Child Custody Evaluators' Beliefs About Domestic Abuse Allegations:

Their Relationship to Evaluator Demographics, Background, Domestic Violence Knowledge and Custody-Visitation Recommendations

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EXECUTIVE SUMMARY

High rates of domestic violence exist in families referred for child custody evaluations. These evaluations can produce potentially harmful outcomes, including the custody of children being awarded to a violent parent, unsupervised or poorly supervised visitation between violent parents and their children, and mediation sessions that increase danger to domestic violence victims. Past research shows that domestic violence is frequently undetected in custody cases or ignored as a significant factor in custody-visitation determinations. Previous research also indicates that violence—and its harmful effects on victims and children—often continues or increases after separation. Little is known, however, about child custody evaluators' beliefs, background, knowledge about domestic violence, and other factors that may shape their recommendations[1] regarding custody and parent-child visitation arrangements.

The purpose of this study was to further our understanding of what child custody evaluators and other professionals believe regarding allegations of domestic abuse made by parents going through a divorce. The study had several major goals:

- to investigate the extent to which child custody evaluators and other professionals who make court recommendations believe allegations of domestic violence are false;
- to explore the relationship between these beliefs and (a) knowledge of domestic violence and (b) recommendations about custody, supervised visitation, and mediation;
- to examine whether beliefs about false allegations of domestic violence are related to beliefs that false allegations of child abuse are common; abuse of parents should not be a criterion in custody and visitation decisions; and that parents often alienate their children from the other parent;
- to examine the relationships between beliefs about false allegations and beliefs about patriarchal norms, social dominance, and justice in the world.

We also conducted in-depth qualitative interviews with 24 domestic abuse survivors[2] who experienced negative custody-visitation outcomes, such as losing custody of their children. The information gathered helped us interpret our quantitative findings, uncover new areas of concern, and learn of recommendations the survivors had for changing the custody determination process.

[1] The term *recommendation* includes recommendations that professionals actually made or would have made if in a position to make recommendations in custody or visitation cases. In line with some professional standards and the

[2] The term *survivor* is used interchangeably with the term *victim* to refer to those victimized by domestic violence.

Methods

The study had two major components. In Part 1, we surveyed professionals who had experience with custody cases: child custody evaluators, judges, attorneys, and domestic violence program workers. In Part 2, we conducted qualitative, semi-structured interviews with domestic abuse survivors who had lost child custody or experienced a similar negative outcome during family court proceedings.

We used postal mail, e-mail, and web sites to recruit professionals to participate in the survey. They were asked to share:

- their demographic characteristics;
- whether they personally knew survivors of domestic violence;
- how they had acquired knowledge of domestic violence;
- their experiences with custody cases involving domestic violence;
- their beliefs about custody and domestic violence, including beliefs about parental alienation, the importance of domestic violence in custody cases, victims' reluctance to co-parent, and the extent of false domestic violence allegations;
- their responses to a case vignette involving serious, coercive-controlling domestic violence;
- beliefs about gender norms, justice and equality.

Respondents to the survey included 465 custody evaluators, 200 judges, 131 legal aid attorneys, 119 private attorneys, and 193 domestic violence program workers. More than one fourth of the custody evaluators worked in county court-based settings, enabling us to compare their responses with those of private custody evaluators. Many custody evaluators were psychologists and social workers, allowing us to compare the responses of these two professional groups.

In Part 2 of the study, we conducted qualitative, semi-structured interviews with 24 domestic abuse survivors in four states. They were recruited through legal clinics and supervised visitation programs. Interviews focused on their experiences with the custody-visitation determination process and their recommendations for changes in policies and practices.

Findings

We first present findings that compare how the five professional groups acquire knowledge about domestic violence and their beliefs about false domestic violence allegations. We then examine the extent to which each of the professional groups recommended different custody and visitation arrangements. Finally, we focus on findings for the custody evaluators, specifically the relationships between their backgrounds, knowledge, and beliefs, and their custody and visitation recommendations.

Domestic Violence (DV) Knowledge

The most common areas of knowledge across professional groups were children's exposure to domestic violence and prevalence of domestic violence. The least common areas—especially among judges, evaluators, and private attorneys—were knowledge of post-separation violence, screening for domestic violence, and assessing dangerousness (although the majority still acquired knowledge in these areas). Domestic violence workers had the highest rates of knowledge regarding all topics.

Belief in False Allegations of Domestic Violence and Child Abuse

Professionals were asked to estimate what percent of domestic violence allegations by mothers and fathers they believed to be false. Among the major findings:

- Judges, private attorneys, and custody evaluators were more likely than domestic violence workers and legal aid attorneys to believe that mothers make false allegations.
- After we controlled for background (number of custody cases, survivors known, and training) and demographic variables (age and gender), judges did not differ from legal aid attorneys and domestic violence workers regarding their estimate of what percentage of mothers' domestic violence allegations were false.
- Domestic violence workers and legal aid attorneys gave the highest estimates of the percentage of fathers' making false domestic violence allegations, while judges and custody evaluators gave the lowest estimates.
- On average, evaluators estimated that one fourth to one third of child abuse allegations were false.
- On average, evaluators estimated that 26 percent of mothers' domestic violence allegations were false and 31 percent of fathers' allegations were false.

- Evaluators “supported” the allegations of domestic violence in approximately half of their cases alleging domestic violence.

- Among domestic violence cases, evaluators were more likely to estimate that fathers try to alienate children from mothers than the reverse.

Custody Evaluators’ Custody Recommendations

Evaluators were asked to estimate how often they recommended seven different custody arrangements when “one parent was clearly the perpetrator” of domestic violence. Of those surveyed, 65 percent reported recommending sole legal and physical custody to victims “half of the time” to “always.” Approximately 40 percent of evaluators recommended joint legal custody, with sole physical custody to victims, at least “half of the time” to “always.”

Ten percent of evaluators estimated that at least “half of the time” they recommended joint physical and legal custody to the couple. Another 10 percent estimated they recommended joint physical custody and sole legal custody to the victim at least “half of the time” or more. Legal or physical custody to the perpetrator was rarely recommended: 49 to 70 percent reported “never” making this recommendation and 26 to 41 percent reported “seldom” doing so.

In response to the case vignette of domestic violence, evaluators reported the highest likelihood (47% on average) that the best interests of the child would be served by awarding legal custody to both parents and physical custody to the battered mother. Awarding the mother sole legal and physical custody was chosen almost as often (40% average likelihood). Joint legal and physical custody was chosen at a somewhat lower average likelihood of 30%.

Visitation Recommendations

We asked custody evaluators to report on the visitation recommendations they made in past custody cases that involved domestic violence. Evaluators reported that, when recommending visitation for a parent who was “clearly the perpetrator,” they recommended supervision by a professional or paraprofessional in nearly half of the cases, supervision by a friend or relative in one fourth of the cases, and no supervision in nearly one third of the cases.

In response to the case vignette depicting serious domestic violence, unsupervised visitation was recommended the most (47% average likelihood), with supervision of visits by friends and relatives

(35% average likelihood) and professionals or paraprofessionals (38% average likelihood) being recommended less often.[3]

Belief in False Domestic Violence Allegations Related to Other Custody Beliefs

Among custody evaluators, the belief that allegations of domestic violence (DV) by mothers are false was strongly related to four other beliefs: (1) DV survivors alienate children from the other parent; (2) DV is not an important factor in making custody decisions; (3) children are hurt when survivors are reluctant to co-parent, and (4) DV survivors falsely allege child abuse. Similar results were found among judges.

The belief that fathers falsely allege DV was related to the belief that fathers also falsely allege child physical and sexual abuse and to the belief that fathers alienate children from the other parent.

Evaluator Hypotheses About the Causes and Consequences of DV Related to Custody Beliefs

The vignette case of DV described the wife's reports of her husband's controlling behavior and severe violence and her psychological test results showing anxiety, depression, and paranoia.

When describing the initial hypotheses they would be likely to explore in the vignette, 23% of the evaluators said they would explore coercive/controlling behavior, 17% would explore the mother's psychological symptoms as the result of DV, and 5% would explore the father's alcohol use as a cause of DV. Those who mentioned coercive-controlling behavior were more likely to view DV as the cause of the mother's psychological symptoms.

Evaluators who said they would explore hypotheses about coercive-controlling behavior and mental health consequences of the DV were more likely to believe:

- DV is important in custody decisions;
- mothers do not make false DV allegations;
- victims do not alienate the children;
- victims do not hurt the children when they resist co-parenting;
- the father in the vignette will harm his son psychologically;

[3] The percents add to more than 100% because respondents were asked to answer three separate questions about the likelihood of visitation arrangements being in the child's best interest without requiring the three percents equal 100%.

- the father in the vignette minimized his violence;
- the mother in the vignette did not exaggerate her reports of abuse.

Evaluators who made initial hypotheses about coercive-controlling behavior were more likely to believe fathers make false DV allegations.

Beliefs About Custody Related to Custody Recommendations

Among evaluators, beliefs about custody were related to the two measures of custody recommendations: past case recommendations and the recommendations for the domestic violence case vignette. Favoring the offender over the victim in custody arrangements was significantly related to several beliefs: (1) DV victims alienate children from the other parent; (2) DV allegations are typically false; (3) DV victims hurt children if they resist co-parenting; (4) DV is not important in custody decisions; and (5) coercive-controlling violence in the vignette was not a factor to explore. These same beliefs were related to the belief that the couple in the vignette would benefit from mediation. Recommending supervised parent-child visits for the offender in evaluators' own cases and in the vignette case was related to evaluators' beliefs that DV is important in custody decisions and DV caused the mother's mental health problems in the vignette. Judges were also asked about their responses to the domestic violence vignette case. Findings similar to those for evaluators were found for the judges' beliefs about DV and custody.

Gender Differences

Male evaluators were more likely than female evaluators to believe that DV allegations are false, DV victims alienate their children, DV victims hurt the children when resisting co-parenting, and DV is not an important factor in custody decisions.

Female evaluators were more likely to believe that perpetrators alienate children from their mothers. They were also more likely than male evaluators to believe that supervised visits for the father in the vignette case were in the best interest of the child and mediation would benefit the hypothetical couple.

Knowing or Being a Survivor

If the evaluator's mother was a DV survivor, the evaluator was more likely to have recommended (or would have recommended) that the DV victim receive custody and that visits with the non-custodial parent be supervised. Having any family member who survived DV was related to the belief that domestic violence is an important consideration in custody-visitation determinations and that mothers do *not* make false DV allegations. Being a DV survivor was not related to beliefs or recommendations.

Knowledge of Domestic Violence Related to Custody-Visitation Recommendations

Possession of specific areas of DV knowledge was related to particular custody and visitation recommendations in evaluators' actual cases and in the case vignette. First, we found that evaluators with knowledge of DV prevalence and DV danger assessment were more likely to recommend sole custody to DV victims. Those who knew about post-separation violence were more likely to believe the mother in the vignette should have sole custody. Finally, knowing about children's exposure to domestic violence was related to recommendations for supervised visits. Most areas of knowledge were also related to the five beliefs about custody: allegations of domestic violence are likely to be true; DV victims do not alienate children from the other parent; victims do not harm children if they resist co-parenting; DV is an important factor in custody decisions; and fathers are likely to make false DV and child abuse allegations. Knowing how to screen for domestic violence and knowing about post-separation violence were the factors most strongly associated with these five beliefs about custody. Knowledge about screening was also related to considering the father's controlling behavior in the vignette as an important factor in the evaluation process.

How Methods of Acquiring DV Knowledge Relate to Custody Recommendations

None of the methods of learning about domestic violence were related to actual custody and visitation recommendations made by evaluators. However, more frequent workshop and lecture attendance were related to recommending custody to the mother-survivor and supervised visits for the father-offender in the vignette. More frequent workshop and lecture attendance were also related to all four beliefs about DV and custody: false DV allegations are uncommon, victims do not alienate the children, domestic violence is an important factor in custody decisions, and children are not harmed if victims do not co-parent.

Professional consultations and reading books and articles were related to the beliefs that DV is important in custody decisions, false DV allegations are uncommon, victims do not alienate the children from the other parent, and the vignette mother's psychological problems may be caused by DV. Learning about domestic violence by reading web sites was associated with the beliefs that DV is an important factor in custody decisions, the vignette offender's visits should be supervised, and DV is a likely cause of the vignette mother's psychological symptoms.

Court Versus Private Settings

Court-based evaluators were less likely than private evaluators to believe that false DV allegations are common, victims alienate children from the other parent, or victims hurt the children by being reluctant to co-parent.

Professional Degree

Evaluators with degrees in social work and marriage and family therapy were more likely to have recommended custody to the DV victim in their custody cases and the vignette than evaluators who were psychologists and counselors. Social workers were more likely than psychologists to recommend supervised visits, rather than unsupervised visits, for the father in the vignette. Social workers were also more likely than psychologists to believe that DV is important in custody-visitation decisions, false DV allegations are uncommon, victims alienate the children, or victims hurt the children when they resist co-parenting. In addition, counselors were less likely than psychologists to believe that mothers make false DV allegations.

Inquiring and Screening for Domestic Violence

Ninety-four percent of the evaluators reported that they always or almost always directly inquired about domestic violence. However, 38% never used instruments or standard protocols to screen for DV, and another 24% used them only some of the time. Some evaluators (15%) used only a general personality-psychopathology instrument, such as the MMPI, rather than a specific instrument to assess DV. Those who used such general personality-psychopathology instruments were more likely to believe that false DV allegations are common and the father in the vignette should have joint or sole custody. They were less likely to have learned about screening for DV or assessing dangerousness.

Core Beliefs: Patriarchal Norms, Just World, and Social Dominance

Beliefs in patriarchal norms (i.e. women have reached equality with men), a just world (i.e. the world is basically a just place), and social dominance (i.e. social hierarchies are good) were correlated with each other and with custody beliefs and recommendations. For example, patriarchal norms correlated with all of the custody-belief measures: DV is not important in custody decisions; fathers do not make false DV or child abuse allegations; and alleged DV victims make false allegations, alienate the children, and hurt the children because they resist co-parenting. More importantly, patriarchal norms were related to the five outcome measures, specifically: (1) recommendation for sole or joint custody to the perpetrator, (2) recommendations for unsupervised visits, (3) belief that sole or joint custody for the case vignette perpetrator would be in the child's best interest, (4) recommendation for unsupervised visitation for the father in the vignette, and (5) belief that mediation is beneficial for the couple in the vignette.

The belief that the world is basically just was related to the belief that DV is not an important factor in custody decisions, as well as the beliefs that DV allegations by mothers are frequently false and that these mothers alienate the children and harm them if they resist co-parenting. Belief in a just world also was related to evaluators' estimates of how many actual

recommendations they had made for sole or joint custody to the perpetrator and to belief that mediation would be useful for the couple in the vignette. The belief that social hierarchies are good (social dominance) was not related to custody-visitation recommendations. However, belief in social dominance was related to the beliefs that alleged DV victims make false allegations and alienate their children, and that fathers do not falsely allege abuse.

The Impact of Groups of Variables

The core beliefs (patriarchal norms, just world, social dominance) and the custody beliefs contributed to recommendations independent of each other, although custody beliefs were partially explained by core beliefs. Thus, both types of beliefs are useful in understanding how professionals make custody and visitation recommendations. Overall, demographic and background variables had little effect on the relationship between the sets of core and custody belief variables and the four outcome variables.

Interviews with Survivors of Domestic Violence

Interviews with survivors who had negative experiences during the child custody process revealed several themes: Domestic violence was ignored or minimized in the evaluation; evaluators gave too much weight to survivors' mental health or alleged mental health symptoms; and evaluators performed one-sided and rushed evaluations. Among other negative experiences, survivors mentioned being reprimanded for reporting child abuse. The survivors made recommendations in several areas. They specifically urged (1) fair and thorough custody evaluations, (2) expansion of supervised visitation and exchange programs, (3) thorough enforcement of child protection laws and investigation of all child abuse reports, and (4) mandatory DV training for custody evaluators, court professionals, and guardians ad litem.

Parallels between survivor reports and survey results appeared in a number of areas. For example, the survivors' recommendations for training are consistent with the survey findings on the links between what evaluators know about domestic violence, and their beliefs and recommendations. Some survivors' reports of a double standard regarding mental illness in mothers versus fathers suggest that mothers are being held to a higher standard. These survivor reports may illustrate the significant relationship between endorsing patriarchal norms and making custody recommendations that favor offenders. The survivors also highlighted the need for evaluators to understand the traumatic effects of the emotional abuse they suffered.

Limitations of Study

Limitations of this study include:

- It is not known the extent to which the samples of professionals are representative of each professional group. Therefore, the group comparison findings need to be interpreted carefully.
- Reports of beliefs about controversial topics, even on anonymous surveys, may be influenced by social desirability response bias or by attempts to prove or disprove hypotheses.
- Some measures were created for this study, and although they showed good construct validity, some internal reliabilities were at the low end of acceptability.
- The study focused on all forms of domestic violence in order to build upon prior research. However, evaluators' responses are likely to vary depending on the type and severity of domestic violence.

Implications for Practice

Despite the limitations described above, the results of this study have important implications for practice.

Knowledge of Specific DV Topics

The majority of professionals responding to the survey reported knowledge of post-separation violence, screening, and assessing dangerousness. However, judges, evaluators, and private attorneys reported the least amount of these forms of knowledge. More DV training for judges, evaluators and private attorneys on these topics would probably be helpful. Respondents who reported more knowledge of these topics were less inclined to believe that allegations of DV are false or that victims alienate the children. Workshop and lecture attendance were the methods of knowledge acquisition most often associated with positive outcomes such as believing DV is important in custody evaluations and recommending custody to the victim and supervised visits for the father in the vignette. Information obtained through web sites, a low-cost means of training, is also related to some positive outcomes, specifically the belief that DV is an important factor to consider when making custody determinations, recommending supervised visits for the violent parent in the vignette, and viewing DV as the likely cause of mental health symptoms of the mother in the vignette. All professional groups involved in custody evaluations need DV training prior to involvement in DV custody cases, as well as yearly continuing education.

Information on False Allegations of Domestic Violence

On average, the professionals as a whole estimated that 35 percent of fathers and 18 percent of mothers falsely allege DV when the allegations are made in custody disputes. The evaluator sub-group estimated that approximately one fifth of mothers and one fifth of fathers made false allegations of DV in their cases. Future research should investigate and substantiate the actual rates of false allegations in domestic violence cases. One study showed that mothers' claims of DV were substantiated at higher rates than fathers' claims. But the study did not investigate the extent of false allegations (Johnston, Lee, Oleson & Walters, 2005). A possible concern in our findings is the higher estimates of false allegations by custody evaluators and private attorneys, compared to those of the other professional sub-groups.

Information on False Allegations of Child Abuse

Evaluators gave higher estimates of false child abuse allegations than prior research shows (for a review see Johnston, Lee, Oleson, & Walters, 2005), indicating that evaluators need more information on this topic.

Custody Recommendations

Although the most common recommendation was, by far, that sole legal and physical custody be awarded to victims, some evaluators reported that they recommended this option only "occasionally" (19%). Of particular concern was the relatively high percentage of evaluators who recommended that the victim receive physical custody and the parents share legal custody. The potential negative implications of this arrangement need to be explained to evaluators given the likelihood that many abusers will use the arrangement to continue harassment and manipulation through legal channels.

Beliefs About False Allegations of Domestic Violence in Relation to Other Beliefs and Recommendations

Among evaluators, the belief that allegations of domestic violence are usually false was part of a constellation of beliefs, including beliefs that false allegations of child abuse and parental alienation by DV survivors are common. DV educators need to provide accurate information on: the rates and nature of false allegations and alienation; the ways in which survivors are reluctant to co-parent out of fear of future harm; the mental health consequences of DV; and the importance of understanding coercive-controlling forms of violence. In addition, the significant relationships between beliefs about custody and broader beliefs about patriarchal norms, justice, and social dominance suggest links to deeper values. Professional educators can use value awareness exercises that may help change beliefs and behavior. These recommendations apply to

judges as well, since their beliefs about DV and custody were significantly related to the outcomes recommended in the case vignette.

Professional Degrees, Roles, and Settings

Information emerged from this study regarding differences in beliefs and recommendations based on evaluation settings, professional roles, and evaluators' advanced degrees. If further analysis and research supports the findings of this study, important implications emerge: (1) legal aid attorneys and domestic violence workers hold very similar beliefs and are likely to collaborate well as individual and system advocates; (2) characteristics and methods of social work evaluators need to be studied more carefully to understand the reasons for their strong support of victims; (3) due perhaps to the high proportion of social workers employed in court-based settings, county-court evaluators' beliefs supported survivors more than private evaluators' beliefs. Additional analysis is required to determine whether county-court evaluators' beliefs lead to supportive practices.

Inquiring About and Screening for Domestic Violence

We found it reassuring that almost all evaluators directly inquired about the presence of domestic violence when conducting a custody evaluation. However, only one third of evaluators consistently used a screening instrument or standard screening protocol. A more consistent use of instruments and standard protocols for DV screening is likely to increase the rate of DV detection, as they have in other settings (e.g., Magen, Conroy, Hess, Pandiera, & Simon, 2001).

Of evaluators who reported using an instrument to "assess domestic violence," 15 percent reported using only general measures of personality-psychopathology. Although such measures can detect personality disorders that might help place known abusers into typologies useful for assessment and intervention, they may also lead to false conclusions about the psychopathology of abusers and survivors (Erickson, 2006). Evaluators using general measures of personality-psychopathology were more likely to recommend sole or joint custody to the abusive father in the case vignette.

Selection of Custody Evaluators by Judges

Judges can use the findings of this study as a guide for selecting child custody evaluators. For example, those who believed that domestic violence was an important factor in custody evaluations were characterized by having particular types of domestic violence knowledge. Guidance on selecting custody evaluators with adequate knowledge of domestic violence is available (Dalton, Drozd & Wong, 2006).

Expanding Supervised Visitation and Exchange Programs

Many evaluators reported never recommending supervised visitation by professionals. A possible reason is that supervised visitation programs are not available in evaluators' communities. Survivors emphasized the need for more supervised visitation programs to help keep them and their children safe, both physically and psychologically.

In conclusion, this study reveals the extent to which evaluators and other professionals differ in their beliefs regarding false allegations, alienation of the children, the importance of DV in custody decisions, and the reasons that victims are reluctant to co-parent. Findings on the training methods and domestic violence topics likely to be most effective will improve the training of professionals. Such trainings are likely to lead to safer custody and visitation arrangements.

BACKGROUND AND LITERATURE REVIEW

Although the prevalence of domestic violence and child maltreatment has decreased over the last three decades, both remain major crime and health problems affecting millions of families (Catalano, 2006; Finkelhor & Jones, 2006; Straus & Gelles, 1990). This violence also seriously affects victims' mental health (Anderson & Saunders, 2007; Campbell & Kendall-Tackett, 2005; Wolfe, Crooks, Lee, McIntyre-Smith, & Jaffe, 2004). Early interventions for domestic abuse focused on victims' immediate needs for safety through shelter, restraining orders, and arrest of offenders. Systems advocacy focused primarily on changing the criminal justice system. Today the family law arena is increasingly identified as needing reform to protect battered women and their children (Goodmark, 2011). Research has documented the ongoing and sometimes escalating dangers faced by victims and their children after they leave violent relationships. Homicidal threats, stalking, and harassment affect as many as 25 to 35 percent of survivors who have left a violent relationship (e.g., Bachman & Saltzman, 1995; Hardesty & Chung, 2006; Tjaden & Thoennes, 2000a). In addition, as many as one fourth of battered women report their ex-partners threatened to hurt or kidnap their children (e.g., Liss & Stahly, 1993). Many abusers also use the legal system to maintain contact with and harass their ex-partners (Bancroft & Silverman, 2002).

Domestic abuse survivors and their children may experience serious harm as a result of family court decisions. Offenders may be able to continue their abuse of their ex-partners and children due to unsupervised or poorly supervised visitation arrangements (Neustein & Lesher, 2005; Radford & Hester, 2006); sole or joint custody of children may be awarded to a violent or potentially violent parent rather than a non-violent one; and mediation may be recommended or mandated in a way that compromises victims' rights or places them in more danger. Tragically, in some cases post-separation contacts end in the homicide of a mother and/or her children

(Saunders, 2009; Sheeran & Hampton, 1999). Ironically, battered mothers' attempts to protect their children may be used against them in custody and visitation decisions.

Despite the potential for negative outcomes, little is known about the extent to which they occur. No representative national or international studies have investigated the rates at which abusers are awarded sole or joint custody. However, some representative studies have been conducted in states and local jurisdictions. For example, a study of (domestic violence) DV survivors involved in child custody mediation in California revealed that only 35 percent of survivors received primary physical custody—lower than the 42 percent of non-victims who were awarded primary custody (Saccuzzo & Johnson, 2004). In contrast, a representative study of case files in Washington state found that, excluding cases awarded joint custody, approximately 90 percent of the DV survivor-mothers received primary custody (Kernic, Monary-Ernsdorff, Koepsell, & Holt, 2005). A record review of DV cases in New York City found that 77 percent of mothers and 13 percent of fathers were given residential custody, and 6 percent shared custody (Davis, O'Sullivan, Susser, & Fields, 2010). One study of DV cases across six states found that in 64 percent of cases mothers were granted sole physical custody. In another 24 percent of cases, they were granted primary or shared physical custody (Morrill, Dai, Dunn, Sung, & Smith, 2005); only 39 percent were granted sole legal custody, while 56 percent were granted joint legal custody. Custody evaluators in one survey—primarily psychologists in private practice—indicated that, in half of cases with a single DV perpetrator, they recommended the victim receive sole legal and physical custody. In 39 percent of cases, however, they recommended joint legal custody and primary physical custody for the victim (Bow & Boxer, 2003). One widely cited educational booklet from the American Judges Association states that, "studies show that batterers have been able to convince authorities that the victim is unfit or undeserving of sole custody in approximately 70% of challenged cases" (American Judges Association, n.d., p. 5). However, the Association did not conduct original research on this topic or provide references to support the statistic.

Research also is needed to help inform debates in the field. For example, victim advocates and family court professionals are often at odds over whether all domestic violence is the same and whether mediation and shared parenting should be allowed in some cases (Salem & Dunford-Jackson, 2008). Researchers and practitioners also continue to debate the extent to which domestic violence is best described as violence against women and the extent to which it is best described as "mutual combat." For some, evidence that different patterns of abuse (mutual combat vs. male-to-female violence) exist in different types of samples (Johnson, 2008) has resolved this fundamental question. But others insist that when evaluators are taught that women are the primary victims, they may produce biased evaluation outcomes (Dutton, 2006). In some portions of the present study we investigate domestic violence against women. We take this approach for several reasons, among them:

- bias in the courts, as revealed by many gender-bias commissions, almost always finds greater bias against women, which often increases risks to battered women and their children in the context of custody determinations (Dragiewicz, 2010; Meier, 2003);
- women use violence more often in self-defense than men, especially in lethal situations;
- women are more severely injured physically and psychologically than men;
- women are sexually assaulted and stalked at much higher rates than men; and
- women have more difficulty than men leaving violent relationships (Kimmel, 2002; Saunders, 2002).

In addition, some of the most rigorous studies show gender disparities. In a large-scale, representative study of the U.S. population, for example, 20 percent of women and 7 percent of men reported experiencing intimate partner violence during their lifetimes (Tjaden & Thoennes, 2000b). Within the custody evaluation context, there is also evidence of some gender disparity. For example, custody evaluators, primarily psychologists in private practice, reported their cases to be comprised of the following types: 51 percent male instigator, 17 percent bidirectional mostly male, 14 percent bidirectional mutual (both male and female instigators), 11 percent female instigator, and 7 percent bidirectional mostly female (Bow & Boxer, 2003).

Gender Bias in the Courts

Battered women are at higher risk of negative custody-visitation outcomes due to gender bias by courts, as documented by many federal, state, and local commissions that have studied such bias since the 1980s (e.g., Abrams & Greaney, 1989; Czapanskiy, 1993; Danforth & Welling, 1996; Dragiewicz, 2010; Meier, 2003; Zorza, 1996)[4]. Negative stereotypes about women seem to encourage judges to disbelieve women's allegations about child abuse (Danforth & Welling, 1996; Zorza, 1996). A lack of understanding about domestic violence also leads judges to accuse victims of lying, blaming victims for the violence, and trivializing the violence (Abrams & Greaney, 1989; Maryland Special Joint Committee on Gender Bias, 1989).

Gender bias is frequently uncovered in custody disputes (Rosen & Etlin, 1996) and often leads to mistrust of women—in particular to the belief that they make false allegations of child abuse and domestic violence. Dragiewicz (2010) provides a comprehensive summary of gender bias reports pertaining to custody decisions. In addition to the tendency to disbelieve or minimize women's reports of abuse, or to disregard evidence for it, Dragiewicz also describes other problems uncovered during investigations. These include mothers being punished for reporting abuse, unfair

[4] See also a list of gender bias reports from 43 states and 7 federal districts at http://www.legalmomentum.org/our-work/njep/njep-task-forces.html

financial settlements, and mothers being held to higher standards than fathers. In a study of appellate state court decisions, sole or joint custody was awarded to an alleged or adjudicated batterer in 36 of 38 cases, several of which involved severe battering and multiple convictions. However, two thirds of these cases were reversed on appeal (Meier, 2003).

Failure to Understand the Nature of Domestic Abuse

Judges, child custody evaluators, and others involved in determining custody and visitation arrangements may simply be unaware of the factors that indicate actual or potential harm. For example, they may be unaware that:

- regardless of whether children are the direct targets of physical abuse, exposure to domestic violence often leads to serious psychological trauma for many children (e.g., Edleson, 1999; Graham-Bermann & Edleson, 2002; Kitzmann, Gaylord, Holt, & Kenny, 2003; Wolfe, Crooks, Lee, McIntyre-Smith, & Jaffe, 2004);
- half of men who batter also physically abuse their children (Straus, 1983);
- battered women's risk of abusing their children is also above the norm, but is half that of men who batter and seems to be more situational (Saunders, 2007);
- many men who batter, more than fifty percent in one study, become abusive in a subsequent relationship (Woffordt, Mihalic, & Menard, 1994); therefore, separation does not necessarily end children's exposure to violence;
- stalking, harassment, and emotional abuse often continue and may increase after separation (e.g., Bachman & Saltzman, 1995; DeKeseredy & Schwartz, 2009; Leighton, 1989; Tjaden & Thoennes, 2000a); and
- the risk of homicide increases after separation (Saunders & Browne, 2000).

Practitioners may also have serious misconceptions about custody cases and domestic abuse. For example:

- Practitioners may not understand why survivors stay in the relationship. A woman might stay in the relationship because she believes that it is the best way to protect her children—a decision that can be interpreted as a failure to protect her children. Failure to protect is a claim that can be used against her in custody disputes. On the other hand, if she flees suddenly with the children or wants to live far from her abuser, her actions are often interpreted negatively (see Saunders, 2007, for a review). Researchers have found women may stay for a variety of reasons related

to concerns for the children: fear of financial loss; belief that the children need their father; fear that she will lose custody to a father who is a likely child abuser; fear that she and her children will be stalked, abused, and/or killed; and family pressure (Hardesty & Chung, 2006; Hardesty & Ganong; 2006; Radford & Hester, 2006).

- Practitioners may misinterpret the demeanor of battered women. Due to the trauma of the violence and the added stress of fearing the loss of child custody to an abuser, survivors may be extremely emotional. Alternately, they may seem indifferent, due to the numbing effects of posttraumatic stress (APA, 1996; Erickson, 2006; Crites & Coker, 1988). The hostility some victims show can be a sign of posttraumatic stress disorder or a reaction to injustices they have endured. Regardless, such an affect is at odds with the courts image of a "good mother" (Neustein & Lesher, 2005). What may seem like chronic emotional instability, however, is likely to be situational and caused by past and current trauma (Erickson, 2006). Gender bias might also lead evaluators to interpret the same psychological symptoms very differently for fathers and mothers (Lesher, 2010). Careful assessment is needed to determine the extent to which a victim's psychological symptoms interfere with parenting and how quickly they will abate once she is safe (Geffner, Conradi, Geis, & Aranda, 2009).

- There is a misconception that false allegations of abuse are common in custody cases. Studies show that rates of false allegations of child abuse are quite low in divorce cases (e.g., Faller, 2005; Trocme & Bala, 2005). Two studies have revealed that, contrary to the view that mothers are more likely to falsely allege domestic violence, mothers are *more* likely to have their abuse allegations substantiated than fathers (Davis, O'Sullivan, Susser, & Fields, 2010; Johnston, Lee, Oleson, & Walters, 2005). In a 1997 study of evaluators, nearly half of the abuse allegations (physical, sexual, emotional abuse with family member not specified) were seen as false or inflated (LaFortune & Carpenter, 1998). In only 20 percent of cases that included allegations did evaluators find clear evidence of abuse. More male than female evaluators believed allegations to be false (57 and 34 percent, respectively). In a preliminary analysis of supervised visitation professionals' beliefs about false allegations, we found that the stronger the belief in false allegations of domestic violence, the stronger the beliefs that (a) safety of the child is unrelated to the safety of the parent; (b) men who abuse their partners in front of the children do not need supervised visitation; (c) a child who does not want to visit an accused parent has been manipulated by the other parent; and (d) conditions of visitation should only be based on the parent's treatment of the child and not of the other

parent (Saunders, Sullivan, Tolman, & Grabarek, 2007). Therefore, a constellation of beliefs related to the perceived trustworthiness of parents appears to exist.

Failure to Detect or Document Abuse in Custody Determinations

Several studies reveal that, in many custody-visitation proceedings, domestic violence remains either undetected or is not documented when it is detected (e.g., Araji & Bosek, 2010; Davis, O'Sullivan, Fields, Susser, 2011; Johnson, Saccuzzo, & Koen, 2005; Kernic, Monary-Ernsdorff, Koepsell, & Holt, 2005; Voices of Women, 2008). Some survivors do not report abuse. They may fear the report will be used against them, or do not report the abuse at the urging of their attorneys or mediators (O'Sullivan, 2000; Saccuzzo & Johnson, 2004; Voices of Women, 2008). Rates of DV detection differ considerably across jurisdictions and these differences are likely the result of different court procedures (Keilitz, Davis, Flango, Garcia, Jones, Peterson, & Spinozza, 1997).

Even if domestic violence is detected, it is often ignored as a factor important in determining custody and visitation arrangements. One study that interviewed survivors who had documented abuse demonstrated frequent failures to consider the documented domestic abuse and/or child abuse in the custody decision. In addition, unsupervised visitation or custody was often recommended or granted to men who used violence against their partners and/or children (Silverman, Mesh, Cuthbert, Slote, & Bancroft, 2004). One study found that battered and non-battered women were equally likely to be awarded custody, and that offenders were no more likely than non-offenders to be ordered to supervised visits (Kernic et al., 2005). Similarly, in a random sample of 82 court cases, only minor differences existed between the custody evaluation process and recommendations for domestic violence versus non-domestic violence cases (Logan, Walker, Jordan, & Horvath, 2002).

In one study, most fathers with protection orders against them were not awarded custody (Rosen & O'Sullivan, 2005); however, this did not hold true when mothers withdrew their petitions for protection orders, which they may have done because of pressure from their abusers. Mediators in another study were about equally likely to recommend joint legal and physical custody for both domestic violence and non-domestic violence cases; rates of supervised and unsupervised visitation also did not differ between violent and non-violent cases (Johnston, Lee, Olesen & Walters, 2005). Similarly, O'Sullivan and her colleagues conducted two studies showing that a history of domestic violence had little effect on courts' visitation decisions (O'Sullivan, 2000; O'Sullivan, King, Levin-Russell, & Horowitz, 2006). Evidence for the reverse also exists: When abuse is properly taken into account by the courts, court decisions that awarded custody to abusive fathers are often reversed on appeal (Meier, 2003).

Friendly Parent Statutes

The majority of states include a "friendly parent" factor that must be considered in custody determinations (Zorza, in press; 2007). Parents are expected to facilitate a good relationship between the children and the other parent. Despite a reasonable reluctance to co-parent out of fear of harm to themselves or their children (Hardesty & Ganong, 2006), survivors may end up being labeled "unfriendly" or "uncooperative," thereby increasing the risk of losing their children (American Psychological Association, 1996). The friendly-parent standard works against survivors because any concerns they voice about father-child contact or safety for themselves are usually interpreted as a lack of cooperation (Zorza, 1996).

Survivors are therefore placed in a no-win situation: If they do not report abuse, then protections for them and solid grounds for custody are not available; yet reporting the abuse may be viewed as raising false allegations in order to gain advantage in divorce proceedings (Dore, 2004). Research shows that parents who raise concerns about child sexual abuse can be severely sanctioned for doing so (Faller & DeVoe, 1995). The sanctions include loss of custody to the alleged offender, restricted visitation, and court orders not to report further abuse or take the child to a therapist (Faller & DeVoe, 1995; Neustein & Goetting, 1999; Neustein & Lesher, 2005; Voices of Women, 2008). In practice, friendly-parent provisions, together with statutes presuming joint custody, tend to override presumptions against awarding joint legal custody with the abuser (Morrill, Dai, Dunn, Sung, & Smith, 2005). Fortunately, some states provide exemptions to the application of the friendly-parent factor in cases of domestic violence.

Further compounding victims' experiences are contradictory messages from criminal courts, family courts, child protection investigations, and visitation services (Hester, 2009). For example, criminal courts support victims' testimony about the abuse, but in family court the same testimony might be interpreted as non-cooperation. To overcome these inconsistencies some states have introduced integrated DV courts (Aldrich & Kluger, 2010).

Labeling Survivors as "Alienating Parents"

Similar to the emphasis on cooperative parenting, use of the label "parent-alienation syndrome" (Gardner, 1998) or, more recently, "parental-alienation disorder" (Bernet, 2008; Bernet, von Boch-Galhau, Baker, & Morrison, 2010) can also place battered women in a no-win situation. Battered mothers are vulnerable to these labels when they make formal child abuse allegations or raise concerns about the possible abuse of the children by an ex-partner. Many child abuse professionals believe that mothers coach their children to make false allegations in contested custody disputes (Faller, 2007). As noted earlier, they may even face court sanctions and lose custody as a result of raising such concerns (Faller & DeVoe, 1995). However, research indicates that although false allegations may occur more frequently in divorce-access disputes, the

non-custodial parent (usually the father), not the custodial parent (usually the mother) tends to make more false reports (Trocme & Bala, 2005). Practitioners who apply parent-alienation syndrome (PAS) or parent-alienation disorder formulations tend to automatically label a parent as an "alienator" without a thorough investigation of the allegations (Brown, Frederico, Hewitt, & Sheehan, 2000; Brown, Frederico, Hewitt, & Sheehan, 2001; Meier, 2009). As a result, battered mothers may be viewed as both pathological and abusive.

Although reviews of court decisions and legal reviews generally find that "parent alienation syndrome" is not admissible in court testimony (Bruch, 2001; Dalton, Drozd, & Wong, 2006; Meier, 2009), there are notable exceptions. Bernet and colleagues documented 22 court cases in which parental alienation syndrome or disorder was permitted in court testimony (Bernet, von Boch-Galhau, Kenan, Kinlan, Lorandos, Sauber, Sood, & Walker, 2008). Recently, there have also been attempts to include parental alienation disorder in the DSM V (Bernet, et al.), and rebuttals of those attempts have appeared (Walker & Shapiro, 2010).

Nevertheless, there is a new focus on the reasons that children may feel alienated from a parent, including the experience of seeing their fathers abuse their mothers or being directly abused by a parent (Johnston, 2006; Johnston, et al., 2005). Many professionals are also skeptical about the empirical basis for parent-alienation syndrome and parent alienation. In one survey of professionals involved with custody decisions (evaluators, judges/trial attorneys, and court facilitators), most rated themselves as very knowledgeable about parent alienation (Bow, Gould, & Flens, 2009). The majority did not believe that parent alienation had much empirical support and they believed that parent alienation syndrome had even less empirical support. As a group, survey participants estimated that parent alienation occurred in 26 percent of their cases, with mothers more frequently being reported as alienators than fathers (66 vs 34 percent). A low percentage (12 percent) believed that parent-alienation syndrome met the Daubert criteria for admissibility in court proceedings. On the other hand, about half of the evaluators in Baker's (2007) survey believed that PAS met the Daubert criteria. Three fourths believed it was very important to assess for PAS but only 16 percent believed that it was very important to add to the *Diagnostic and Statistical Manual.* The differences between the Bow, et al. findings and the Baker findings might stem from the different samples: The former included a diverse range of professionals and the latter included only evaluators.

Professional Training, Guidelines, and Standards

The effect that education and training have on custody evaluators and judges has received very little attention. Evaluators and judges may need more training on the continued safety risks to children from abusive fathers, the likelihood of post-separation violence, and concerns about the use of mediation, parent alienation syndrome, and false allegations (Jaffe, Lemon, & Poisson, 2003; Saunders, 1994; Saunders, 2007). A 1996 survey conducted by Ackerman and Ackerman

(1996) found that psychologists who conducted child custody evaluations listed mental illness of a parent and the couples' inability to communicate, cooperate, or resolve conflict as the major reasons to prefer sole custody in all cases (61 and 56 percents, respectively), compared with 38 percent who listed evidence of physical or sexual abuse. A parent's attempt to alienate the child and alcoholism problems were rated as more important factors in recommending custody than physical abuse allegations. In 2008 Ackerman & Ackerman repeated the study, but discovered very different results. Indeed, 64 percent of respondents listed physical or sexual abuse as a major reason for sole custody, compared with 42 percent, who cited communication problems and 38 who cited mental illness of a parent. In a 2001 survey of psychologist evaluators, the three most important criteria for custody recommendations were parent-child emotional ties, willingness and ability of parents to encourage a close relationship with the other parent, and domestic violence—regardless of whether it was directed at the child (Bow & Quinnell, 2001; 8.1 to 8.4 on a 9 point scale with 9 = "extremely important").

