was pregnant recalled: '[My attorney said] it's really hard to take the children completely away from him. He would have to be unfit, completely unfit.' Similarly, a woman who wanted full custody said, 'My attorney wasn't supportive. She didn't think I could win. Her explanation was [that] unless there was an extreme reason why he shouldn't have custody she didn't think the courts would give me full custody.'

It is possible that attorneys were knowledgeable of abuse issues but had valid reasons for their decisions. For example, they may have known that judges do not look favorably upon mothers who pursue sole custody. They may have realized that introducing allegations of abuse without strong evidence of harm to the child could potentially hurt a mother's chance for custody (O'Sullivan, 2000). Nonetheless, some mothers expressed not feeling supported by their attorneys and this affected how they made decisions.

In contrast, some attorneys advocated for the mothers' needs as abused women. Several indicated that their attorneys explicitly encouraged them to fight for their desired custody arrangement and avoid compromising out of fear. One woman was advised to file for divorce in a county in which the judge was knowledgeable about abuse issues. Of these women, however, only one had an attorney who brought the prior abuse into the proceedings, by including in the divorce petition copies of threatening notes written by the husband.

Even with supportive attorneys, several women were still reluctant to challenge their husbands: 'I think [my attorney] wanted to do a lot more than I would let her. I didn't fight it. I did like I always do. I backed down. I just wanted things done.' One woman feared that a lengthy custody battle would ensue; she was particularly afraid of courtroom dynamics:

[I thought], 'He is going to drag this out until I'm 100 years old.' I was terrified of going to court. I was horrified at what a custody battle would bring. Get me into a courtroom where they're going to grill me and ask me questions and say horrible things, and it's frightening. I don't like that grilling; it is very reminiscent of what he did to me for many, many years.

Pragmatic concerns
Concerns about time, money, and energy also influenced decisions about custody. Women worried about their ability to balance full-time employment with managing a household and spending quality time with their children as single parents. Several mothers felt that the demands of parenting necessitated a shared custody agreement. One woman reluctantly agreed to a joint physical custody arrangement in which the children lived with their father during the week and she had them on the weekends:

I knew I had to have my job. Somebody had to support these kids. I was working 60-70 hours a week. So [by] the time I get off work, pick the kids up from daycare,
get them home, get their dinner, get them in bed, it was time for bed and I had no quality time with them. If I had them on the weekends I would have quality time. He had the time during the week because he didn’t work.

Finding childcare also was a concern. One woman agreed to joint legal and physical custody because she doubted that she could find good, affordable childcare:

I had no choice because of logistics and [from] Social Security all I was going to be entitled to was $17 a month. [My husband] came to me and said, ‘If you give me 50/50 custody, I will do whatever I can to pay your daycare. Plus I’ll be responsible for 50% because I’ll be having them every other week.’ So financially, for my three children to go to daycare, it’s $1000 a month. There is no way. And so I really felt like I had no other choice.

Women with health problems were concerned about having enough energy to endure a custody battle: ‘I was on heart medication. I was on antidepressants. I could hardly function anymore. My lawyer said, “If you have a nervous breakdown, you may not get custody of your kids at all.”’ Often, practical concerns were weighed alongside fears about their safety and about their children’s well-being.

Family ideology

Most (n = 12) women made references to beliefs they had about families and children that influenced their custody decisions. For example, they expressed guilt over breaking up a two-parent family. They worried about the effects of divorce and growing up ‘without a father’ on their children. Several accused their husbands of exacerbating their feelings of guilt by blaming them for disrupting the family and contributing to adverse outcomes for the children: ‘He makes me feel guilty [by saying] I’ve ruined their whole lives and they’ll probably be little delinquents. He was telling me that their grade averages are going to be terrible because they’re in a broken home.’

Family and friends as well as social institutions (e.g., legal system, media) helped create and reinforce their beliefs about families and children. As one woman noted: ‘I listen to Dr. Laura every day, and I know it is supposed to be really good for the children to [see] both their parents every day.’ Another explained: ‘The way that I was raised you shouldn’t divorce, period. I struggled. [Getting a divorce] was a really big struggle for me.’ A woman whose husband broke into her home during the divorce and attempted to rape her while their children were sleeping in another room was reluctant to return to court to modify custody. With the courts’ emphasis on ‘this family thing’ (i.e., maintaining both parents’ involvement), she felt uncertain that modifications could be made.

