Changes in the structure of the family interact with the developmental needs of children to influence how children experience separation and divorce. The issues present in all divorces are intensified in high-conflict families, and this intensity is then reflected in the poorer adjustment of the children after separation.

CHANGING FAMILY STRUCTURE

Rates of Divorce

The divorce rate in the U.S. is 47%, with 1.1 million divorces a year causing well over a million children to experience the separation/divorce of their married or unmarried parents.¹ Over three-quarters of these parents manage to agree on a new arrangement for taking care of the children. In 10% of cases the parents take their custody dispute to court, where the judge often appoints a professional to conduct a child custody evaluation. These numbers suggest that child custody evaluations are being done in 5–10% of all parental separations and divorces.²

This 5–10% of separating parents represents the most high-conflict families who are unable to reach a settlement regarding
their children, even with the help of family therapists, mediators, attorneys, and other professionals. About one fourth of such families have children under six years old; in this group, parents have the most difficulty settling their cases when there are allegations of parental substance abuse, domestic violence, and child abuse (Pruett, et al., 2000).

Role of Fathers During Marriage and Relationships

As more mothers work outside the home and our culture begins to emphasize the value of fathers as nurturers, many married and coupled fathers have started to assume a number of the childrearing tasks traditionally performed by mothers. 90% of these “modern fathers” are present when their children are born and the fathers are changing diapers, taking paternity leave, preparing the children’s meals, taking the children to the doctor, and attending parent-teacher conferences, school activities, and sporting events (Maldonado, 2005).

As men have become more involved in childrearing, our view and definition of fatherhood has changed. Rather than being based simply on biology, this new definition of fatherhood is also based on childrearing functions and the relationship between the nurturing man and the child because “biology alone does not make a good father” (Townsend, 2003, p. 354). This new emphasis on childrearing functions is accompanied by a gender-neutral approach that (a) does not assume that maternal custody would be in the best interests of every child and (b) is sensitive to the many types of fathering roles that come before the court, such as:

- Father seeks parenting time (majority of cases)
- Father is primary caregiver or co-caregiver during marriage or relationship
- Father is filling in for unfit mother
- Father has substance abuse problem
- Father has history of domestic violence
- Incarcerated fathers