Bow and Boxer (2003) found that almost all evaluators had some DV training and that evaluators appeared to follow established standards for custody evaluations when evaluating DV cases. Evaluators tended to use multiple sources of information, but they did not use specialized domestic violence questionnaires or instruments. Detection of domestic violence was crucial since the evaluators indicated that a history of domestic violence weighed heavily in their recommendations. Of those responding, 76 percent listed it as "greatly" or "extremely" important. Power/control issues and jealousy/possessiveness were weighed more heavily than physical abuse in the evaluation process. Psychological testing was given a moderate amount of weight—less than interviews with family members, observing parent-child interactions, reviewing police and medical records, and contacting therapists.

Evaluators' theoretical orientation appears to play a role in shaping their evaluations. An analysis of custody records of DV cases in one city showed that evaluators who viewed "power and control," as opposed to family system dynamics or psychoanalytic factors, as the basis for DV, were more likely to recommend parenting plans with higher levels of safety (Davis, O'Sullivan, Susser, & Fields, 2010). Women were more likely than men to have a power-and-control orientation. In a qualitative study of 23 evaluators, clear differences were found between "family violence" and feminist perspectives (Haselschwerdt, Hardesty, & Hans, 2011). The feminist group had much more DV training, used a power-and-control orientation, and differentiated among types of DV. They believed spouse abuse is highly relevant to custody evaluation, false allegations are relatively rare, and recommendations should emphasize safety over co-parenting.

In a study of 60 judges, those with domestic violence education were more likely to grant sole custody to abused mothers (Morrill et al., 2005). This education was not related to the extent of DV knowledge or attitudes about domestic violence and supervised visitation. However, only the past three years of education was included, its extent was not fully measured, and there were only

eight judges in the untrained group. An evaluation of the judges education program "Enhancing Judicial Skills in Domestic Violence Cases," developed by the National Council of Juvenile and Family Court Judges and the Family Violence Prevention Fund, showed that judges overestimated their skills and competence prior to the training (Jaffe, 2010). Six months after training, the majority of judges saw specific behavior changes in the areas of victim safety, batterer accountability, and judicial leadership.

Increasingly, training and resource manuals on domestic violence are available for judges and court managers, including guidelines for selecting custody evaluators and guardians ad litem (Dalton et al., 2006; Maxwell & Oehme, 2001; Goelman, Lehrman, & Valente, 1996; Lemon, Jaffe, & Ganley, 1995; National Council of Juvenile and Family Court Judges, 1995; National Council of Juvenile and Family Court Judges, 2006; Keilitz, Davis, Flango, Garcia, Jones, Peterson, & Spinozza, 1997). One resource for judges addresses cultural considerations for diverse populations (Ramos & Runner, 1999). Some states require initial and/or continuing domestic violence education for judges, attorneys, mediators, and custody evaluators. Other states require the development of curricula but stop short of requiring training.

Standards and guidelines have also been developed for custody evaluators and supervised-visitation monitors. Most commonly cited are those from the American Psychological Association (2010), the Association of Family and Conciliation Courts (2006), and the Supervised Visitation network. One article recommends custody evaluation guidelines for clinical social workers (Luftman, Veltkamp, Clark, Lannacone, & Snooks, 2005). The American Law Institute's principles are offered as a guide for judges and advocates to bring greater justice to DV cases (Sussman, 2010). Some researchers have attempted to assess the extent to which evaluations adhere to general, professional standards (e.g., Horvath et al., 2002 Zelechoski, 2009).

Differential Assessment and Recommendations

Recently, research on different types of domestic violence (Holtzworth-Munroe, Meehan, Herron, Rehman, & Stuart, 2000; Johnson, 2008; Swan & Snow, 2002) has been used to suggest more individualized guidelines for custody and visitation decisions (e.g., Jaffe & Crooks, 2007; see also special issues of *Family Court Review*, Olson & Ver Steegh, 2008, and *Journal of Child Custody,* 2009). The main types described are (a) coercive-controlling forms of violence that tend to be chronic and severe (often referred to as "battering") and (b) violence that appears to arise from conflicts within the relationship and tends to be non-severe. Separation-instigated violence is a third type, although it has much less empirical support than other types (Johnson, 2008; Stark, 2009). A single incident of minor violence during the separation process tends to be viewed much differently than repeated, severe, and coercive violence (Gould, Martindale, & Eidman, 2008). However, scholars debate whether such minor violence is typical of "separation violence" and whether attention to minor violence could lead to complacency (Dalton, 1999; Stark, 2009), given

the increased risk for domestic homicide after separation, in some cases with no prior violence (Nicolaidis, Curry, Ulrich, Sharps, McFarlane, Campbell, Gary, Laughon, Glass, & Campbell, 2003). Misconceptions and ambiguities about "situational violence" exist as well, and more research is needed to understand this type of violence (Johnson, 2008). Contrary to some descriptions, this situational violence is not necessarily "mutual."

Fathers' Rights Groups

The influence of fathers' rights groups on evaluators and judges is unclear outside of anecdotal accounts (Kurth, 2010). Some types of groups lobby for the presumption of joint custody and co-parenting and doubt the validity of most domestic violence allegations (Dragiewicz, 2008; Williams, Boggess, & Carter, 2004). For example, the National Fathers' Resource Center (NFRC), along with Fathers for Equal Rights, "demands that society acknowledge that false claims of Domestic Violence are used to gain unfair advantages in custody and divorce cases" (NFRC, 2006). They further state:

> Fathers' organizations now estimate that up to 80% of domestic violence allegations against men are false allegations. Since society offers women so many perks for claiming that they are victims of DV (we call these perks "warm milk and cookies"), false or staged DV allegations now appear to be even more frequent in family court cases than false sex abuse allegations. . . . Simply stated, women know, and are often advised by their attorneys, that if they want to get custody of the children, they had better try to nail dad with some sort of domestic violence accusation (NFRC, 2006).

A quantitative study of 236 fathers' rights web sites found that 35 percent of sites included claims that mothers falsely allege child abuse, and 27 percent included claims that wives falsely allege domestic violence (Rosen, Dragiewicz, & Gibbs, 2009). Interestingly, states with statutes favoring joint custody were associated with a higher number of web sites supporting fathers' rights themes.

Father Engagement

When abusers do not have custody, they may be required to participate in supervised visitation, monitored by a professional, paraprofessional, friend, or relative. Supervised visitation programs, using professional and/or paraprofessional monitors, have grown considerably in the last 15 years (United States Department of Justice, 2006). Courts may set conditions prior to or concurrent with visitation. Conditions can include substance abuse and mental health assessments and completion of batterer intervention and parent education programs. Special parenting programs for men who batter have developed in recent years, either as modules within existing intervention programs or as stand-alone programs (Edleson, Mbilinyi, & Shetty, 2003; Edleson & Williams, 2007). The

evaluation of these programs is in its infancy (e.g., Scott & Crooks, 2007). In the 1980s, however, two studies of programs for men who batter investigated the reduction of actual or potential violence toward children (Myers, 1984; Stacey & Shupe, 1984). Both studies showed promising results.

Background Factors and Core Beliefs

It is likely that some traits and background factors are related to beliefs about false allegations, similar to findings about victim-blaming attitudes (Saunders, Lynch, Grayson, & Linz, 1987). For example, a professional with a history of being abused as a child or adult may be more likely to show positive attitudes and behavior toward victims (Yoshihama & Mills, 2003). Firsthand acquaintance with survivors can influence professionals' responses, for example with increased detection of DV (Saunders & Kindy, 1993). In one study, male college students who did not have a history of childhood trauma involving betrayal were more skeptical of reports of child sexual abuse when compared with male college students who did experience betrayal (Cromer, 2006).

Women are consistently less likely than men to blame victims of domestic violence and sexual assault (e.g., Saunders, Lynch, Grayson, & Linz, 1987). In one study, female family court judges showed more knowledge of domestic violence and greater support for victim protections (Morrill et al., 2005). As noted in the gender bias reports, patriarchal attitudes seem to play a major role in the treatment of battered women. Clear evidence demonstrates connections between sexist beliefs (patriarchal norms) and blaming battered women for their abuse (Saunders et al., 1987). Such attitudes are likely related to minimizing abuse or doubting the veracity of abuse reports.

Underlying the patriarchal beliefs and victim blaming are likely to be deeper, "core" beliefs (i.e. general, value-laden beliefs) about justice and equality. For example, the belief that the world is basically a just place has been related to various forms of victim blaming or denigration. It asserts that good things can happen only to good people and bad things can happen only to bad people (Rubin & Peplau, 1975). Likewise, holding a basic belief that hierarchies are an inherent part of society (Sidanius & Pratto, 1999) and having inequality as a core value (Ball-Rokeach, 1976) are related to beliefs supporting gender inequality. Men are more likely than women to have a social-dominance orientation across various contexts and demographic groups (Sidanius & Pratto, 1999). An understanding of such core beliefs can be useful in educational programs designed to change attitudes by creating dissonance between core beliefs (terminal values) and attitudes (Grube, Mayton, & Ball-Rokeach, 1994), and in understanding more fully the connection between attitudes and behavior (Crano & Prislin**,** 2006; Wray, 2006). This understanding can also be helpful in developing educational information, as it has been in countering rape myths (e.g., Foubert & Perry, 2007; Gidycz, Layman, Rich, Crothers, & Gylys, 2001).

Macro Context: State Laws

Other than Morrill and colleagues' (2005) findings on friendly-parent provisions, research has not focused on the influence of state laws. However, state laws may have considerable impact on practice, given the variety of legal innovations intended to protect survivors and their children. Every state now lists domestic violence as a factor to be considered in custody decisions, and in many states it is given special weight. The custody/visitation section of the Model Code on Domestic and Family Violence—developed by the National Council of Juvenile and Family Court Judges (NCJFCJ, 1994)—has now been adopted by the majority of states. These statutes use the model's wording, or similar wording, that there exists a "rebuttable presumption that it is detrimental to the child and not in the best interest of the child to be placed in sole custody, joint legal custody, or joint physical custody with the perpetrator of family violence" (p. 33). Although statutes have become increasingly precise regarding definitions of domestic violence, they may leave children vulnerable to psychological abuse when exposure to DV is not included in the definition (Dunford-Jackson, 2004).

Statutes also address other issues related to custody and visitation. These often include:

- standards for supervised visitation and exchange programs;
- exempting domestic violence cases from mandated mediation (Dunford-Jackson, 2004; Girdner, 1996);
- protecting battered women from charges of "child abandonment" if they flee for safety without their children (Cahn, 1991); and
- making it easier for victims to relocate for safety reasons.

Recent statutory innovations have been implemented in a few states. For example, a mediated agreement can be declined by the court if domestic violence affected the victim's ability to make the agreement (NCJFCJ, 2005). Moreover, if a parent alleges that a child is exposed to domestic violence, such allegations cannot be used against the parent bringing the allegation (NCJFCJ, 2004).

Other countries, most notably New Zealand, Australia, and some Canadian provinces also have passed laws intended to add protections. New Zealand law includes a broad definition of domestic violence that incorporates "various tactics of power and control that perpetrators commonly employ," including "threats, intimidation, harassment, damage to property" (Busch and Robertson, 2000, p. 274). It also specifies protection for domestic violence victims from the accusation they failed to protect their children from the abuser (Jaffe, Lemon, & Poisson, 2003), stating that "the person who suffers the abuse is not regarded as having allowed the child to see

or hear the abuse." The law further includes a requirement that the court consider safety measures for the victim when the abuser is granted visitation (Jaffe, Lemon, & Poisson 2003); and a rebuttable presumption against granting custody or unsupervised access to a parent who used violence towards a child or the other parent. The court is required to weigh specific criteria such as the likelihood of further violence, the physical and emotional harm caused to the child by the violence, and steps taken by the violent party to prevent further violence from occurring (Busch & Robertson, 2000).

Resources for Survivors

The outcomes for domestic violence survivors may depend greatly on the resources available to them. Some survivors and advocates see lengthy court battles as attempts by abusers to drain survivors financially. The availability of pro bono representation and legal aid services for poor women is likely to have important benefits. Despite the development of improved protections, some parents and children experience serious problems with the legal system. These parents sometimes form grassroots support and advocacy groups that conduct court watches and help parents share common court experiences. Such groups are especially supportive when parents lose custody while trying to protect children and themselves from abuse (Anderson, 2010). In 2007, ten mothers and a victimized child (now an adult) and national and state organizations filed suit against the United States with the Inter-American Commission on Human Rights. They claimed that the human rights of abused mothers and children were not protected because custody was awarded to abusers and child molesters (Klein, 2007).

CONCEPTUAL MODEL AND HYPOTHESES

Based on the outcomes, beliefs, and background factors reviewed above, we constructed a conceptual model for this study, linking these factors to the belief that false allegations are common. This model is shown in Figure 1 below, but for the sake of simplicity only the major relationships are shown. During both the pilot and regular studies we were able to add and modify some variables. A revised conceptual model is also shown below (Figure 2).

Based on the review of the literature and our preliminary studies, we formulated the following hypotheses:

1. The belief that there is a high rate of false allegations of domestic violence will be positively correlated with other beliefs: that there is a high rate of false allegations of child abuse; that the abuse of a parent is not relevant in custody/supervision decisions; that parents alienate children from the other parent; and that parents do

not need to be protected as much as children do. In contrast to the more general, value-laden core beliefs about patriarchal norms, just world, and social hierarchies, we label these *surface beliefs.*

2. There will be a positive correlation between belief in false allegations of domestic violence and two recommendations: awarding joint or sole custody to a domestic abuser and unsupervised visitation for abusive, non-custodial parents.

3. There will be a positive correlation between attitudes blaming domestic violence victims and belief in false allegations.

4. There will be a positive correlation between a belief in high rates of false allegations and belief in a just world, a social-dominance orientation, and patriarchal norms.

5. The positive correlation between beliefs in a just world and social dominance, and a belief in high rates of false allegations will be explained (mediated) by patriarchal norms.

6. Males, those with little or no history of family violence, and/or those with little or no training about abuse, will more strongly believe that false allegations are made during custody evaluations.

7. Custody evaluators and others involved in decisions about custody and supervision will have stronger beliefs in false allegations than will advocates for domestic abuse survivors.

We are also able to explore the overall contribution (percent variance explained) of sets of variables—beliefs about custody, core beliefs, and background—in explaining custody-visitation recommendations. The qualitative analysis of interviews with survivors helped us to interpret the quantitative findings.

Figure 1. Original Conceptual Model for the Relationships Among Beliefs about False Allegations, Outcomes, and Core Beliefs

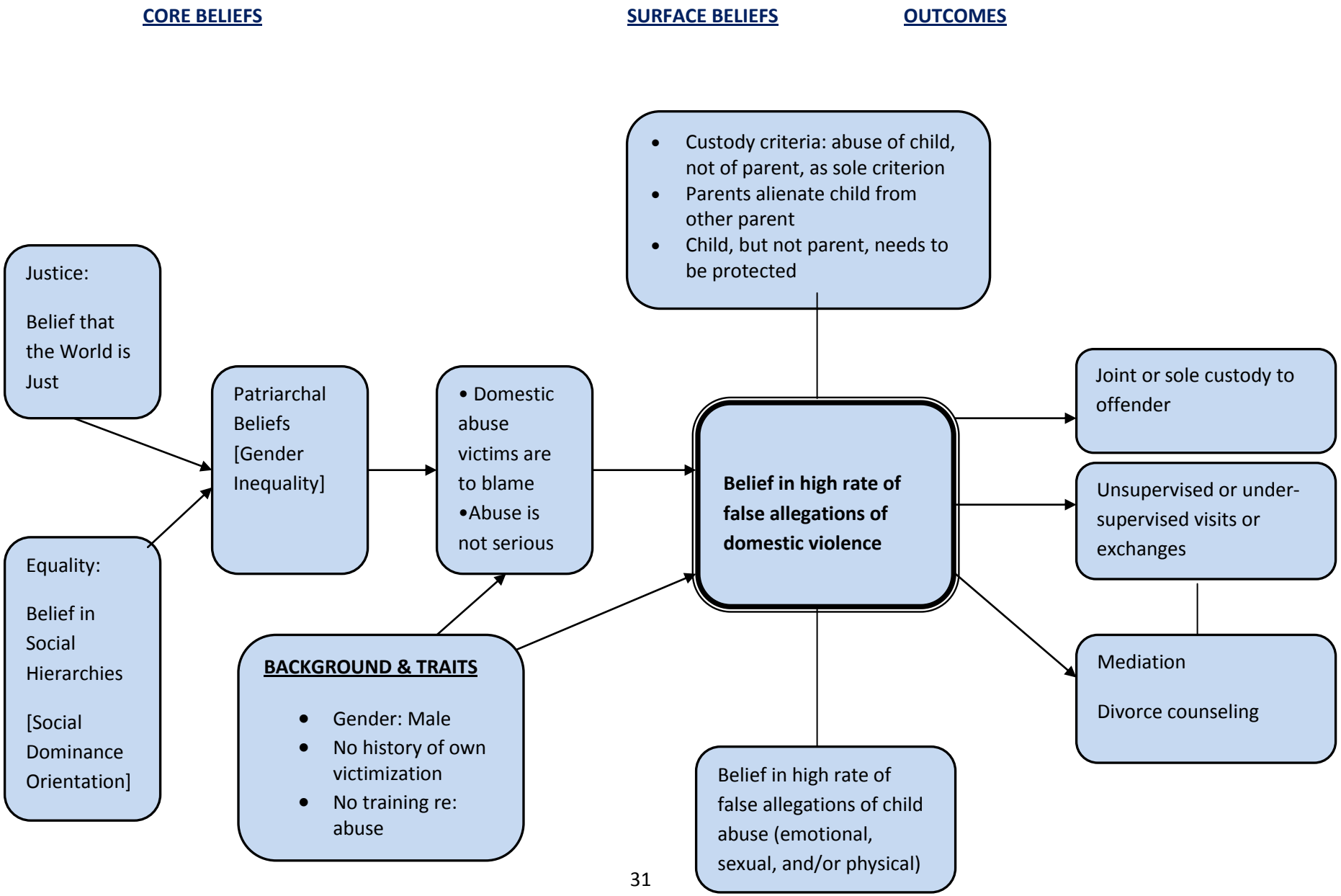
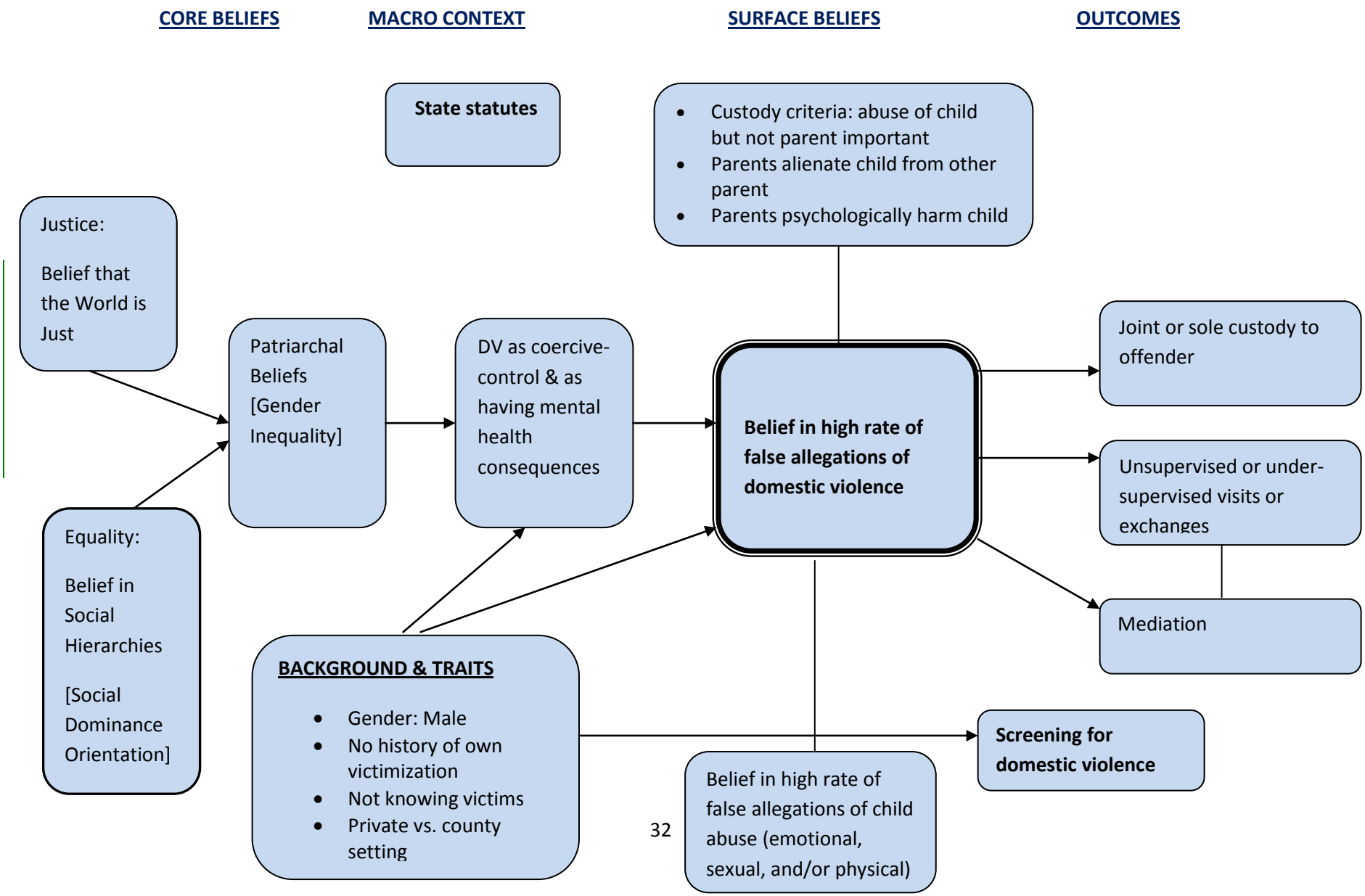


Figure 2. Final Conceptual Model for the Relationship Among Core Beliefs, Beliefs about False Allegations, & Outcomes



OVERVIEW OF RESEARCH DESIGN AND METHODS

The study had two major parts. Part 1 was a survey of professionals, primarily custody evaluators. Part 2 used qualitative, semi-structured interviews with domestic abuse survivors who experienced negative outcomes in family court, such as losing custody of their children. Prior to conducting these parts of the project we conducted a six-month pilot study in order to test the implementation of the mailed and web surveys, conduct psychometric analyses of survey scales, and test and refine our survivor interview questions and procedures.

Seventy-six professionals, likely to include a substantial number of evaluators, were recruited by letter (seven were returned as undeliverable with no forwarding address). They were given the options of mailed or web-based survey completion. We recruited 266 more professionals through two waves of e-mail invitations (26 e-mails were undeliverable and two professionals reported they were not evaluators). This group was given the option of a web-based survey. We followed the Dillman (2005) procedure for recruitment by mail: an introductory letter followed by the survey with a cover letter, then by a postcard reminder/thank you, and then by another copy of the survey. For the e-mail invitation, we sent two reminder e-mails within 10 days of the initial one. More information on the lists used in recruitment and the invitation procedures are given below for the regular study.

Sixty-two usable responses were obtained from evaluators through both methods of recruitment. For the survivor interviews, we completed five pilot interviews at four sites. They were conducted by four different interviewers.

We accomplished several goals through the pilot study:

1. We were able to substantially reduce the number of survey items by eliminating those that did not add to the reliability of a scale. For example, one scale was reduced from 15 to 5 items. Other items that we had created were eliminated because they were not part of reliable subscales. By shortening the survey from 25 to 20 minutes, we hoped to increase the response rate.

2. We observed that even with a relatively small sample, almost all of the hypotheses were supported.

3. We found that 90% of the evaluators were in private practice. In order to understand possible differences between private practitioners and evaluators in county court-based settings, we decided to over-recruit the latter group in the main study to achieve a sufficient sample size for analysis.

4. We observed that the response rate for both the mailed and e-mailed invitations was much lower than expected, and we needed to develop our invitation lists and modify our procedures with that in mind.

5. The scale variance for the Inventory of Beliefs About Wife-Beating (Saunders, Lynch, Grayson, & Linz, 1987) was not great enough for use in the main study. Only a few of the respondents held victim-blaming beliefs, perhaps reflecting either changing attitudes in the 20 years since the scale was developed or an increased tendency to give politically correct responses.

6. We revised the victim interview protocol. Most notably, we embedded the history of violence into the section on the custody evaluation in order to increase the chance that we would cover the custody material thoroughly.

7. We provided feedback to the interviewers to help them improve their interview methods, in particular helping them meet the challenge of balancing emotional support with information gathering.

PART 1: SURVEY OF PROFESSIONALS

Methods

Sample

The original plan involved the participation of 445 custody evaluators, 70 family court judges, and 70 domestic violence advocates in the United States. We added a sample of legal aid attorneys because of their frequent involvement in battered women's custody cases. Private attorneys were also added for comparison purposes. There were 1,246 professionals who responded to either a web-based or mailed survey, and 1,187 had enough responses to be included in analyses. Of those with usable surveys, there were 465 evaluators, 200 judges, 131 legal aid attorneys, 119 private attorneys, and 193 domestic abuse survivor program workers. There were also 4 attorney educators, 12 attorneys who could not be classified, 28 from other professions (e.g., law enforcement, probation, therapist, mediator, rehabilitation counselor, abuser intervention worker), and 34 with missing information on professional role. The five largest groups were used in the analysis comparing professional groups.

The tables below show demographic characteristics and experience levels for the five major groups. Different subscripts in the tables indicated significant differences between groups in a pair-wise comparison. Almost all of the domestic violence (DV) program workers were women, as

were the majority of custody evaluators and attorneys; 43% of the judges were women. The majority of judges, evaluators, and private attorneys were more than 50 years old. All professionals had advanced degrees except for 6% of the evaluators and 52% of the DV program workers. Among those with advanced degrees, half of the DV workers had masters degrees compared with 42% of the evaluators; 6% of the DV workers with an advanced degree had a doctorate compared with 40% of the evaluators. The judges had the most experience with custody cases, followed by the two attorney groups, then by the evaluators, with the DV program workers having the least amount of experience. However, in the past year the evaluators and DV workers did not differ in the number of cases with which they were involved. The two attorney groups showed the most similarity, with no significant differences on gender, education, type of advanced degree, and the total number of custody cases with which they were involved.

Evaluators were categorized by the type of advanced degrees they had. Approximately half (52%) were psychologists, 24% were social workers, 7% counselors, 6% marriage and family therapists, 3% lawyers, 2% psychiatrists, and 6% "other or multiple" (e.g., criminal justice, human development, divinity, education, public administration).

Recruitment Procedures and Response to Invitations

Multiple procedures were used for recruiting the different professional groups. The procedures differed somewhat across the groups.

Custody evaluators. We used several methods to locate custody evaluators. There are no national, regional, or state organizations of evaluators. Therefore we relied on indirect methods for generating lists for invitations, as follows: (a) locating members of the Association of Family and Conciliation Courts (AFCC) who were psychologists, since they are likely to conduct custody evaluations; (b) doing web searches for evaluators; (c) using a list used by another researcher conducting a similar survey that was based primarily on web searches, with telephone confirmation that the people conducted evaluations; and, (d) making e-mail and telephone contact with the directors of court-based custody evaluation units. From these county court contacts we also learned which states and counties had county court-based evaluators and often obtained information on their roles, training, education, and professional affiliations. We wanted to over-recruit court-based evaluators because we were informed by some DV advocates and by the court unit directors that court workers usually had different levels of DV training and educational backgrounds than private evaluators. Our final sample included 54% who worked in private settings, 29% in court settings, and 14% in both. A small percentage (3%) worked in other settings, such as hospitals and university training clinics. Some of those reporting both "private" and

Table 1

Demographics and Experiences of Professional Groups (n = 1,107)

Variable	Primary Role				
	Evaluators (*n* = 465)	Judges (*n* = 200)	Private Attorneys (*n* = 119)	Legal Aid Attorneys (*n* = 131)	DV Program Workers (*n* = 192)
Gender					
Female	59.9%	43.4%	75.4%	73.1%	97.3%
Male	40.1%$_a$	56.6%$_b$	24.6%$_c$	26.9%$_c$	2.7%$_d$
Age					
18-29	0.9%	0.0%	0.8%	12.3%	17.8%
30-39	6.5%	2.0%	8.5%	24.6%	20.9%
40-49	17.8%	13.1%	24.6%	28.5%	18.8%
50-59	39.9%	49.0%	39.0%	21.5%	30.9%
60+	35.0%$_a$	35.9%$_b$	27.1%$_a$	13.1%$_c$	11.5%$_c$
Education					
High school	0.0%	0.0%	0.0%	0.0%	2.6%
Some college	0.7%	0.0%	0.0%	0.0%	16.2%
Four years of college	4.4%	0.0%	0.0%	0.0%	33.5%
Advanced degree	94.9%$_a$	100.0%$_b$	100.0%$_b$	100.0%$_b$	47.6%$_c$
Advanced Degree					
Masters	42.0%	0.0%	0.8%	1.5%	52.2%
Ph.D.	40.3%	0.0%	0.0%	0.0%	6.5%
Psy.D.	5.8%	0.5%	0.0%	0.0%	0.0%
M.D.	1.2%	0.0%	0.0%	0.0%	0.0%
J.D.	0.2%	97%	90.7%	90.8%	31.5%
Other	10.5%$_a$	2.5$_b$	8.5%$_c$	7.6%$_c$	9.8%$_d$

Note. **Different subscripts indicate significant differences between groups.**

Table 2
***Experience with Custody Cases by Primary Role* (*n* = 1,107)**

Variable	Primary Role				
	Evaluators (*n* = 465)	Judges (*n* = 200)	Private Attorneys (*n* = 119)	Legal Aid Attorneys (*n* = 131)	DV Program Workers (*n* = 192)
Total custody cases involved/ evaluated [a]					
0	0.0%	0.0%	0.0%	0.0%	3.2%
1-25	14.6%	1.0%	5.1%	8.5%	28.3%
26-50	13.3%	1.5%	4.2%	10.0%	13.4%
51-100	14.6%	4.0%	15.3%	13.1%	18.2%
101-500	37.1%	24.5%	40.7%	40.8%	24.6%
501-1000	14.2%	26.5%	19.5%	16.9%	10.7%
Over 1000	$6.1\%_a$	$42.5\%_b$	$15.3\%_c$	$10.8\%_c$	$1.6\%_d$
Number of custody cases involved/evaluated per year					
0	9.1%	3.0%	0.8%	1.5%	7.4%
1-5	30.4%	5.0%	12.6%	13.1%	28.2%
6-20	34.3%	13.0%	42.0%	24.6%	35.6%
21-50	16.7%	22.0%	30.3%	30.0%	18.6%
51-100	6.3%	21.5%	7.6%	20.8%	8.0%
Over 100	$3.0\%_a$	$35.5\%_b$	$6.7\%_c$	$10.0\%_d$	$2.1\%_a$

Note. **Different subscripts indicate significant differences between groups.** [a] **Item wording for evaluators: Approximately how many custody evaluations have you completed altogether in your career? Item wording for other professionals: Approximately how many custody and visitation cases, if any, have you been involved with in your career (in all your roles and positions combined)?**

“court” settings might have meant they worked privately but received court referrals, since it is unlikely someone could be employed by county government while in private practice. The question was, “In what settings do you conduct evaluations?” rather than asking the source of employment.

We used both e-mail and mailed invitations because some sampling bias can occur if only one method is used (Dillman, 2005). We found that those who responded by mail were significantly older, had conducted custody evaluations for a greater number of years, and had less domestic violence training than those who responded by e-mail. Therefore, the use of both methods of data gathering added variation to the sample.

We sent 4,017 e-mail invitations after removing from the list seven project consultants or potential consultants and five staff of a national organization who we knew were not evaluators. The e-mail invitations were sent in 35 separate waves from May 31, 2009, through March 29, 2010. There were 302 e-mails with “undeliverable” notices sent back to us, 196 who reported they were not custody evaluators, and 24 who said they did not want to participate. We suspect that there were many more non-evaluators on the invitation list who did not e-mail or call us to say they were not evaluators.

We sent 1,665 invitation letters to people for whom we did not have e-mail addresses. We shortened the Dillman procedure used in the pilot study, sending an initial letter with a link to the web survey, followed by a copy of the survey in the mail 7-10 days later and then a postcard reminder 10 days later. There were 196 undeliverable mailings with no forwarding address. We forwarded any mail that did have a forwarding address.

For both the e-mail and mailed invitations, two incentives were offered for survey completion: a $5 donation on their behalf to one of four child abuse/child trauma organizations of their choice and a chance to win a $100 gift card for a purchase at Amazon.com.

Judges. Several organization lists and listservs were used for recruiting judges: (a) The National Council of Juvenile and Family Court Judges (NCJFCJ) sent an e-mail invitation to its 15-member Family Violence Committee (14 judges and one judicial educator) with a request to forward the invitation to their colleagues. (b) The NCJFCJ Family Violence Department sent an e-mail invitation to 522 judges who had received training through their National Judicial Institute on Domestic Violence. (c) Web searches for evaluators located 98 judges, some of whom responded to our e-mails by saying they did not have family law cases. (d) Members of AFCC received requests. (e) State judicial education program directors in Texas, Georgia, and Michigan sent e-mails to their lists. (f) The National Coalition Against Domestic Violence posted an invitation for several months on its home web page; only two judges responded to this invitation. (g) The Juvenile and Family Law Department of NCJFCJ sent an e-mail invitation; 1,443 of its members received the e-mail (328

were not judges). This department uses software that can track the responses of those sent e-mails. Only 24% opened the e-mail, and only one-third of those opening it clicked on the link to look at the survey. Therefore only 8% of those who were sent e-mails opened the survey.

For invitations sent by others, no reminder emails were sent.

No letters or surveys were sent through the mail to judges, attorneys, or domestic violence workers. On the advice of our consultants, incentives were not offered for judges or for the attorneys and domestic violence workers. Judges and attorneys were offered the opportunity at the end of the survey to send a message and a link to the survey to their colleagues. We were not able to track how often they sent this message.

Legal aid and private attorneys. We developed invitation lists from web searches and the membership list of AFCC and sent 895 invitation e-mails from these lists. In addition, the state training coordinators for legal aid attorneys in Ohio and Michigan sent an e-mail invitation to legal aid attorneys on their listservs. Finally, the National Coalition Against Domestic Violence (NCADV) posted an invitation on its website for several months and included a notice in its email newsletter. Twelve private attorneys and seven legal aid attorneys responded to the NCADV invitation. A total of 366 attorneys responded to all of the invitations.

Domestic violence program workers. Most of the domestic violence program workers (159 out of 193) were recruited from an invitation posted on the website of NCADV from December 2009 until May 2010 and from a notice in the monthly NCADV e-mail newsletter sent to approximately 11,000 individuals. These domestic violence workers included advocates, counselors, crisis workers, and other front-line workers; attorneys who worked at domestic violence programs; the directors of local programs; and state coalition directors and resource coordinators. Some of the program workers completed surveys after receiving invitations that were sent primarily to judges (n = 2) and attorney groups (n = 32). This was not a problem since the survey forms were identical except for one question about their primary role (initially the attorney version specified the type of attorney and this was added later to the NCADV version). Some DV program workers who were not attorneys (n = 31) completed the form meant for attorneys after the link for the attorney version was circulated on an advocacy listserv. As described above, the NCADV e-mail newsletter notice and website notice also invited judges and attorneys to complete the web-based survey.

Non-responders. We obtained some information on likely non-responders by comparing some characteristics of those who completed a small portion of the survey and those who completed all or almost all of the survey. An initial finding is that non-completers reported a lower percentage of domestic violence cases in their caseload. This may indicate that non-completers viewed the survey as less relevant. Experience conducting evaluations was not related to completion.

Measures of Independent Variables

Beliefs about family violence, custody, and visitation. The 20 items in this section focused primarily on four types of beliefs: (a) that alleged domestic violence survivors and offenders make false allegations of abuse, (b) that survivors and offenders alienate children from the other parent, (c) that exposure of children to domestic violence is not relevant to custody decisions, and (d) that the reluctance or resistance of battered women to co-parenting will hurt the children (see Appendices A and B for copies). Some of the items were used in the pilot survey and some were used in the National Evaluation of Safe Havens Demonstration Initiative (Saunders, Sullivan, Tolman, & Grabarek, 2006). In the latter study, a subscale on the belief in false allegations had an internal reliability coefficient of .79. One of the items on alienation and exaggerated reporting was modified from an unpublished survey by Jennifer Hardesty; the original item was, "In the many divorce cases where women allege domestic violence, the claim is exaggerated to alienate fathers from their children." One item on batterers' contact with children was modified from a survey by Morrill and colleagues (2005); the original item was, "If there is no evidence that a batterer has directly abused his/her child, restricting his/her contact with the child is not justified."

Five subscales were formed based on the results of principal component factor analysis (varimax rotation, with eigenvalues greater than 1). The subscales created were:

- DV Survivors Make False DV Allegations. This three-item scale had an alpha internal reliability coefficient of .80. A factor score was used in order to standardize the items since they used different scales;
- DV Survivors Alienate Child. This four-item scale had an alpha internal reliability coefficient of .75 (although beliefs about alienation and false allegations loaded on the same factor in the evaluator and total samples, they were kept as separate scales on logical grounds because they are conceptually distinct);
- DV Offenders Make False DV and Child Abuse Allegations. This two-item scale had an alpha internal reliability coefficient of .79;
- DV Survivors' Resistance to Co-Parenting Hurts Child. This two-item scale had an alpha internal reliability coefficient of .70;
- DV Not Relevant in Custody-Visitation Decisions. This two-item scale had an alpha internal reliability coefficient of .70.

Reliabilities from .70 to .80 are considered good to excellent. Of note is that one item did not load as one might expect with the items on reluctant-resistant survivors: "Victims of domestic violence are often reluctant to share parenting roles with ex-partners because they fear further abuse." The

addition of the motive of fear may have made a difference. It is also interesting that the two items on the mother and father deserving to lose custody for disrupting the child's relationship with the other parent did not correlate with the other items on parental alienation ("When a mother claiming to be a victim of domestic violence tries to disrupt a child's relationship with the father, that is a good reason to award sole custody to the father" and another item with the father claiming to be a victim). The extreme outcome suggested in the item may have caused the low correlation. As expected, a single item on whether men and women are equally violent did not correlate with other items, and this item will be used in separate analyses. The items on the estimated percentages of false allegations of child physical abuse by the mother and of false allegations of child sexual abuse by both parents were highly correlated with each other and with the false DV allegation items. However, we did not combine these items into a single scale because we wanted to maintain important conceptual distinctions.

Blaming victims and knowledge of domestic violence. We were not able to use the Inventory of Beliefs About Wife-beating (Saunders et al., 1987) as intended because it did not show enough variance in the pilot study, as mentioned above.

Belief in hierarchies/non-equality: Social Dominance Orientation (SDO). Social Dominance Orientation (SDO) is a measure of a general desire for group-based dominance (Levin, 2004; Pratto, Sidanius, Stallworth, & Malle, 1994). Studies have found moderate to strong associations between SDO and sexism (average r = .34-.66) and between SDO and racism (average r = .37-.68) (Foels & Pappas, 2004). People who have a high SDO tend to support hierarchy in groups and believe that social groups differ in value. People who have low SDO tend to support group equality and oppose group differentiation based on status or power. The SDO6, used in this study, correlates in expected ways with attitudes toward sexism, ethnic prejudice, gay rights, environmental policies, and capital punishment (Pratto et al., 2000). The scale has also been shown to have discriminant validity in predicting conservative attitudes and has been shown to have external validity in relating to several specific intergroup attitudes (Pratto et al., 2000). The 16-item version used in the pilot study was pared down to three items in this study based on the results of our pilot study. In the final study it had a reliability coefficient (alpha) of .69.

Modern Sexism Scale (MSS). The Modern Sexism Scale (MSS) assesses less overt forms of sexist attitudes than traditional scales and has been shown to be conceptually distinct from other measures of sexism (Swim, Aikin, Hall, & Hunter, 1995). It is an eight-item unidimensional scale designed to measure a subtle form of sexism that takes the form of believing that gender inequality is no longer a social problem. Cronbach alpha coefficients are reported in other studies to be between .74 and .82 (Garos et al., 2004). Based on our pilot data analysis, we pared the scale to five items, and the reliability coefficient was .78 in the regular study.

Belief in a Just World (BJW) Scale. Just world theory posits that people have a need to believe that

the world they live in is just: that bad things happen to bad people and good things happen to good people. Rubin and Peplau's (1975) 20-item BJW scale was used in the pilot study. The scale has been used in numerous studies and Cronbach's alphas range from .79 to .81 (Furnham & Gunter, 1984; Rubin & Peplau, 1975). The scale has been found to have a significant correlation with Dalbert and colleagues' six-item scale of belief in a just world (Loo, 2001). Based on pilot study results, we pared the scale to four items and achieved an internal reliability coefficient of .66.