As part of their belief that children need a two-parent family, the women felt responsible for seeing that father–child contact was maintained after divorce. Thus, as women entered the legal system, they were considering the best interests of their children as well as their own needs. They wanted their custody decisions to balance their own and their children’s safety with the importance of father–child relationships. Their former husbands’ needs were also considered: ‘[Denying him contact with the children] is not right to do to him. He’s had a hard life. I just know that would be hard on him for me to take away his rights to his kids.’
Managing co-parenting after divorce

Father contact and involvement after divorce. In general, the men had a lot of contact with their children, and the majority of them were regularly involved in their children’s lives. This is not too surprising, given that most of them had joint legal custody, which means they were legally empowered, along with the children’s mothers, to make decisions affecting their children’s wellbeing. A third of the men shared physical custody of their children, which means that children resided with them part of the time on a schedule that was sanctioned by the courts at the time of divorce. Fathers with joint legal custody had more frequent contact with their children than fathers with visitation rights only. Fathers who lived far away (three lived in another state) rarely saw their children.

The high level of involvement of these fathers is in contrast to fathers in general, who often disengage gradually from their children following divorce (King & Heard, 1999; Marsiglio et al., 2000). Their involvement may have been because of the recency of their divorces. For fathers who had been divorced for more than a year, frequency of contact with children gradually decreased.

Fathers and mothers did not actively co-parent in only five families. These fathers had little or no contact with their children or their former wives. The women made all the decisions about their children and reported little fear of their former husbands. In three cases, this may have been because the fathers lived hundreds of miles away. Another man’s whereabouts were unknown. He left after his wife initiated separation and had not contacted her. One father had ceased contact once the mother pursued a career in law enforcement.

Upon closer examination, it appeared that fathers’ contact and involvement with children after divorce may also vary based on the type of marital abuse. More specifically, all of the women who were actively co-parenting (n = 14) had experienced abuse during marriage that was accompanied by a pattern of coercive control. These men were very involved in their children’s lives, regardless of the custody agreement, and through this involvement they tried to maintain control over their former wives. As one frustrated woman exclaimed, ‘He’s still in control of every freaking thing I do!’ The women and some attorneys did not anticipate the men’s high level of postdivorce involvement. One woman’s attorney had assured her, ‘After [the divorce], it’s going to be a lot easier to get full custody because he probably won’t see [the child] a whole lot and then you can take him back [to court].’ Unexpectedly, the father maintained frequent contact. From the women’s accounts, control appeared to be a central factor influencing fathers’ level of involvement with the children and the dynamics of co-parenting. It is the experiences of the women whose former husbands remained highly involved with their children (n = 14) that we now turn to in our discussion of co-parenting in the context of fear and planning for the future.

Co-parenting in the context of fear

As a result of fathers’ high level of involvement with their children, former spouses had ongoing contact after divorce for the purposes of co-parenting. For all but two mothers, continued father involvement meant continued fear. One woman who was not afraid of her former husband was co-parenting with a man suffering from a chronic, life-threatening physical illness, which had worsened over the years. He was too weak to pose a physical threat. The other woman
felt safe because her former husband lived 2 hours away. Most of the women ($n = 12$) who were actively co-parenting, however, found themselves managing conflict, setting boundaries, and resisting control as they co-parented in the context of ongoing fear.

**Managing conflict.** Common sources of conflict with former husbands included disagreements about general parenting (e.g., different household rules, discipline styles), daily care of the children (e.g., exchanging the children, sharing children’s belongings), and bringing children into the middle of parental conflicts (e.g., sending messages through the children, criticizing the other parent in front of the children). Conflicts were exacerbated, however, by what the women perceived as their former husbands’ continued efforts to maintain control over them: ‘If I have the children then he knows what I’m doing. [He] controls me through them. He tells me he can’t keep them but won’t say why. [I think it’s because] if I’m here [at home] with the children then he knows where I am.’ Some efforts to maintain control included threats and physical violence. Threats were both direct as well as through the children: ‘Yesterday I was told [by my child] that Daddy is going to kill me with a gun. He’s told me that he bought a book of 1001 ways to murder somebody.’ Threats also occurred in front of children: ‘The kids were all out in the yard when he pulled up to the corner and said, “I’m going to kill you bitch.” He’s very controlling and as long as I stay scared then he’s got control.’

**Setting boundaries.** To regain a sense of control over their lives, the women creatively set boundaries to separate themselves from their former husbands and to regulate the physical and psychological distance between them. The most common way they set boundaries was to limit time spent talking and the topics about which they communicated, restricting communication to necessary information about the children. Several women avoided talking to their former husbands altogether:

I don’t speak to him. I only communicate with him in writing to protect myself. He can’t yell over email. He can’t yell in writing. He used to call, and I wouldn’t answer the phone. I’d get what he said on voicemail and then I’d transcribe it and I’d send it to him with my comments. To this day I refuse [to talk to him]. I will say ‘Hello’ and ‘It’s a nice day’ and [if] there’s anything else I say, [it] will be in writing.

Limiting the topics of conversation and the nature of communication were also ways that women diffused conflict before it escalated: ‘I’ll tell him, “If you can’t talk to me nicely then we won’t talk at all. If you can talk nicely then we will discuss it.”’ They enforced boundaries to avoid putting children in the middle of their conflicts: ‘He sends messages back and forth through the kids all the time. I try and cut that off immediately by telling him, “I understand that you are concerned about this. Please express your concerns to me directly.”’

Restricting communication was challenging for women who had to have frequent contact with their former husbands because their physical custody arrangements required frequent exchanges of the children. These cases necessitated communication about the children’s daily care ($n = 8$). Because of frequent contact, their former husbands had a great deal of access to them and the women reported ongoing conflict. They tried to restrict the amount of physical contact with their former husbands by staying in the car during exchanges, exchanging the children through a third party (e.g., relative, childcare provider), or having a third party present during exchanges. Several
mothers insisted that exchanges occur in public. Women with older children \((n = 6)\) were better able to restrict communication because contact was less necessary. For example, the children in one family were able to drive themselves back and forth between the parents' households.

**Reclaiming control.** Women also enforced court-approved parenting plans in an effort to resist control. For example, one woman initially tried to be flexible with the visitation schedule. When problems occurred, she insisted they strictly adhere to the parenting plan. By enforcing parenting plans, they also reinforced expectations with regard to the men's roles as fathers. These men expressed the desire for involvement with their children after divorce, and the women agreed to arrangements that would allow this. Thus, the mothers resisted assuming responsibility for the fathers' parental duties to the children: 'I'm real stern about making him keep the kids on his week because that's what he wanted. I'm not going to fall into a trap of him bringing them over to my house so he can go do something else.' One woman recalled the first night her former husband had the children: 'He brought them back home that same night. And I put them in the car and took them back to his house and made him keep them and didn't answer my phone all weekend long.'

**Change over time**

Many of the efforts to set boundaries and resist control evolved over time, as the women negotiated patterns of co-parenting that worked for them and their children. The level of conflict and the need to set boundaries and resist control fluctuated as a result of repeat abuse, positive changes in fathers, and children's recognition of their fathers' abuse. Women took into consideration the nature of their co-parenting relationships and the changes that had occurred over time when making plans for the future.

**Postdivorce abuse.** Frequent contact made women vulnerable to repeat abuse. Some of the women \((n = 6)\) set stricter boundaries after their former husbands were once again physically abusive. For example, one woman had tried to establish a friendly co-parental relationship for the sake of their children. She believed that he later tried to rape her because their relationship boundaries were blurred:

> We don't talk at all now. [Before] he would either come to my apartment, or I would go to his apartment and we would exchange the kids and it was too friendly, which I think should be OK to do, but it doesn't work. He got the wrong impression. [Now] we exchange the kids in a parking lot. I don't want him anywhere near my apartment, and I am not going to his apartment. We exchange them, I say what I have to say about them, and off they go.

Over time, her concern for safety prevailed over her beliefs that a friendly co-parental relationship was best for the children.

Only two women reported abusive behaviors toward children that began after divorce, which included emotional and verbal abuse but no reports of physical abuse, and both of these women returned to court because of these behaviors. Both had fairly amicable co-parental relationships in the first few years after divorce, with gradually increasing conflict over time. Both had reduced the amount of communication they had with their former husbands over the years and ultimately returned to court to reduce their former husbands' legal access to the children. Over time, pragmatic concerns and
beliefs about families and children had taken a backseat to safety concerns. These women had been divorced the longest time (5.5 and 9 years) of the women in the sample and were the only women to have returned to court after divorce.