The above three measures of social justice and equality were administered only to the custody evaluators because they were the group of primary interest in the study, with the main hypotheses applying to them. We also wanted to keep the survey as short as possible for others in order to increase response rates. These measures were placed near the end of the evaluators' survey.

Background and practice measures. A series of questions, similar to those used in other research on custody evaluations (Bow & Boxer, 2003; LaFortune, 1997), asked about the approximate number of custody evaluations completed (evaluators' version) or cases involved with (other professionals' version) in their entire careers and in the past year. Evaluators were asked in what setting they practiced, whether private practice, court, public mental health clinic, psychiatric hospital, or other setting. All professionals were asked in what state they practiced the most, their gender, age, educational level, and type of advanced degree, if any.

Screening and assessing for DV. Evaluators were asked three questions about screening and assessment (adapted from Bow & Boxer, 2003): "In approximately what percentage of cases do you directly inquire about the presence of domestic violence?" (0% to 100%); "In approximately what percentage of cases do you use instruments or standard protocols to screen for domestic violence?" (0% to 100%); and "What instruments, if any, do you use to assess domestic violence?" In response to the last question, evaluators often listed domestic violence measures such as the Conflict Tactics Scales, Danger Assessment Index, and Spousal Assault Risk Appraisal. We also coded the response as a DV "instrument" if they wrote structured interview, intake form, standardized interviewing, standard protocol screening, interview specific with DV questions, screening questionnaire, DV intake form, and similar responses, as well as referring parents to a DV specialist for assessment. In many cases, multiple types of instruments were listed. Along with DV instrument, evaluators sometimes listed measures of anger, child abuse potential, substance abuse, and similar measures. We noted that some evaluators (15%) listed only a general measure of personality-psychopathology, most often the MMPI, as the instrument they used for DV assessment. We coded 70% of the responses as containing a DV instrument and another 6% as containing both DV and personality-psychopathology measures. Criminal record checks were listed as "instruments" in many cases, and were the sole instrument 5% of the time. We were interested in comparing evaluators who used only a

general personality-psychopathology instrument with evaluators who used domestic violence instruments on their beliefs and recommendations because professional guidelines caution against the use of such measures out of context (APA, 2010) and because the MMPI in particular can be misused in domestic violence cases (Erickson, 2006).

Knowledge acquired on domestic violence. All respondents were asked the approximate number of times they used various sources to acquire knowledge about domestic violence, including workshops, lectures, consultation, articles, books, and other sources. In other research this measure was found to have two interpretable factors based on the intensity of the activity (e.g., Saunders & Anderson, 2000). Such was not the case in this study, because factor analysis showed only a single factor. For most analyses, each form of knowledge acquired was treated as a separate variable.

The frequency options for four knowledge acquisition activities (books, radio programs, films and videos, workshops) differed from the other four (articles, lectures, professional consultations, websites read) based on the results of the pilot test (0, 1-5, 6-10, 11-20, Over 20 and 0, 1-10, 11-25, 26-50, 50-100, Over 100, respectively).

Areas of knowledge acquired. Respondents were asked to check whether or not they had acquired knowledge in seven areas: (a) prevalence of domestic violence, (b) causes of domestic violence, (c) types of perpetrators, (d) post-separation violence, (e) screening for domestic violence, (f) assessing dangerousness in domestic violence cases, and (g) children's exposure to domestic violence. These seven areas were measured dichotomously and each one was used separately in analyses in order to uncover the specific effects of each area.

Knowledge of victims. As in past research (Saunders & Kindy, 1993), we used a simple checklist for respondents to indicate that they had personally known a victim/survivor of domestic violence. They could check "father," "mother," "sibling," "other relative," "friend," "coworker," "acquaintance," or "neighbor." There was also an option to check "myself." The four items on family members and "myself" formed a factor, and the remaining four items formed another factor. Summing all of the family items formed a scale, and summing all of the friends-coworkers-acquaintance-neighbor items formed another scale. Most analyses, however, used each of the victim types separately, and the item "myself" was always used separately.

Measures of Dependent (Outcome) Variables

Outcome was measured in two ways: with reports of practitioners' histories of making recommendations for custody and visitation and with their responses to a case vignette.

Practice history. Respondents were asked to estimate the percentage of their child custody

cases that involved allegations of domestic violence and the percentage of these cases they estimated involved false allegations by each parent. They were also asked to estimate the percentage of cases with violence by each parent or both. These items were modified from custody evaluator survey instruments used by Bow and Boxer (2003) and LaFortune (1997). Evaluators were then asked how often they supported the allegations of domestic violence and, when they found support, to what extent did domestic violence "typically impact your evaluation or recommendations"? These items were the same as those in a survey by Bow and Boxer (2003).

The main outcome measures in this section were items regarding custody arrangements and visitation, similar to items used by Bow and Boxer (2003). Respondents were asked to "estimate the percentage of times that you recommend, or would have if in that position, the following custody arrangements" in cases in which "one parent was clearly a perpetrator". Seven options followed, composed of various combinations of legal and physical custody to each parent. Possible responses were "never," "seldom," "occasionally," "half of the time," "most of the time," "almost always," and "always." The options were: (1) SOLE LEGAL & PHYSICAL custody with VICTIM of domestic violence; (2) SOLE LEGAL & PHYSICAL custody with PERPETRATOR of domestic violence; (3) JOINT LEGAL custody & PRIMARY PHYSICAL custody with VICTIM; (4) JOINT LEGAL custody & PRIMARY PHYSICAL custody with PERPETRATOR; (5) SOLE LEGAL custody with VICTIM & JOINT PHYSICAL custody; (6) SOLE LEGAL custody with PERPETRATOR & JOINT PHYSICAL custody; and (7) JOINT LEGAL & PHYSICAL custody.

Some evaluators commented that it was difficult to make these estimates and therefore "can't estimate" was given as an option and treated as a missing value. To reduce the number of variables for analysis and to increase variance, a single, weighted scale of custody recommendations was created. Weights were assigned to the options, with 7 assigned to sole legal and physical custody given to the perpetrator and -7 to sole legal and physical custody given to the victim.

Evaluators were then asked to estimate the percentage of times they recommended different forms of visitation: with no supervision, supervision by a friend or relative, and supervision by a professional or paraprofessional. Weights were assigned to the visitation options to create a scale of "least safe supervision": 3 was given if "no supervision of visits" was chosen, -2 was given to visits supervised by friends and relatives, and -3 was given to visits supervised by professionals or paraprofessionals.

Vignette responses: Beliefs about parental behavior, future harm, best interest of the child, and causes and consequences of domestic violence. As in our studies of child protection workers and welfare workers (Saunders & Anderson, 2000; Saunders, Holter, Pahl, & Tolman, 2006), we used a case vignette to which survey respondents reported the likelihood that each parent would harm

the child and that the best interests of the child would be served by various custody and visitation arrangements. The likelihood ratings were on a scale from 0% to 100%. We modified a vignette that was published by Dalton, Carbon, and Olsen (2003) intended to stimulate thinking among judges. It includes three incidents of severe violence, apparent controlling forms of violence, and contrasting claims by the parents. We added to the case description some psychological test results for each parent, school reports on their seven-year-old son, and the employment status of each parent. The final vignette read as follows:

> A couple has been married for eight years and separated for six months. Upon separation, the mother moved with their seven year old son to a nearby city and for a few weeks denied the father any contact with him, even phone calls. The father filed a motion for emergency temporary custody. In the interview with the evaluator, the father maintains that he wants a normal father-son relationship and believes that his wife is interfering with his right to be with his son. He says that he is better suited to care for his son and will ensure liberal and frequent contact with the mother.
>
> The wife responds in her interview that she left the marital home when the husband was out of town for the weekend for fear that he would otherwise prevent her from leaving. She states that he has been controlling her every move throughout the relationship. She states that during her pregnancy he once punched her; that on another occasion he "body-slammed" her against his truck; and on a third occasion strangled her. He maintains that on these occasions he was drinking and out of control, the incidents were isolated, and not part of any larger pattern. He also claims his wife has exaggerated her reports of the incidents and that she never received any injuries.
>
> The wife tells you that she never called the police or went to the hospital after any of the assaults. She says her husband never physically harmed their son, but due to his controlling and abusive behavior she is fearful of him having physical custody of their son. She wants to maintain physical custody. Reports from the son's new school indicate that he is doing well.
>
> The husband makes a good salary as an engineer. The wife has never worked more than part-time. His psychological tests do not show evidence of any major mental illness. Her tests show definite indications of anxiety, depression and paranoia.

In our pilot study and discussion with consultants, we learned that some evaluators can present their findings but are not allowed to make recommendations to the court. In addition, evaluators are extremely reluctant to make any recommendations based on the small amount of information in the vignette. Therefore, unlike other vignette studies that ask about a likely course of action professionals might take, we first asked evaluators, but not other professionals, an open-ended question—"What initial hypotheses would you want to explore in this case?"—and asked for up to three responses. For the evaluators and other professionals we asked another open-ended question—"What information included or not included in this vignette would potentially be the most important for a child custody evaluator to use in conducting an evaluation in this

case?”—and also asked for up to three responses.

The responses to the question about possible hypotheses were independently grouped into themes by two doctoral students and the Principal Investigator. Seven themes emerged. Responses were initially coded by two masters-level social work students. Re-coding by these students occurred after definitions were clarified and examples of responses were provided to coders. The coding of three themes achieved adequate inter-rater reliability. They were categorized as follows:

1) Coercive or Controlling Violence/Behavior. Responses were coded in this category if the respondent mentioned “controlling,” “coercive,” or “dominating” violence or behavior not necessarily involving violence. Examples of responses in this category include: “That this is coercive controlling violence”; “Father shows a pattern of dominating and controlling mother”; “That Aversive Controlling dynamics are present – assess for the pattern of instrumental violence and coercive control. Dad’s descriptions are consistent with the defensive minimization that often is observed in coercive controlling DV perpetrators.” “Father is abusive and controlling - this is pattern of more intense and controlling pattern of DV.”

***2) Mother’s Mental Health Problems Are Result of Domestic Violence*.** Responses were placed in this category if they described the mental health problems of the mother in the vignette as being caused by DV or the consequence of DV. Responses were not coded in this category if the mere assessment of mental health problems were proposed or if mental health problems were seen as producing false or exaggerated reports. Examples of responses in this category include: “I would certainly take the wife’s claim seriously for a number of reasons… her psyc tests are not unusual for women who are abuse victims…”; “Mother is anxious, depressed, and suspicious due to fear of her controlling partner”; “She was victim of domestic violence. Her test results are from the victimization”; “Domestic violence claims are true and mom’s paranoia test results due to real incidents and fears.”

3) Alcohol Causes Domestic Violence. Responses were coded into this category if there was an indication the evaluator believed that alcohol causes domestic violence. Responses were included if alcohol was viewed as disinhibiting the father’s violent behavior. They were not included if the evaluator merely wants assessment for alcohol abuse. Specific examples of these responses include: “That the domestic violence is alcohol related and that they were isolated incidents, related to Father’s drinking. That the threat of future violence would be eliminated if the substance abuse is addressed” and “Alcohol-related diagnosis on the part of father which provides an explanation for reported aggressive behaviors.”

The inter-rater agreement for the coercive-control category was 94%, for mental health category was 98%, and for the alcohol abuse category was 85%. Disagreements between the two coders were resolved by the Principal Investigator. Because there were only 24 evaluators who viewed alcohol as the cause of domestic violence and it had a relatively low inter-rater agreement, this category was not used in the analysis.

The two open-ended questions above were followed by 15 questions with the likelihood, from 0% to 100%, that: either parent would cause psychological harm to the child in the future, the mother was exaggerating, the father was minimizing, mediation would be beneficial, and various custody and visitation arrangements would be in the best interest of the child. The custody arrangements included five combinations of legal and physical custody. There were three options for visitation: no supervision, supervision by a friend or relative, and supervision by a professional or paraprofessional.

The five items on custody arrangements were formed into a weighted scale. To create a scale of "father custody," sole legal and physical custody to the father was presumed to be the most negative recommendation for the mother and assigned a weight of 5; sole legal and physical custody to the mother was presumed to be the most positive recommendation for the mother and assigned a weight of -5. Intermediate weights were: 2 for joint legal custody with primary physical custody to the mother, 3 for joint legal and physical custody, and 4 for joint legal custody with primary physical custody to the father. The weighting was based on the results of correlational analysis. The weights were multiplied by the likelihood score for each item. There is good evidence of cross-validation for the vignette and actual recommendations for custody from the high correlations across these two methods: The correlations for the same items ranged from .22 to .52 and averaged .36. The two weighted scales had a correlation of .52.

The same weights used for the practice history responses were used with vignette responses: 3 was given to no supervision of visits, -2 to visits supervised by friends and relatives, and -3 to visits supervised by professionals or paraprofessionals. Correlational analysis guided the assignment of weights. The correlations across the same items between the vignette and actual practice averaged .40, and the two weighted scales correlated .50 with each other, again providing support for the validity of the measures.

We used a single item to measure the propensity to use mediation. In response to the vignette, all respondents were asked, "What do you think is the likelihood that the parties would benefit from mediation or another form of alternative dispute resolution?" Less emphasis was placed on mediation as a recommendation because its definition and procedures differ greatly from one jurisdiction to another. For example, an assumption cannot be made that mediation involves face-to-face meetings between the parties. In some locations, the parties are screened carefully to determine whether face-to-face mediation is appropriate (MAOC, 2009; Ver Steegh, 2003).

Multivariate Statistical Power Analysis

In determining the optimal sample size for predicting outcomes based on beliefs, we set the effect size in the "small" range (*R sq.* = .04) due to the exploratory nature of the study and our desire to detect findings that may lead to further hypothesis development. We used the traditional values of power equal to .80 and significance level of .05. The necessary sample sizes differ depending on the hypothesis and the type of exploratory analysis. A sample of 331 was required for exploratory hierarchical regression with five surface beliefs entered into the prediction equation after entry of the seven core beliefs and background variables. We increased the necessary sample size of the evaluators to 445 to allow for other exploratory analyses, such as further interactional analyses and more complex mediational analyses (up to 12 independent variables can be accommodated). For some specific hypotheses, a lower sample size was required (for example, a four-variable mediational analysis requires a sample size of 274). The comparisons among professional groups can accommodate up to 12 explanatory variables.

Analysis

Several analytic strategies were used to test the hypotheses. The bivariate statistics of simple correlations (hypotheses 1-4) and *t*-tests (hypotheses 6-7) were used. Multiple regression was used to test the mediational hypothesis (5) to see if an initial relationship is explained by another variable. Hierarchical regression analysis was used to examine the extent to which surface beliefs contribute to outcomes beyond the contribution made by other sets of variables, in this case, by core beliefs and background/demographic variables. Because of its implications for policy and practice, the possible impact of knowledge acquisition was analyzed with both bivariate and multivariate methods.

The percentage of missing values was assessed separately for the custody evaluators and other professionals because the evaluators had a larger set of variables. Fifty-five out of 520 evaluators (11% of the sample) had between 73% and 98% of the variables missing and were excluded from analysis. Four of the other professionals (1%) had a rate of missing values in this same range and were excluded from the analysis. The excluded respondents usually stopped completing the survey prior to the demographic variables, thus the analysis with these cases would have been very limited.

A very small percentage of the non-evaluator professionals had more than 15% of the values missing (0% of legal aid attorneys; 1% of judges; 1% of private attorneys; 2% of domestic violence workers). In contrast, 14% of the evaluator sample had more than 15% of the variables missing. Because of the larger number of missing values in the evaluator sample, an Expectation-Maximization (EM) procedure was conducted using all of the numeric variables in the evaluator sample. Correlations were compared for data sets with and without the EM imputation.

There were no significant differences between the correlations (32 correlations between knowledge acquisition methods and custody recommendations and 24 correlations between custody beliefs and custody recommendations).

An outlier analysis was conducted and one case, a child custody evaluator, was removed. This respondent marked "Almost Always" for all seven of the custody arrangements offered to describe one's history of making custody recommendations.

Results of Survey

We begin the presentation of results with some descriptive findings for the main variables.

Personal and Professional Knowledge of Domestic Violence: Comparisons Across Professional Groups

We begin with information on the background and self-reported knowledge acquisition of the five professional groups. Table 3 shows the percentage of each professional group that acquired specific forms of knowledge. More than 90% in all groups reported they had acquired knowledge on children's exposure to domestic violence and approximately 90%, except for private attorneys, had acquired knowledge on the prevalence and causes of domestic violence. A lower percentage had acquired knowledge of post-separation violence, screening, and assessing dangerousness—in particular judges, evaluators, and private attorneys (62%-79%). Ninety percent or more of DV workers reported every type of knowledge acquisition. Comparing professional groups on the highest number of knowledge acquisition areas in total, 88% of the DV workers had six or seven areas, 79% of legal aid attorneys had six or seven areas, and approximately 65% of each of the other groups had acquired knowledge in six or seven areas.

For the frequency of using different methods to acquire knowledge (e.g., books, lectures, videos, workshops, web sites), DV workers used all the methods significantly more often than the other four groups. Across the other four groups there were no differences in frequency of using the radio, workshops, or lectures to acquire knowledge (One-way ANOVA, Bonferroni Post Hoc Test). Custody evaluators were significantly more likely than the attorney groups and judges to use books, more likely than the attorney groups to use films/videos, and more likely than judges to use articles, professional consultations, and web sites.

Groups differed significantly on whether a family member, friend, co-worker, or others they knew had been victimized by domestic violence (see Table 4). The one exception was that all professional groups reported the same percentage of their fathers having been victimized—approximately 5% in each group. Most often they knew a friend, acquaintance, or co-worker who had been victimized (73%-81%), and this was especially true of DV workers. Nearly

half of the DV workers also knew a relative who had been victimized. They also reported a much higher rate than other groups of being a victim/survivor of domestic violence (44% vs. 18% across the other groups).

Table 3

Areas of Knowledge Acquired by Professional Group

	Professional Role						
Area of Knowledge	Judges (n = 200)	Legal Aid Attorneys (n = 131)	Private Attorneys (n = 119)	DV Program Workers (n = 193)	Custody Evaluators (n = 457)	Total (n = 1100)	Chi-sq.
Prevalence of domestic violence	87.5%	90.1%	77.3%	96.9%	86.2%	87.8%	28.9 p = .000
Causes of domestic violence	90.5%	89.3%	84.9%	96.9%	91.0%	91.1%	14.3 p = .006
Types of perpetrators	84.5%	82.4%	79.8%	89.6%	88.0%	86.1%	9.1 p = .058
Post-separation violence	75.0%	87.8%	73.9%	90.7%	83.8%	82.8%	26.1 p = .000

(continued)

Table 3 (continued)

Professional Role							
Area of Knowledge	Judges (*n* = 200)	Legal Aid Attorneys (*n* = 131)	Private Attorneys (*n* = 119)	DV Program Workers (*n* = 193)	Custody Evaluators (*n* = 457)	Total (*n* = 1100)	Chi-sq.
Screening for domestic violence	62.0%	87.8%	77.3%	94.8%	84.2%	81.7%	81.0 *p* = .000
Assessing dangerousness in domestic violence cases	73.0%	84.7%	66.4%	96.4%	78.8%	80.2%	54.9 *p* = .000
Children's exposure to domestic violence	92.0%	91.6%	91.6%	96.4%	94.5%	93.7%	5.7 *p* = .220
Six or Seven Areas of Knowledge	61.0%	79.6%	64.0%	88.6%	65%	74.1%	91.3 *p* = .000

Table 4
Personal Knowledge of Victims/Survivors of Domestic Violence by Professional Role

	Primary Role						
Variable	Judges (*n* = 200)	Legal Aid Attorneys (*n* = 131)	Private Attorneys (*n* = 119)	DV Program Workers (*n* = 193)	Custody Evaluators (*n* = 457)	Total (*n* = 1100)	Chi-sq.
Father	5.0%	3.8%	5.0%	5.7%	4.6%	4.8%	0.1 *p* = .953
Mother	15.0%	16.8%	16.8%	28.0%	11.2%	16.1%	28.7 *p* = .000
Sibling	12.5%	14.5%	16.8%	30.6%	15.8%	17.7%	27.9 *p* = .000
Other relative	31.5%	29.0%	28.6%	49.2%	28.9%	32.9%	28.7 *p* = .000
Friend	51.5%	68.7%	53.8%	81.3%	52.7%	59.5%	58.4 *p* = .000
Acquaintance	50.0%	45.0%	49.6%	67.4%	52.3%	53.4%	20.6 *p* = .000

(continued)

Table 4 (continued)							
	Primary Role						
Variable	Judges (*n* = 200)	Legal Aid Attorneys (*n* = 131)	Private Attorneys (*n* = 119)	DV Program Workers (*n* = 193)	Custody Evaluators (*n* = 457)	Total (*n* = 1100)	Chi-sq.
Co-worker	37.5%	41.2%	27.7%	73.1%	35.4%	42.3%	95.9 *p* = .000
Neighbor	21.5%	20.6%	22.7%	42.5%	22.1%	25.5%	35.9 *p* = .000
Myself	6.5%	16.0%	17.6%	44.0%	13.8%	18.5%	110.1 *p* = .000

Belief in False Allegations of DV: Comparison Across Professional Groups

For all groups combined, the estimate for false DV allegations by the mother was 18% on average and by the father was 35% on average. There were significant differences across the groups for the belief that mothers made false allegations of domestic violence (see Figure 3). Evaluators gave the highest estimates of false allegations by mothers, private attorneys gave the next highest estimates, and judges gave the lowest of those three groups (see figures below). These differences were significant. DV program workers and legal aid attorneys gave the lowest estimates of all groups. They differed from the others but not from each other (significant differences with One-way ANOVA, Student-Neuman-Keuls comparisons). To understand what might explain the differences in beliefs about false allegations by mothers, covariate analyses were conducted with five covariates: gender, age, DV knowledge (methods and areas of acquisition), number of victims known, and total number of custody cases involved with or evaluations conducted. The original results remained the same with two exceptions: In separate analyses using gender and knowledge acquisition as covariates, the differences between judges and DV workers and legal aid attorneys disappeared.

For the belief in false allegations by fathers, domestic violence program workers and legal aid attorneys gave the highest estimated percentages (see Figure 4). They differed from the others but, similar to the belief about mothers, did not differ from each other. Private attorneys gave the next-highest estimate and differed from judges but not custody evaluators. Judges and evaluators gave the lowest estimates and did not differ from each other. Covariate analyses were conducted to try to understand the above differences using the same five covariates as in the analyses about mothers' beliefs. With the addition of each of the covariates in five separate analyses, the difference between judges and private attorneys disappeared. All other differences remained the same.

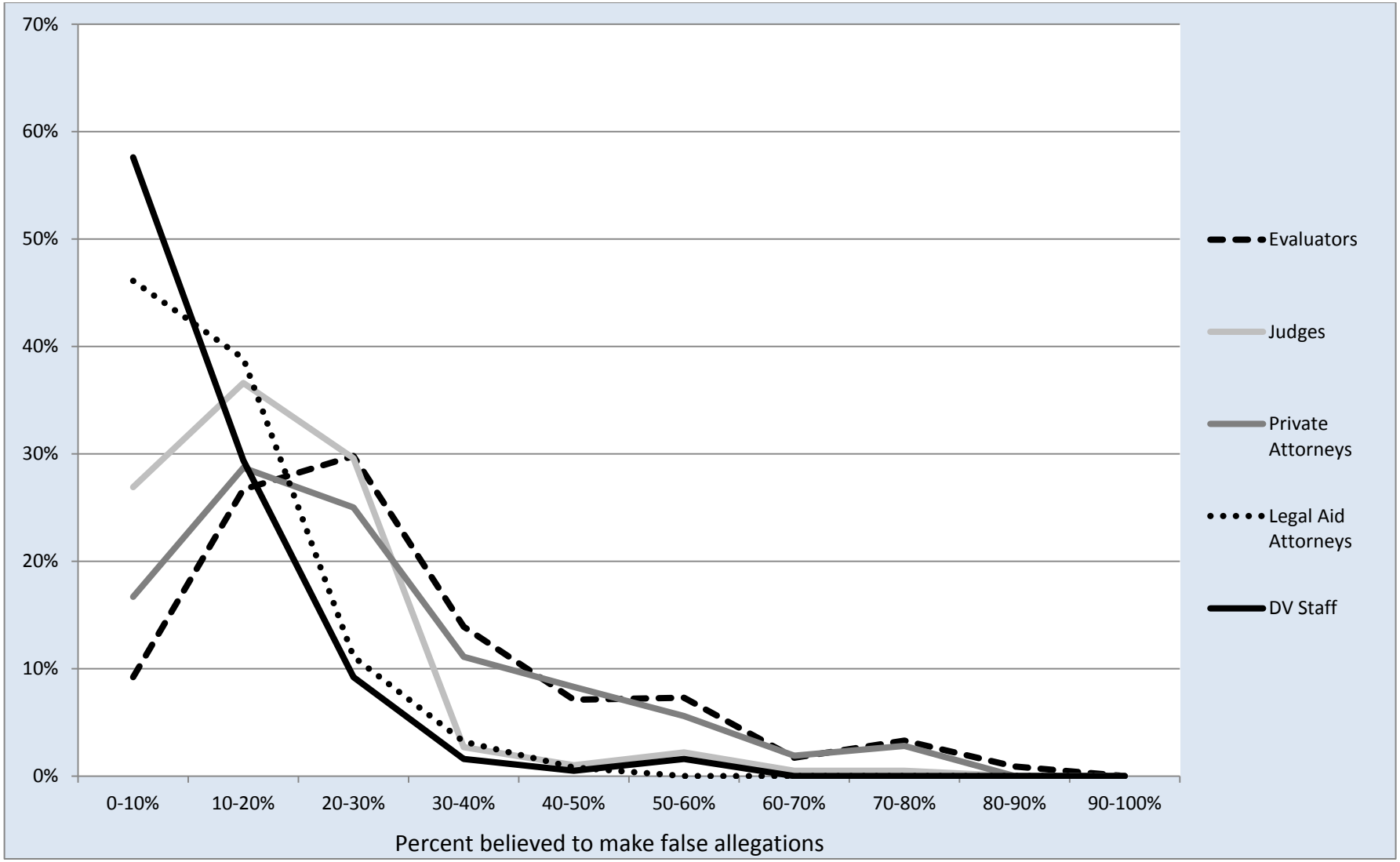


Figure 3. Among Alleged DV Cases: Estimated Percent that Mothers Make False Allegations of DV, by Professional Role

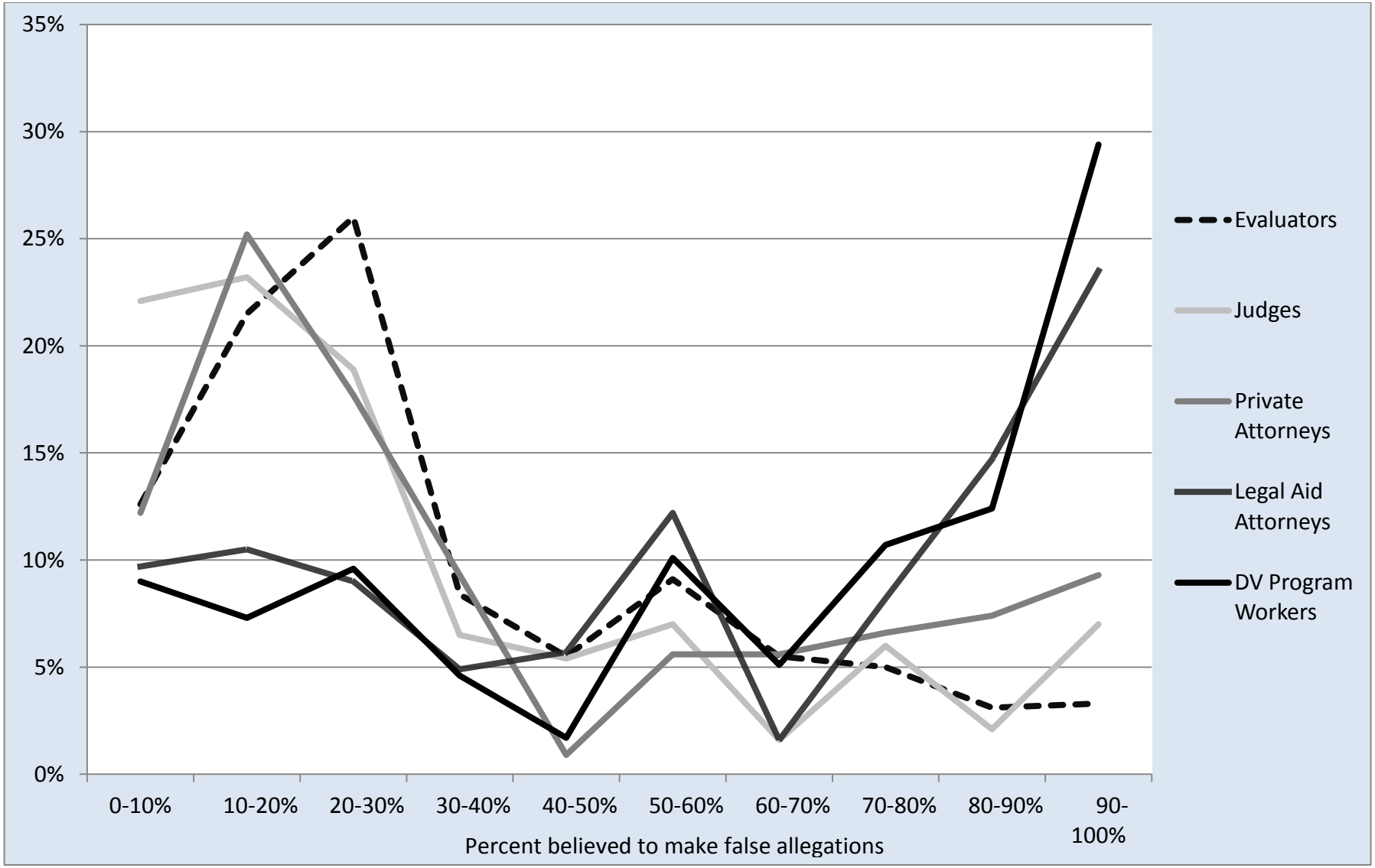


Figure 4. Among Alleged DV Cases: Estimated Percent that Fathers Make False Allegations of DV, by Professional Role

Responses to DV Case Vignette: Comparison Across Professional Groups

The five professional groups were asked about the likelihood that the interests of the child in the DV case vignette would be served the best by various custody arrangements. There were significant differences across the groups (using Student-Newman-Keuls post hoc test). Compared with the other groups, custody evaluators and private attorneys were the least likely to report the sole legal and physical custody to the mother would be best (see Figure 5). Judges were significantly more likely than these two groups to think full custody to the mother was best, and legal aid attorneys even more so. Domestic violence workers were more likely than all the other groups to think full custody to the mother was best for the child.

Professionals' beliefs that the best interests of the child would be served by sole legal and physical custody being given to the father also differed across groups. Custody evaluators were significantly more likely than the other groups to believe this, followed by judges and private attorneys, and then by DV workers and legal aid attorneys (see Figure 6). For the belief that the couple should have joint legal custody, with primary physical custody going to the father, custody evaluators were significantly more likely than the other groups to hold this belief, and the other groups did not differ among themselves. For the belief that it would be best for the couple to have joint legal custody, with primary physical custody going to the mother, legal aid attorneys and DV workers were more likely than the other three groups to hold this belief. Finally, for the belief that both legal and physical custody should be shared by the parents, custody evaluators and private attorneys were most likely to hold this view, and legal aid attorneys, DV workers, and judges were least likely to hold it (see Figure 7).

Respondents were asked to imagine that the mother in the vignette was awarded custody, with visitation awarded to the father. DV workers were significantly more likely than the other groups to believe the best interests of the child and the safety of the family would best be served with professionally supervised visits and least likely to believe "no supervision of visits" was best. Private attorneys were the least likely to choose professionally supervised visits and most likely to choose "no supervision of visits" (significantly different than all other groups). Private attorneys were also the least likely to think that visits should be supervised by a friend or relative. Furthermore, private attorneys were the most likely to believe that the parties would benefit from mediation or another form of alternative dispute resolution. Evaluators and judges were significantly less likely than private attorneys to hold this belief, followed by legal aid attorneys and then DV workers.

DV workers and legal aid attorneys were the most likely to believe that the father was minimizing his abuse and the least likely to believe that the mother was exaggerating the extent of the violence. Custody evaluators and private attorneys were the most likely to believe the opposite:

that the mother was exaggerating and the father was *not* minimizing. The judges were between all the other groups.

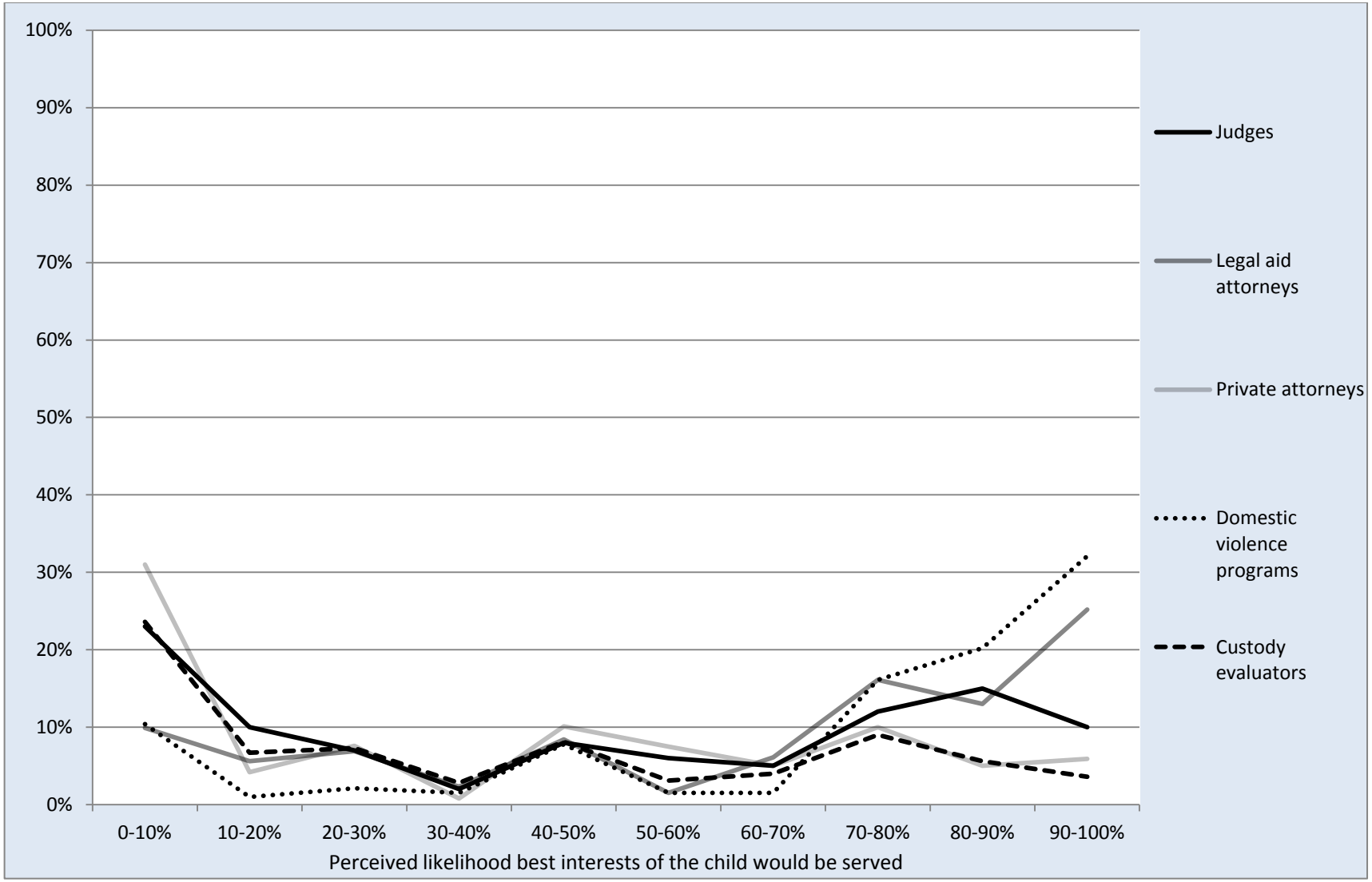


Figure 5. Recommendation for Sole Legal and Physical Custody to Mother in Vignette, by Role

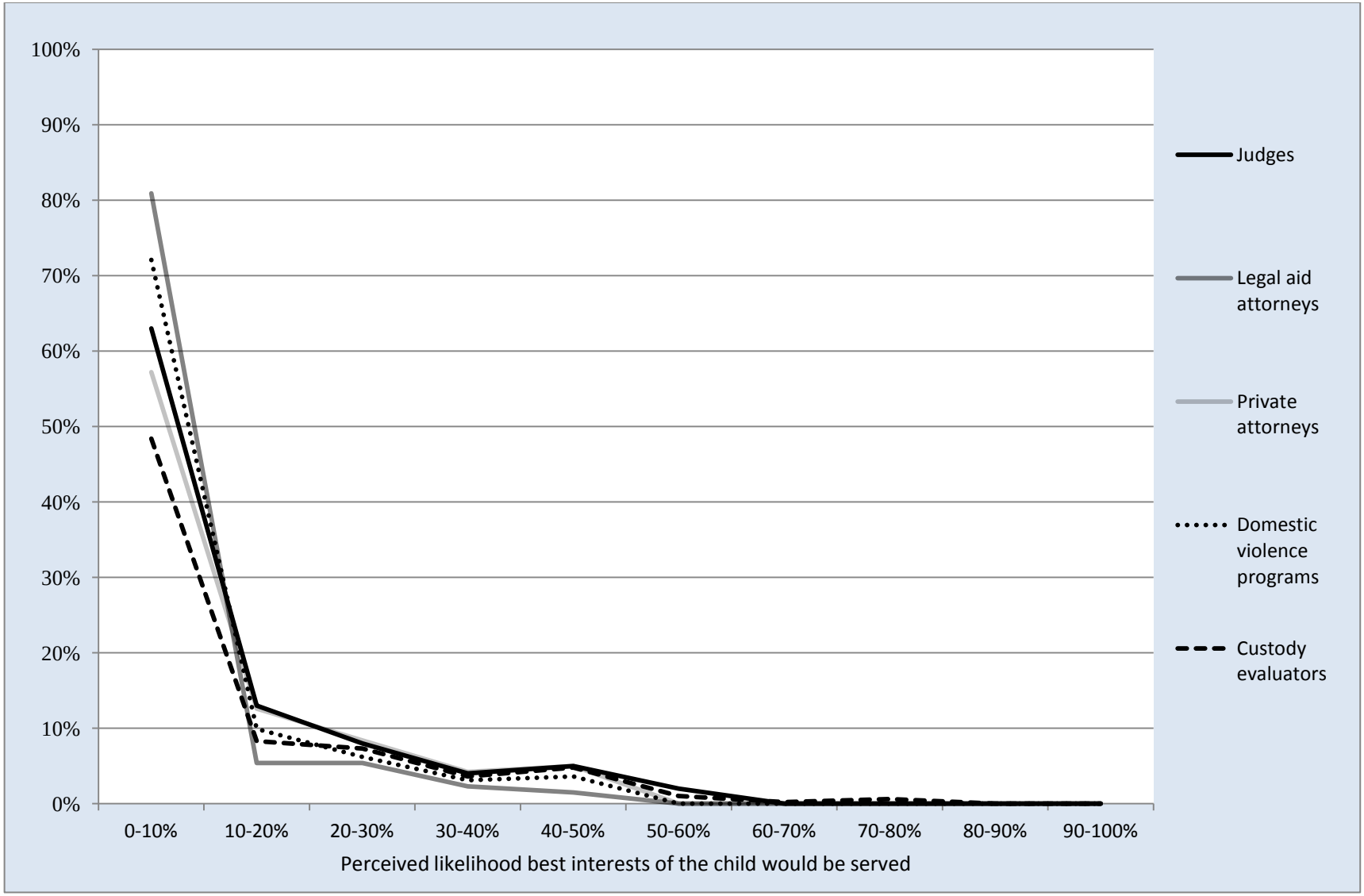


Figure 6. Recommendations for Sole Legal and Physical Custody to Father in Vignette, by Role

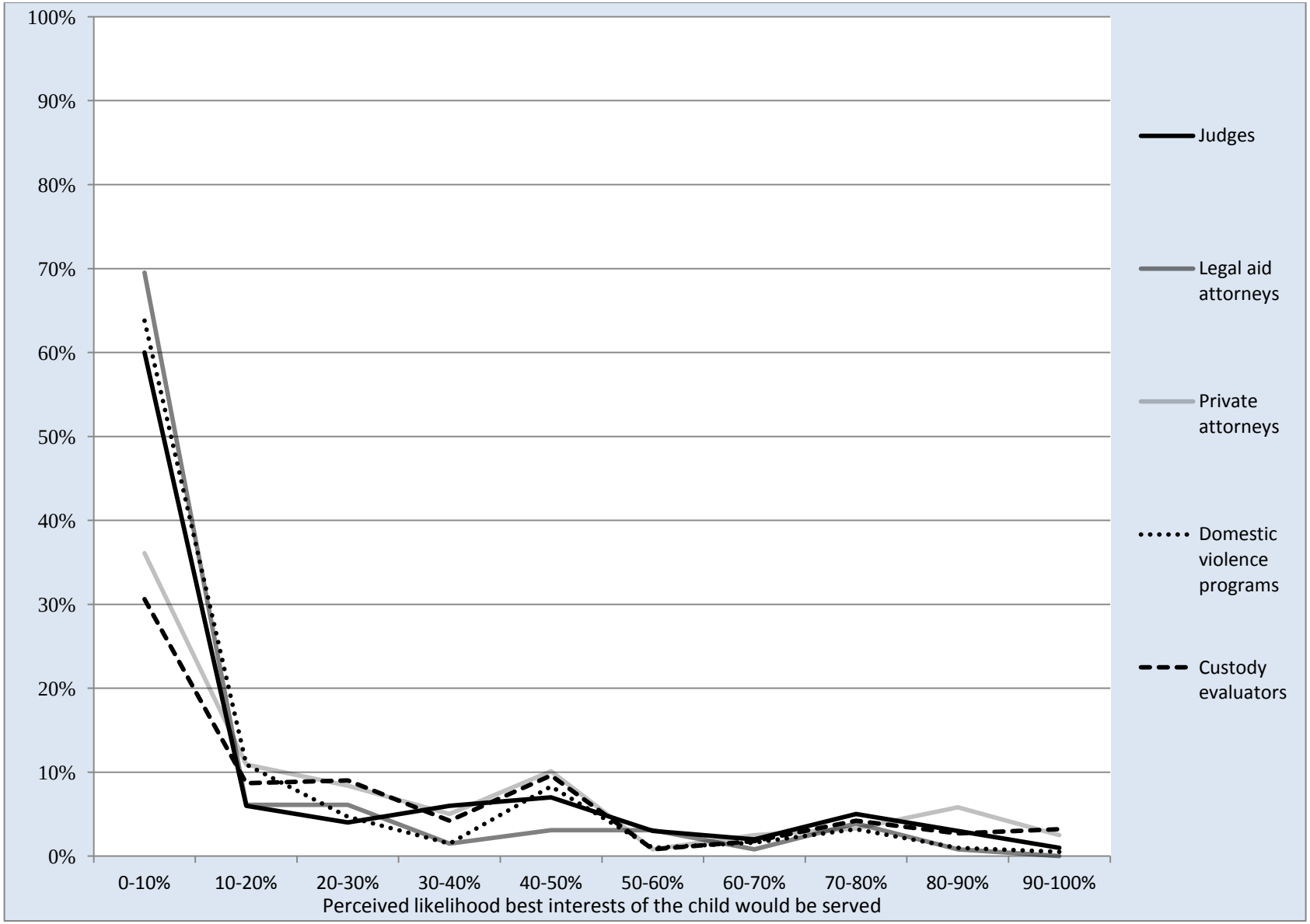


Figure 7. Recommendations for Joint Legal and Physical Custody (shared parenting) in Vignette, by Role

Evaluators' Reports of Domestic Violence and Various Types of False Allegations

We turn now to reports of domestic violence and false allegations in evaluators' own cases (see Figure 8). They estimated that 40% of their cases involved allegations of DV. Forty percent of these alleged DV cases were estimated to be father-only violence; in 29% both parents were estimated to be violent, and in 13% only the mother was estimated to be violent. Of the alleged DV cases, evaluators "supported" the allegations in an estimated 46% of the cases. Of these supported cases, evaluators reported that DV typically impacted their evaluation or recommendation as follows: extremely (12%), greatly (40%), much (27%), some (17%), a little (3%), and none (2%). Furthermore, they estimated that 17% of the fathers and 22% of the mothers made false allegations of domestic violence.

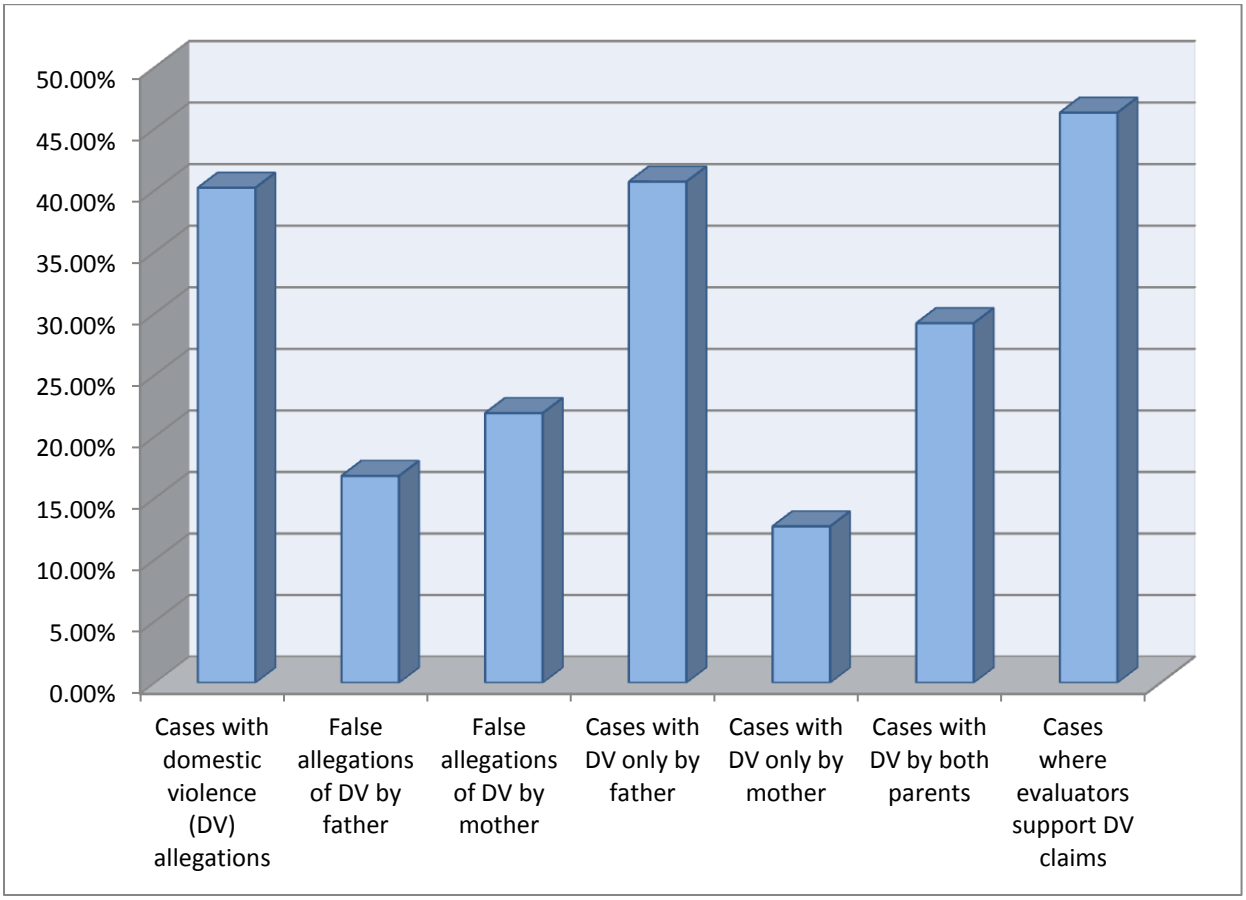


Figure 8. Means for Evaluators' Estimated Rates of False Allegations and Domestic Violence

Evaluators' estimates regarding other types of allegations and regarding parental alienation are shown in Figure 9. On average, they estimated that about one fourth of both mothers and fathers who made allegations about the physical abuse of a child made false allegations. They estimated that approximately one third of both mothers and fathers who made allegations of child sexual abuse made false allegations. On average, they estimated that 36% of the mothers alienated a child against the father and 51% of the fathers alienated a child against the mother.

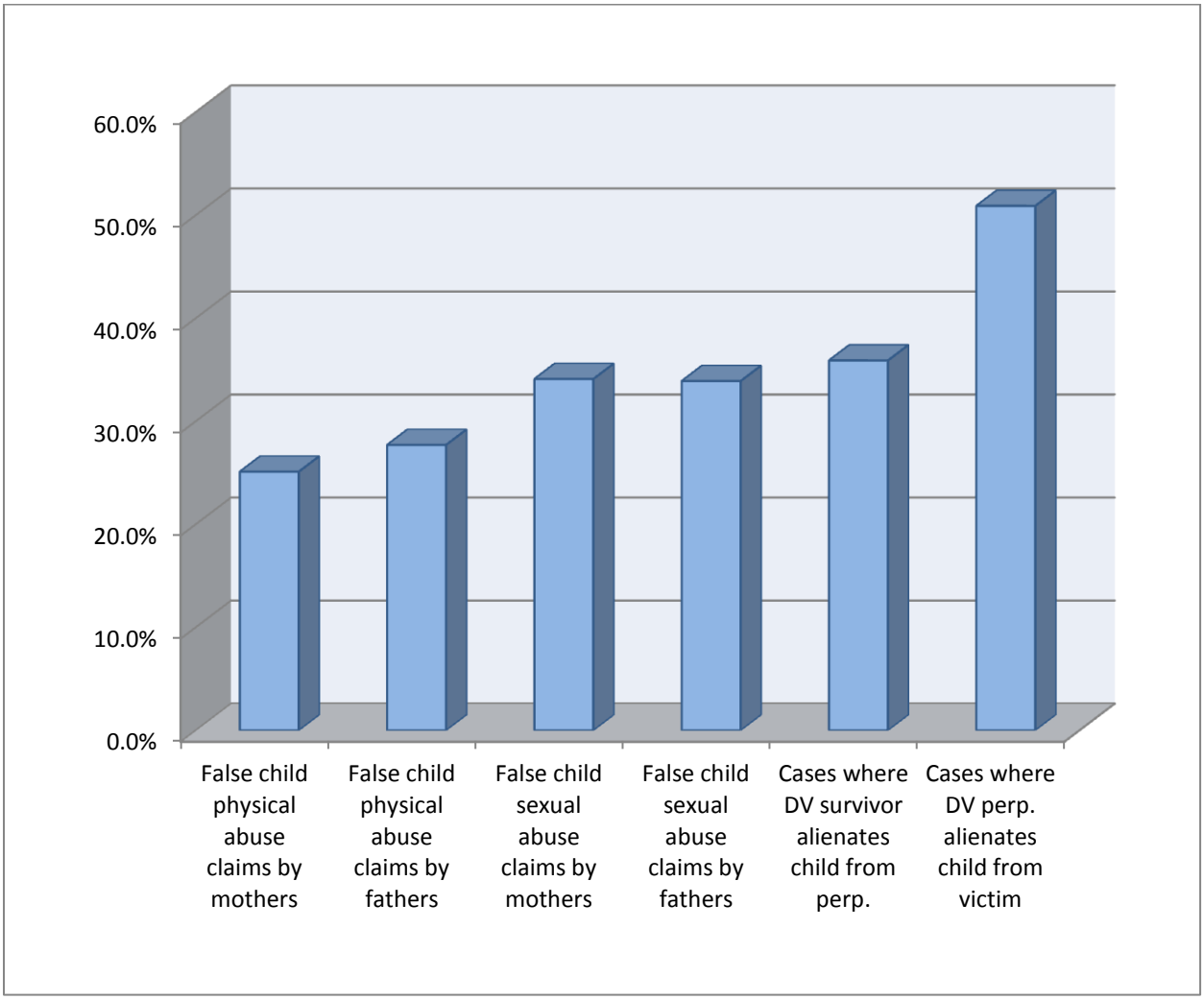


Figure 9. Means for Estimated Rates of Alienation and False Claims of Child Abuse: Evaluators

Custody and Visitation Arrangements Recommended by Evaluators

The custody recommendations of evaluators (or what they would have recommended if in a position to do so) when "one parent was clearly the perpetrator" are shown in Table 5. The most common recommendation by far was sole legal and physical custody to victims, with 35% reporting "most of the time," 17% "almost always," and 3% "always" (64% of the evaluators checked "half of the time" to "always"). However, 19% recommended this arrangement "occasionally," 9% "seldom," and 8% "never." The next most common recommendation was for joint legal custody and physical custody to be awarded to victims: 40% of the evaluators reported making this recommendation "half of the time" to "always."

The two next most common recommendations, but much less common than the first two, were: (a) sole legal custody to the victim, with joint physical custody, and (b) joint legal custody, with joint physical custody. Only 10% of the evaluators reported these recommendations "half of the time" to "always." Thirty percent to 38% reported never making these recommendations, but approximately one fourth marked "occasionally."

Legal or physical custody to the perpetrator was rarely recommended. Seventy percent reported never recommending sole legal custody to the perpetrator with joint physical custody, with 26% reporting "seldom." Fifty-eight percent reported never recommending sole legal and physical custody to the perpetrator, with 36% reporting "seldom." Forty-nine percent reported never recommending joint legal custody to the couple with physical custody to the perpetrator, with 41% reporting "seldom."

The average rates for the three visitation arrangements are shown in Figure 10. The option recommended by evaluators the most was supervision by a professional or paraprofessional (average = 43%; *SD* = 30.4). Much lower rates were given for informal supervision from friends and family members (average = 25%; *SD* = 21.3) or no supervision (average = 30%; *SD* = 30.5).

Table 5
Frequency of Custody Recommendations by Evaluators

Custody recommendations (or would have recommended)	Estimated Frequency of Recommendation						
	Never 0%	Seldom 1%-9%	Occasionally 10%-49%	Half of the time 50%	Most of the time 51%-89%	Almost always 90%-99%	Always 100%
SOLE LEGAL & PHYSICAL custody to victim of DV	7.6%	9.4%	18.6%	8.9%	34.6%	17.4%	3.4%
SOLE LEGAL & PHYSICAL custody to DV perpetrator	57.6%	36.2%	5.3%	0.2%	0.5%	0.2%	0.0%
JOINT LEGAL custody & PHYSICAL custody to victim of DV	12.4%	14.7%	32.8%	12.2%	21.6%	6.0%	0.5%
JOINT LEGAL custody & PHYSICAL custody to perp. of DV	48.6%	41.3%	8.7%	0.7%	0.5%	0.2%	0.0%
SOLE LEGAL custody to victim & JOINT PHYSICAL custody	38.1%	28.7%	22.7%	4.4%	4.8%	1.1%	0.2%
SOLE LEGAL custody to perp. & JOINT PHYSICAL custody	70.4%	26.1%	3.2%	0.0%	0.0%	0.2%	0.0%
JOINT LEGAL & PHYSICAL custody	30.5%	32.3	27.1%	5.7%	3.4%	0.9%	0.0%

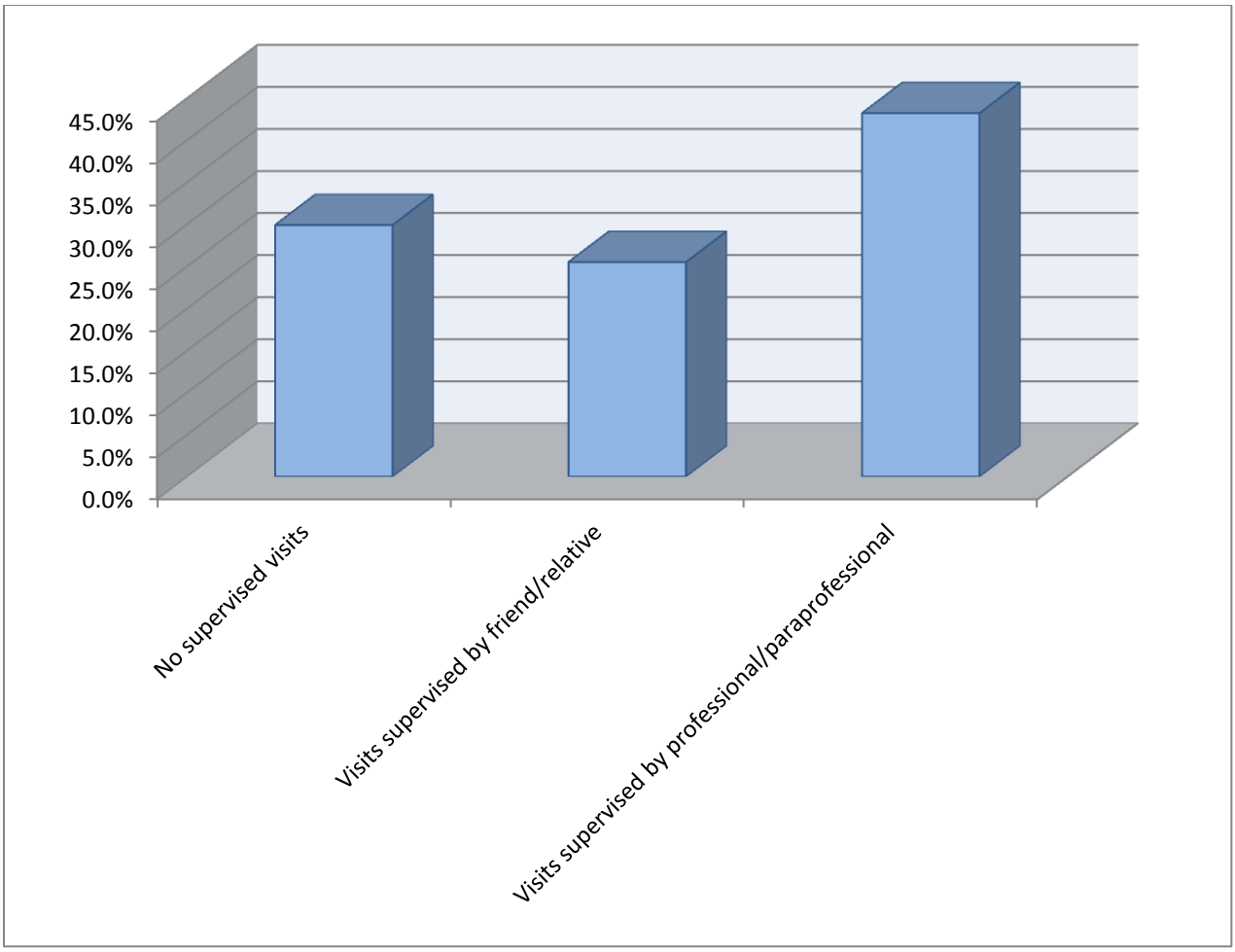


Figure 10. Means for Estimated Rates of Parental Visitation Recommendations: Evaluators

The custody and visitation arrangements that evaluators believed would be in the best interests of the child in the vignette are shown in Figure 11. Joint legal and primary physical custody with the mother was supported the most (47% average likelihood), followed by sole legal and physical custody with the mother (40%) and then by joint physical and legal custody (30%). Unsupervised visitation was supported the most (47% average likelihood), with the two options for supervised visitation being endorsed at a lower probability (34% for informal and 38% for formal; see Figure 12).

Evaluators reported on average a 40% likelihood that the couple would benefit from mediation**.** A third of the evaluators reported a 50% or greater chance that the couple would benefit from mediation.

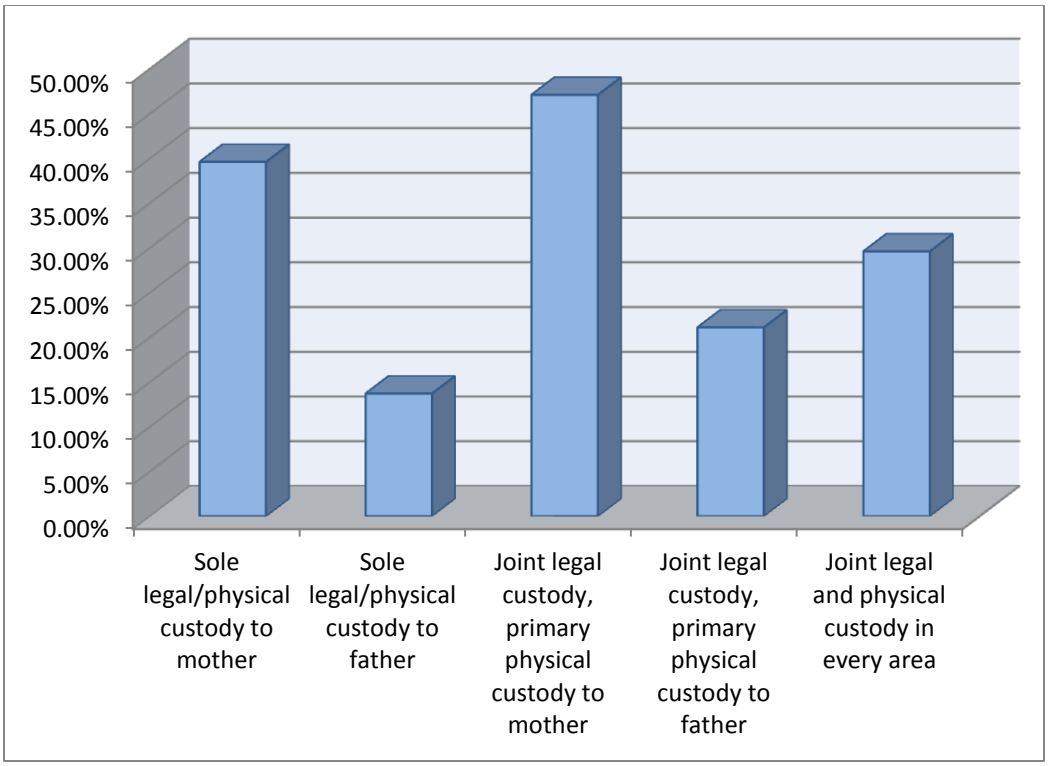


Figure 11. Means of Visitation Recommendations in Response to Vignette: Evaluators

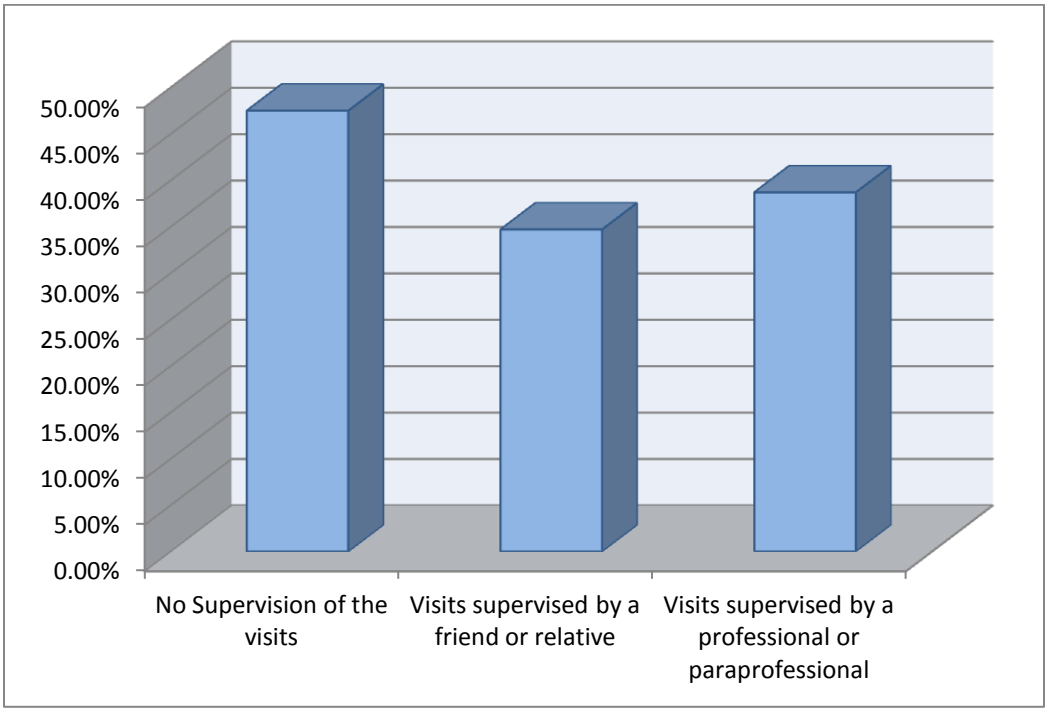


Figure 12. Means of Visitation Recommendations in Response to Vignette: Evaluators

Evaluators' Beliefs About Vignette Hypotheses: Causes and Consequences of DV

When evaluators were asked to list the hypotheses they would explore after reading the vignette, three reliable categories were found: (a) coercive and/or controlling violent or nonviolent behavior; (b) the mother's mental health problems were caused by DV; and (c) alcohol caused the DV. Of the evaluators who responded with at least one hypothesis, 23% would explore hypotheses related to coercive and/or controlling violence/behavior, 17% described hypotheses about the DV causing the mother's mental health problems, and 5% would consider alcohol as a cause of DV. There was a significant overlap in responses for hypotheses about coercive-controlling behavior and about mental health consequences of DV. Of those who would consider a coercive-controlling hypothesis, 27% would also consider mental health consequences of DV, compared with 13% of those who would not consider a coercive-controlling hypothesis (Chi-square = 11.1; p = .001). There was no overlap between these two types of hypotheses and the one that would explore alcohol as the cause of DV. Because of the relatively small number of evaluators who would explore alcohol as the cause of DV, we focused the results on the other two areas: coercive-controlling violence/behavior and mental health consequences of DV.

Evaluators' Beliefs in False Allegations Related to Beliefs About Custody

We found support for the hypothesis that there would be a relationship between a belief in false DV allegations and several beliefs about custody and family violence. The belief by evaluators that mothers make false DV allegations about DV was significantly and strongly related to several other beliefs: that survivors make false allegations of child physical and sexual abuse, that DV is not important in custody decisions, that survivors alienate children from the other parent, and that children are hurt when survivors are reluctant to co-parent (four of these five correlations are above .50; see Table 6).

The belief that mothers make false DV allegations was related to several beliefs about the vignette: that the mother in the vignette would cause psychological harm to her child (r = .38), that the father would not cause such harm (r = .39), and that the mother is exaggerating her reports of violence (r = .50) and the father is *not* minimizing (r = .35).

The belief that fathers make false allegations of DV was significantly related to several beliefs as well: that fathers make false allegations of child physical and sexual abuse and that fathers alienate children from the other parent. The relationship with child physical abuse was especially high (r = .61). There was no relationship between the belief that fathers make false allegations and the belief that mothers make false allegations.

Evaluator Hypotheses About the Causes and Consequences of Domestic Violence Related to Beliefs About Custody

The evaluators who responded to the vignette of domestic violence by saying they would explore coercive-controlling behavior as a cause of the violence and would consider the mother's mental health symptoms as a consequence of DV were more likely to believe the following: domestic violence is important in custody decisions, mothers do not make false DV allegations, victims do not alienate the children, and victims do not hurt the children when they resist co-parenting. The *t* values ranged from 2.3 to 3.6. The differences were highly significant (*p* value averaged .005). In addition, evaluators who would explore coercive-controlling behavior were more likely to believe that fathers make false allegations of DV ($t = -1.6$, $p = .05$).

Those who would explore coercive-controlling violence and the mental health consequences of DV in the vignette were also more likely to believe the following: the father will harm his son psychologically ($t = -3.0$, $p = .002$; $t = -3.8$, $p = .001$), the father minimized his violence ($t = -2.8$, $p = .005$; $t = -3.3$, $p = .001$), and the mother did not exaggerate her reports of abuse ($t = 2.2$, $p = .03$; $t = 2.0$, $p = .04$).

Beliefs About False Allegations, Alienation, Friendly Parents, and Domestic Violence Related to Custody-Visitation Recommendations

Of central importance to this study is the relationship between beliefs and practice. Valid and reliable reports of the actual behavior of evaluators and other professionals are often difficult to obtain. In this study, we used estimates of actual recommendations in the past, as well as recommendations in response to a vignette of a domestic violence case.

Evaluators' reported history of recommending custody that favored the offender over the victim (weighted scale of 7 combinations of legal and physical custody) was related significantly with all four beliefs about alleged DV victim-mothers: that they alienate children from the other parent, that they make false DV allegations, that DV is not important in custody decisions, and that alleged victims hurt children if they resist co-parenting (correlations from .25 to .36). Table 7 shows the correlations with the composite scale, as well as the correlations with the separate custody arrangements making up that scale. Whether an evaluator would explore hypotheses about coercive-controlling behavior or mental health consequences of DV was not related to custody determinations.

A preference for recommending "no supervision of visitation" over supervised visitation, using the composite scale, was related to the belief that DV is not important in custody decisions ($r = .21$) and was more likely among those who would explore coercive-controlling behavior as a hypothesis in the vignette ($t = -.24$; $p = .02$). The preference in the vignette case of domestic violence to give

custody to the father was strongly related to all four beliefs: that survivors alienate children, that mothers make false allegations of DV, that survivors hurt children when reluctant to co-parent, and that DV is not important in custody decisions (correlations from .41 to .55; see Table 8). Those who would explore coercive-controlling violence as a factor in the vignette were more likely to give custody to the victim ($t = 4.1$; $p < .001$). The relationship between beliefs and the preference in the vignette for professional supervision of visits was weaker. This preference was most strongly related with the belief that DV is important in custody decisions ($r = .43$) and that the mothers' mental health symptoms in the vignette were probably due to the domestic abuse.

Believing that mediation would benefit the couple was most strongly related to the belief that the child is hurt when the victim refuses to co-parent ($r = .51$) and to a lesser extent to the beliefs that victims alienate the children, that victims make false DV allegations, and that DV is not important in custody decisions ($r = .21$ to $.41$). The belief in the benefits of mediation was less likely among those who would explore coercive-controlling behavior and mental health consequences of DV in the vignette ($t = 3.5$, $p = .001$; $t = 1.8$; $p = .04$). The mediation item did not correlate at all with the belief that fathers make false allegations (see Table 8).

The beliefs that the mother and father would cause psychological harm to their son, that the mother was exaggerating abuse reports, and that the father was minimizing them were related to past custody recommendations in predictable ways, but with relatively low correlations ($r = .15$ to $-.27$). These same beliefs (parents will psychologically harm son, mother is exaggerating, father minimizing) were related in expected ways to the beliefs that DV is not important in custody evaluations, and that mothers make false allegations, alienate the children, and hurt the children if they do not co-parent (see Table 8). The relationship were especially strong with the belief that mothers make false DV allegations ($r = -.35$ to $.50$).

Table 6

Bivariate Correlations: Beliefs Among Custody Evaluators About False Allegations of Abuse, Parental Alienation, and Parental Action in Vignette

	Est. % of false child physical abuse claims by mothers	Est. % of false child physical abuse claims by fathers	Est. % of false child sexual abuse claims by mothers	Est. % of false child sexual abuse claims by fathers	Est. % of cases where DV perp. alienates child from victim	DV not import-ant in custody	Est. % of false allegatio ns of DV by father	Aliena-tion by survivor (4 item factor score)	Victim hurts child when resists/ reluctant to co-par-ent
False domestic violence allegations by mother [a]	.52**	.17**	.52**	.22**	-.06	.40**	.00	.72**	.51**
When fathers make allegations of DV in custody disputes, what % do you estimate are false?	.27**	.61**	.14**	.42**	.30**	-.15**	1.000	-.06	-.10 *

*$p < .05$ level (1-tailed); ** $p < 0.01$ level (1-tailed). [a] 3 item factor score

Table 7

Bivariate Correlations between Beliefs and Custody-Visitation Recommendations in Past Cases: Custody Evaluators

Custody-Visitation Recommendations	DV not important in custody	False DV allegations by mother: 3-item scale	Parental alienation by mother	Victim hurts child when resists co-parent-ing	False allegations of DV & child abuse by father
Weighted Composite Scale: **Custody arrangements: sole or joint to perp. vs. sole to victim**	.25**	.25**	.20**	.36**	-.07
SOLE LEGAL & PHYSICAL custody to VICTIM of DV	-.21**	-.17**	-.18**	-.29**	.10*
SOLE LEGAL & PHYSICAL custody to DV perpetrator	.05	.07	.01	.04	-.01
JOINT LEGAL custody & PHYSICAL custody to victim of DV	.10*	.12**	.11*	.26**	.01
JOINT LEGAL custody & PHYSICAL custody to perp. of DV	.17**	.16**	.10*	.23**	-.04
SOLE LEGAL custody to victim & JOINT PHYSICAL custody	.04	.09*	.07	.12**	.02
SOLE LEGAL custody to perp. & JOINT PHYSICAL custody	.10*	.15**	.08*	.14**	.02
JOINT LEGAL & PHYSICAL custody	.26**	.23**	.20**	.32**	-.08

(continued)

Table 7 (continued)					
Custody-Visitation Recommendations	DV not important in custody	False DV allegations by mother: 3-item scale	Parental alienation by mother	Victim hurts child when resists co-parenting	False allegations of DV & child abuse by father
Weighted Composite Scale: **No supervised visits vs. supervised**	.21**	-.07	-.12**	-.04	-.08*
Estimated % of recommendations for no supervised visits for perpetrator	.21**	-.07	-.13**	-.06	-.10*
Estimated % of recommendations for visits supervised by a friend or relative	.01	.11*	.15**	.17**	.10*
Estimated % of recommendations for visits supervised by a professional or paraprofessional	-.20**	.01	.04	-.05	.01
***p* < .05 level (1-tailed). ** *p* < .01 level (1-tailed).**					

Table 8

Bivariate Correlations between Beliefs and Vignette Custody-Visitation Responses: Evaluators

Custody-Visitation Vignette Responses	DV not important in custody eval.	False DV allegations by mother: 3-item scale	Parental alienation by mother	Victim hurts child when not co-parent	False DV & child abuse allegations by father
What is the likelihood of future psychological harm to the son by the mother?	.21**	.38**	.42**	.30**	-.10*
What is the likelihood of future psychological harm to the son by the father?	-.38**	-.39**	-.24**	-.34**	.16**
What is the likelihood that the mother is exaggerating the extent of the violence?	.23**	.50**	.43**	.31**	.09*
What is the likelihood that the father is minimizing the extent of the violence?	-.27**	-.35**	-.25**	-.29**	.19**
What is the likelihood that the parties would benefit from mediation?	.21**	.30**	.31**	.51**	.01
SOLE LEGAL & PHYSICAL custody to VICTIM of DV	-.34**	-.41**	-.39**	-.46**	.11*
SOLE LEGAL & PHYSICAL custody to DV perpetrator	.12*	.19**	.16**	.13**	-.02
JOINT LEGAL custody & PHYSICAL custody to victim of DV	.08	.07	.04	.15**	.12*
JOINT LEGAL custody & PHYSICAL custody to perp. of DV	.28**	.42**	.35**	.38**	-.03

(continued)

Table 8 (continued)

Custody-Visitation Vignette Responses	DV not important in custody eval.	False DV allegations by mother: 3-item scale	Parental alienation by mother	Victim hurts child when not co-parent	False DV & child abuse allegations by father
JOINT LEGAL & PHYSICAL custody	.35**	.36**	.36**	.44**	-.10*
Composite Scale**: sole-joint to father vs. sole to mother**	.42**	.52**	.48**	.56**	-.09
No supervised visits recommended for perpetrator	.41**	.18**	.14**	.19**	-.09
Visits supervised by a friend or relative recommended	-.07	-.01	-.06	-.05	.03
Visits supervised by a professional or paraprofessional recommended	-.38**	-.19**	-.17**	-.23**	.12**
Composite Scale**: No supervision vs. supervised visits**	.43**	.19**	.16**	.21**	-.13**

***p* < 0.05 level (1-tailed); ****p* < 0.01 level (1-tailed).**

Beliefs About False Allegations, Related Beliefs, and Custody/Visitation Recommendations by Evaluator Demographics and Background

In this section we present findings on demographic and background variables as they relate to beliefs about custody and domestic violence and to custody and visitation recommendations.

Gender. Men reported that they conducted custody evaluations for more years than women (t = 4.0; p = .000), but men and women did not differ significantly on the number of evaluations conducted over their careers or in the past year. Women estimated that a significantly higher percentage of custody cases involved DV allegations (t = -3.4; p = .001). Within the alleged DV cases, men and women did not differ in their estimates of the percentage of cases with false allegations of DV by the father or mother, of cases of domestic violence by the father, mother, or both, or of cases in which they supported allegations of DV. They also did not differ on the extent to which DV impacted their evaluations or recommendations.

Men were significantly more likely than women to believe that domestic violence is not important in custody-visitation determinations, and that mothers alleging DV make false allegations about domestic violence, alienate their children, and hurt the children by refusing to co-parent. Men were significantly less likely to believe that perpetrators alienate children from their mothers. There were no significant gender differences in the belief that fathers make false DV allegations. The above differences in beliefs between men and women were explained to a small extent in our statistical analysis (Analysis of Covariance) by differences in patriarchal beliefs and setting. The differences were not explained by differences in DV knowledge acquisition or knowing a victim.

There were no gender differences in whether evaluators would recommend sole or joint custody to perpetrators and no gender differences regarding the three options for supervised visitation. In response to the vignette, men were more likely to believe that having unsupervised visits was in the child's best interest. The vignette responses about custody did not differ by gender (see Table 9), including exploration hypotheses by the evaluator about coercive-controlling behavior and the mothers' mental health symptoms. Women were more likely to think that mediation would benefit the couple in the vignette.

Age. There were no significant relationships between age and custody-visitation beliefs and custody-visitation recommendations.

Court versus private settings. Comparisons were made across three groups of evaluators working in private, court, or private and court settings. The last group might actually have been private evaluators who responded to the question, "In what settings do you conduct evaluations?" to indicate they provided evaluations for the courts. The findings show that they responded similarly to the way private evaluators responded. Evaluators in private or private-court settings, compared

with those in court settings, were more likely to believe that alleged victims make false DV allegations, alienate children from the other parent, and hurt the children if they are reluctant to co-parent (see Table 9). Court-based evaluators were somewhat more likely than private-court evaluators to recommend sole custody to the perpetrator or joint custody, although the frequencies were low (88% “seldom” and 12% “occasionally” for sole custody). Court-based evaluators were more likely to recommend supervised visitation. However, these differences do not occur when the Bonferroni statistical adjustment is made, and therefore the findings need to be viewed with caution. The private-court group was more likely than either the private group or court group to believe that the couple in the vignette could benefit from mediation. The groups did not differ on other vignette responses.

Table 9

Custody-Visitation Recommendations and Beliefs by Evaluator Gender and Setting

	Custody arrangements: sole to perp. or joint vs. sole to mother			Visitation recommended: no supervision			Vignette custody arrangements weighted: sole-joint to father vs. sole to mother			Vignette supervised visits weighted: No supervision		
	Mean	*SD*	*t* value	Mean	*SD*	t value	Mean	*SD*	*t* value	Mean	*SD*	*t* value
Men	20.4	18.5		-83.1	175 .3		38.1	59.4		-5.1	36.3	
Women	18.0	19.7	1.3	-94.9	177 .4	0.7	30.3	60.2	1.2	-12.8	38.4	1.9*
Court	22.1	18.7		-55.0	163 .1		26.9	61.3		-9.9	36.6	
Private	18.8	19.9	1.5	-103.1	181 .9	2.5**	35.3	56.0	-1.2	-9.6	38.5	-0.1

(continued)

Table 9 (continued)

	DV not important in custody			False domestic violence allegations by mother: factor score - 3 items			Alienation by survivor - factor score - 4 items			In what percentage of cases do you estimate that domestic violence perpetrators try to alienate the child from the other parent?		
	Mean	*SD*	*t* value	Mean	*SD*	*t* value	Mean	*SD*	*t* value	Mean	*SD*	*t* value
Men	6.2	2.5		0.7	1.1		0.5	1.0		10.5	4.9	
Women	5.6	2.6	2.3*	0.3	0.9	3.5***	0.2	0.9	2.8***	11.7	5.1	-2.3*
Court	5.7	2.5		0.3	0.9		0.1	0.9		11.3	5.3	
Private	5.9	2.5	-0.6	0.6	1.0	-3.2***	0.4	0.9	-2.7**	10.9	5.0	0.7

(continued)

Table 9 (continued)

	When fathers make allegations of domestic violence in custody disputes, what percentage do you estimate are false?			False DV & child abuse allegations by Father			Victim hurts child when resists/reluctant to co-parent		
	Mean	*SD*	*t* value	Mean	*SD*	*t* value	Mean	*SD*	*t* value
Men	7.4	4.7		7.1	4.1		7.8	3.1	
Women	7.3	5.0	0.3	6.9	4.2	0.5	6.8	3.1	3.5***
Court	7.2	5.2		7.0	4.3		6.5	3.0	
Private	7.0	4.5	0.5	6.7	3.9	0.6	7.4	3.1	-2.9**

*** $p < .05$; ** $p < .01$; *** $p < .001$**

Survivor status and knowing survivors. Beliefs about custody-visitation and recommendations and vignette responses regarding custody-visitation did not differ by whether the evaluator was a survivor of domestic violence. However, several significant differences were found based on whether one's family member was a survivor (using independent *t*-tests, one-tailed significance level). Those with a father, mother, or sibling who was a survivor were significantly more likely to believe that domestic violence is important in custody-visitation determinations (t = -3.1, $p < .001$; t = -3.0, $p < .01$; t = -2.3, $p < .01$) and that mothers do not make false DV allegations (t = 11.8, $p <$. 05; t = -1.9, $p < .05$; -1.8, $p < .05$). In addition, the belief that alleged DV victims alienate children from the other parent was less likely if a sibling was a victim of DV (t = 1.8, $p < .05$). Beliefs about co-parenting and false allegations by fathers were unrelated to having a family member as a victim.