**Positive changes in fathers.** About a third of the women reported positive changes in their former husbands after divorce that reduced co-parental conflict. Positive changes included acknowledging and apologizing for abusive behaviors, managing anger, and communicating and co-operating more effectively. These changes were attributed to the fathers’ seeking help (e.g., counseling, reading self-help books) and entering new romantic relationships. It was not possible to determine which of these factors was more influential because fathers who sought help also had new partners.

For the fathers, new romantic relationships did not decrease their involvement with their children (this is in contrast to fathers in general in which remarriage is related to decreased contact; King & Heard, 1999) and mothers reported less need to minimize conflict when fathers entered new relationships. Co-parenting seemed to be smoothest when fathers had new partners. The women surmised that the men were controlling their new partners and had less need to control them: ‘It used to be any time he had a problem or wanted to argue with somebody, he’d pick up the phone and call me. But now that he’s got this steady girlfriend, I imagine she’s getting [it].’ Indeed, when new relationships ended the former wives again became the targets of abusive and controlling behaviors: ‘When he remarried was the best our relationship had ever been. He had somebody else to pick on. He got divorced and then all hell broke loose.’

**Children’s recognition of abuse.** Five women reported that over time their children recognized their fathers’ abusive and controlling patterns. Children suffered emotionally and academically and some were afraid of their fathers. In several families, children initiated change by setting their own boundaries (e.g., telling fathers not to put them in the middle of conflicts). In two families, children were seeking to reduce their fathers’ legal access to them. Those who recognized problems and initiated change tended to be older and their parents had been divorced longer than other children.

**Planning for the future**
In anticipating the future of their co-parental relationships, mothers were both optimistic and ambivalent. They hoped for the best and wished that their co-parenting relationships would improve, or at least not deteriorate. Not being able to get their former husbands out of their lives created feelings of dread for some as they thought about the future: ‘I’ve thought, are we going to be doing this for the next 10 years? I can’t imagine living the rest of my life like this.’

Dissonance between what they desired and the reality of their co-parental relationships created ambivalence as they envisioned the future. All of the mothers had considered making changes in custody that would limit their former husbands’ legal access to the children and thus control over their lives. Seven women had taken active steps toward initiating change. One recently had changed her custody agreement, two were in the process of making changes, and four had been documenting abusive and controlling behaviors in preparation for returning to court at some point in the future: ‘As soon as my
youngest child is in school, I'm taking him back to court. That's what I want to do because I just can't get him out of my life. I know I'll never get him out of my life.' Fear, pragmatic concerns, and family ideology continued to influence their decisions and plans for the future.

Making legal changes may not protect these women from continued abuse and control, however, as patterns of coercive control during marriage seemed more associated with patterns of control in co-parenting than did the actual custody agreements. As one woman, who had just obtained sole physical custody, noted: 'The kids' therapist keeps saying, "I think he'll just get a life now (that you have sole custody)." I don't believe that. He's too much of a control freak. There is a control dragon that lives inside of him and thrives on power.'

Discussion

The purpose of the present study was to develop a theoretical model that identifies the processes by which women make custody decisions and manage co-parenting after divorce with men who have abused them. Our results show that, taken together, fears, pragmatic concerns, and family ideology pushed women toward custody agreements that would continue their involvement with their former husbands after divorce as co-parents. Their own and their children's safety and wellbeing were central to their decisions. After divorce, men who were controlling during marriage were very involved with their children, and through this involvement continued to exert control over the mothers. As a result, the women managed co-parenting conflicts and set boundaries while also resisting their former husbands' control. Post-divorce violence, positive changes in fathers, and children's recognition of their fathers' abuse influenced how women negotiated co-parenting over time. They continued to weigh fears, pragmatic concerns, and family ideology as they planned for the future of their co-parenting relationships.

The results of this study are consistent with existing research (Arendell, 1995; Hotton, 2001) in that by initiating separation, the women challenged their husbands' control over them, which resulted in escalated violence and further efforts to maintain control. Also, control efforts extended to custody negotiations and played a role in influencing women's decisions during the divorce process. As a result of their custody decisions and fathers' contact and involvement with their children, the women had ongoing exposure to their former husbands after divorce. Their co-parenting experiences were also similar to those of divorced co-parents in general in the primary tasks of restructuring and renegotiating relationships (Baris & Garrity, 1997).