Those with a father, mother, or sibling who was a survivor of DV were more likely to believe that the child in the vignette needed supervised visitation versus no supervision (t = 2.7, $p < .01$; t = 3.2, $p < .001$; t = 2.3, $p < .01$). In addition, those with a mother who was a survivor of DV were more likely to have recommended sole or joint custody to a DV survivor and supervised visits for the offender (t = 1.6, $p < .05$, t = 3.7, $p < .001$).

Knowing a friend who was a victim of DV was related to the beliefs that alleged DV victims do not make false DV allegations and do not alienate children from the other parent (t = -2.4, $p < .02$; t = -1.8, $p < .05$). Knowing a co-worker who was a victim was related to the belief that DV is important in custody determinations (t = -1.7, $p < .05$). Knowing an acquaintance or neighbor who was a victim was not related to beliefs about custody-visitation.

Knowing a friend who was a victim was related to a greater likelihood of believing the best interest of the child in the vignette would require supervised visitation for the father (t = 1.7, $p < .05$). Knowing an acquaintance who was a victim was related to more recommendations for sole or joint custody granted to the perpetrator (t = -2.2, $p < .05$). Knowing a co-worker or neighbor as a victim was not related to custody-visitation recommendations.

Areas of DV Knowledge Acquired. The relationships between specific areas of DV knowledge acquisition and beliefs and recommendations were examined (using independent *t*-tests, one-tailed level of significance). Knowledge about DV covered seven areas: prevalence, causes, types of perpetrators, post-separation violence, screening, assessing dangerousness, and children's exposure to DV. As shown in Table 10, those who acquired knowledge of DV screening and post-separation violence were significantly more likely to show differences in beliefs and recommendations than those who acquired other forms of knowledge. They were more likely to believe that DV is important in custody cases, that alleged DV victims do not alienate children, that they don't hurt children if they resist co-parenting, and that fathers make false allegations. They were also more likely to believe that custody to the victim in the vignette was in the best interest

of the child. Those with knowledge of screening were more likely to explore coercive-controlling behavior in the vignette. Those who acquired knowledge of post-separation violence were also more likely to believe that mothers do not make false DV allegations.

Other areas of knowledge acquisition were not related to as many beliefs and recommendations. However, there were a number of significant findings, as follows:

- Those who acquired knowledge of the **prevalence** of DV were more likely to believe that:

  DV is important in custody cases;

  victims do not alienate children;

  fathers make false allegations;

  mental health symptoms of the mother in the vignette were caused by DV.

  They were also more likely to recommend sole custody to victims.

- Those who acquired knowledge of the **types of perpetrators** were more likely to believe that:

  alleged victims do not alienate children;

  victims do not hurt children if they resist co-parenting;

  fathers make false allegations.

- Those who acquired knowledge on **assessing dangerousness** were more likely to believe that:

  mothers do not alienate children;

  fathers make false allegations of DV and child abuse.

- Those who acquired knowledge on **children's exposure to DV** were more likely to believe that mothers do not alienate children. They were also more likely to recommend supervised visitation in DV cases.

Knowledge of the **causes of DV** was **not** related to any beliefs or recommendations.

Methods of DV Knowledge Acquisition. Among the eight methods for acquiring knowledge, the frequencies of workshop attendance and lecture attendance were related to the most belief and outcome variables (see Table 11). The frequency of workshop and lecture attendance was related to all four beliefs about custody and DV in expected directions: less likely to believe that alleged victims make false allegations, that alleged victims alienate the child from the other parent, and that alleged victims hurt the child by not co-parenting; workshop and lecture attendance was related to the belief that DV is important in custody decisions. They were also related to two

vignette responses: seeing the best interests of the child and the safety of the family being achieved by (a) custody to the mother and (b) supervised visitation for the father. Workshop attendance was also related to making hypotheses in the vignette about the father's coercive-controlling behavior and DV causing mother's mental health symptoms.

The frequency of professional consultations and reading books and articles were related to the beliefs that DV is important in custody decisions, alleged victims do not make DV false allegations or alienate the children, and the mother's mental health symptoms may be due to DV. The frequency of reading web sites was related to the beliefs that DV is important in custody decisions, there should be supervised visits for the father in the vignette, and the mother's mental symptoms may be a consequence of DV. The frequency of film and video viewing was related only to the belief that the couple in the vignette would benefit from mediation. The frequency of listening to radio programs, the method used the least, was not related to any of the belief or outcome variables. No methods for acquiring knowledge were related to recommendations evaluators had made (or would have made) regarding custody and visitation.

Table 10.

Custody Beliefs and Recommendations by Types of DV Knowledge Acquired

	Types of DV Knowledge Acquired						
Custody Beliefs & Recommendations	Prevalence of DV	Causes of DV	Types of perpetrators	Post-separation violence	Screening for DV	Assessing danger in DV cases	Children's exposure to DV
DV important in custody cases	**			*	*		
Mothers do *not* make false DV allegations					**		
Mothers do *not* alienate children	*		***	***	***	*	*
Victim does *not* hurt child when resists co-parenting			*	***	***		
Belief in false allegations of DV & child abuse by father	***		**	***	***	***	
Recommended custody to victim	*						
Recommended supervised visits							*
Vignette: custody to victim				*	***		
Vignette: supervised visits							
Coercive-controlling behavior					*		
Mental problems from DV	**						

*** $p < .05$; ** $p < .01$; *** $p < .001$**

Table 11

Bivariate Correlations Between Evaluator Beliefs and Methods of Knowledge Acquisition

	Methods of Knowledge Acquisition							
Custody Beliefs & Recommendations	Books	Radio programs	Films or videos	Workshops	Articles	Lectures	Consulta-tions	Web sites read
DV not important in custody	-.13**	.01	.01	-.15**	-.10*	-.12*	-.11*	-.14**
False domestic violence allegations by mother: factor score – 3 items	-.11*	-.01	-.06	-.19**	-.08	-.15**	-.09*	-.04
Parental alienation by mother	-.08	.03	.02	-.16**	-.10*	-.15**	-.08*	-.07
Victim hurts child when resists/reluctant to co-parent	-.01	.03	.04	-.16**	-.07	-.08*	-.00	-.03
Belief in false allegations by father of DV & child phys. Abuse	.03	-.02	-.01	.01	.02	.01	.06	.03

*** *p* < .05; ** *p* < .01; *** *p* < .001**

(continued)

Table 11 (Continued)

	Methods of Knowledge Acquisition							
Custody Beliefs & Recommendations	Books	Radio programs	Films or videos	Workshops	Articles	Lectures	Consulta-tions	Web sites read
Custody arrangements: sole or joint to perp. versus sole to victim	-.01	-.02	-.01	-.03	-.06	-.07	.01	-.04
Visitation weighted: no supervision	-.06	.01	.03	.04	.03	.04	-.03	-.08
Vignette custody arrangements weighted: sole and joint to perp. versus sole to mother	.01	-.02	-.02	-.16**	-.03	-.10*	-.09*	-.03
Vignette supervised visits weighted: no supervision	-.10*	-.00	-.02	-.13**	-.12*	-.10	-.09	-.11*
What is the likelihood that the parties would benefit from mediation or another form of alternative dispute resolution?	.05	.05	.12*	-.08	-.02	-.03	.05	.03

***p* < 0.05 level (1-tailed); ****p* < 0.01 level (1-tailed).**

Professional Degree. Comparisons were made of the beliefs and recommendations among social workers, psychologists, marriage-family therapists, and counselors (the samples of attorneys and psychiatrists were too small for analysis). Psychologists were more likely than social workers to believe that DV is not important in custody-visitation decisions and that alleged victims make false DV allegations, alienate the children, and hurt the children when they resist co-parenting. Psychologists were also more likely than counselors to believe that alleged victims make false DV allegations. Groups did not differ on the belief that fathers make false allegations of DV and child abuse.

Psychologists were more likely than marriage-family therapists to recommend joint custody or sole custody to the perpetrator. Social workers were more likely than psychologists to recommend sole legal and physical custody to victims. There were no other group differences on recommendations.

Because of the many differences between psychologists and social workers, we searched for variables to explain these differences. Psychologists were more likely than social workers to be male, older, have doctoral degrees, work in private practice, and have conducted evaluations for more than 15 years. Social workers, on the other hand, were more likely to be survivors of DV, to have a mother or co-worker who was a survivor, and to have acquired DV knowledge with five of the eight methods. The differences in beliefs in false DV allegations by mothers was explained to a small degree by gender, knowing survivors, DV knowledge, and private vs. court setting (Analysis of Covariance). Differences in the custody recommendations could not be explained by such background/demographic variables.

Experience Conducting Evaluations. The total number of evaluations conducted and the number conducted in the past year had few significant relationships with belief and outcome variables. The higher the number of total evaluations conducted and the higher the number in the past year, the less likely evaluators were to believe that victims hurt children by being reluctant to co-parent (r = -.13; r = -11). The more total number of evaluations conducted, the more likely evaluators were to believe that supervised visits would be in the child's best interest in the vignette (r = .20). The more evaluators conducted evaluations in the past year, the more likely they were to recommend unsupervised visits (r = .17) and sole or joint custody to the perpetrator (r = .14).

Inquiring and Screening for Domestic Violence. A very high percentage of evaluators, 89%, reported that they always "directly inquire about the presence of domestic violence" and another 5% almost always asked (90% to 99% of the time). Only 2% said that there was less than a 50% chance they would ask. Regarding the use of "instruments or standard protocols to screen" for DV, 38% said they always used them, 37% said they never used them, and the remaining 23% used them at varying rates from 5% of the time to 95% of the time (average = 11% of the time; *SD* = 9.2). Such protocols and instruments are likely to increase the odds of detecting DV because they provide specific, standardized questions.

Evaluators were asked to describe one or more instrument "to assess domestic violence." Of the 214 evaluators who listed one or more instruments, 70% listed one or more DV instruments (e.g., Conflict Tactics Scale, Spousal Assault Risk Appraisal, Danger Assessment Index), sometimes in conjunction with criminal record checks, and measures of anger, substance abuse, and child abuse potential. Fifteen percent listed only a general measure of personality/psychopathology, most commonly the MMPI; 6% listed both a DV and personality-psychopathology measure (sometimes in conjunction with other measures); 6% listed only criminal record checks; and 3% listed other measures as the only ones used (e.g., the Child Abuse Potential Inventory and measures of anger). Those using only a general measure of personality/psychopathology were most likely to be psychologists (81%). Two of the investigators coded these responses and achieved 94% agreement, with the "disagreements" subsequently resolved through discussion.

In Table 12 we show that evaluators who used DV assessment instruments were more likely than others to have acquired several types of DV knowledge. As might be expected, the differences were most pronounced for the knowledge areas of "screening for domestic violence" and "assessing dangerousness in domestic violence cases." Those who used DV instruments were the most likely to directly inquire about the presence of domestic violence: 95% inquired all of the time, 4% inquired 50–95% of the time, and 1% inquired less than half the time. Those who used a mental health measure inquired about domestic violence almost as often: 88% inquired all of the time; 9% between 50–90% of the time, and 3% less than half of the time. Of those who did not use a DV instrument, 15% did not always inquire about domestic violence, with 5% inquiring less than half of the time.

When making comparisons among those who used the two types of instruments or none, only a few differences were revealed on beliefs and recommendations. Those who had used only a personality-psychopathology measure were more likely than those using a DV measure to believe mothers made false allegations and the victims hurt the child when reluctant to co-parent. Those using only personality-psychopathology instruments were more likely than those using no instrument or a DV instrument to believe the father in the vignette should have joint or sole custody.

Table 12

Use of DV Assessment Instruments by DV Knowledge Acquisition

Type of Knowledge Acquisition	DV Instru-ment *N* = 134	No Instru-ment *N* = 173	Personality -psycho-pathology instrument *N* = 27	Chi-Square
Prevalence of domestic violence	93%	84%	74%	9.8**
Causes of domestic violence	94%	90%	89%	1.7
Types of perpetrators	92%	83%	93%	6.4*
Post-separation violence	90%	83%	74%	5.3
Screening for domestic violence	95%	80%	74%	15.9***
Assessing dangerousness in domestic violence cases	92%	70%	77%	21.1***
Children's exposure to domestic violence	96%	95%	93%	0.7

*** $p < .05$; ** $p < .01$; *** $p < .001$**

Patriarchal, Just World, and Social Dominance Beliefs in Relation to Custody Beliefs and Recommendations

As expected, the three general, value-laden beliefs were significantly correlated with each other. Patriarchal norms, as measured with the Modern Sexism Scale, correlated with social dominance orientation (r = .30; p = .000) and belief in a just world (r = .20; p = .000); in turn, social dominance orientation correlated with belief in a just world (r = .10; p = .02). Patriarchal norms (sexist beliefs) correlated significantly with all five custody belief measures and all five custody outcome measures. Higher scores on the sexism scale were related to the beliefs that DV is not important in custody decisions, that victims make false allegations, that victims alienate the children, and that victims hurt the children because they resist co-parenting (r = .17 to .34; see Table 13). Sexist beliefs also correlated with the belief that fathers do not make false allegations (r = .10). Sexist beliefs correlated positively with recommendations for sole and joint custody to the perpetrator, non-supervised visits; and in the vignette seeing sole or joint custody for the perpetrator and unsupervised visitation and mediation as in the best interests of the child (r = .10 to .28).

The belief that the world is basically just was related to the following beliefs: that DV is not important in custody decisions, that victims make false allegations, that victims alienate the children, and that victims hurt the children by resisting co-parenting (r = .10 to .13) (see Table 13). Belief in a just world was also related to recommendations for sole or joint custody to the perpetrator in the past (r = .13) and seeing mediation as useful for the couple in the vignette (r = .10).

The belief in social hierarchies was related to the beliefs that victims make false allegations (r = .09) and alienate their children (r = .11) and that fathers do not make false allegations of abuse (r = .12). The belief in social hierarchies was not related to any of the custody-visitation recommendations.

Table 13

Bivariate Correlations Between Core Beliefs and Custody Beliefs and Recommendations

Custody Beliefs & Recommendations	Modern Sexism Scale	Belief in Just World	Social Domi-nance
DV not important in custody	.22**	.12*	-.01
False domestic violence allegations by mother (factor score)	.32**	.10*	.09*
Parental alienation by mother	.34**	.13*	.11*
Victim hurts child when resists/reluctant to co-parent	.17**	.12**	-.02
Belief in false DV & child abuse allegations by father	-.10*	-.07	-.12**
Custody recommendations: sole or joint to perp. versus sole to victim	.26**	.13**	.00
Visitation recommendation: no supervision	.12**	.01	-.03
Vignette custody arrangements: sole and joint to perpetrator	.28**	.08	.09

(continued)

Table 13 (continued)			
Custody Beliefs & Recommendations	Modern Sexism Scale	Belief in Just World	Social Domi-nance
Vignette: no supervised visits weighted	.17**	.03	.07
Vignette: parties would benefit from mediation	.10*	.10*	.00
*** *p* < .05; ** *p* < .01**			

The Impact of Groups of Variables on Recommendations: Multivariate Analysis

The findings reported above show many significant findings between the independent variables and dependent (recommendation) variables. We now turn to the question of the relative impact of sets of independent variables on the four major recommendation variables. We also investigated the way in which some variables appear to "act through" or "explain" other variables in predicting the recommendation outcomes. Many of the independent variables have a great deal of overlap (redundancy) with each other. We wanted to investigate the extent to which more immediate or surface variables could be explained by more distant or core variables (e.g., background and core beliefs).

Table 14 shows the variance explained by the major sets of variables. The beliefs about custody and domestic violence (e.g., false allegations, alienation, cooperative parenting) and beliefs about the vignette case (e.g., future harm to the son, perpetrator minimizing, victim exaggerating) had the strongest relationship with all of the recommendation variables. The one exception was the relationship between the vignette beliefs and no supervision recommended for the perpetrator, which was not significant. Core beliefs (e.g., sexism, just world, social dominance) had the next strongest relationship with recommendations.

The knowledge acquisition methods and areas were significantly related to one outcome: the vignette measure of custody arrangements. Because evaluators with particular demographics (e.g., age, gender) or background (e.g., knowing a victim of DV) might be more likely to seek knowledge about DV, we also conducted the analysis with these variables controlled. The variance explained increased somewhat with these variables controlled (however, significance was not achieved because of the large number of variables used: eight methods and seven areas). The results indicate that the relationship between knowledge acquisition and recommendations could not be explained by age and gender.

The demographics (e.g., age, gender), setting (e.g., private vs. other), and number of victims known have the smallest relationship with recommendations, although there is a significant relationship between these variables and the vignette measure of visitation.

Beta weights are not shown in the table because highly correlated independent variables cannot be interpreted easily. The variable with the highest bivariate relationship will "speak for" its closely related independent variables and make their beta weights uninterpretable (i.e., their contribution is not clear because it is through another independent variable).

Table 15 shows the extent to which the core beliefs explain the impact of beliefs about custody and the vignette beliefs on recommendations. The core beliefs are entered first in the equation, followed by the custody beliefs and then the vignette beliefs. The results show that the impact of

the custody beliefs is explained partially by core beliefs, yet they both contributed independently to the outcomes. The impact of the vignette beliefs was reduced drastically after controlling for the core beliefs and custody beliefs. The ability to predict the two vignette outcome measures was especially good. A total of 63% and 24% of the variance was explained, and each of the three sets of variables contributed independently.

In the next equation, the impact of belief variables was assessed after controlling for the demographic and background variables (victims known). The demographic and background variables had little impact on the relationship between the sets of belief variables and the four recommendation outcome variables.

We hypothesized that patriarchal norms would help to explain the relationship between the just world and social dominance beliefs and the belief that victims make false allegations. In a meditational analysis, sexist beliefs substantially explained the relationship between a belief in a just world and the belief in false allegations (the beta weight fell from a significant .09 to a nonsignificant .03 with sexism added to the equation). The indirect effect of sexism was significant (effect = .06; $p < .001$) using the Sobell test and a bootstrapping procedure (Preacher & Hayes, 2004). For the belief in social dominance, sexist beliefs entirely explained the relationship (the beta weight fell from .09 to .00; indirect effect = .06; $p < .001$).

Table 14

The Amount of Variance Explained (R Squared) by Separate Sets of Variables in Predicting Major Recommendations

	Custody recommended to perpetrator	No supervised visits recommend-ed for perpetrator	Custody to perpetrator in vignette	No supervision for perpetrator in vignette
Beliefs about custody & DV	.15***	.09***	.40***	.18***
Vignette beliefs: harm to child, minimizing, exaggerating	.10***	.00	.57***	.12***
Demographics, setting, & victims known	.01	.02	.02	.04**
Core beliefs: sexism, just world, & social dominance	.08***	.02*	.08***	.03*
Training: Methods & areas	.03	.05	.09**	.05
Training: Methods & areas, controlling for demogr. & victims known	.05	.08	.10*	.07

Note. **The sets of variables were entered separately and not in sequence.**
******p* **< .05; *****p* **< .01; ******p* **< .001**

Table 15

Hierarchical Multiple Regression Predicting Major Recommendations: R Squared Increase with the Entry of Each Block

Blocks	Custody recommended to perpetrator	No supervised visits recommended for perpetrator	Custody to perpetrator in vignette	No supervision for perpetrator in vignette
1. Core beliefs: sexism, just world, & social dominance	.08***	.02*	.08***	.03**
2. Beliefs about custody & DV	.11***	.10***	.34***	.17***
3. Vignette beliefs: harm to child, minimize/ exaggerate	.02	.00	.21***	.04**
Total *R squared*	.21***	.12***	.63***	.24***

(continued)

Table 15 (continued)				
Blocks	Custody recommended to perpetrator	No supervised visits recommended for perpetrator	Custody to perpetrator in vignette	No supervision for perpetrator in vignette
1. Demographics & victims known	.01	,02	.02	.04*
2. Core beliefs: sexism, just world, & social dominance	.08***	.02	.07***	.03*
3. Beliefs about custody & DV; vignette beliefs	.13***	,10***	.55***	.20***
Total *R squared*	.22***	.14***	.64***	.27***
The blocks of variables were forced to enter the equations in sequence in three blocks as indicated. * *p* < .05; ** *p* < .01; * *p* < .001**				

Predictors of Judges' Responses to Vignette

Most of the above analyses pertained to custody evaluators. We also investigated the relationship between beliefs about custody and the domestic violence vignette responses among the judges. Table 16 shows that, similar to the evaluators, there were significant relationships between a belief that mothers make false allegations of DV and the beliefs that DV is not important in custody evaluations, that mothers alienate the children, and victims hurt children if they do not co-parent. All of these beliefs were also related significantly to the beliefs that the mother in the vignette was exaggerating the extent of the violence and the father was not minimizing it. All four beliefs about DV and custody were related positively to the belief that the couple in the vignette would benefit from mediation. The direction and strength of the above correlations were similar to those among custody evaluators. The four beliefs about DV and custody were also significantly related to the belief that the father in the vignette should receive sole or joint custody and that supervision of visits was not needed. However, the size of these correlations was somewhat lower than those for the custody evaluators.

Regression analysis was used to further compare the judges and evaluators. In predicting sole or joint custody being recommended to the father in the vignette, beliefs about the mother exaggerating and the father minimizing the violence explained 41% of the variance among evaluators and 39% among judges. The general beliefs about DV and custody added 12% more to the variance for the evaluators and 5% more for the judges (all of the *R sq.* values and *R sq.* change values were significant). In predicting unsupervised visits for the child in the vignette, the beliefs about the parents minimizing or exaggerating the violence accounted for 6% of the variance among evaluators and 18% among judges. The general beliefs about DV and custody added 15% more for evaluators and 12% more for judges (all of the *R sq.* values and *R sq.* change values were significant). These findings also highlight the similarities between the custody evaluators and judges in predicting responses to the vignette case of domestic violence.

Table 16

Bivariate Correlations between Beliefs and Vignette Custody-Visitation Responses: Judges

Custody-Visitation Vignette Responses	DV not important in custody eval.	False DV allegations by mother: 3-item scale	Parental alienation by mother	Victim hurts child when resists co-parenting	False DV& child abuse allegations by father
False DV allegations by mother (3-item scale)	.23**	--	.62**	.40**	.09
Likelihood the mother is exaggerating the extent of violence?	.19**	.50**	.38**	.36**	-.03
Likelihood the father is minimizing extent of the violence?	-.25**	-.31**	-.26**	-.27**	.19**
Likelihood the parties would benefit from mediation?	.38**	.29**	.39**	.52**	-.02
Weighted Composite Vignette Scale**: sole-joint custody to father (vs. sole to mother)**	.25**	.40**	.38**	.44**	-.12
Weighted Composite Vignette Scale**: No supervision (vs. supervised visits)**	.44**	.30**	.28**	.39**	-.09

***p < .05; **p < .01**

PART 2: SEMI-STRUCTURED INTERVIEWS WITH SURVIVORS

In-person, semi-structured interviews were conducted with 24 domestic abuse survivors in order to improve our understanding of some of the negative aspects of the custody determination process. We sought the perspectives of survivors to help interpret the quantitative findings of this study, uncover new areas of concern, and provide recommendations from those most affected by negative custody and visitation *outcomes.* In studying "worst-case scenarios," we might learn what might have gone wrong in their encounters with various systems. Our aim was similar to the assessments conducted by fatality review teams in family homicide cases. These women are likely to be at one end of a continuum and therefore do not represent a typical case.

Methods

Recruitment

Survivors were recruited from domestic violence programs, supervised visitation/exchange centers, and legal aid programs in four states. These communities were selected partly because of their relatively high rates of non-custodial survivor-mothers in caseloads at visitation/exchange centers. In one state, one domestic violence program made one successful referral. In a second state, two supervised visitation programs and three domestic violence programs successfully referred 14 women. In a third state, one supervised visitation program and three legal aid programs referred eight women; and in the fourth state, one supervised visitation program and one domestic violence program referred two women who were eligible. One interview was not used in the analysis because the recording device malfunctioned in the middle of the interview and the interviewer also relied heavily on an interpreter. Other women were referred but were ineligible for the study because they had not experienced negative outcomes from custody evaluations or procedures. For example, six women referred from one agency all lost custody of their children in juvenile dependency court. Interviews took between 45 and 120 minutes to complete, and most were approximately 90 minutes. All of the interviews except one were conducted in English.

Program staff members received talking points to use for recruitment of survivors. Staff members then provided researchers with first names, phone numbers, and information on the best way to contact the women, or, alternatively, they worked out a time for the interviewer and survivor to meet at the agency. Most of the interviews took place at the agency at which the women were currently or formerly clients. These agencies had safety mechanisms in place for domestic violence survivors. One interview took place in a private meeting room of a public library. At the end of the interview, each survivor received a $30 gift card to a department store to thank her for her participation.

Interview Protocol

The interview questions were adapted from past interview studies with survivors or were developed for this study (see Appendix C for a copy and for the rationale for the nature and sequence of the questions). Because many of the survivors were extremely traumatized from past abuse and the loss of one or more children, and may experience current fear about ongoing abuse, we wanted to provide an effective balance of emotional support and structure, along with information-gathering. The interview guide included reminders to check on the emotional state and safety of the interviewee and suggested prompts for more in-depth exploration of certain areas.

Analysis

The interviews were transcribed by a professional transcription company. Research assistants checked them for accuracy and changed or removed person and place names to help protect confidentiality. We used thematic analysis, conducted by three research associates, to guide our coding process (Aronson, 1994). Thematic analysis is useful in identifying themes or patterns of particular experiences. First, interview transcripts were read and individually analyzed to discover such patterns. Next, corresponding narratives that reflected each theme were compiled. Themes were then divided into various subthemes. Since the primary focus of our analysis was on ways that professionals involved in custody evaluations considered domestic violence in their determinations, we looked in particular for signs that professionals' decisions did or did not increase the safety of the children and parents. We also searched for the existence of unexpected subthemes throughout the narratives. Finally, themes and subthemes were combined to form a comprehensive picture of survivors' experiences in the custody determination process. Preliminary findings from this analytic process are discussed next.

Preliminary Findings

We provide findings here from two general areas covered in the interviews: various types of negative experiences women had in the custody process and the recommendations they made for training professionals and changing practices

Survivors' Interactions with Custody Evaluators and Court Professionals

Four themes related to negative outcomes emerged from survivors' interviews. Specifically, survivors perceived: (1) domestic violence (DV) being ignored or minimized in custody evaluations and decisions, (2) an overreliance on maternal mental health issues to assess survivors' credibility, (3) ineffectiveness and bias of child custody determination procedures, and (4) negative child

custody outcomes being due to perceived limitations in child custody processes and family court system.

DV being ignored or minimized in custody evaluations and decisions. In many cases, when survivors raised the issue of DV their reports were immediately treated with skepticism. For example, one custody evaluator reportedly expressed his skepticism in this way:

> [The custody evaluator] made such derogatory comments to me about women. He [asked] me what was wrong with me, why couldn't I agree with my ex-husband, . . . why couldn't I agree to joint custody? What was wrong with me? His attitude was very much, "Yeah, right," and at one point, he told me that, essentially, "Why should I believe you?" He said, "I call the chair that you're sitting in right now the lying chair. I get so many women in here who are crack head moms who tell me they're wonderful mothers, so I don't believe anybody."

In a few cases, survivors reported that judges had ruled past DV as being irrelevant to the current custody case. One survivor recalled:

> The first judge we had, it was awful. . . . She was very unsympathetic and, you know, just very cold towards any of the women who were in [the courtroom]. . . . Before [my case was called], there was a woman who I guess had a restraining order on the guy in that situation and she wanted to extend it. And . . . she (the judge) was like, "No, he doesn't need it." And I was shocked. You know, I didn't feel like she was listening to some of these people and their entire case. And she flat-out told me . . . "Yeah, we're not gonna talk about his past abuse. We're just gonna talk about you."

Only a minority of survivors reported such hostile reactions from professionals in their custody cases. Most survivors perceived that judges and custody evaluators dismissed their DV reports in more subtle ways. For example, several survivors said that their reports of DV were simply overlooked or deemed insignificant by professionals in making custody determinations. One survivor told how a custody evaluator had not given her the opportunity to disclose her experiences of DV until her attorney intervened:

> I wanted to tell [the custody evaluator] about the abuse and what happened. And she said, "Oh, okay. Well, we don't have time." And then she would just go to the next [item on the list]. And so my attorney [had to] jump in and say . . . "Well, you know, [she] feels this is important." I think that if my attorney would have not been in that room with me, that [custody] probably could have gotten turned around. Because at the beginning, I don't think [the custody evaluator] really believed me. . . . I knew that she understood, but I just think that she didn't really believe me.

Similarly, several survivors believed that judges did not take DV reports seriously in the courtroom. For example, when an ex-partner continued to harass a survivor with threatening letters, she believed that the judge had questioned her credibility and minimized her ex-partner's threatening behaviors:

> I had showed [the judge] everything, [the threats] he had wrote. And [my ex-partner's] attorney was like, "My client is just merely saying what is happening. He's not trying to harass her. He's just merely stating." . . . And [the judge] made the decision . . . that the PPO (personal protection order). . . [wasn't warranted]. . . . I really feel like she [didn't] see me as being truthful.

Conversely, even when DV was acknowledged in the custody evaluation process, many survivors perceived that it was trivialized or not taken seriously by custody evaluators and court professionals. One survivor discovered that her account of her ex-partner's history of abuse was excluded from the custody evaluator's final report. For another, her disclosure of a prolonged history of DV was misrepresented as a single isolated event in her custody evaluator's report, making her experience of abuse seem less serious than it was:

> I believe that [the custody evaluator] thinks that they're just my allegations, because I want to get custody of [my child]. . . . She said that in her one report . . . [that] this was just a one-time incident.

Other survivors perceived that their reports and experiences of DV were trivialized when various court professionals told them to "get over" the abuse. One survivor said:

> It was pretty sad to me, how many times . . . that people would downplay [domestic violence]. . . . To have gone through it, and to have somebody say to you, "Yeah, you need to get over your victim status," or, "You need to put that in the past" and, "You need to co-parent," . . . that was probably the most hurtful thing to me. Because that was the solution to all of it for them, . . . just that [a survivor] needs to get over it. From the judge on down to like the littlest person, [it] was like "[Survivor], get over it."

Another way DV reports were trivialized was when survivors were blamed for staying in or returning to their abusive relationships. Subsequently, some survivors felt that they were being re-victimized by the custody and legal systems. For example, one survivor recalled, "The courts were sitting here saying, 'Well, if it was so bad, why didn't you leave sooner?'" Another survivor gave this account of the way her abuse was minimized:

> One of the things his attorney said in court when the issue of the [marital] rape got brought up was, "Yeah, but he only raped her (the survivor), and she went back with him." That's how that was handled, that it was unimportant.

Similarly, one survivor believed that her credibility was lowered because she stayed in an abusive relationship:

> At one point we talked about abuse and [the judge] kind of roll[ed] his eyes and was like "Uh, whatever." . . . [I] think he looks at women as, "Well, if you were strong enough you wouldn't be there. You know, you should have left him and you should have called the police."

In summary, the interviews revealed that many survivors concluded that their DV experience was ignored or minimized throughout the custody and legal process

Perceived overreliance on maternal mental health issues to assess survivors' credibility. A small number of survivors reported experiencing mental health symptoms such as depression, postpartum depression, and posttraumatic stress disorder. In many of these cases, some of these symptoms emerged from trauma related to DV. Often the accounts of these survivors revealed that custody evaluators and the court system apparently relied heavily on women's mental health, rather than other factors (e.g., parenting experiences), in assessing their credibility throughout the custody and legal process. Thus, these survivors believed that their experiences as a sole or primary caregiver carried little weight in custody decision-making. One survivor said:

> [The court] just think[s] it's so much better for [the child] to be with her dad [because] I think that his attorney . . . made me look terrible. Because here I am broken and [I have] lost my child, the child who I had always taken care of and done everything for. [My ex-partner] never even so much as bottle-fed her. . . .[He] never did a thing.

Another survivor said,"[T]he thing [my ex-partner] has consistently used [against me] is mental health. . . . The psych eval[uation] . . . [was] presented to me like I had all these mental problems. And it was built up so much." This survivor explained how a custody evaluator placed greater emphasis on her mental health over her ex-partner's criminal behavior in determining custody of her children:

> One of the things that [the custody evaluator] said to me that I've never gotten over on that day . . . was that it does not look good for me because I was hospitalized for depression and that it did not look good for him, because he was a registered sex offender. . . . How you can compare the two? And how you can hold [it] against somebody for getting help for themselves? . . . Somehow they compared that and they chose him over me. . . . It makes no sense to me.

In a few cases, custody evaluators and court professionals themselves concluded that a survivor had a mental health issue simply from behavioral observation, regardless of whether these issues were formally documented or diagnosed. One survivor shared her experience with a custody

evaluator who had reportedly "diagnosed" her with anxiety, which subsequently affected his custody recommendation:

> [The custody evaluator] said that I had an anxiety problem. He said that the boys' sexual acting out were a product of my delusions. He said that I had a mental illness, but he never put a name on that mental illness. . . . [So] he recommended that [my ex-partner] have physical custody [of the children].

In another case, one custody evaluator's conclusions about the survivor's mental health reportedly led the evaluator to disregard the survivor's reports of her children being abused by their father:

> [The custody evaluator] said that I was "hyperdiligent." That's because . . . she believed [that] because I had been abused as a child, that that was the reason that I was insistent that my children . . . were abused. That it was just a response to my own abuse. . . . There was no truth to it. . . . She believed that I really believed it happened, but that it didn't. It was unfounded.

In summary, for these survivors, mental health issues (whether real or unfounded) weigh heavily against them in their custody cases.

Perceived ineffectiveness and bias of the child custody and court system. Another theme that emerged from survivors' interviews was the perceived ineffectiveness of the child custody and court system. Specifically, when survivors sought help from the system, they encountered negative responses which led them to believe that they could not trust a system that had "failed to protect me . . . [and] my children." Subsequently, many survivors believed that the current system was ineffective or biased. One survivor perceived unfair treatment in court:

> My ex-husband filed twice as many motions as I did. He had me in court over and over and over again, and yet somehow this judge was allowed to accuse me of filing frivolous motions when I had only filed two, one of which I was so afraid of [my ex-partner] that I withdrew rather than be heard! . . . So that [accusation] is an enormous, weighted injustice. . . . I'm essentially treated like a criminal and it's continuing.

She further explained the basis of her mistrust:

> I know that every legal system is imperfect. What frustrates me the most is that when I try to move past all of this and I try to move forward, the court system will not allow me to move forward, either. I'm completely stuck. I have absolutely no avenue where I can go to improve any of these conditions that were unfairly and unjustly opposed to me to begin with. So not only was the process unfair and did everything go wrong, but it's still going wrong.

Another survivor said, “Because the system’s f____ me so hard, I don’t believe in your system anymore. I don’t. I don’t believe in the justice system anymore, and I used to.” One simply declared, “I don’t have a system to lean on. I really don’t.”

Several mothers expressed their frustrations with the ineffectiveness of the legal system, particularly the courts, in keeping themselves and their children safe. When one survivor learned that her ex-partner was abusing her children, she tried to stop him by taking him to court. However, she reported that the judge not only ruled against her but further reprimanded her for making “false” accusations about child abuse:

> I remember turning to my lawyer and saying, “I don’t understand what just happened. I walked in telling the judge that my children were being abused and I walked out losing parenting time. How could that happen? How could he do that?” My lawyer’s like, “He can and he did.” . . . The judge absolutely thought I was lying. He said the words; I have a written transcript . . . where he said, “If you are lying, and I think you are lying . . . I will make sure you never see your children again.”

Another survivor shared a similar experience when a judge rejected her plea for her children to have supervised visitations with their father in order to protect them:

> You know, I feel defeated. . . . I had some of the best lawyers try to fight the system and you know, family court services even said this man should have supervised visits but the judge [still] ignored those.

Indeed, due to the perceived ineffectiveness of the custody and legal system, one survivor thought that she had no options for legal recourse to protect her children:

> If my daughter were to say at any point when she came to visit me . . . , “Daddy’s abusing me,” I would not be able to do the legal or moral right thing and contact anyone regarding that, because they (the system) would not help my children.

Negative child custody outcomes being attributed to limitations in the legal system. Most survivors attributed their negative child custody outcomes to several limitations in the legal system. First, the custody evaluation process was described as “one-sided,” incomplete, or rushed. A few survivors reported custody recommendations being made by taking only one person’s input (often, their ex-partner’s) into account. For example, one survivor explained that:

> In every single evaluation, [the custody evaluator] spoke to him, and not in all of them did she talk to me. She didn’t talk to my children, she didn’t come to their home. She didn’t talk to their teachers, she didn’t talk to their daycare provider, people that work with my children on a daily basis. . . . She didn’t refer to any of the criminal records or anything. . . . She spoke to

> the public defender on the criminal case, who said . . . "Well, [my ex-partner] was acquitted on the charges, and . . . the prosecutor decided to . . . give him this really nice plea bargain." . . . But she never talked to the prosecutor, that's all what [the public defender] was saying. And that's the truth. . . . She was very one-sided on everything.

This quote also illustrates survivors' perception that other pieces of information were being left out in the custody evaluation process; thus recommendation reports were often seen as incomplete assessments. In addition, a few survivors thought that they were being stereotyped for past decisions made in their abusive relationships. For example, they perceived that custody evaluators and judges had viewed them as bad mothers because of their decisions to stay with or return to their abusive partners. Subsequently, many survivors believed that custody determinations were made in response to these decisions. One survivor noted:

> I hate the fact that I'm a stereotype, as far as a woman who went back to an abuser. But I think . . . before you judge the woman and want to punish her for being stupid, or ignorant, or naïve, or whatever it is that particular woman is, I think you have to take seriously the background and the history for the sake of the kids.

Another survivor explained:

> If it's a situation that the woman has truly failed to protect her children, has truly failed to step up to bat and chooses the man over the children, that's a different situation. . . . But to take children away from a good mom [who] made a bad choice [by staying in the abusive relationship]. . . . If I was that horrible, or that bad, or that stupid, or whatever it is that they think, the right thing to do in that case then, would have been to take our children from both of us and to try to work on whatever issues they felt that I had, so that I could be the mom that I'm supposed to be in their eyes.

In addition, some survivors said that a lack of father involvement or reports of prior child abuse by abusers were excluded from custody evaluation reports. Thus, in several cases, this information was unavailable to the court. One survivor recalled:

> I did mention to the [custody] evaluator an incident that transpired with [my daughter]. When she had injured herself . . . I witnessed . . . some things . . . that [ex-partner] had did to [my daughter]. I felt that that should have been elaborated in the report but that wasn't. I don't think that was.

The incompleteness of the custody evaluation process may be due to its rushed nature and an inadequate opportunity to understand the process. For one survivor, the lack of time spent on her custody case led to the belief that her case was not assessed thoroughly:

> It's like [the custody evaluator and judge] just pushed everything real fast. . . . It was just like a whole bunch of stuff was going on [that] I didn't understand. . . . [But] they didn't even know what occurred with [my] situation. They didn't know if I was in a domestic violence situation or if somebody was making me do the things that I was doing or whatever, but they didn't even take the time out to see. They're just looking at what they got on paper, and then that was that.

In summary, the interviews with survivors who had negative custody outcomes revealed four major themes: (1) DV being ignored or minimized in custody evaluations and decisions, (2) an overreliance on maternal mental health issues or past substance abuse to assess survivors' credibility, (3) ineffectiveness and bias of the legal system and custody proceedings, and (4) negative child custody outcomes being attributed to perceived limitations in the legal system. Again, these experiences reflect the worst outcomes and do not represent the experiences of all survivors who are being evaluated for custody. Survivors also provided recommendations for improvements, which we present next.

Survivors' Recommendations for Policy and Practice

We asked survivors to share their recommendations for changes in policies, procedures, and laws regarding child custody and visitations. Four recommendations were most frequently made: (1) to conduct fair and thorough custody evaluations, (2) to establish safe visitation programs or facilities for supervised visitations/exchanges, (3) to enforce child protection laws throughout the custody and visitation process, and (4) to mandate DV training for custody evaluators, court professionals and guardians ad litem.

Conduct fair and thorough custody evaluations. Most survivors highlighted the need for custody evaluations to be conducted in a fair and thorough manner in order to serve the best interests of their children. Indeed, one survivor viewed her custody evaluation process as a positive experience *because* it was conducted fairly and thoroughly. She explained:

> I felt that [the process] was . . . very organized. This is how it's going to be, and this is how it's going to be done. They did a thorough investigation. They looked at the entire picture, not just, "Well, this is only about the children, it's not about what happened between the two of you." Because what happens between the two of you reflects your parenting, and it reflects who you are . . . as an individual.

Survivors recommended several changes. First, most survivors recommended that custody evaluators and judges obtain all possible information about both parents before making an informed custody decision, in particular records involving DV or substance abuse. One survivor said:

> [Custody evaluators] should do more investigating. Don't just talk to the dad and the mom in the case. . . . If there [are] police reports, do some investigating and get those police reports. Read those. Don't just take the word of the father or the mother.

Likewise, one survivor thought that:

> . . . they (custody evaluators) need to look at [abusers'] criminal records because I think that reflects on what type of person they are and what kind of parent they're going to be. . . . They don't see all of the documents. Like if you look at all his documents, anyone could read his documents and see how manipulative and inconsistent his stories are.

Another survivor also spoke of the importance of gathering abusers' medical and substance abuse records, as illustrated in her quote:

> [My ex-partner] almost overdosed, then was in the hospital. You get them records. I tell them about that. He's been arrested for over ten times for DUI. . . . Why would they put a child [with] someone that's an alcoholic, you know, and don't even think twice about that?

Some survivors also recommended using other sources of information, such as reports from family, friends, or children's teachers. This survivor shared her advice:

> Don't get caught up in appearances. [Abusers] use it to distract you. They manipulate and use their charm to reel you in; that's how they got us. Ask for a story more than one time. Pay attention to the details. Watch the kids. Watch the interaction with the kids and the parent. . . . Ask a lot of questions. Talk to the teachers. Go to the school. Take it seriously.

Second, a number of survivors also recommended that custody evaluations and proceedings be conducted thoroughly by taking the time to look at each custody case individually. Some survivors believed that their cases received incomplete assessments by judges; in fact, as reported in the previous section, DV was ignored or minimized in court for some survivors. For example, one survivor provided a recommendation for judges:

> I think [judges] should take a little bit more time . . . familiarizing themselves with the case . . . before they . . . decide on a case. . . . And I experienced that with both [judges]. They didn't familiarize themselves [with my case]; they thought that domestic violence in the past had no bearing on making their decision that day. Maybe they need to not look so fresh at evaluating somebody that already has a clear-cut case of domestic violence and a huge history [of violence], and to honor the parenting plan that's been established by that.

Third, many survivors recommended conducting observations of interactions between fathers and their children over an extended period of time, rather than one short observation. These survivors

believed that custody evaluators are only able to get a more realistic sense of how ex-partners are as parents through follow-up observations or unannounced visits. One survivor said:

> I think there should be some repeated [and] . . . unexpected visits. And I think, they should be longer, not just an hour. . . . They (custody evaluators) only come for one hour and they rubber stamp it, and they think everything is fine. But once the door is closed, all he does is say, "I got away with it. I'm gonna do it again."

One survivor recommended follow-up visits:

> Maybe [have] more people to check up what's going on. They need people that go into the person's house and hang out with the person for a little while to find out their true colors, because [all] they [saw] was the holier-than-thou routine of him and the rough exterior of me. Who are they gonna let [my] kid go to? The holier-than-thou routine, which they did, and I'm not that bad.

Likewise, another survivor commented that:

> It's really important to see this on a broader scale . . . and see [abusers'] parenting styles, rather than when they know that they are being watched. . . . You can't get to know kids and their abusive probable fathers in 45 minutes.

Another survivor recommended surprise visits:

> I think they should do surprise visits, you know? . . . Don't call someone and say, "I'll be here at this day and this time," so they can have the makeshift [illusion of a perfect family life], you know . . . [where] everyone is home, baking cookies and [his illegal activities] are hidden . . . down the street or something.

In summary, survivors recommended that custody evaluators and judges consider all possible information regarding both parents from various sources, including criminal and medical records and reports from other people in the children's lives. Assessment that included observing parent-child interactions over an extended period of time were recommended.

Establish safe visitation programs or facilities for supervised visitations and exchanges. Most survivors in this study reported safety concerns for themselves and/or their children that persisted beyond separation. Interactions with their ex-partners during child exchanges were opportunities for more abuse by their ex-partners or for conflicts to arise, even if exchanges happened in public settings (such as a public park or a police station). For example, one survivor said, "I still cannot meet him in a public place because there have been instances when I've met [ex-partner] here or at the [public location] center and something happens. There's always a blow-up. There's always

an argument." One survivor was still threatened by her ex-partner during child exchanges at a police station:

> We'll have to meet at the police station but we'll meet outside [where] there's nobody around. [So my ex-partner] just will . . . [say] derogatory things, like, you know, "I wish I could do this and that to you." And he would ask me for sex, and say, "You know, this all (court and custody battle) could all be over."

Similarly, this survivor recounted her negative experience during child exchanges:

> We were doing an exchange on Easter Day at the police station. . . . He asked me to sign a paper stating that I was going to keep [the children] on one of his parenting nights. And so, I said, "Fine," and I would [sign the paper]. But I asked for a copy, because I know how he is [and] I didn't want something to be changed in that agreement. . . . He was really upset that I had asked that. He said, "You're being difficult." And he grabbed my wrist, held it down, and held it really tight . . . and told me that, "I really need to do something to you."

Because of these ongoing safety concerns during child exchanges, several survivors recommended establishing more facilities where child exchanges may occur safely in the presence of trained professionals. One survivor described the benefit of a safe visitation program that she uses:

> I go to a specialized exchange place . . . called [agency]. It's in [city], and they're like the only place in the state that . . . are geared toward domestic violence [cases]. So they're very . . . careful with the perpetrator and . . . they have a very professional setup. I do the drive [out there] because it's the only place that is safe for me and my kids. . . . I think that there needs to be more places like [agency].

Most survivors reported that they wanted to limit most, if not all, contact with their ex-partners. Indeed, all survivors who currently participated in a supervised exchange program at a safe visitation facility in their communities decreased their contact with their ex-partners. As one survivor said:

> I think [agency] helped me get over [my safety] fear, because I know he's there fifteen minutes early [to drop off the children] and I know he's there fifteen minutes late [to pick up the children]. . . . So I really haven't ran into him.

It is important to note, however, that access to this resource may not be available to all survivors. For example, one survivor's request for supervised visitations was denied: "[I tried] to get [supervised visitation at the agency] from the beginning [but] the judge said no. . . . I don't know if that was [my ex-partner's] way of seeing me, [by] taking me to court."

Thus, many survivors indicated the need for safe visitation programs to be established in their communities in order to facilitate supervised child exchanges and visits with ex-partners. Survivors who had used such programs reported decreased contact with ex-partners, thus further reducing the opportunity for abuse.

Take reports of child abuse seriously. As described in an earlier section, a number of survivors criticized the current system for its lack of enforcement of child protection laws. These survivors wanted immediate legal recourse (e.g., a CPS investigation) to protect their children, but were instead punished for reporting. For example, one survivor described losing custody of her child to her ex-partner after reporting her suspicions of child abuse to her custody evaluator. Criticizing the current custody process and legal system for its failure to adequately protect her child, this survivor believed that any reports of child abuse should automatically trigger a thorough investigation by the authorities:

> I was always taught if you were ever molested or anybody touch[ed] you, you tell [someone.] There's a reason why my 3-year-old was telling me that (abuse), and he should've been [assigned to] a psychologist to have him helped instead of taking him away from me. . . . Where was that person that needs to be sitting down with him trying to figure out if he's telling me the truth or not? . . .The policies need to be changed because my [child] slipped through the crack. . . . I couldn't protect my son, and I still can't protect my son.

Another survivor's reports of suspected child abuse yielded no response from the system. Similar to the previously quoted survivor, she, too, believed that any allegations of child abuse warrant an investigation:

> When I had my lawyer give [the custody evaluator] that letter with charges of abuse, what I would've liked was for that [letter] to trigger an investigation, and I think that's what should have happened. [The custody evaluator] should have said, "Hold off. . . . We need to stop the legal process right now. . . . This is a serious enough charge that one parent has brought, so what we need to do is to step in and have an investigative process." What she should have done was to interview my kids . . . [but she] has never even spoken to my kids for more than [that] 30 seconds that it took her to bring them from the hallway to [the judge]. She's never met the kids [otherwise]. That's ridiculous.

To further protect their children, a few survivors even recommended that an abusive partner with a clear history of DV should not be allowed to have joint custody or unsupervised visitations with their children. One survivor perceived that:

> When there's domestic violence, I believe, automatically, that the [abusive] parent should have supervised parenting time. I don't think that the child should go back unsupervised. I don't know much about the law and I don't know really much about the policies . . . [just] what I'm just going through. But just from my experience, I think it should be law, when there is domestic violence and when there's proof and when someone is arrested and there's a child involved, that the parent shouldn't have parenting time with that child.

In summary, these survivors believed that a complete investigation following any reports or suspicions of child abuse is warranted. A few survivors also recommended that abusers should not be allowed to have sole or joint custody or unsupervised visitations with children, given the abusers' history of DV.

Mandate DV training for custody evaluators, court professionals, and guardians ad litem. Many survivors recommended mandated DV training for custody evaluators, court professionals, and guardians ad litem, in particular training on the impact of DV on children and maintaining safety throughout the custody and visitation process. One survivor explained, "I think trained evaluators need to be knowledge[able] in domestic violence. I do not believe that a person can harm an adult and not a child, especially when there's a history of it." Some survivors believed that DV training was necessary to understand the physical, emotional, and psychological impact of DV, as described by this survivor:

> Knowing what the mother goes through I think is very important, I think it's very important that if the mother is crying, that it doesn't mean that she can't take care of her child. It just means that she may need some help, but that doesn't necessarily mean that she can't take care of her child. So I think they need to really understand what goes on psychologically, like the mother can be traumatized [and may exhibit certain demeanors]. . . . Sometimes they look at certain demeanors, and I think they're trained, but they are not really trained in the aspects of domestic violence. And if they knew that a mother who's been abused does certain things, they wouldn't use it against her.

Several survivors also believed training was necessary to recognize that there are other forms of abuse beyond physical abuse, such as emotional and psychological abuse. One survivor explained:

> Domestic violence [and] all of that information should be considered [by custody evaluators and the court system]. [Just] because there's not some physical evidence of broken legs and bruises and maybe pictures of scratches and stuff, [doesn't mean it should not be acknowledged]. . . . Emotional pain. . .just as much . . . should be honored and recognized.

Similarly, another survivor recommended that custody evaluators:

> . . . do need to be very educated in domestic violence . . . and also, emotional abuse. Because just telling me that you can't prove emotional abuse doesn't mean that it's not happening. [In fact] I think . . . emotional abuse is far more worse than . . . physical [abuse].

One survivor further emphasized the need for specialized training to identify signs of emotional abuse:

> They should have . . . [court evaluation staff] who specialize in [physical] abuse and emotional abuse [who] can pick up on things even when [abusers are] talking. Because I'm sure when [my custody evaluator] talked to [my ex-partner], if she was a trained professional, she would have picked up on some things. That's one of the things I would definitely change. They really need trained professionals [court staff] in domestic and emotional abuse.

In fact, a few survivors remarked directly on the need for training on DV for all custody evaluators, court professionals, and guardians ad litem and were surprised that the professionals involved in their cases did not have such training. In fact, a few survivors were surprised that not all custody evaluators, court professionals, and guardians ad litem receive DV training. One survivor asked:

> Why don't custody evaluators have the same type of training? . . . If you'd asked me before, I would assume that a [custody evaluator] was somebody who was really knowledgeable in domestic violence and domestic issues, and stuff like that. I thought those were the people that knew about that. . . . Even the last time, . . . [my custody evaluator] was just like . . . my case is not a big deal . . . it's a waste of her time to be there or whatever. . . . And my biggest problem, I guess . . . is that there is the emotional abuse. . . . I don't think anyone pays attention to that in the court system. I don't really feel like that was heard at all.

Another survivor shared a similar thought regarding guardians ad litem:

> I think there should be a rule or a law, honestly . . . about the guardian ad litems [*sic*] having training. I don't know if it's just domestic violence training, because . . . I don't think [my guardian ad litem] had the training that was like, even below that. . . . She just was like woman-off-the-street to me. . . . It was just like [a] random lady chosen to speak on your behalf. I mean, if you're going to be involved in it, then everyone involved in there should have domestic violence training. . . . I think it's ridiculous to have people working on a case that aren't [trained].

Several survivors also believed that DV training was necessary to help custody evaluators, court professionals, and guardians ad litem gain a nuanced understanding of possible tactics abusers may use to control and manipulate their partners. One survivor said, "[With training], they can get

a better understanding of these women and of these men, and . . . to what lengths [abusers] are willing to go through to abuse these women physically [and] mentally."

Another explained:

> I would want them to really know the tactics that an abuser used. Every single tactic. And I would like for them to know and be trained on how to prevent the harasser from doing that, and not putting the mother in danger. . . . I think it's very important for them to understand the tactics that they use, and to put protocols in place so they won't be able to do those things.

In conclusion, survivors made major recommendations for fair and thorough custody evaluations, more programs for supervised visitations and exchanges, enforcement of child protection laws throughout the custody and visitation process, and mandated DV training for professionals. Based on these recommendations, it is apparent that the key issue for these survivors was safety for themselves and their children as they experience the child custody process.

SUMMARY AND DISCUSSION

In this section we summarize and discuss the major findings of the study.

Professionals' Survey

Professionals Acquiring Knowledge on Domestic Violence

We compared the types of knowledge evaluators had regarding domestic violence to that of other professionals. We also compared the methods used to acquire this knowledge. Across the professional groups, children's exposure to domestic violence and the prevalence of domestic violence were the most common areas of knowledge. The least common area—especially among judges, evaluators, and private attorneys—were post-separation violence, screening, and assessing dangerousness (although the majority nevertheless had knowledge in these areas). Not surprisingly, DV workers had the highest rates of knowledge on these topics.

Knowing Victims of Domestic Violence

Professionals often knew a friend, acquaintance, or co-worker who had been victimized, and this rate was especially high for DV workers. In addition, nearly half the DV workers knew a relative who had been victimized, and 44% had been victimized themselves. These rates were much higher for DV workers than for other professionals.

Belief in False Allegations of Domestic Violence and Child Abuse

Respondents were more likely to estimate that fathers' allegations of DV are false compared to DV allegations by mothers (35 of the fathers' and 18 percent of mothers' on average). However, differences existed in the estimates for these two types of allegations, depending on professional role. Judges, private attorneys, and custody evaluators tended to give the highest estimates of mothers' false allegations, and domestic violence workers and legal aid attorneys gave the lowest. Judges did not differ from DV workers and legal aid attorneys after controlling for background (DV knowledge, victims known, number of cases) and demographic (age, gender) variables. The hypothesis that evaluators and DV workers would differ was supported.

When estimating fathers' false allegations, DV workers and legal aid attorneys gave the highest estimates. Judges and custody evaluators gave the lowest estimates. Private attorneys fell between the two groups and differed from judges, but not after controlling for background and demographic variables.

Custody evaluators "supported" allegations of domestic violence in 46 percent of their cases. (This determination was based on the item "Please estimate the percentage of your cases involving alleged domestic violence in which you supported the allegation of domestic violence.") This compares with 57 percent of cases estimated to be "supported" as DV cases in the Bow and Boxer survey (2003) and 20% of the cases in the LaFortune and Carpenter (1998) survey, which covered child abuse as well as adult abuse. When support was found for DV, 52 percent of evaluators in this survey reported that it "greatly" or "extremely" affected their recommendations or evaluations. This level of support from evaluators compares with 76 percent found in the Bow and Boxer survey (2003).

Evaluators estimated that 17 percent of fathers and 22 percent of mothers made false allegations. However, these estimates do not control for the total number of domestic violence cases that they estimated were perpetrated by fathers and mothers.

On average, evaluators estimated that one fourth to one third of child abuse allegations were false. This finding raises serious concerns, because empirical findings about the rates of false child abuse allegations in divorce cases are much lower than these rates (Faller, 2005; Trocme & Bala, 2005). Evaluators estimated that fathers and mothers were equally likely to raise false allegations of child physical or sexual abuse, suggesting a lack of gender bias on this perception. However, evaluators were more likely to estimate that, in domestic violence cases, fathers would try to alienate children from mothers than the reverse (51% versus 36% estimation on average). In a study of all types of custody cases, legal and mental health professionals reported that 26 percent involved parental alienation; in the majority these cases, the mother was the alienating parent (Bow, Gould, & Flens, 2009). A case review of DV custody cases in one city revealed that 40

percent of fathers alleged that the mother alienated the children; only 18 percent of mothers made such allegations (Davis, O'Sullivan, Fields, & Susser, 2011). Among the cases with allegations, the evaluators determined that alienation occurred for 75 percent of the mothers' allegations and 50 percent of the fathers'.

Custody Recommendations

Evaluators' most common recommendation when one parent was clearly a perpetrator was for sole legal and physical custody to be awarded to victims. Sixty-four percent reported making this recommendation "half of the time" to "always." However, a substantial minority reported making this recommendation "occasionally," and nearly 10 percent reported "never." By comparison, evaluators recommended 50 percent of victims receive sole legal and physical custody in the Bow and Boxer survey (2003). Evaluators' next-most common recommendation was for parents to share joint legal custody, and for victims to have sole physical custody; nearly half of evaluators made this recommendation "half of the time" to "always." Evaluators recommended this arrangement in 39 percent of Bow and Boxer (2003) cases. This finding is a concern because, with joint legal custody, abusers can manufacture reasons to have contact with their partners and to restrict counseling, medical, and extra-curricular school events for the children.

Evaluators reported recommending joint physical custody and either joint legal custody or sole legal custody to the victim in a small percentage of cases. Only 10 percent reported these recommendations "half of the time" to "always"; however, approximately 25 percent "occasionally" made this recommendation. Legal or physical custody to the perpetrator was rarely recommended; 49 and 70 percent respectively reported "never" making it, and 26 and 41 percent reported "seldom" doing so.

In response to the domestic violence case vignette, evaluators reported that it would be most likely the child's best interests would be served by awarding legal custody to both parents and physical custody to the mother (47% likelihood on average). This finding raises the same concerns as described above when we consider evaluators' actual recommendations. Evaluators chose to award the mother sole legal and physical custody almost as often (40% average likelihood). However, evaluators and attorneys were significantly less likely to award sole legal and physical custody to victims than were judges, DV workers, and legal aid attorneys. Across all professional groups, joint legal and physical custody was recommended at a fairly high average 30 percent likelihood. However, evaluators and private attorneys selected this option at a higher likelihood. Although recommending physical custody to the perpetrator was recommended least, evaluators recommended this option with an average likelihood of 15 to 20 percent, higher than the other sub-groups, and another cause for concern.

Visitation Recommendations by Evaluators

For actual cases in which visitation was recommended for the perpetrator, supervision by a professional or paraprofessional was recommended in about half the cases. In one third of cases, however, no supervision of visits was recommended, raising possible concerns about the safety of the children and the other parent. Evaluators recommended an almost identical 31 percent of cases for supervised visits in the Bow and Boxer (2003) survey; and recommended some type of formal or informal supervised visitation in 40 percent of cases. "Third party" supervision was required of fathers' visits in 26 percent of the Kernic et al. (2005) cases in which the court knew about and substantiated the DV; if the case was substantiated but not known by the court, such supervision was required in only 10 percent of cases.

Belief in False Allegations of DV Related to Other Custody Beliefs

Among evaluators and judges, the belief that survivors falsely allege DV is part of a close constellation of beliefs (note: this analysis was only conducted with these two groups). As predicted, the belief in false DV allegations was strongly related to beliefs that (1) survivors alienate children from the other parent; (2) DV is not an important factor in custody decisions; (3) children are hurt when survivors are reluctant to co-parent; and (4) survivors make false allegations of child abuse. Among evaluators, this belief in false allegations was also related to the belief that the mother in the case vignette would psychologically harm her child and was exaggerating her reports of violence.

The belief that fathers falsely allege DV was related to the beliefs that fathers falsely allege child physical and sexual abuse and alienate children from their mothers. It was not related to the other beliefs.

Evaluator Hypotheses About the Causes and Consequences of DV Related to Custody Beliefs

The vignette case of DV described the wife's reports of her husband's controlling behavior and severe violence and her psychological test results showing anxiety, depression, and paranoia. When describing the initial hypotheses they would explore in the vignette, 23% of the evaluators said they would explore coercive/controlling behavior, 17% would explore the mother's psychological symptoms as the result of DV, and only 5% would explore the father's alcohol use as a cause of DV. Those who mentioned coercive-controlling behavior were more likely to consider the mother's psychological symptoms as caused by DV.

Evaluators who said they would explore hypotheses about coercive-controlling behavior and mental health consequences of the DV were more likely to believe:

- DV is important in custody decisions
- mothers do not make false DV allegations
- victims do not alienate the children
- victims do not hurt the children when they resist co-parenting
- the father in the vignette will harm his son psychologically
- the father in the vignette minimized his violence
- the mother in the vignette did not exaggerate her reports of abuse.

Evaluators who made initial hypotheses about coercive-controlling behavior were more likely to believe fathers make false DV allegations.

Other studies, using interview and case review methods, have been able to distinguish between "power-and-control" perspectives of evaluators versus those based on family conflict or intra-psychic processes (Davis, O'Sullivan, Susser, & Fields, 2010; Haselschwerdt, Hardesty, & Hans, 2011). Similar to our findings, Haselschwerdt et al. (2010) found that a "power-and-control" perspective was related to beliefs that false allegations are rare, DV is very relevant in custody evaluations, and co-parenting is less important to consider than safety.

Beliefs About Custody Related to Recommendations

Among evaluators, beliefs about custody were related to both actual and vignette recommendations. Recommendations that favored the offender over the victim in custody arrangements was related to beliefs that victims alienate children from the other parent, make false DV allegations, and hurt the children if they resist co-parenting. Custody for the offender was also associated with the belief that DV is not an important factor in custody decisions and that coercive-controlling behavior in the vignette was not a factor to consider. These same beliefs were related to the belief that the couple in the vignette would benefit from mediation. A recommendation for mediation was less likely among those who would explore coercive-controlling violence of the father and the psychological consequences of violence on the mother.

Despite the presence of severe violence and controlling behavior in the case vignette, evaluators reported that they would most likely recommend unsupervised visits for the father. This response differed significantly from that of DV workers, who were more likely to choose professional supervision of visits. Evaluators who recommended supervised visitation for the offender in either their own cases or the vignette case were more likely to believe that DV is an important factor to

consider when making custody decisions. One aberrant finding was that *un*supervised visits were recommended more often by those who would explore coercive-controlling behavior in the vignette case. This finding runs counter to that of Davis et al. (2010) who found a power-and-control perspective related to the safety level of the parenting plan, which included supervised visits and exchanges. In our study, supervised visitation was recommended more often for the father in the vignette by those who hypothesized that the mother's psychological symptoms were due to DV.

Judges had similar responses to the evaluators. Their beliefs about DV and custody were significantly related to the belief that, in the case vignette, the child's interests would be served best if the father received sole or joint custody. Beliefs about DV and custody were also significantly related to the belief that the child did not need supervised visits.

Gender Differences

As predicted, male evaluators were more likely than female evaluators to believe in that mothers make false DV allegations. Male evaluators were also more likely to believe that victims alienate the children and hurt the children when they resist co-parenting, and that DV is not an important factor in custody decisions. Women were more likely to believe that perpetrators alienate children from their mothers.

Male and female evaluators did not differ in their custody arrangement recommendations. Women were more likely than men to believe that supervised visitation was in the best interest of the child in the vignette; they were also more likely to think that mediation would benefit the couple in the vignette.

Knowing a Victim

If the evaluator's mother was a survivor of DV, the evaluator was more likely to have recommended (or would recommend) custody to the DV victim and supervised visits with the offender. Having any family member as a DV survivor was related to the beliefs that mothers do not falsely allege DV or alienate the children, as well as the belief that domestic violence is an important consideration in custody-visitation determinations.

Knowing a non-family member who survived DV was not consistently related to recommendations for custody and visitation. Evaluators with a friend who was a victim were more likely to believe supervised visitation was beneficial for the father in the vignette. Those who were acquainted with a victim made *more* recommendations for sole or joint custody to be granted to the perpetrator. Some of the beliefs about custody—false allegations, alienation, and the importance of DV—were related in expected directions to knowing a friend or co-worker who survived DV.

Unlike the findings in some other studies of professionals (e.g., Yoshihama & Mills, 2003), being a survivor of DV was not related to beliefs or recommendations.

Knowledge of Domestic Violence Related to Recommendations

Several areas of knowledge were related to custody and visitation recommendations. Knowledge of DV prevalence and danger assessment were related to more recommendation for DV victims to receive sole custody. Knowledge of post-separation violence was related to the belief that the mother in the vignette should have sole custody. Finally, knowledge about the effects of children's exposure to domestic violence was related to more recommendations for supervised visitation.

Knowledge of screening was more common among evaluators who would explore hypotheses about coercive-controlling behavior in the vignette. Knowledge of DV prevalence was more common among evaluators who would consider the mother's psychological symptoms as resulting from DV. Several areas of knowledge acquisition were related to the five beliefs about custody: mothers do not make false allegations; mothers do not alienate their children; mothers do not hurt the children by not co-parenting; DV is an important consideration in custody decisions; and fathers make false allegations of abuse. These relationships with beliefs were especially true for the knowledge areas of DV screening and post-separation violence, implying that more specific knowledge may have more impact on beliefs. Knowledge about the causes of DV was not related to any beliefs about custody or custody-visitation recommendations.

Methods of DV Knowledge Acquisition Related to Recommendations

None of the various methods of knowledge acquisition were related to actual recommendations evaluators had made (or would have made) regarding custody and visitation. In the vignette, however, workshop and lecture attendance was related to recommending custody to the mother-survivor and supervised visits for the father. Workshop and lecture attendance was also related to all four beliefs about victims—the victim does not make false allegations, alienate the children, or hurt the child by not co-parenting, and DV is an important factor in custody determinations. In addition, workshop attendance was more common among those who would explore hypotheses about coercive-controlling behavior and about mental health problems arising from DV. This finding is consistent with that of Haselschwerdt et al. (2011) who found that evaluators who perceived power and control as the central dynamic of DV had much more extensive DV training.

Having professional consultations and reading books and articles were related to viewing DV as a likely cause of mental health problems and to the beliefs that DV is important in custody decisions and that victims do not make false allegations or alienate the children. Web site use was linked to the beliefs that DV is important in custody decisions, supervised visits are beneficial for the father

in the vignette, and the mother's psychological symptoms may be caused by DV. An unexpected finding was that film and video viewing were related to the belief that mediation would be useful for the couple in the vignette.

Court Versus Private Settings

Only weak evidence pointed to differences between court-based and private evaluators' custody-visitation recommendations and further analysis is warranted. More clear-cut differences were found when analyzing beliefs. Court-based evaluators were less likely to believe that victims make false allegations, alienate children from the other parent, and hurt the children if they are reluctant to co-parent. The differences in beliefs may be due to educational, background and DV knowledge differences between the groups. In another study, private and court evaluators used different assessment methods. Court evaluators were more likely to gather a history of from the mother, assess parenting skills, interview relatives and teachers, and make home visits (Horvath, Logan, & Walker, 2002).

Professional Degree

Evaluators with degrees in social work and marriage-family therapy were more likely than psychologists and counselors to recommend custody to the victim in their practice and the vignette. Social workers were more likely than psychologists to see supervised visits for the father in the vignette as beneficial. Social workers were also more likely than psychologists to believe that DV is an important factor when making custody-visitation decisions and that victims do not make false allegations, alienate children, or hurt them when they resist co-parenting. Counselors were less likely than psychologists to believe that victims make false allegations. Based on other studies, the majority of judges and attorneys prefer psychologists to social workers as custody evaluators (Bow & Quinnell, 2004; LaFortune, 1997). However, social workers' evaluations may include a broader systems framework (e.g., Lewis, 2009) that focuses more on family interactions, community supports, and social norm, including those leading to inequities. One study of all forms of custody evaluations found that social workers were more likely than psychologists to make home visits, but less likely to observe the mother and child (Horvath, Logan, & Walker, 2002)

Experience Conducting Evaluations

The total number of evaluations that evaluators had conducted and the number they had conducted in the year preceding the survey had only a few weak, inconsistent relationships with beliefs and recommendations.

Inquiring About and Screening for Domestic Violence

It was reassuring to find that 94 percent of evaluators reported that they always or almost always

directly inquired about domestic violence. Somewhat less reassuring was the finding that 38 percent never used instruments or standard protocols to screen for DV, and 24 percent used them only some of the time. The overall usage rate of 61 percent was higher than the 30 percent rate for "specialized inventories, measures, or questionnaires that focus specifically on domestic violence" in the Bow and Boxer (2003) survey of evaluators. Using specific instruments can help to increase detection of DV, as found in mediation and child protection settings (e.g., Ballard, Holtzworth-Munroe, Applegate, Beck, 2010; Magen, Conroy, Hess, Pandiera, & Simon, 2001).

Of evaluators who used an instrument to assess for DV, 16 percent indicated using only a general measure of psychopathology. As in studies of general evaluation practice (Ackerman & Brey Pritzel, 2011; Bow, 2006; LaFortune & Carpenter, 1998), the MMPI was used most often. In one study it was given a moderate amount of weight in making recommendations, and less weight than interviews and observations (LaFortune & Carpenter, 1998). In the Bow and Boxer (2003) study of custody evaluations in DV cases, psychological testing was viewed as moderately important by evaluators and less important than observations, interviews, contact with therapists, and reviews of police and medical records.

While such general measures might help place offenders into typologies with valuable practice implications, they can also lead to misinterpretations and have limited value in assessing domestic violence. In addition, impression management among DV offenders undergoing custody evaluations leads to invalid test results for a substantial minority of offenders (Helfritz, Stanford, Conklin, Greve, Villemarette-Pittman, & Houston, 2006).

One guidebook for judges cautions that "Generally . . . psychological testing is not appropriate in domestic violence situations. Such testing may misdiagnose the non-abusive parent's normal response to the abuse or violence as demonstrating mental illness, effectively shifting the focus away from the assaultive and coercive behaviors of the abusive parent" (Dalton, Drozd, & Wong, 2006, p.20). Not surprisingly, evaluators using these measures were less likely to have received information on screening for domestic violence and assessing dangerousness.

Beliefs in Patriarchal Norms, Just World, and Social Dominance

The beliefs regarding patriarchal norms, a just world, and social dominance were correlated with each other and with custody beliefs and recommendations. Patriarchal norms correlated with all five custody beliefs—that DV is not important in custody decisions, victims make false allegations, victims alienate the children, victims hurt children when they resist co-parenting, and fathers do not make false allegations. More importantly, patriarchal norms were related to all five outcome measures—recommendations for sole and joint custody to the perpetrator, non-supervised visits, seeing sole or joint custody for the perpetrator in the vignette as being in the best interest of the child, recommendations for unsupervised visitation if visitation is needed, and seeing mediation as

beneficial.

The belief that the world is basically just was related to four of these five custody beliefs. Belief in a just world was also related to past recommendations for sole or joint custody to the perpetrator and believing that mediation would be useful for the couple in the vignette. The belief in social hierarchies was not related to recommendations. However, it was related to the belief that victims make false allegations and alienate their children, as well as the belief that fathers do not make false allegations of abuse. The above findings provide evidence that broader beliefs—among them, that discrimination against women and social injustice are not major problems today—underlie specific beliefs about custody and domestic violence.

The Impact of Groups of Variables

When we assessed the overall relationship of groups of variables to recommendations, it was clear that beliefs about custody and domestic violence (e.g., false allegations, alienation, cooperative parenting) and beliefs about the vignette case (e.g., future harm to the son, minimizing, exaggerating) had the strongest relationships. The core beliefs (e.g., patriarchal norms, just world, social dominance) had the next strongest relationship with recommendations. Methods of acquiring knowledge, areas of knowledge, demographic characteristics (e.g., age, gender), setting (e.g., private vs. other), and number of victims known had the smallest overall relationship with recommendations.

When groups of variables were assessed in particular sequences using hierarchical multiple regression, three major findings emerged:

1. The relationship between the recommendations and the knowledge acquisition methods and areas became stronger when controlling for demographics (e.g., age, gender) and background (e.g., knowing a victim of DV).
2. Both core beliefs and custody beliefs contributed to recommendation outcomes independently, although the custody beliefs were partially explained by core beliefs.
3. The demographic and background variables had little effect in explaining the relationship between the sets of belief variables and the four custody-visitation recommendation variables. These results need to be viewed cautiously because some recommendation measures may be less reliable than belief measures.

Survivor Interviews

Information from a small, unrepresentative group of survivors who experienced negative outcomes during the child custody process revealed several themes. They reported that domestic violence is ignored or minimized in the evaluation; too much weight is given to mental health

symptoms or perceived symptoms of survivors; evaluations are often one-sided and rushed; and negative experiences, such as being reprimanded for reporting child abuse, occur in evaluations. These findings are consistent with those found in a review of studies from five states and summarized by Araji and Bosek (2010)—including judges' failure to consider domestic violence as a factor in child custody decisions, psychological testing being used against victims, discrediting reports of abuse, and custody evaluators being untrained and biased in favor of perpetrators.

As a result of their experiences, the survivors recommended that (1) evaluators conduct fair and thorough custody evaluations; (2) families would benefit from the expansion of safe visitation and exchange programs; (3) jurisdictions should enforce child protection laws and investigate all reports of child abuse; and (4) DV training for custody evaluators, court professionals, and guardians ad litem should be mandatory. The survivors' recommendation for more supervised visitation programs is noteworthy because it indicates the continuing fear they experienced at the prospect of any contact with their ex-partners. Therefore, programs that prevent the parents' contact during visits and exchanges probably need to be expanded.

The interviews with survivors also provided opportunities to interpret evaluators' and other professionals' reports, and to generate new areas of inquiry for understanding evaluator responses. Parallels between survivor reports and survey results appeared in a number of areas:

1) Survivors' reports that domestic abuse was minimized or ignored are similar to the survey variable of not viewing DV as important in custody decisions. Many professionals focus on potential harm to the child, failing to realize that if the mother is unsafe, the child is likely to be unsafe as well. The view that DV is not important in custody decisions is not an isolated belief, given that it was related in the survey to beliefs that victims make false allegations and alienate the children. Some survivors believed that DV was minimized by professionals because they stayed with or returned to their abuser. Professionals need information on survivors' struggles to keep their children safe, a commitment that often includes staying with the children's father (Hardesty & Chung, 2006; Hardesty & Ganong, 2006). For example, mothers may fear that if they leave or seek professional help, they will lose custody of their children (Radford & Hester, 2006).

2) The survivors' reports of overreliance on or misinterpretation of mental health symptoms and a relative lack of emphasis on parenting ability may be paralleled in the survey by the group of evaluators who used general psychopathology measures alone to assess domestic violence. Some survivors deduced that judges' and evaluators' perceptions of women's real or purported mental health symptoms played a role in whether those professionals believed women's accounts of domestic violence.

3) Some survivors also recommended that child protection laws be enforced and were concerned about receiving sanctions for reporting child abuse. A few evaluators surveyed believed that many victims falsely allege domestic violence. The same evaluators are likely to believe that allegations of child abuse are false. This finding also holds for judges and thus helps to explain some judges' response to child abuse allegations.

4) Survivors' training recommendations are consistent with the survey findings on the links between evaluators' knowledge of domestic violence, their beliefs, and the recommendations they make.

5) Some survivors' reports of a double standard when measuring mental illness in mothers and fathers suggest that mothers are held to a higher parenting standard. This may be one way in which the role of patriarchal norms found in the survey ismanifest in survivor accounts of evaluators' behavior.

6) A small number of survivors said they were pressured to be "cooperative parents" despite a reasonable reluctance to co-parent due to continued abuse and harassment or the fear they would occur. The interviews give survivors' perspectives of one of the key variables in the evaluator survey, specifically the credibility of domestic abuse allegations. The survivors also highlighted the need for evaluators to understand the traumatic effects of emotional abuse. This is a particularly important area of inquiry for future studies of evaluators.

LIMITATIONS OF STUDY

When interpreting the results of the study, several limitations need to be kept in mind. First, it is not known how accurately respondents in each professional group represent their field. No national directories are available for any of the groups; therefore we were unable to draw random samples of potential participants. The interpretation of comparisons across professional groups and any possible generalizations about each group must be made with great caution. Fortunately, many of the research questions and hypotheses involved relationships among variables within groups, rather than comparisons between groups.

Second, reports of beliefs about controversial topics, even on anonymous surveys, may be influenced by social desirability response bias or demand characteristics (i.e. respondents trying to prove or disprove the supposed hypotheses). The construct and concurrent validity found in the results attest to the variability in responses and may indicate that response bias was not a significant factor. The use of a vignette can also ameliorate the impact of response bias.

Third, some measures were created for this study. Although they showed good construct validity, some of the internal reliabilities were at the low end of acceptability. The reliabilities of some of the core belief measures also fell at the low end of acceptability. As a result, the measures with lower reliabilities are likely to have lowered correlations with other variables, leading to null findings.

Fourth, many aspects of the study focused on all forms of domestic violence in order to build upon prior research. However, evaluators' responses are likely to vary depending on the type and severity of domestic violence. The vignette controlled the variability of violence type by portraying one type. Future research should explore the effect of differential assessments for different types of violence and the recommendations that follow from these assessments.

Fifth, findings from the survivor interviews should be interpreted carefully. The purpose of the qualitative interviews was to help interpret the quantitative findings and suggest new areas to explore. We chose to interview those who had very negative outcomes. Their experiences should not be viewed as representative. In addition, we interviewed a relatively small number of survivors.

IMPLICATIONS FOR RESEARCH

The above limitations point to directions that future research could take, including:

- Using representative samples of professionals to improve the strength of conclusions;
- Adding a measure of social desirability bias to indicate the strength of this potential bias in the results;
- Exploring beliefs and custody recommendations in relation to different types of abuse (severe or non-severe, controlling or non-controlling). Professionals conducting custody evaluations are increasingly trained to conduct differential assessments based on types of abuse;
- Using actual custody outcomes as reported in court records to increase validity of findings;
- Studying key variables over time to locate clues about causal connections (e.g., an experiment on the training of professionals could indicate the effect of training on beliefs and subsequent custody recommendations).

Bow (2006) details the strengths and weaknesses of various child custody research methods, and Hardesty and Chung (2006) offer some directions for future research.

IMPLICATIONS FOR PRACTICE

Despite the limitations described above, this study has important implications for practice.

Acquiring Knowledge of Specific DV Topics

Although the majority of professionals reported knowing about post-separation violence, screening, and assessing dangerousness, judges, evaluators, and private attorneys reported the lowest rates of such knowledge. More training for judges, evaluators, and private attorneys regarding these specific topics is especially desirable because this knowledge is related to a decreased tendency to believe that victims make false allegations or alienate the children[5].

Workshop and lecture attendance were the methods most often associated with such positive outcomes such as recommending custody to the victim-mother in the vignette, several victim-supporting beliefs, and a willingness to explore coercive-controlling violence and mental health consequences of violence as major factors to consider in the vignette case. Information obtained through websites, a low-cost means of training, is also related to some positive outcomes—specifically the belief that DV is an important factor to consider when making custody determinations, recommending supervised visits for the violent parent in the vignette, and viewing the mental health problems of the mother in the vignette as a consequence of DV. All professionals involved with custody evaluations need DV training prior to involvement in DV custody cases, as well as yearly continuing education.

Information on False Allegations of Domestic Violence

The professionals as a whole estimated on average that 35 percent of fathers and 18 percent of mothers make false allegations when DV is alleged. Evaluators estimated that in their cases 17 percent of fathers' and 22 percent of mothers' DV allegations were false. Research is needed to determine the actual rates of false DV allegations. One study showed that mothers' domestic violence claims were substantiated at higher rates than fathers' claims, but it did not investigate the extent of false allegations (Johnston, Lee, Oleson, & Walters, 2005). A possible concern that emerged in our findings is that custody evaluators and private attorneys tend to estimate higher rates of false allegations compared with the estimates of other professionals. Differences between judges' estimates and those of evaluators and private attorneys cannot be explained by differences in settings because they would often be involved in the same cases.

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[5] Among domestic violence workshops and institutes are those offered by: National Judicial Institute on Domestic Violence (http://www.njidv.org); National Judicial Education Program of Legal Momentum (http://www.legalmomentum.org/our-work/vaw/njep.html); Association of Family and Conciliation Courts; and the Affiliated Trainings of the Institute on Violence, Abuse and Trauma.

Information on False Allegations of Child Abuse

In custody evaluation cases that allege child abuse, evaluators estimated higher rates of false child abuse allegations than research studies show (for a review see Johnston, Lee, Oleson, & Walters, 2005). This finding indicates that evaluators need to obtain more training on the validity of child abuse allegations in general. Together with the survivors' reports on the reluctance of evaluators to take child abuse allegations seriously, evaluators also need to make the investigation of these allegations a very high priority.

Custody Recommendations

Although evaluators' most common recommendation was that sole legal and physical custody be awarded to victims of DV, some evaluators reported recommending this option only "occasionally." Of particular concern was the relatively high percentage of evaluators who recommended that the victim receive physical custody, but that legal custody be shared by the parents. Evaluators must understand the potential negative implications of this arrangement, given the likelihood that many abusers will use the arrangement to continue their harassment and manipulation through legal channels (Bancroft & Silverman, 2002; Jaffe, Lemon, & Poisson, 2003; Zorza, 2010). Abusers can gain access to victims by manufacturing reasons to "discuss" child rearing or by insisting upon joint attendance at school events, parent-teacher meetings, or medical appointments. They can also withhold consent for a child's counseling, medical procedures, and extra-curricular school events.

How Beliefs About False Allegations of Domestic Violence Relate to Other Beliefs and to Custody-Visitation Recommendations

Among evaluators, the belief that DV allegations tend to be false belonged to two larger constellations of beliefs: (a) other custody-related beliefs and (b) core beliefs about gender equality, justice, and social dominance. The relationship among the custody related beliefs implies that practitioners must understand the close links between the belief that false allegations are common, and the beliefs that mothers alienate their children from the other parent, hurt the children when they do not co-parent, and have chronic mental health problems, that DV is not an important factor in custody decisions, and that coercive-controlling behavior is not a major factor to consider in evaluations.