While consistent with existing research, the present study builds upon what is currently known in several important ways. First, the results lend insight into the complex combination of factors that influence women's custody decisions when there is IPV. Although fears factored into women's desires to restrict their former husbands' access to the children, fears also influenced women's decisions to maintain contact as did pragmatic concerns and family ideology. For example, women agreed to ongoing
father contact to avoid instigating retaliatory abuse against them or the children (fears) and to avoid prolonged involvement in the court system (fears) as well as to share parenting tasks after divorce (pragmatic concerns) and alleviate guilt and worries about their children no longer having two parents in the home (family ideology). Thus, the process by which women made custody decisions involved carefully balancing often competing needs (e.g., safety vs. practical needs and concerns about the effects of divorce on the children).

Additionally, although similar in some ways to co-parents in general, the women in this study differed in that the majority negotiated co-parenting in the context of fears related to ongoing abuse and coercive control. These factors seemed to exaggerate the challenges common to co-parents in general and present unique barriers to developing cooperative co-parenting relationships. For example, the women set boundaries not only to minimize conflict but also to protect themselves from violence. Developing a cooperative co-parenting relationship was complicated by unresolved emotions and conflicts as well as what the women perceived to be their former husbands' reluctance to surrender control and treat them as equals. Over time, safety concerns took precedence over pragmatic concerns and family ideology for some women, as their hopes for cooperative co-parenting relationships free from control and violence were not realized. Thus, for these women, separation was just one step in an ongoing process of ending the violence against them and gaining autonomy and control over their lives.

The results also illuminate the important role that gendered ideology plays in shaping how women make custody decisions and manage co-parenting after divorce with men who have abused them. Women's talk in the present study was consistent with traditional ideologies of mothers and families. The ideology of motherhood dictates that mothers devote themselves to the care of others (Arendell, 2000) and women are taught from an early age to consider the effect that their decisions will have on others (Mahoney, 1991). In making custody decisions, the women took into consideration multiple interests, including what they perceived to be their former husbands' needs. Also consistent with this ideology, the women in this study reported feeling responsible for facilitating father-child contact after divorce and were hesitant to deprive their children of relationships with fathers.

Traditional family ideology also influenced women's custody decisions and co-parenting experiences. For example, the nuclear family ideology assumes that the nuclear family (i.e., mother, father, and biological or adopted children) is the optimal family environment for children and other family forms are thought to be inferior. This ideology reinforces the belief that children fare better with both parents in the home, regardless of the quality of parenting or the marriage. Moreover, this ideology also reinforces the belief that men should be the head of the family and the primary decision maker and breadwinner, whereas women are responsible for caregiving and managing relationships and are often held responsible
for the success of relationships and the outcomes for their children (Ganong & Coleman, 1994). These ideological beliefs are often supported by family and friends (Klein, 2004), as was the case in this sample.

Adherence to the nuclear family ideology may partly explain the apparent contradiction between women's decisions to leave their former husbands to protect themselves and their children and their decisions to maintain children's contact with fathers after divorce and thus their ongoing exposure to former husbands. Despite leaving because of IPV, the women reported feeling responsible for the end of their marriages and did not want to cause further harm to their children by denying them contact with their fathers. Given that some hoped to restrict father-child contact to some extent in the future, it is possible that women's priorities shift in favor of safety over time as they come to terms with their decisions to divorce and the realities of co-parenting with abusive former husbands.

While advancing existing knowledge, the results should be considered in the context of several limitations. This study used a diverse sample of women who varied in age, education, age married, years married, time since divorce, and age of children as well as women who had sought helping services and those who had not. That the women's stories reflected many shared experiences, despite demographic differences, lends credibility to the proposed model. Nonetheless, the sample used is not representative and therefore the results should not be generalized. Moreover, because the sample included only White women, it is not known how the proposed model might differ for other racial and ethnic groups. Variations in rates of marriage, divorce, and IPV as well as cultural beliefs about motherhood and families may create differences in how women make custody decisions and manage co-parenting after divorce with men who have abused them.