To this end, training must provide accurate information on the following topics: the actual rate and nature of false allegations and parental alienation; that survivors are reluctant to co-parent out of fear of future harm to themselves and their children; the reasons DV needs to be considered in custody decisions; the mental health consequences of DV; and the importance of understanding coercive-controlling forms of violence. This recommendation could apply to judges

as well, since their beliefs about DV and custody were significantly related to the outcomes recommended in the case vignette.

Training may help overcome misconceptions about parent-alienation syndrome. A guidebook for judges from the National Council of Juvenile and Family Court Judges states that:

> In contested custody cases, children may indeed express fear of, be concerned about, have distaste for, or be angry at one of their parents. Unfortunately, an all too common practice in such cases is for evaluators to diagnose children who exhibit a very strong bond and alignment with one parent and, simultaneously, a strong rejection of the other parent, as suffering from "parental alienation syndrome" or "PAS". Under relevant evidentiary standards, the court should not accept this testimony. The theory positing the existence of "PAS" has been discredited by the scientific community. If the history of violence is ignored as the context for the abused parent's behavior in a custody evaluation, she or he may appear antagonistic, unhelpful, or mentally unstable. Evaluators may then wrongly determine that the parent is not fostering a positive relationship with the abusive parent and inappropriately suggest giving the abusive parent custody or unsupervised visitation in spite of the history of violence; this is especially true if the evaluator minimizes the impact on children of violence against a parent or pathologizes the abused parent's responses to the violence (Dalton, Drozd, & Wong, 2006, p, 24-25).

The link between beliefs about custody and broader beliefs about patriarchal norms, justice, and social dominance indicates a connection to evaluators' deeper values. Professional educators can use value-awareness exercises to help evaluators identify implicit values and shift their beliefs. These exercises increase awareness of internal value conflicts that lead to changes in attitudes and behavior (for a review of studies that used this method see Grube, Mayton, & Ball-Rokeach, 1994). Bias might also be reduced by requiring evaluators to use standardized evaluation formats or templates and to validate allegations of abuse (Hannah, 2010; Neustein & Lesher, 2005; Schafran, 2003).

The focus on beliefs is important since this study showed a strong association between evaluators' recommendations for custody-visitation arrangements and their beliefs about custody in domestic violence cases and broader beliefs about patriarchal norms, justice, and social dominance. These associations were stronger than those for demographics, background, and DV knowledge.

Professional Degrees, Roles, and Settings

Differences in beliefs and recommendations emerged from this study across different evaluation settings, professional roles, and educational degrees of the evaluators. However, readers must

exercise caution when interpreting these results because survey participants may not be representative of their professional groups. If further research supports the findings of this study, important implications emerge regarding professional degrees, roles, and settings: (1) legal aid attorneys and DV program workers hold very similar beliefs and are likely to collaborate well as both individual advocates and advocates within a system; (2) social work evaluators may have more supportive responses to victims because their training emphasizes the community, sociocultural, and social justice context of the family and they may be more likely to see psychological symptoms within the context of trauma history; and, (3) the beliefs of court-based evaluators were more supportive of survivors than those of private evaluators and indicate an important area for more research.

Inquiring About and Screening for Domestic Violence

We found it reassuring that almost all evaluators directly inquired about the presence of domestic violence. However, only one third reported always using standard protocols or instruments for DV screening. The more consistent use of DV-specific tools is likely to increase the rate of DV detection, as it has in child welfare settings (Magen, Conroy, Hess, Pandiera, & Simon, 2001) and as it appears to in court settings (Keilitz, Davis, Flango, Garcia, Jones, Peterson, & Spinozza, 1997). More systematic screening, risk assessment, and safety planning in the court setting might also be desirable (for specific recommendations see Keilitz, Davis, Flango, Garcia, Jones, Peterson, & Spinozza, 1997). Ellis (2008), for example, recommends mandatory risk assessment that includes safety planning and has developed a measure for this purpose. California family court service staff members are required to screen for a history of domestic violence, develop a safety plan, and conduct a "differential" assessment of the nature of the violence. A 1997 survey of 45 courts showed that the following procedures were used to screen for DV: review of pleadings (51 percent), custody evaluations (49 percent), intake form (36 percent), interviews about abuse (31 percent), testimony (6 percent), pre-trial conference (3 percent), and child abuse reports (1 percent) (Keilitz, Davis, Flango, Garcia, Jones, Peterson, & Spinozza, 1997) (for information on the attorney's role in DV assessment and safety planning see Fields, 2010).

In the past, the Spousal Assault Risk Appraisal was the instrument most widely used by evaluators, though only 20 percent actually employed it (Bow & Boxer, 2003). New tools and protocols are increasingly available. For example DV screening tools (Holtzworth-Munroe, Beck & Applegate, 2010), measures of coercive-controlling violence (Holtzworth-Munroe, Beck & Applegate, 2010; Johnson, 2008), guidelines for differential assessment of abuse types (Jaffe, Crooks, & Bala, 2009; Jaffe, Johnston, Crooks, & Bala, 2008), lethality risk assessment (Campbell, 2003), and measures of the impact of DV on children (Geffner, Conradi, Gie & Aranda, 2009) (for reviews of measures and protocols see Geffner, Conradi, Gie & Aranda, 2009; Gould & Martindale, 2007; and Hardesty & Chung, 2006).

Of the evaluators who reported using an instrument to "assess domestic violence," 16 percent reported using only general measures of personality-psychopathology, usually the MMPI. Although such measures detect personality disorders that might help place known abusers into typologies useful for assessment and intervention, they may also lead to false conclusions about the psychopathology of abusers and survivors (Erickson, 2006). Evaluators using such general measures were more likely to believe that mothers make false allegations and to award sole or joint custody to the father in the case vignette. The National Council of Juvenile and Family Court Judges (Dalton, Drozd & Wong, 2006) cautions that:

> Some of these standard tests may also measure and confuse psychological distress or dysfunction induced by exposure to domestic violence with personality disorder or psychopathology. While there may be cases in which trauma induced by abuse has a negative impact on parenting in the short term, it is critically important not to attach a damaging label prematurely to a parent whose functioning may improve dramatically once she or he is safe, the acute stress has been alleviated, and the trauma treated (p. 21).

Selection of Custody Evaluators by Courts

The findings of this study might provide guidance to courts as they select child custody evaluators. Evaluators who believed that domestic violence was an important consideration in custody evaluations were characterized by having more DV knowledge than others. The National Council of Juvenile and Family Court Judges' guidebook states evaluators need "first and foremost" training and experience in domestic violence. It continues:

> Domestic violence is its own specialty. Qualification as an expert in the mental health field or as a family law attorney does not necessarily include competence in assessing the presence of domestic violence, its impact on those directly and indirectly affected by it, or its implications for the parenting of each party. And even though some jurisdictions are now requiring custody evaluators to take a minimum amount of training in domestic violence, that "basic training" by itself is unlikely to qualify an evaluator as an expert, or even assure basic competence, in such cases. Ideally, your jurisdiction will already have a way of designating evaluators who have particular competence in domestic violence. Where that is not the case, you might test the evaluator's level of experience and expertise, despite the difficulties inherent in any such inquiry, by asking:
>
> > • whether the evaluator has been certified as an expert in, or [is] competent in, issues of domestic violence by a professional agency or organization, if such certification is available. If certification is available, the court should inquire into the criteria for "certification," and determine if it involved a bona fide course of study or practice;

• what courses or training (over what period of time) the evaluator has taken focused on domestic violence;

• the number of cases involving domestic violence that the evaluator has handled in practice or to which he or she has been appointed, remembering, however, that such experience may *simply* reflect the mechanism used by the court in identifying potential evaluators, rather than any relevant expertise; and

• the number of cases in which the evaluator has been qualified as an expert in domestic violence (Dalton, Drozd, & Wong, 2006, p. 17).

A report for the National Center for State Courts (Keilitz, Davis, Flango, Garcia, Jones, Peterson & Spinozza, 1997) makes a number of additional recommendations for selecting custody evaluators and guardians ad litem (GALs), including:

- maintaining a roster of court-approved evaluators and GALs from which the court manager can select a service provider; because some cases require evaluators and GALs to consider cultural norms to accurately assess behaviors, the roster should reflect the community served by the court;

- assessing whether potential evaluators and GALs have misconceptions or biases about domestic violence that would preclude an impartial report to the court;

- establishing clear expectations for the form and content of reports and processes and methods to be employed to conduct an evaluation or represent a child;

- linking report requirements to the issues or factors that the judge must consider in making a custody or visitation determination (p.34).

Expanding Supervised Visitation and Exchange Programs

A sizable minority of evaluators reported never recommending supervised visitation programs, perhaps because they are not available in their communities. Survivors emphasized the need for more supervised visitation programs to help keep them and their children safe. Moreover, increasing the availability of such programs is likely to reduce survivors' psychological trauma as well. A guidebook for judges concludes that if the court is inclined to consider a request for visitation, "it may be necessary to determine (a) the motivation for the request; (b) the impact ongoing contact will have on the children or on their relationship with the abused parent; and (c) whether visitation should occur and, if so, how it might be structured to assure the safety of the children and abused parent, sometimes limiting access to strictly supervised visitation" (Dalton, Drozd & Wong, 2006, p. 13). There also exist supervised visitation program guidelines and standards designed to protect both children and their domestically abused parents (Supervised

Visitation Network, 2006; United States Department of Justice, 2007)

In conclusion, this study reveals the extent to which child custody evaluators and other professionals believe that fathers and mothers in domestic abuse cases falsely allege abuse. The beliefs about false allegations were clearly related to other beliefs and to custody and visitation recommendations. The findings can provide some guidance in the selection of custody evaluators, as well as information on domestic violence knowledge acquisition methods related to beliefs and recommendations supportive of survivors. The implementation of these findings is likely to lead to safer custody and visitation arrangements for all family members.

REFERENCES

Abrams, R., & Greaney, J. (1989). Report of the Gender Bias Study of the Supreme Judicial Court [of Massachusetts]. Boston, MA: Massachusetts Supreme Judicial Court

Ackerman, M. J., & Ackerman, M. C. (1996). Child custody evaluation practices: A 1996 survey of psychologists**.** *Family Law Quarterly, 30*(3)*,* 565–586.

Ackerman, M. J. and Pritzl, T. B. (2011). Child Custody Evaluations: A 20-year follow-up. *Family Court Review, 49,* 618–628.

Aldrich, L. & Kluger, J.H. (2010). New York's one judge-one family response to family violence. *Juvenile and Family Court Journal, 61,* 77–86.

American Judges Association (n.d.). *Domestic violence and the courtroom: Understanding the problem … knowing the victim.* Retrieved from: http://aja.ncsc.dni.us/publications/domestic violence.html

American Psychological Association. (1996). *Violence and the family: Report of the American Psychological Association Presidential Task Force on Violence and the Family*. Washington, DC: American Psychological Association.

American Psychological Association. (2010). Guidelines for child custody evaluations in family law proceedings. *American Psychologist, 65*, 863–867.

Anderson, K. (2010). Courageous kids: Abused children sharing their experiences. In M. Hannah & B. Goldstein (Eds.), *Domestic violence, abuse, and child custody: Legal strategies and policy issues*. Kingston, NJ: Civic Research Press.

Anderson, D. K., & Saunders, D. G. (2007). The post-separation psychological recovery of domestic abuse survivors. In K. Kendall-Tackett & S. Giacomoni (Eds.), *Intimate partner violence*. Kingston, NJ: Civic Research Institute, Inc.

Araji, S. K. & Bosek, R. L. (2010). Domestic violence, contested child custody, and the courts: Findings from five studies. In M. Hannah & B. Goldstein (Eds.), *Domestic violence, abuse, and child custody: Legal strategies and policy issues*. Kingston, NJ: Civic Research Press.

Aronson, J. (1994). A pragmatic view of thematic analysis. *The Qualitative Report, 2*(1). Retrieved from http://www.nova.edu/ssss/QR/BackIssues/QR2-1/aronson.html

Association of Family and Conciliation Courts. (2006). *Model Standards of Practice for Child Custody Evaluation.* Retrieved from: http://www.afccnet.org/resources/standards_practice.asp

Bachman, R., & Saltzman, L. (1995). *Violence against women: Estimates from the redesigned survey.* Washington, DC: United States Department of Justice.

Baker, A. J. L. (2007). Knowledge and attitudes about the parental alienation syndrome: A survey of custody evaluators. *American Journal of Family Therapy, 35*, 1-20.

Ballard, R. H.; Holtzworth-Munroe, A., Applegate, A. G., Beck, C. J. A. (2010). Detecting intimate partner violence in family and divorce mediation: A randomized trial of intimate partner violence screening. *Psychology, Public Policy, and Law, 17,* 241–263.

Ball-Rokeach**,** S. J. (1976). Receptivity to sexual equality**.** *The Pacific Sociological Review*, *19*, 519–540.

Bancroft, L., & Silverman, J. (2002). *The batterer as parent: Addressing the impact of domestic violence on family dynamics*. Thousand Oaks, CA: SAGE Publications.

Bernet, W. (2008). Parental Alienation Disorder and DSM-V. *The American Journal of Family Therapy, 38* (5), 349–366.

Bernet, W., von Boch-Galhau, W., Kenan, J., Kinlan, J., Lorandos, D, Sauber, R., Sood, B & Walker, J. (August, 2008). Parental Alienation Disorder and DSM-V. Unpublished proposal submitted to the Disorders in Childhood and Adolescence Work Group for the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition.

Bernet, W., von Boch-Galhau, W., Baker, A., & Morrison, S. (2010). Parental alienation, DMS-V, and ICD-11. *American Journal of Family Therapy*, *38*(2), 76-187.

Bow, J. N., & Boxer, P. (2003). Assessing allegations of domestic violence in child custody evaluations. *Journal of Interpersonal Violence*, *18*(12), 1394–1410.

Bow, J. N. (2006). Review of empirical research on child custody practice. *Journal of Child Custody*, 3, 23–50.

Bow, J. N., Gould, J. W., & Flens, J. R. (2009). Examining parental alienation in child custody cases: A survey of mental health and legal professionals. *American Journal of Family Therapy, 37*, 127–145.

Bow, J. N. and Quinnell, F. A. (2001). Psychologists current practices and procedures in child custody evaluations: Five years after APA guidelines, *Professional Psychology: Research and Practice*, 32, 261–268.

Bow, J. N. & Quinnell, F. A. (2004). Critique of child custody evaluations by the legal profession. *Family Court Review*, 42, 115–127.

Brown, T., Frederico, M., Hewitt, L., & Sheehan, R. (2000). Revealing the existence of child abuse in the context of marital breakdown and custody and access disputes. *Child Abuse & Neglect*, *24*(6), 849–859.

Brown, T., Frederico, M., Hewitt, L., & Sheehan, R. (2001). The child abuse and divorce myth. *Child Abuse Review*, *10*(2), 113–124.

Bruch, C. S. (2001). Parental alienation syndrome and parental alienation: Getting it wrong in child custody cases. *Family Law Quarterly*, *35*(3), 527–552.

Busch, R. & Robertson, N. (2000). Innovative approaches to child custody and domestic violence in New Zealand—The effects of law reform on the discourses of battering. *Journal of Aggression, Maltreatment & Trauma*, *3*(1), 269–299.

Cahn, N. R. (1991). Civil images of battered women: The impact of domestic violence on child custody decisions. *Vanderbilt Law Review, 44,* 1041–1086.

Campbell, J. C. (2003). *Danger Assessment.* Retrieved from: http://www.dangerassessment.org/

Campbell, J. C., & Kendall-Tackett, K. A. (2005). Intimate partner violence: Implications for women's physical and mental health. In K. A. Kendall-Tackett (Ed.), *The handbook of women, stress and trauma*. New York: Taylor & Francis.

Catalano, S. (2006). Intimate partner violence in the United States. Report from the U.S. Department of Justice Bureau of Justice Statistics. Retrieved from: http://www.ojp.usdoj.gov/bjs/intimate/ipv.htm

Crano,W. D., & Prislin**,** R. (2006). Attitudes and persuasion**.** *Annual Review of Psychology, 57*, 345–374.

Crites, L., & Coker, D. (1988). What therapists see that judges might miss: A unique guide to custody decisions when spouse abuse is charged. *The Judges' Journal, 27*(2), 9–13, 40–43.

Cromer, L. (2006). *Factors that influence the believing of child sexual abuse disclosures. Dissertation,* University of Oregon.

Czapanskiy, K. (1993). Domestic violence, the family, and the lawyering process: Lessons from studies on gender bias in courts. *Family Law Quarterly, 27*(1).

Dalton, C. (1999). When paradigms collide: Protecting battered parents and their children in the family court system. *Family Court Review, 37*, 273–296.

Dalton, C., Carbon, S., & Olsen, N. (2003). High conflict divorce, violence, and abuse: Implications for custody and visitation decisions. *Juvenile and Family Court Journal, 54*(4), 11–33.

Dalton, C., Drozd, L., & Wong, F. (2006). *Navigating custody and visitation evaluations in cases with domestic violence: A judge's guide*. Reno, NV: National Council of Juvenile and Family Court Judges.

Danforth, G., & Welling, B. (Eds.). (1996). *Achieving equal justice for women and men in the California courts: Final report.* Judicial Council of California Advisory Committee on Gender Bias in the Courts. Retrieved from: http://www.courtinfo.ca.gov/programs/access/documents/freport.pdf

Davis, M. S., O'Sullivan, C. S., Susser, K., Fields, M. D. *Custody evaluations when there are allegations of domestic violence: Practices, beliefs and recommendations of professional evaluators.* Final Report submitted to the National Institute of Justice, November 29, 2010. Retrieved from: www.**ncjrs**.gov/p +dffiles1/nij/grants/234465.pdf

DeKeseredy, W. S., & Schwartz, M. D. (2009). *Dangerous exits: Escaping abusive relationships in rural America.* New Brunswick, NJ: Rutgers University Press.

Dillman, D. (2005). *Mail and internet surveys: The tailored design method*. New York: Wiley.

Dore, M. K. (2004). The friendly parent concept: A flawed factor for child custody. *Loyola Journal of Public Interest Law, 6*, 41–56.

Dragiewicz, M. (2008). Patriarchy reasserted: Fathers' rights and anti-VAWA activism. *Feminist Criminology*, 3(2), 121–144.

Dragiewicz, M. (2010). Gender bias in the courts: Implications for battered mothers and their children. In M. Hannah & B. Goldstein (Eds.), *Domestic violence, abuse, and child custody: Legal strategies and policy issues* (§ 5.1–5.18). Kingston, NJ: Civic Research Institute.

Dunford-Jackson, B. L. (2004). The role of family courts in domestic violence: The U.S. experience. In P. G. Jaffe, L. L. Baker, & A. J. Cunningham (Eds.), *Protecting children from domestic violence: Strategies for community interventions* (p. 188). New York: Guildford.

Dutton, D. G. (2006). Domestic abuse assessment in child custody disputes: Beware the domestic violence research paradigm. *Journal of Child Custody, 2*, 23–42.

Edleson, J. L. (1999). Children's witnessing of adult domestic violence. *Journal of Interpersonal Violence, 14*(8), 839–870.

Edleson, J. L., Mbilinyi, L. F., & Shetty, S. (2003). *Parenting in the context of domestic violence.* San Francisco: Judicial Council of California, Administrative Office of the Courts, Center for Families, Children & the Courts.

Edleson, J. L., & Williams, O. J. (2007). *Parenting by men who batter women: New directions for assessment and intervention*. New York: Oxford University Press.

Erickson, N. S. (2006). Use of the MMPI-2 in child custody evaluations involving battered women: What does psychological research tell us? *Family Law Quarterly, 39*(1), 87–108.

Faller, K. C. (2005). False accusations of child maltreatment: A contested issue. *Child Abuse and Neglect, 29*(12), 1327–1331.

Faller, K.C. (2007). Coaching children about child abuse: Professionals' perceptions of the problem. *Child Abuse & Neglect: The International Journal. 31*(9), 947–959.

Faller, K. C., & DeVoe, E. (1995). Allegations of sexual abuse in divorce. *Journal of Child Sexual Abuse, 4*(4), 1–25.

Fields, M. D. (2010). DV case preparation and trial examination: A heavy burden. In M. Hannah & B. Goldstein (Eds.), *Domestic violence, abuse, and child custody: Legal Strategies and Policy Issues*. Kingston, NJ: Civic Research Press.

Finkelhor, D., & Jones, L. (2006). Why have child maltreatment and child victimization declined? *Journal of Social Issues, 62*(4), 685–716.

Foels, R., & Pappas, C. J. (2004). Learning and unlearning the myths we are taught: Gender and social dominance orientation. *Sex Roles*, *50* (11-12), 743–757.

Foubert, J. D., & Perry, B. C. (2007). Creating lasting attitude and behavior change in fraternity men and male student athletes: The qualitative impact of an empathy based rape prevention program. *Violence Against Women*, *13*(1), 70–86.

Furnham, A., & Gunter, B. (1984). Just world beliefs and attitudes towards the poor. *British Journal of Social Psychology, 23,* 265–269.

Garos, S., Beggan, J., Kluck, A., & Easton, A. (2004). Sexism and pornography use: Toward explaining past (null) results. *Journal of Psychology and Human Sexuality*, *16*(1), 69–96.

Geffner, R., Conradi, L., Geis, K., & Aranda, M. B. (2009). Conducting child custody evaluations in the context of family violence allegations: Practical techniques and suggestions for ethical practice. *Journal of Child Custody. 6*(3), 189–218.

Gidycz, C. A., Layman, M. J., Rich, C. L., Crothers, M., & Gylys, J. (2001). An evaluation of an acquaintance rape prevention program: Impact on attitudes, sexual aggression. *Journal of Interpersonal Violence*, *16*(11), 1120–1138.

Girdner, L. (1996). Mediation. In D. M. Goelman, F. L. Lehrman & R. L. Valente (Eds.), *The impact of domestic violence on your legal practice: A lawyer's handbook* (pp. 17–21). Washington, DC: ABA Commission on Domestic Violence.

Goelman, D. M., Lehrman, F. L., & Valente, R. L. (Eds.). (1996). *The impact of domestic violence on your legal practice: A lawyer's handbook*. Washington, DC: American Bar Association.

Goodmark, L. (2011). State, national, and international legal initiatives to address violence against women. In Renzetti, C. M., Edleson, J. L., & Bergen, R. K. (Eds). *Sourcebook on Violence Against Women* (2nd ed.). Los Angeles: SAGE Publications.

Gould, J. W. & Martindale, D. A. (2007). *The art and science of child custody evaluations.* New York: Guilford.

Gould, J. W., Martindale, D. A., & Eidman, M. H. (2008). Assessing allegations of domestic violence. *Journal of Child Custody*, 4(1–2).

Graham-Bermann, S., & Edleson, J. (2002). *Domestic violence in the lives of children: The future of research, intervention and social policy.* Washington, DC: American Psychological Association.

Grube, J. W., Mayton, D. M., & Ball-Rokeach, S. J. (1994). Inducing change in values, attitudes, and behaviors: Belief system theory and the method of value self-confrontation. *Journal of Social Issues, 50*(4), 153–173.

Hardesty, J. L., & Chung, G. H. (2006). Intimate partner violence, parental divorce, and child custody: Directions for intervention and future research. *Family Relations, 55*(2), 200.

Hardesty, J. L., & Ganong, L. H. (2006). How women make custody decisions and manage co-parenting with abusive former husbands. *Journal of Social and Personal Relationships, 23*(4), 543.

Haselschwerdt, M. L., Hardesty, J. L., & Hans, J. D. (2011). Custody evaluators' beliefs about domestic violence allegations during divorce: Feminist and family violence perspectives. *Journal of Interpersonal Violence, 26,* 1694–1719.

Helfritz, L. E., Stanford, M. S., Conklin, S. M., Greve, K. W., Villemarette-Pittman, N. R., Houston, R. J. (2006). Usefulness of self-report instruments in assessing men accused of domestic violence. *Psychological Record,* 56, 171–180.

Hester, M. (2009). The contradictory legal worlds faced by domestic violence victims. In E. Stark and E. Buzawa (Eds.), *Violence against women in families and relationships. Volume 2: The family context.* Denver: Praeger.

Holtzworth-Munroe, A., Meehan, J., Herron, K., Rehman, U., & Stuart, G. (2000). Testing the

Holtzworth-Munroe and Stuart (1994) batterer typology. *Journal of Consulting and Clinical Psychology, 68*(6), 1000–1019.

Holtzworth-Munroe, A., Beck, C. J. A., & Applegate, A. G. (2010). The mediator's assessment of safety issues and concerns (MASIC): A screening interview for intimate partner violence and abuse available in the public domain. *Family Court Review,* 48, 646–662.

Horvath, L. S., Logan, T., & Walker, R. (2002). Child custody cases: A content analysis of evaluations in practice. *Professional Psychology: Research and Practice.* 33, 557–565.

Jaffe, P. (2010). *Enhancing Judicial Skills in Domestic Violence Cases: A Process and Outcome Evaluation of a National Judicial Education Program.* Unpublished report. Centre for Research and Education on Violence Against Women and Children, Faculty of Education, University of Western Ontario.

Jaffe, P. G., Crooks, C.V., & Bala, N. (2009). A framework for addressing allegations of domestic violence in child custody disputes. *Journal of Child Custody. 6*(3), 169–188.

Jaffe, P. G., & Crooks, C. V. (2007). Assessing the best interests of the children. In J. L. Edleson, & O. J. Williams (Eds.), *Parenting by men who batter: New directions for assessment and intervention.* New York: Oxford University Press.

Jaffe, P. G., Johnston, J., Crooks, C., & Bala, N. (2008). Custody disputes involving allegations of domestic violence: The need for differentiated approaches to parenting plans. *Family Court Review, 46.* 500–522.

Jaffe, P., Lemon, N., & Poisson, S. (2003). *Child custody and domestic violence*. Thousand Oaks, CA: SAGE Publications.

Johnson, M. P. (2008). *A typology of domestic violence: Intimate terrorism, violent resistance, and situational couple violence*. Boston: Northeastern University Press.

Johnson, N. E., Saccuzzo, D. P, & Koen, W. J. (2005). Child custody mediation in cases of domestic violence: Empirical evidence of a failure to protect. *Violence Against Women, 11*(8), 1022.

Johnston, J. (2006). A child-centered approach to high-conflict and domestic violence families: Differential assessment and interventions. *Journal of Family Studies*, *12*(1), 15–35.

Johnston, J. R., Lee, S., Olesen, N. W., & Walters, M. G. (2005). Allegations and substantiations of abuse in custody disputing families. *Family Court Review, 43*, 284.

Keilitz, S. L., Davis, C. V., Flango, C. R., Garcia, V., Jones, A. M., Peterson, M., Spinozza, D. M. (1997). *Domestic violence and child custody disputes: A resource handbook for judges and court managers*. Williamsburg, VA: National Center for State Courts.

Kernic, M. A., Monary-Ernsdorff, D. J., Koepsell, J. K., & Holt, V. L. (2005). Children in the crossfire: Child custody determinations among couples with a history of intimate partner violence. *Violence Against Women, 11*(8), 991.

Kimmel, M. S. (2002). "Gender symmetry" in domestic violence: A substantive and methodological research review. *Violence Against Women, 8* (11) 1332-1336.

Kitzmann, K. M., Gaylord, N. K., Holt, A. R., & Kenny, E. D. (2003). Child witnesses to domestic violence: A meta-analytic review. *Journal of Consulting and Clinical Psychology, 71*, 339–352.

Klein, A. (2007). United States sued for granting abusers child custody. *National Bulletin on Domestic Violence Prevention, 13,* 1.

Kurth, J. (2010). Historical origins of the father's rights movement. In M. Hannah & B. Goldstein (Eds.), *Domestic violence, abuse, and child custody: Legal Strategies and Policy Issues*. Kingston, NJ: Civic Research Press.

LaFortune, K. A. (1997). *An investigation of mental health and legal professionals' activities, beliefs, and experiences in domestic court: An interdisciplinary survey.* Unpublished doctoral dissertation, University of Tulsa, Tulsa, Oklahoma.

LaFortune, K.A. & Carpenter, B.N. (1998). Custody evaluations: A survey of mental health professionals. *Behavioral Sciences and the Law, 16*, 207–224.

Leighton, B. (1989). *Spousal abuse in metropolitan Toronto: Research report on the response of the criminal justice system* (No. 1989-02). Ottawa, Ontario: Solicitor General of Canada.

Lemon, N., Jaffe, P., & Ganley, A. (1995). *Domestic violence and children: Resolving custody and visitation disputes*. San Francisco, CA: Family Violence Prevention Fund.

Lesher, M. (2010). Leveling the landscape: Family court auxiliaries and how to counter them. In M. Hannah & B. Goldstein (Eds.), *Domestic violence, abuse, and child custody: Legal strategies and policy issues*. Kingston, NJ: Civic Research Press.

Levin, S. (2004). Perceived group status differences and the effects of gender, ethnicity, and religion on social dominance orientation. *Political Psychology*, *25*(1), 31–48.

Lewis, K. (2009). *Child custody evaluations by social workers*. Washington, DC: National Association of Social Workers.

Liss, M. B., & Stahly, G .B. (1993). Domestic violence and child custody. In M. Hansen, & M. Harway (Eds.), *Battering and family therapy: A feminist perspective* (pp. 175–187). Thousand Oaks, CA: SAGE Publications.

Logan, T. K., Walker, R., Jordan, C. E., & Horvath, L. S. (2002). Child custody evaluations and domestic violence: Case comparisons. *Violence and Victims, 17*(6), 719–742.

Loo, R. (2001). Belief in a just world: Support for independent just world and dependent just world dimensions. *Personality and Individual Differences*, *22*, 703–711.

Luftman, V. H., Veltkamp, L. J., Clark, J. J., Lannacone, S., & Snooks, H. (2005). Practice guidelines in child custody evaluations for licensed clinical social workers*. Clinical Social Work Journal, 33*, 327–357.

Magen, R. H., Conroy, K., Hess, P. M., Pandiera, A., Simon, B. L. (2001). Identifying domestic violence in child abuse and neglect investigations. *Journal of Interpersonal Violence, 16,* 580–60.

Maine Administrative Office of the Courts, Office of Court ADR (December, 2009). Policy and *Procedure manual, court alternative dispute resolution service (CADRES)*. Retrieved from: http://www.courts.state.me.us/court_info/adr/pdf/Policy%20&%20Proced%20Manual%20 12-09.pdf

Maxwell, M. S., & Oehme, K. (2001). *Strategies to improve supervised visitation services in domestic violence cases.* Retrieved from: http://www.mincava.umn.edu/documents/commissioned/strategies/strategies.html

Meier, J. S. (2003). Domestic violence, child custody, and child protection: Understanding judicial resistance and imagining the solutions. *American University Journal of Gender, Social Policy, and Law, 11,* 702.

Meier, J. S. (2009). A historical perspective on parental alienation syndrome and parental alienation. *Journal of Child Custody, 6*(3), 232–257.

Morrill, A. C., Dai, J., Dunn, S., Sung, I., & Smith, K. (2005). Child custody and visitation decisions when the father has perpetrated violence against the mother. *Violence Against Women, 11*(8), 1076–1107.

Myers, C. (1984). *The family violence project: Some preliminary data on a treatment program for spouse abuse.* Paper presented at the Second National Conference for Family Violence Researchers, University of New Hampshire.

National Council of Juvenile and Family Court Judges. (1994). *Model code on domestic and family violence*. Reno, NV: Author.

National Council of Juvenile and Family Court Judges. (1995). Family violence in child custody statutes: An analysis of state codes and legal practice. *Family Law Quarterly, 29*, 197–228.

National Council of Juvenile and Family Court Judges. (2004). *Family violence: Legislative update, vol. 10.* Reno, NV: Author.

National Council of Juvenile and Family Court Judges. (2005). *Family violence: Legislative update, vol. 11.* Reno, NV: Author.

National Council of Juvenile and Family Court Judges. (2006). *Navigating custody and visitation evaluations in cases with domestic violence: A judge's guide*. Reno, NV: Author.

National Fathers' Resource Center. (2006). *Domestic violence.* Retrieved from: http://www.fathers4kids.com/html/ DomesticViolence.htm

Nicolaidis, C., Curry, M., Ulrich, Y., Sharps, P., McFarlane, J., Campbell, D., Gary, F., Laughon, K., Glass, N. & Campbell, J. (2003). Could we have known? A qualitative analysis of data from women who survived an attempted homicide by an intimate partner**.** *Journal of General Internal Medicine, 18,* 788–94.

Neustein, A., & Goetting, A. (1999). Judicial responses to protective parent's complaint of child sexual abuse. *Journal of Child Sexual Abuse*, *8*(4), 103–122.

Neustein, A., & Lesher, M. (2005). *From madness to mutiny: Why mothers are running from the family courts—and what can be done about it*. Lebanon, NH: Northeastern University Press.

Olson, K. B. & Ver Steegh, N. (2008). Introduction of special issue editors. *Family Court Review, 46,* 434–436.

O'Sullivan, C. S. (2000). Estimating the population at risk for violence during child visitation. *Domestic Violence Report, 5*(5), 65.

O'Sullivan, C. S., King, L. A., Levin-Russell, K., & Horowitz, E. (2006). *Supervised and unsupervised parental access in domestic violence cases: Court orders and consequences.* Final technical report submitted to the National Institute of Justice.

Pratto, F., Liu, J. H., Levin, S., Sidanius, J., Shih, M., Bachrach, H., & Hegarty, P. (2000). Social dominance orientation and the legitimization of inequality across cultures. *Journal of Cross-Cultural Psychology, 31*(3), 369–409.

Pratto, F., Sidanius, J., Stallworth, L. M., & Malle, B. F. (1994). Social dominance orientation: A personality variable predicting social and political attitudes. *Journal of Personality and Social Psychology*, *67*, 741–763.

Preacher, K. J., & Hayes, A. F. (2004). SPSS and SAS procedures for estimating indirect effects in simple mediation models. *Behavior Research Methods, Instruments, and Computers, 36*, 717–731.

Radford, L. & Hester, M. (2006). *Mothering through domestic violence*. London: Jessica Kingsley Publishers.

Ramos, M. D., & Runner, M. (1999). *Cultural considerations in domestic violence cases: A national judges benchbook*. San Francisco, CA: Family Violence Prevention Fund.

Rosen, L. N., & Etlin, M. (1996). *The hostage child: Sex abuse allegations in custody disputes*. Bloomington, IN: Indiana University Press.

Rosen, L. N., & O'Sullivan, C. S. (2005). Outcomes of custody and visitation petitions when fathers are restrained by protection orders: The case of the New York family courts. *Violence Against Women, 11*(8), 1054–1075.

Rosen, L. N., Dragiewicz M., & Gibbs, J. (2009). Fathers' rights groups: Demographic correlates and impact on custody policy. *Violence Against Women, 15*(5), 513–531.

Rubin, Z., & Peplau, L. (1975). Who believes in a just world? *Journal of Social Issues, 31(3),* 65–89.

Saccuzzo, D. P., & Johnson, N. E. (2004). Child custody mediation's failure to protect: Why should the criminal justice system care? *National Institute of Justice Journal*, *251,* 1–30.

Salem, P., & Dunford-Jackson, B. L. (2008). Beyond politics and positions: A call for collaboration between family court and domestic violence professionals. *Family Court Review, 46*(3), 437.

Saunders, D. G. (1994). Child custody decisions in families experiencing woman abuse. *Social Work, 39*(1), 51–59.

Saunders, D. G. (2002). Are physical assaults by wives and girlfriends a major social problem? A review of the literature. *Violence Against Women, 8,*1424–1448.

Saunders, D. G. (2007). *Child custody and visitation decisions in domestic violence cases: Legal trends, risk factors, and safety concerns.* Minneapolis, MN: VAWnet: National Resource Center on Domestic Violence. Retrieved from: http://new.vawnet.org/category/Main_Doc.php?docid=1134

Saunders, D. G., & Anderson, D. (2000). Evaluation of a domestic violence training for child protection workers and supervisors: Initial results. *Children and Youth Services Review*, *22*(5), 373–395.

Saunders, D. G., & Browne, A. (2000). Intimate partner homicide. In R. T. Ammerman, & M. Hersen (Eds.). *Case studies in family violence,* (2nd Ed.). New York: Plenum.

Saunders, D. G., Holter, M. C., Pahl, L. C., & Tolman, R. M. (2006). Welfare workers' responses to domestic violence cases: The effects of training and worker characteristics. *Families in Society*, *87*, 329–338.

Saunders, D. G., & Kindy, P. (1993). Predictors of physicians' responses to woman abuse: The role of gender, background, and brief training. *Journal of General Internal Medicine, 8,* 606–609.

Saunders, D. G., Lynch, A. B., Grayson, M., & Linz, D. (1987). The inventory of beliefs about wife-beating: The construction and initial validation of a measure of beliefs and attitudes. *Violence and Victims, 2*(1), 39–58.

Saunders, D.G., Sullivan, C., Tolman, R. M., & Grabarek, M. (2006). *National Evaluation of the Safe Havens Demonstration Initiative: Final Report.* Submitted to the U.S. Department of Justice, Office on Violence Against Women, November 27, 2006.

Saunders, D. G., Sullivan, C., Tolman, R. M., & Grabarek, M. (2007). *The Impact of the Safe Havens Demonstration Initiative on Beliefs and Practices: Reports from Center Staff & Project Directors.* Presentation at the meeting: Supervised Visitation & Domestic Violence: Guideposts for Advancing Practice, Policy and Dialogue, Denver CO, U.S. Department of Justice, June 21, 2007.

Saunders, H. (2009). Securing safety for abused women and children in the family court. In E. Stark and E. Buzawa (Eds.), *Violence against women in families and relationships. Volume 2: The family context.* Denver: Praeger.

Schafram, L.H. (2006). Evaluating the evaluators: Problems with outside neutrals. *Judges' Journal, 42*, 10–16.

Scott, K. & Crooks, C. (2007). Preliminary evaluation of an intervention program for maltreating fathers. *Brief Treatment and Crisis Intervention, 7,* 224–238.

Sheeran, M. & Hampton, S. (1999). Supervised visitation in cases of domestic violence. *Juvenile and Family Court Journal*, 30, 13–25.

Sidanius, J., & Pratto, F. (1999). *Social Dominance: An intergroup theory of social hierarchy and oppression*. New York: Cambridge University Press.

Silverman, J. G., Mesh, C. M., Cuthbert, C. V., Slote, K., & Bancroft, L. (2004). Child custody determinations in cases involving intimate partner violence: A human rights analysis. *American Journal of Public Health*, *94*, 951–957.

Stacey, W. A., & Shupe, A. (1984). *The family secret: Family violence in America*. Boston: Beacon

Supervised Visitation Network. (2006). *Standards for supervised visitation practice.* Available from the Supervised Visitation Network, 1223 King Street Jacksonville, Florida 32204, http://www.svnworldwide.org.

Stark, E. (2009). Rethinking custody evaluation in cases Involving domestic violence. *Journal of Child* Custody*, 6,* 287–321.

Straus, M. A. (1983). Ordinary violence, child abuse, and wife beating: What do they have in common? In D. Finkelhor, R. J. Gelles, G. T. Hotaling, & M. A. Straus (Eds.), *The dark side of families: Current family violence research* (pp. 213–234). Newbury Park, CA: SAGE Publications.

Straus, M. A., & Gelles, R. J. (Eds.). (1990). *Physical violence in American families: Risk factors and adaptations to violence in 8,145 families*. New Brunswick, NJ: Transaction Press.

Sussman, E. (2010). American Law Institute principles: A tool for assessing justice for battered mothers and children. In M. Hannah & B. Goldstein (Eds.), *Domestic violence, abuse, and child custody: Legal strategies and policy issues*. Kingston, NJ: Civic Research Press.

Swan, S. C., & Snow, D. L. (2002). A typology of women's use of violence in intimate relationships. *Violence Against Women*, *8*(3), 286–319.

Swim, J. K., Aikin, K. J., Hall, W. S., & Hunter, B. A. (1995). Sexism and racism: Old-fashioned and modern prejudices. *Journal of Personality and Social Psychology, 68,* 199–214.

Tjaden, P., & Thoennes, N. (2000a). *Extent, nature, and consequences of intimate partner violence: Findings from the National Violence against Women Survey.* Report sponsored by the National Institute of Justice.

Tjaden, P., & Thoennes, N. (2000b). Prevalence and consequences of male-to-female and female-to-male intimate partner violence as measured by the National Violence Against Women Survey *Violence Against Women February 2000 6: 142–161.*

Trocme, N., & Bala, N. (2005). False allegations of abuse and neglect when parents separate. *Child Abuse & Neglect, 29*(12), 1333–1345.

United States Department of Justice, Office on Violence Against Women. (2006). *Report to Congress. Safe Havens: Supervised Visitation and Safe Exchange Services and Programs.* Retrieved from: http://www.ssw.umich.edu/about/profiles/saunddan/CongressSupVisit.pdf

United States Department of Justice, Office on Violence Against Women. (2007). *Guiding Principles. Safe Havens: Supervised Visitation and Safe Exchange Grant Program.* Retrieved from: http://www.ovw.usdoj.gov/docs/guiding-principles032608.pdf

Ver Steegh, N. (2003). Yes, no, and maybe: Informed decision making about divorce mediation in the presence of domestic violence. *William. & Mary Journal of Women & Law, 9*, 145–206.

Voices of Women (2008). *Justice denied: How family courts in NYC endanger battered women and children.* Brooklyn, NY: Voices of Women Organizing Project, Battered Women's Resource Center. Retrieved from: www.vowbwrc.org

Walker, L. E., & Shapiro, D. L. (2010). Parental Alienation Disorder: Why label children with a mental diagnosis?, *Journal of Child Custody, 7,* 266–286.

Williams, O., Boggess, J., & Carter, J. (2004**).** Fatherhood and domestic violence: Exploring the role of abusive men in the lives of their children. In P. G. Jaffe, L. L. Baker, & A. J. Cunningham (Eds.), *Protecting children from domestic violence: Strategies for community intervention*. Guilford: NY.

Woffordt, S., Mihalic, D. E., & Menard, S. (1994). Continuities in marital violence. *Journal of Family Violence, 9*(3), 195–226.

Wolfe, D. A., Crooks, C. V., Lee, V., McIntyre-Smith, A., & Jaffe, P. G. (2004). The effects of children's exposure to domestic violence: A meta-analysis and critique. *Clinical Child and Family Psychology Review, 6*(3), 171–187.

Wray, R. J. (2006). Public health communication theory and strategies for interpersonal violence prevention. *Journal of Aggression, Maltreatment & Trauma, 13,* 41–60.

Yoshihama, M., & Mills, L. G. (2003). When is the personal professional in public child welfare practice? The influence of intimate partner and child abuse histories on workers in domestic violence cases. *Child Abuse and Neglect, 27*(3), 319–336.

Zelechoski, A. D. (2009). *The content of child custody evaluation reports: A forensic assessment principles-based analysis. (*Unpublished dissertation). Drexel University, Philadelphia, PA.

Zorza, J. (1996). Protecting the children in custody disputes when one parent abuses the other. *Clearinghouse Review*, *29*(12)*,* 1113–1127.

Zorza, J. (2007). The "friendly parent" concept: Another gender biased legacy from Richard Gardner. *Domestic Violence Report 12*(5), 65–78.

Zorza, J. (2010). Manipulative strategies used by domestic violence perpetrators. In M. Hannah & B. Goldstein (Eds.), *Domestic violence, abuse, and child custody: Legal strategies and policy issues*. Kingston, NJ: Civic Research Press.

Survey for Child Custody Evaluators Regarding Family Violence, February 5, 2010

APPENDIX A

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AIM IS TO IMPROVE KNOWLEDGE AND TRAINING. We expect the findings of this survey to add to our knowledge of custody evaluations and to improve trainings for evaluators.

ANONYMITY & CONSENT. This survey is anonymous and your participation is voluntary. Your completion of the survey will be an indication that you consented to participate.

ELIGIBILITY. By "child custody evaluation" we mean an assessment of individual and family factors that will inform the court of the best psychological interests of the child when parents cannot agree on custody. If you have never conducted an evaluator, please do not complete the survey.

TIME IT WILL TAKE. This survey takes approximately 20 minutes to complete. Once you begin completing it, you may skip any question.

PRIVACY PROTECTION. We suggest you complete the survey in private. Although we have designed this study to keep your responses anonymous, there is a slight chance that your responses could be seen by someone near you as you type in your answers. Because of the controversial nature of some of the questions, we cannot rule out the possibility that you could experience some professional embarrassment if this happened.

QUESTIONS. If you have questions about the survey, please contact Dr. Daniel Saunders at saunddan@umich.edu or at 1-734-763-6415. If you have questions regarding your rights as a research participant, please contact the Institutional Review Board at 1-734-936-0933 or by email at irbhsbs@umich.edu.

Background

1)
How many years of experience do you have conducting custody evaluations?

0 - 5 6 - 10 11 - 15 16 - 20 21 - 25 26 - 30 Over 30 years

2)
Approximately how many custody evaluations have you completed altogether in your career?

1 - 25 26 - 50 51 - 100 101 - 500 501 - 1000 Over 1000

3)
Approximately how many custody evaluations have you completed in the past year?

0 1 - 5 6 - 20 21 - 50 51 - 100 Over 100

4)
In what settings do you conduct evaluations? (please check all that apply)

Private Practice Court Public Mental Health Clinic Psychiatric Hospital Other (Please specify)

Other:

5)
What is the state in which you practice the most? If you practice in the District of Columbia, Puerto Rico, or a tribal court, please write that next to "Other."

--Select--
- AL
- AK
- AZ
- AR
- CA
- CO
- CT
- DE
- FL
- GA
- HI
- ID
- IL
- IN
- IA
- KS
- KY

- LA
- ME
- MD
- MA
- MI
- MN
- MS
- MO
- MT
- NE
- NV
- NH
- NJ
- NM
- NY
- NC
- ND
- OH
- OK
- OR
- PA
- RI
- SC
- SD
- TN
- TX
- UT
- VT
- VA
- WA
- WV
- WI
- WY
- Other (please specify)

Other: _____

Experience with Domestic Violence Cases

The following questions use the term “domestic violence." We realize there are different definitions and types of domestic violence. For the purpose of this study, we define domestic violence as any physical force against one intimate partner by another that is not in self-defense (including smashing, throwing, & hitting objects). If it is too difficult for you to give an estimate, mark "Can't estimate", or simply skip the question.

6)
Please estimate the percentage of your child custody cases that involved allegations of domestic violence.

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% Can't estimate

7)
In what percentage of these alleged domestic violence cases do you estimate that the father falsely alleges the mother perpetrated domestic violence?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% Can't estimate

8)
In what percentage of these alleged domestic violence cases do you estimate that the mother falsely alleges the father perpetrated domestic violence?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% Can't estimate

9)
In approximately what percentage of alleged domestic violence cases do you estimate that only the father used domestic violence (not in self-defense)?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% Can't estimate

10)
In approximately what percentage of alleged domestic violence cases do you estimate that only the mother used domestic violence (not in self-defense)?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% Can't estimate

11)
In approximately what percentage of alleged domestic violence cases do you estimate that both parents used domestic violence (not in self-defense)?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% Can't estimate

12)
Please estimate the percentage of your cases involving alleged domestic violence in which you supported the allegation of domestic violence.

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% Can't estimate

13)
For cases in which you have supported the allegation of domestic violence, how much did this typically impact your evaluation or recommendations?

None A little Some Much Greatly Extremely No Answer

For those cases in which one parent was clearly the perpetrator, please estimate the percentage of times that you recommended, or would have if in that position, the following custody arrangements:

	Never 0%	Seldom 1-9%	Occasionally 10-49%	Half of the time 50%	Most of the time 51-89%	Almost always 90-99%	Always 100%
14) SOLE LEGAL & PHYSICAL custody with VICTIM of domestic violence							
15) SOLE LEGAL & PHYSICAL custody with PERPETRATOR of domestic violence							
16) JOINT LEGAL custody & PRIMARY PHYSICAL custody with VICTIM							
17) JOINT LEGAL custody & PRIMARY PHYSICAL custody with PERPETRATOR							
18) SOLE LEGAL custody with VICTIM & JOINT PHYSICAL custody							
19) SOLE LEGAL custody with PERPETRATOR & JOINT PHYSICAL custody							
20) JOINT LEGAL & PHYSICAL custody							

21)
For those cases in which you recommended parenting time (visitation) for the perpetrator, please estimate the percentage of cases for which you proposed the following arrangements:

% No supervision of visits
% Visits supervised by a friend or relative
% Visits supervised by a professional or paraprofessional at a supervised visitation program

Total: 0 (must sum to 100)

In approximately what percentage of cases do you:

22)
Directly inquire about the presence of domestic violence?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% Can't estimate

23)
Use instruments or standard protocols to screen for domestic violence?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% Can't estimate

24)
What instruments, if any, do you use to assess domestic violence?

(1000 characters remaining)

Case Vignette

A couple has been married for eight years and separated for six months. Upon separation, the mother moved with their seven year old son to a nearby city and for a few weeks denied the father any contact with him, even phone calls. The father filed a motion for emergency temporary custody. In the interview with the evaluator, the father maintains that he wants a normal father-son relationship and believes that his wife is interfering with his right to be with his son. He says that he is better suited to care for his son and will ensure liberal and frequent contact with the mother.

The wife responds in her interview that she left the marital home when the husband was out of town for the weekend for fear that he would otherwise prevent her from leaving. She states that he has been controlling her every move throughout the relationship. She states that during her pregnancy he once punched her; that on another occasion he "body-slammed" her against his truck; and on a third occasion strangled her. He maintains that on these occasions he was drinking and out of control, the incidents were isolated, and not part of any larger pattern. He also claims his wife has exaggerated her reports of the incidents and that she never received any injuries.

The wife tells you that she never called the police or went to the hospital after any of the assaults. She says her husband never physically harmed their son, but due to

his controlling and abusive behavior she is fearful of him having physical custody of their son. She wants to maintain physical custody. Reports from the son's new school indicate that he is doing well.

The husband makes a good salary as an engineer. The wife has never worked more than part-time. His psychological tests do not show evidence of any major mental illness. Her tests show definite indications of anxiety, depression and paranoia.

If you were presented with this information as an evaluator, what initial hypotheses would you want to explore in this case? [Describe up to three]

25)
Hypothesis #1

(1000 characters remaining)
26)
Hypothesis #2

(1000 characters remaining)
27)
Hypothesis #3

(1000 characters remaining)

What information included or **not** included in this vignette would potentially be the most important to use in conducting a custody evaluation in this case? (Please list up to three)

28)
1.

29)
2.

30)
3.

You have now answered 33% of the questions.

——————————————————Page Break——————————————————

Despite being given a very limited amount of information in this case, please answer the following questions to the best of your ability.

31)
What do you think is the likelihood of future psychological harm to the son by the mother?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer
32)
What do you think is the likelihood of future psychological harm to the son by the father?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer
33)
What do you think is the likelihood that the mother is exaggerating the extent of the violence?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

34)
What do you think is the likelihood that the father is minimizing the extent of the violence?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

35)
What is the likelihood that the parties would benefit from mediation or another form of alternative dispute resolution?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

If each party asked for sole legal and physical custody, what is the likelihood that the best interests of the child would be served by:

36)
Sole legal/physical custody to mother

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

37)
Sole legal/physical custody to father

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

38)
Joint legal custody, primary physical custody to mother

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

39)
Joint legal custody, primary physical custody to father

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

40)
Joint legal and physical custody (shared parenting) in every area

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

Imagine that the mother was awarded custody, with visitation rights to the father. What is the likelihood that the best interests of the child and the safety of the family would best be served by:

41)
No supervision of the visits

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

42)
Visits supervised by a friend or relative

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

43)
Visits supervised by a professional or paraprofessional at a supervised visitation program

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

Opinions About Family Violence, Custody and Visitation

Below are some statements about family violence, custody and visitation (parenting time). Please indicate how much you agree or disagree with each statement by clicking a button in the appropriate column. Again, by "domestic violence" we mean violence directed against one intimate partner by another that is not in self-defense. Please use a broad definition of domestic violence.

	Strongly Disagree	Disagree	Slightly Disagree	Neither Disagree Nor Agree	Slightly Agree	Agree	Strongly Agree	No Answer
44) When a mother claiming to be a victim of domestic violence tries to disrupt a child's relationship with the father, that is a good reason to award sole custody to the father.								
Men have supervised visitation instead of unsupervised								

45) visitation because their ex-partners falsely accuse them of domestic violence.								
46) Victims of domestic violence are often reluctant to share parenting roles with ex-partners because they fear further abuse.								
47) Victims of domestic violence who resist court ordered mediation are not acting in the best interests of their children.								

	Strongly Disagree	Disagree	Slightly Disagree	Neither Disagree Nor Agree	Slightly Agree	Agree	Strongly Agree	No Answer
48) During the divorce process, victims of domestic violence are likely to try to alienate the child from the other parent.								
49) Too often fathers are denied joint custody because their ex-partners falsely accuse them of domestic violence.								
50) Victims of domestic violence who are reluctant to work out ways to co-parent with their ex-partners are hurting their children.								
51) When a domestically violent father tries to disrupt the mother-child relationship, that is a good reason to award sole custody to the mother.								

	Strongly Disagree	Disagree	Slightly Disagree	Neither Disagree Nor Agree	Slightly Agree	Agree	Strongly Agree	No Answer
52) If an abusive husband has not directly abused his child, contact between them should be unrestricted.								
53) When women allege domestic violence, the claim is often exaggerated to alienate fathers from their children.								
54) It is a myth that women are less violent than men in intimate relationships.								
55) Custody and visitation decisions should only be based on how parents treated the child and not how they treated the other parent.								

56)
When mothers make allegations of domestic violence in custody disputes, what percentage do you estimate are false?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

57)
When fathers make allegations of domestic violence in custody disputes, what percentage do you estimate are false?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

You have now completed 60% of the questions.

——————————————————Page Break——————————————————

58)
When mothers make allegations of child physical abuse in custody disputes, what percentage do you estimate are false?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

59)
When fathers make allegations of child physical abuse in custody disputes, what percentage do you estimate are false?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

60)
When mothers make allegations of child sexual abuse in custody disputes, what percentage do you estimate are false?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

61)
When fathers make allegations of child sexual abuse in custody disputes, what percentage do you estimate are false?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

62)
In what percentage of cases do you estimate that domestic violence survivors try to alienate the child from the other parent?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%

60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

63)
In what percentage of cases do you estimate that domestic violence perpetrators try to alienate the child from the other parent?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

64)
What are your major concerns regarding custody and visitation (parenting time) cases that involve domestic violence?

(1000 characters remaining)

65)
What recommendations do you have for improving the outcomes of custody and visitation decisions in cases that involve domestic violence?

(1000 characters remaining)

Beliefs About Justice and Equality

Please indicate how much you agree or disagree with each statement below by clicking a button.

	Strongly Disagree	Disagree	Slightly Disagree	Neither Disagree Nor Agree	Slightly Agree	Agree	Strongly Agree	No Answer
66) I think basically the world is a just place.								
67) Increased social equality would be a good thing.								
68) Discrimination against women is no longer a problem in the United States.								
69) I believe that, by and large, people get what they deserve.								
70) Group equality should be our ideal.								
71) Women often miss out on good jobs due to sexual discrimination.								

	Strongly Disagree	Disagree	Slightly Disagree	Neither Disagree Nor Agree	Slightly Agree	Agree	Strongly Agree	No Answer
72) I am convinced that in the long run people will be compensated for injustices.								
73) I firmly believe that injustices in all areas of life (e.g., professional, family, politics) are the exception rather than the rule.								
74) Society has reached the point where women and men have equal opportunities for achievement.								
75) It is easy to understand the anger of women's groups in America.								

	Strongly Disagree	Disagree	Slightly Disagree	Neither Agree nor Disagree	Slightly Agree	Agree	Strongly Agree	No Answer
76) We should do what we can to equalize conditions for different groups.								
77) It is easy to understand why women's groups are still concerned about societal limitations of women's opportunities.								

Knowledge of Domestic Violence Acquired

Please indicate the approximate number of times you have used the following sources to acquire knowledge about domestic violence.

	0	1 - 5	6 - 10	11 - 20	Over 20
78) Books					
79) Radio programs					
80) Films or videos					

81) Workshops

	0	1 - 10	11 - 25	26 - 50	51 - 100	Over 100
82) Articles						
83) Lectures						
84) Professional consultations						
85) Web sites read						

86)
What areas of knowledge have you acquired? (Check all that apply)

- Prevalence of domestic violence
- Causes of domestic violence
- Types of perpetrators
- Post-separation violence
- Screening for domestic violence
- Assessing dangerousness in domestic violence cases
- Children's exposure to domestic violence

87)
Have you personally known anyone who was a victim/survivor of domestic violence? If so, indicate his or her relationship to you (select all that apply):

- father
- mother
- sibling
- other relative
- friend
- acquaintance
- co-worker
- neighbor
- myself

Your Demographics

88)
Your Gender

Female Male No Answer

89)
Your Age

18-29 30-39 40-49 50-59 60 and over No Answer

90)
Education

High School Some college Four years of college Advanced Degree No Answer

91)
If you have an advanced degree, please indicate the kind of degree:

Master's Ph.D. Psy.D. M.D. No Answer Other (Please specify)

Other:

92)
My advanced degree is in the field of:

Thank you for completing this survey!
If you have any questions or comments,
please contact Dr. Daniel G. Saunders at saunddan@umich.edu.

If you want to be taken off of our list for receiving reminders, please go to the next page.

Continue ONLY when finished. You will be unable to return or change your answers.

Submit

powered by www.psychdata.com

Survey on Custody Evaluations and Domestic Violence for Judges, Attorneys and Domestic Violence Survivor Programs

University of Michigan
School of Social Work

APPENDIX B

Dear Colleague -

My name is Dr. Daniel Saunders and I am a professor at the University of Michigan. My colleagues and I are conducting a survey on child custody and domestic violence sponsored by the United States Department of Justice. The survey asks about beliefs regarding domestic violence and child custody, and about training received on domestic violence.

The results will add to our knowledge of custody evaluations and will be used to improve trainings. If you work in a domestic violence program for survivors or if you are a judge or attorney who has experience working with child custody cases, we invite you to share your thoughts and experiences.

ANONYMITY AND CONSENT. This survey is anonymous and your participation is voluntary. Your completion of the survey will be an indication that you consented to participate.

TIME IT WILL TAKE. This survey takes approximately 10-15 minutes to complete. Once you begin the survey, you may skip any question.

PRIVACY PROTECTION. We suggest that you complete the survey in private. Although we have designed this study to keep your responses anonymous, there is a slight chance that your responses could be seen by someone near you as you type in your answers. Because of the controversial nature of some of the questions, we cannot rule out the possibility that you could experience some professional embarrassment if this happened.

QUESTIONS. If you have questions about the survey, please contact Dr. Daniel Saunders at **saunddan@umich.edu** or at 1-734-763-6415. If you have questions regarding your rights as a research participant, please contact the Institutional Review Board at 1-734-936-0933 or by email at irbhsbs@umich.edu.

Sincerely,

Daniel G. Saunders, Ph.D.

Professor, School of Social Work
University of Michigan, 1080 S. University Avenue, Ann Arbor MI 48109-1106 USA
Email: saunddan@umich.edu Telephone: 734-763-6415
Principal Investigator: Project on Custody and Domestic Violence Beliefs

Co-Principal Investigators: Kathleen Coulborn Faller, Ph.D., Richard M. Tolman, Ph.D., and Karen M. Staller.

Background

1)
How many years of experience do you have in your current role?

0 - 5 6 - 10 11 - 15 16 - 20 21 - 25 26 - 30 Over 30 years

2)
Approximately how many custody and visitation cases, if any, have you been involved with in your career (in all your roles and positions combined)?

0 1-25 26-50 51-100 101-500 501-1000 Over 1000

3)
Approximately how many custody cases have you been involved with in the past year (in all your roles and positions combined)?

0 1 - 5 6 - 20 21 - 50 51 - 100 Over 100

4)
What is the state in which you practice the most? If you practice in the District of Columbia, Puerto Rico, or a tribal court, please write that next to "Other."

--Select-- 6
- AL

- AK
- AZ
- AR
- CA
- CO
- CT
- DE
- FL
- GA
- HI
- ID
- IL
- IN
- IA
- KS
- KY
- LA
- ME
- MD
- MA
- MI
- MN
- MS
- MO
- MT
- NE
- NV
- NH
- NJ
- NM
- NY
- NC
- ND
- OH
- OK
- OR
- PA
- RI
- SC
- SD
- TN
- TX
- UT
- VT
- VA
- WA
- WV
- WI
- WY
- Other (please specify)

Other:

Experience with Domestic Violence Cases - This section is to be completed by judges and attorneys only. Domestic violence program staff, please go to the Case Vignette below.

The following questions use the term "domestic violence." We realize that there are different definitions and types of domestic violence. This study is building on the results of particular prior studies and therefore, for the purpose of this study, domestic violence is defined as any physical force against one intimate partner by another that is not in self-defense (including smashing, throwing, & hitting objects). If it is too difficult for you to give an estimate, simply skip the question or click "can't estimate."

5)
Please estimate the percentage of your child custody cases that involve allegations of domestic violence (i.e., violence between the parents).

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% Can't estimate

6)
In what percentage of these alleged domestic violence cases do you estimate that the father falsely alleged the mother perpetrated domestic violence?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% Can't estimate

7)
In what percentage of these alleged domestic violence cases do you estimate that the mother falsely alleged the father perpetrated domestic violence?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%

60% 65% 70% 75% 80% 85% 90% 95% 100% Can't estimate

8)
In approximately what percentage of cases do you estimate that only the father used domestic violence (not in self-defense)?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% Can't estimate

9)
In approximately what percentage of cases do you estimate that only the mother used domestic violence (not in self-defense)?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% Can't estimate

10)
In approximately what percentage of cases do you estimate that both parents used domestic violence (not in self-defense)?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% Can't estimate

For those cases in which one parent was clearly the perpetrator, please estimate the percentage of cases that you recommended, or would have if in that position, the following custody arrangements:

11)
% SOLE LEGAL & PHYSICAL custody with VICTIM of domestic violence
% SOLE LEGAL & PHYSICAL custody with PERPETRATOR of domestic violence
% JOINT LEGAL custody & PRIMARY PHYSICAL custody with VICTIM
% JOINT LEGAL custody & PRIMARY PHYSICAL custody with PERPETRATOR
% SOLE LEGAL custody with VICTIM & JOINT PHYSICAL custody
% SOLE LEGAL custody with PERPETRATOR & JOINT PHYSICAL custody
% JOINT LEGAL & PHYSICAL custody

Case Vignette **Please read this vignette and answer the questions that follow.**

A couple has been married for eight years and separated for six months. Upon separation, the mother moved with their seven year old son to a nearby city and for a few weeks denied the father any contact with him, even phone calls. The father filed a motion for emergency temporary custody. In the interview with the evaluator, the father maintains that he wants a normal father-son relationship and believes that his wife is interfering with his right to be with his son. He says that he is better suited to care for his son and will ensure liberal and frequent contact with the mother.

The wife responds in her interview that she left the marital home when the husband was out of town for the weekend for fear that he would otherwise prevent her from leaving. She states that he has been controlling her every move throughout the relationship. She states that during her pregnancy he once punched her; that on another occasion he "body-slammed" her against his truck; and on a third occasion strangled her. He maintains that on these occasions he was drinking and out of control, the incidents were isolated, and not part of any larger pattern. He also claims his wife has exaggerated her reports of the incidents and that she never received any injuries.

The wife tells you that she never called the police or went to the hospital after any of the assaults. She says her husband never physically harmed their son, but due to his controlling and abusive behavior she is fearful of him having physical custody of their son. She wants to maintain physical custody. Reports from the son's new school indicate that he is doing well.

The husband makes a good salary as an engineer. The wife has never worked more than part-time. His psychological tests do not show evidence of any major mental illness. Her tests show definite indications of anxiety, depression and paranoia.

What information included or not included in this vignette would potentially be the most important for a child custody evaluator to use in conducting an evaluation in this case? Please list up to three.

12)
1.

13)
2.

14)
3.

Despite being given a very limited amount of information in this case, please answer the following questions to the best of your ability.

15)
What do you think is the likelihood that the mother is exaggerating the extent of the violence?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

16)
What do you think is the likelihood that the father is minimizing the extent of the violence?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

17)
What do you think is the likelihood that the parties would benefit from mediation or another form of alternative dispute resolution?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

If each party asked for sole legal and physical custody, what is the likelihood that the best interests of the child would be served by:

18)
Sole legal/physical custody to mother

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

19)
Sole legal/physical custody to father

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

20)
Joint legal custody, primary physical custody to mother

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

21)
Joint legal custody, primary physical custody to father

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

22)
Joint legal and physical custody (shared parenting) in every area

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

Imagine that the mother was awarded custody, with visitation rights to the father. What is the likelihood that the best interests of the child and the safety of the family would best be served by:

23)
No supervision of the visits

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

24)
Visits supervised by a friend or relative

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

25)
Visits supervised by a professional or paraprofessional at a supervised visitation program

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

Opinions About Domestic Violence, Custody and Visitation

Below are some statements about domestic violence, custody and visitation (parenting time). Please indicate how much you agree or disagree with each statement by clicking a button in the appropriate column.

	Strongly Disagree	Disagree	Slightly Disagree	Neither Disagree Nor Agree	Slightly Agree	Agree	Strongly Agree	No Answer
26) When a mother claiming to be a victim of domestic violence tries to disrupt a child's relationship with the father, that is a good reason to award sole custody to the father.								
27) Men have supervised visitation instead of unsupervised visitation because their ex-partners falsely accuse them of								

domestic violence.

28) Victims of domestic violence are often reluctant to share parenting roles with ex-partners because they fear further abuse.								
29) Victims of domestic violence who resist court ordered mediation are not acting in the best interests of their children.								

	Strongly Disagree	Disagree	Slightly Disagree	Neither Disagree Nor Agree	Slightly Agree	Agree	Strongly Agree	No Answer
30) During the divorce process, victims of domestic violence are likely to try to alienate the child from the other parent.								
31) Too often fathers are denied joint custody because their ex-partners falsely accuse them of domestic violence.								
32) Victims of domestic violence who are reluctant to work out ways to co-parent with their ex-partners are hurting their children.								
33) When a domestically violent father tries to disrupt the mother-child relationship, that is a good reason to award sole custody to the mother.								

	Strongly Disagree	Disagree	Slightly Disagree	Neither Disagree Nor Agree	Slightly Agree	Agree	Strongly Agree	No Answer
34) If an abusive husband has not directly abused his child, contact between them should be unrestricted.								
35) When women allege domestic violence, the claim is often exaggerated to alienate fathers from their children.								
36) It is a myth that women are less violent than men in intimate relationships.								
37) Custody and visitation decisions should only be based on how parents treated the child and not how they treated the other parent.								

38)
When mothers make allegations of domestic violence in custody disputes, what percentage do you estimate are false?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

39)
When fathers make allegations of domestic violence in custody disputes, what percentage do you estimate are false?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

40)
When mothers make allegations of child physical abuse in custody disputes, what percentage do you estimate are false?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

41)
When fathers make allegations of child physical abuse in custody disputes, what percentage do you estimate are false?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

42)
When mothers make allegations of child sexual abuse in custody disputes, what percentage do you estimate are false?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

43)
When fathers make allegations of child sexual abuse in custody disputes, what percentage do you estimate are false?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

44)
In what percentage of cases do you estimate that domestic violence survivors try to alienate the child from the other parent?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

45)
In what percentage of cases do you estimate that domestic violence perpetrators try to alienate the child from the other parent?

0% 5% 10% 15% 20% 25% 30% 35% 40% 45% 50% 55%
60% 65% 70% 75% 80% 85% 90% 95% 100% No Answer

46)

What are your major concerns regarding custody and visitation (parenting time) cases that involve domestic violence?

(1000 characters remaining)

47)
What recommendations do you have for improving the outcomes of custody and visitation decisions in cases that involve domestic violence?

(1000 characters remaining)

Knowledge of Domestic Violence Acquired

Please indicate the approximate number of times you have used the following sources to acquire knowledge of domestic violence.

	0	1 - 5	6 - 10	11 - 20	Over 20
48) Books					
49) Radio programs					
50) Films or videos					
51) Workshops					

	0	1 - 10	11 - 25	26 - 50	51 - 100	Over 100
52) Articles						
53) Lectures						
54) Professional consultations						
55) Web sites read						

56)
What areas of knowledge have you acquired? (Check all that apply)

- Prevalence of domestic violence
- Causes of domestic violence
- Types of perpetrators
- Post-separation violence
- Screening for domestic violence
- Assessing dangerousness in domestic violence cases
- Children's exposure to domestic violence

57)
Have you personally known anyone who was a victim/survivor of domestic violence? If so, indicate his or her relationship to you (select all that apply):

- father
- mother
- sibling
- other relative
- friend
- acquaintance
- co-worker
- neighbor
- myself

Demographics

58)
Gender

Female Male No Answer

59)
Age

18-29 30-39 40-49 50-59 60 and over No Answer

60)
Education

High School Some college Four years of college Advanced Degree No Answer

61)
If you have an advanced degree, please indicate the kind of degree:

Master's Ph.D. J.D. M.D. No Answer Other (Please specify)

Other:

62)
My advanced degree is in the field of:

63)
What is your primary professional role?

Judge Attorney Domestic violence survivor program staff Other (please specify)

Other:

64)
If you are an attorney, please specify which type.

Legal aid attorney Private attorney Attorney at domestic violence program Attorney educator Other (please specify)

Other:

65)
Please list any other professional roles you have or have had.

(1000 characters remaining)

THANK YOU FOR COMPLETING THIS SURVEY!

If you have any questions, please contact Dr. Daniel G. Saunders at saunddan@umich.edu.; 734-763-6415; University of Michigan, School of Social Work, 1080 S. University Ave., Ann Arbor MI 48109

Continue ONLY when finished. You will be unable to return or change your answers.

Submit

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Appendix C

Semi-Structured Interview with Survivors: Custody Evaluations and Outcomes

Note to Interviewer: Begin the interview only after verbal and written informed consent procedures are completed and the respondent's questions have been answered. Interviews will not necessarily follow the sequence of questions shown below. The survivor should be encouraged to add anything she believes to be important. Note-taking is not necessary although you can write some notes on this document or separately if you would find it helpful. Interviews will generally last between one and two hours. If the need arises, local resource material must be available to hand to the interviewee. A gift card is given at the end of the interview and the certification form is signed then by you and participant.

Opening

Suggested wording: Thank you for agreeing to be interviewed about your experiences with the way custody and visitation was decided. We are hoping to learn more about this process from victims of domestic violence in order to improve training for professionals who are involved in future cases.

Do you have any concerns that giving information to us will affect your safety or your children's safety? [This provides an opportunity to empathize with any concerns she may have and to assess how hesitant she might be to provide information. A brief reminder about the confidentiality protections may help.]

Background Information

I'd like to begin by asking you some background questions.

What are the names and ages of your children?

What is the custody arrangement you have now?

- Check on both physical custody and legal/decision-making custody.
- Note if this differs for different children.

What are the visitation or child exchange arrangements now?

- Note if this differs for different children.
- Visitation may be unsupervised, supervised informally by a friend or relative, or supervised by a professional at an agency.
- Exchange refers to an exchange of the children between parents that occurs in a public setting or a supervised visitation program.

In what year did your relationship with the other parent begin?

Did you ever live with him? If so, what year did you begin living together?

Did you and he get married? If so, in what year?

When was the last time you lived together (even if still romantically involved)? Month and year?

When did the relationship end (no longer romantically involved)? Month and year?

What is your current marital status?

- Separated but not divorced?
- Separated and divorced?
- Remarried?
- Separated, never married?

Child's Safety

(There are two main purposes for this section: (1) the nature and depth of her concerns can explain her actions and mental state; (2) there may be a discrepancy between what appears in the evaluator's interview and report and the history of abuse she reports. If we have a copy of the report, the information on Child's Safety can be obtained in the section below called "Custody Evaluator," e.g., "Were your past and current concerns and reports of threats, manipulation, abuse of the children included in the evaluator's report? If not, what was left out?)

I'd like to ask next about the safety of your children

General Concerns in Past. What concerns, if any, did you have for your child's [children's] safety, either physical or emotional, while still in the relationship?

Threats. Has the other parent made any threats involving any of your children, for example, threats to kidnap your children; physically harm them; report you to child protective services; or similar threats? If yes, please explain.

Did you report these threats to anyone? If so, to whom?

Were these threats made before or after your separation, or both?

Manipulation/Use of Child to Hurt. Has the other parent used your child or children to hurt you or to try to hurt you, for example, by asking your child about you or your location while separated; made false reports to child protective services; etc? If yes, please explain.

Did you report this behavior to any professionals? If so, to whom?

Did your ex-partner use your child/children to hurt you or to try to hurt you before or after separation, or both?

Physical Abuse. Did you ever report the other parent to a professional for physically abusing your children? If so, to whom? Did you do this before or after separation, or both?

Future Harm. How concerned are you, if at all, that the other parent will threaten or harm your child(ren) in the future? Please explain.

Custody and Visitation Decision Process

Prior to separation [when still together and before custody/visitation decision-making officially started]

Now I want to ask about the custody decision process.

Before officially separating from your ex-partner, did he say things to you about custody of your children? For example, when the topic of divorce or separation arose, did he say he wanted the children all of the time, most of the time, or some of the time? What were your reactions to these statements?

Before separating, did you get any help or advice regarding your preferences for custody or visitation? If you did, please explain.

Before you and your ex-partner separated, did you have any concerns about who would get custody of your children, how much time each of you would get or anything else related to custody?

Did these concerns influence your decision to stay in or leave the relationship?

At time of separation:

When you first separated, what were the temporary child custody arrangements?

What were the temporary visitation arrangements, if any?

Did any person or agency provide you with help at the time of separation? [ask about informal and formal sources of help and the nature of the help]
How useful was the help you received?

Custody and Visitation Disagreement (Dispute):

When did you and your ex-partner first disagree over custody or visitation of your children?

Please describe the details of the disagreement between the two of you.

Please describe any professional help you received regarding the custody conflict with the other parent [from an advocate, counselor, attorney, etc.]

Did you represent yourself legally in some or all of the court proceedings?

Please describe any help that your child [children] received during the time of the custody dispute or later.

Please describe what you know about the help your ex-partner received from various sources: attorneys, counselors, friends and family.

Please describe your experiences with the following professionals, including how they responded to you:

- Court staff, including mediators, clerks, evaluators, counselors, etc.
- Attorneys
- Guardian ad litems
- Others [e.g., Court-appointed special advocates [CASA], parenting coordinators/special masters]

During the time of the custody dispute what other help, if any, did you receive, either voluntarily or involuntarily? [e.g., visitation and exchange, parent education group, divorce support group, domestic violence legal advocacy, counseling, substance abuse treatment, or other services?]

- Please describe these forms of assistance.
- How helpful or unhelpful were they to you?

Custody Evaluator. In the next series of questions, we'd like to hear more about your experiences during the custody evaluation process

What type of evaluator did you have? (private, court-based, guardian ad litem, etc.). Was this person male or female?

What questions did the evaluator ask that you think provided the most important information to support your goals?

What questions were NOT asked that you think would have provided important information? **[Probe in particular for areas not investigated such as abuse toward her or the children]**

Did the evaluator say anything verbally about you, either inside or outside of the courtroom? What did you agree with and disagree with?

Were you provided with a written custody evaluation in your custody case? If so:

- What did you think of the evaluation? (e.g., What did you agree with, and why?
- Was anything important left out? Was anything inaccurate – [what did you disagree with, and why]? Was anything distorted? Did the evaluator say anything negative about you? If so, what? What do you think the evaluator was saying about you?)
- Were mental health or substance abuse concerns raised?

- **Were important details of abuse toward you or the children left out?**

Abuse Toward Survivor

(Note: If we have a copy of the custody evaluation report, it might be possible to ask fewer questions in this section. If some details of the abuse history are in the report, then only obtain the information that was left out.)

In what year were you **first** physically abused by the other parent? By physical abuse I mean any behaviors like pushing, restraining, grabbing, throwing or slapping you; throwing an object at you, hitting you with a fist or object, physically forcing sex on you, beating you up (multiple blows), strangling you, making threats with a weapon, or using a weapon against you.

What was the worst episode of violence you ever experienced? [We do not need detailed information.]

What year did this happen?

Did you report any of the abuse to any professional, and if so to whom? [Probe for counselor/therapist, health care worker, police, lawyer]. What was their response?

Do you know of any medical or legal records that exist of the abuse? [Probe for doctors' records, police reports, pre-sentence investigation reports]

Did anyone ever tell you NOT to report abuse to professionals or talk about it with anyone? If so, who?

If you talked with anyone about the abuse, were there ways they were supportive? If so, please explain.

Since ending the relationship, has the other parent emotionally abused you, for example by yelling, putting you down, calling you names, or making threats of physical and nonphysical harm?

If so, approximately how many times has this occurred? _____

Since ending the relationship, has the other parent stalked you, for example, making contact that you did not want by following or phoning you, or making contact through other people or notes? [allow “not sure” as an answer since it may not always be obvious if stalking actually occurred].

If so, when was the most recent time? Month_____Year _____
Approximately how many times has this occurred? _____

Have you ever had a restraining order against the father of the children?

- If so, is one in effect now?
- What are the conditions? [no contact with survivor, supervised visits with children, attend abuser intervention program, etc?]

When was the last time that your ex-partner physically abused you? Month? Year? Please tell me what happened.

[Check in here: e.g., How are you doing now with this interview?]
[DUTY TO PROTECT: If danger appears imminent, assess further. If danger is assessed to be imminent, begin safety planning procedures in collaboration with professionals currently helping her, who helped her in the past, or other agencies as appropriate.]

Custody and Visitation Outcome

Was the judge a man or a woman?

Why do you think the professionals (evaluator and judge) made the decisions they did regarding custody?

Why do you think the professionals (evaluator and judge) made the decisions they did regarding child supervision?

What information or factors do you believe were used in the decisions? [probe for domestic violence as a factor as well as other factors]

What reactions [thoughts and feelings] did you have to the verbal statements made by the judge? To the court order?

What do you believe would be the best custody and visitation arrangements for your children? What do you think would have to happen to get that outcome? [e.g., outcomes such as joint physical custody? Sole physical custody? Supervised visitation?]

Are the court orders being followed now? If not, please explain.

How safe do you feel as a result of this custody process? Please explain (using specific examples if you have them).

How safe do you think your children are as a result of this custody process? Please explain (using specific examples if you have them).

Recommendations

If it was your job to train custody evaluators, what would you want them to know?

If it was your job to make changes in what happens in the courts regarding child custody and visitation hearings, what changes would you make?

What other recommendations would you make for policies, procedures, and laws?

Closing: General Questions

[General statement of support, e.g., I know this has been a long interview and I appreciate . . . . I have only a few more questions]

Is there anything else you'd like to share with me about your experiences and reactions to the custody process?

How are you feeling now?

Do you have any concerns about having shared this information with me today?

Demographics of Parents

What is your age?

Were you born in this or another country? If born in another country, which country?

How do you identify yourself racially/ethnically?

What is the age of the father [or fathers] of the children?
What is his race and ethnicity?
Was your ex-partner born in another country?
    If so, what is his status now in the U.S.?

Resources

Check to see if she is aware of local domestic violence and child abuse crisis services and other resources she might need now or in the future.

Give her written material on local services as needed.

Appendix D

Survivor Interview: Rationale for Questions and Sequence of Questions

The sequence of questions is designed to help build a relationship with the interviewee by focusing on her main concerns and then to help her through the most traumatic topics. For her to tell about her experiences, which are likely to be very traumatic, she will need to experience sufficient trust and support.

Background

The survivor is likely to be afraid of talking about the details of the abuse she experienced. Therefore, the opening questions focus on some simple demographic questions to start her talking about non-threatening topics. Her concerns will most likely center on her children and therefore the first question asks for the names and ages of her children.

Child's Safety

The background information is followed by questions addressing her concerns about the children. Although these questions are likely to increase her anxiety level, her children's safety is likely to be the main focus of her life and therefore the topic she will most want to talk about.

Abuse Toward Survivor

A major problem with the custody evaluation process is the lack of detection of abuse. Therefore, knowing about the severity and duration of abuse and whether or not it was disclosed to others will help to determine the extent to which the evaluator and other professionals detected the abuse. Evaluators also appear to be focused on abuse during the relationship and may not focus enough attention on post-separation violence that may continue to the present time. More subtle forms of emotional abuse and threats also might be missed by evaluators and thus it is important to know how much emotional abuse and stalking occurred.

This section of the interview is likely to be very traumatic. Questions about the help she received will help her to reconnect emotionally with supports and can help you connect her with these supports if needed. Some positive topics are purposely addressed later in the interview to help overcome some anxieties from the topic of this section.

Custody and Visitation Decision Process

This section is the main focus of the interview and progresses from the beginning of the custody dispute to its current status. This topic area may also be very traumatic for survivors who have lost custody of their children and who fear continued abuse of their children. Questions about help possibly received by the other parent may give information on factors affecting his stance and tactics and resources available to him.

Custody and Visitation Outcomes

The survivor's perspectives on underlying factors determining outcomes are obtained here. The focus is on the judge's statements and rulings. The survivor may also speculate further on the role of the evaluator in determining the custody and visitation outcomes.

Recommendations

This set of questions places the respondent in a position of power near the end of the interview. The responses are likely to give positive directions for evaluators and courts to consider in the future and ensure that survivors will have a constructive voice in making changes.

Closing

A special opportunity exists at the end to learn about other experiences of survivors not already covered in the interview and that might run counter to the experience of other survivors.

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DISSEMINATION OF RESEARCH FINDINGS: CONFERENCE PRESENTATIONS

Saunders, D. G. (2010). Custody Evaluators' Beliefs About Domestic Abuse Allegations. Presentation at the meeting of the National Coalition Against Domestic Violence, August, 2010, Anaheim, California.

Saunders, D. G. (2010). Custody Evaluators' Beliefs About Domestic Abuse Allegations. Presentation at the Association of Family and Conciliation Courts Ninth Symposium on Child Custody Evaluations. October 28-30, 2010, Cambridge, Massachusetts.

Saunders, D.G., Faller, K. C., & Tolman, R. M. (2011). The Belief That Domestic Abuse Survivors Make False Allegations of Abuse: Comparisons Between Social Worker and Psychologist Child Custody Evaluators. Paper presented at the Annual Meeting of the Society for Social Work and Research, January 2011, Tampa, Florida.