Second, because most of the sample (n = 15) reported experiencing IPV accompanied by coercive control during marriage, any comparisons that could be made based on type of marital abuse are tentative and should be considered with caution. Furthermore, the sample was drawn from two counties in which all divorcing parents with minor children were court-mandated to attend a parent education class for divorcing parents. How this class might have influenced women's decisions or experiences in unknown. It should also be noted that nearly half of the potential sample could not be contacted by phone. Perhaps some women who are abused 'disappear' following divorce to avoid ongoing exposure to former husbands, in which case the results may not reflect their experiences.

Implications

Despite some limitations, the present study offers important directions for researchers and those who work with families. To begin with, courts must acknowledge that violence often continues after separation and identify cases in which special protections are warranted (Bartlett, 2000). Routine screening for IPV when a divorce case is filed followed by an assessment of risk (e.g., between typ violence; Joh at high risk approaches reducing con when there i that the curr parents and i a history of informed the the program interests of c if the husban operate unle with someon needs to ma safety. Fathe safety is pri detailed safe father's parti substance ab demonstrate (Hardesty & At the san the complex may be that their childr~ to live a life toward ident parenting a support to n some of the after leaving their former able to prior to cultural n women's fee custody deci being.

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of risk (e.g., Danger Assessment; Campbell, 1995), including distinguishing between types of IPV (e.g., intimate terrorism and situational couple violence; Johnson & Ferarro, 2000), would enable courts to identify those at high risk and tailor approaches to their individual needs. Traditional approaches (e.g., education classes for divorcing parents) focused on reducing conflict and encouraging cooperation may not be appropriate when there is a high degree of risk for further violence. It is noteworthy that the current study sampled from an education program for divorcing parents and nearly 50% of the women contacted for participation reported a history of IPV. Of the 19 women who participated in the study, 17 had informed their attorneys of prior IPV but were still expected to complete the program. Such programs often emphasize cooperation in the best interests of children, which is good advice in most circumstances. However, if the husband has a history of intimate terrorism, it is unlikely he will cooperate unless it serves some coercive goal. Telling women to cooperate with someone who is trying to control them encourages them to put their needs to maintain children’s contact with fathers before their needs for safety. Father contact and involvement should be permitted only when safety is prioritized (e.g., supervised visitation through a third party; detailed safety plan for women and children) and contingent upon the father’s participation in and completion of services (e.g., individual therapy, substance abuse treatment, batterer intervention) and the father’s ability to demonstrate safe and responsible contact with their children over time (Hardesty & Chung, 2006).

At the same time, those who work with abused women must recognize the complex context within which they make decisions about custody. It may be that many women want their former husbands to remain active in their children’s lives, but they just want the violence and threats to end and to live a life free of their former husband’s control. Perhaps we can move toward identifying families with the potential for safe and effective cooperation and father involvement and provide ongoing services and support to make this possible. Likewise, we can move toward addressing some of the pragmatic concerns (e.g., affordable childcare) women have after leaving their husbands. If women perceived alternatives to relying on their former husbands for practical support, perhaps they would feel more able to prioritize safety in their decisions. Additionally, we can be sensitive to cultural messages about ideal motherhood and families, acknowledge women’s feelings of guilt and ambivalence, and help them make informed custody decisions based on their own and their children’s safety and well-being.

Future research using larger, more representative samples is needed to more fully understand the process of cooperation after divorce with an abusive former husband. Results of the current study suggest that type of marital abuse (e.g., presence of coercive control) may be relevant to understanding the dynamics of cooperation after divorce, particularly fathers’ contact and involvement and ongoing efforts to maintain control. Research is needed to fully realize any variations based on type of marital abuse,
which could inform how we assess risk and provide support to women as they decide custody and manage co-parenting when custody is shared. Longitudinal studies are also needed to explore how the process of co-parenting changes over time. For example, are parents able to develop workable co-parenting relationships, free from abuse and control? Or do relationships deteriorate over time and result in mothers seeking sole custody or restricted contact? Answers to these questions would inform efforts to identify parents with the potential for safe and effective co-parenting after IPV.

Finally, research is needed to learn more about children’s safety and wellbeing in this context. For example, how frequently are they exposed to ongoing violence after divorce? In what ways are men who batter good fathers? What are children’s perceptions of custody, visitation, and ongoing violence? What are the effects on children of maintaining contact with a parent they have witnessed abusing the other parent? It is in the children’s best interests that we make decisions about custody and postdivorce parenting, yet we know little about children’s experiences in this process.

REFERENCES


