

The following is directly quoted from COMPLEX ISSUES IN CHILD CUSTODY EVALAUTIONS by Philip M. Stahl, published by SAGE Publications, Inc. in 1999; pages 110-112.

### INFANTS AND TODDLERS (0-3 YEARS)

“During this stage, the foundations of basic trust and relationships are formed. In the first year of life, children develop initial attachments, a necessary precursor for the development of basic trust. By the end of the first year, receptive language skills are developing, and the infant’s personality is starting to form. Once a predictable, secure relationship with a primary attachment figure has been secured, the infant begins to separate from that primary parent to form his or her own personality. This process is often referred to as *separation-individuation*. During the toddler years, children begin developing autonomy and experimenting with separation, starting to assert themselves. Their emotions are quite volatile. By age 3, if all goes well, emotions settle down, language skills are intact, and they are likely to be toilet trained. They are ready for a burst of psychological growth that will take place over the next 3 years.

Children in this age-group require predictability, consistency, and routine. When a divorce occurs during this time, there is a loss that the child cannot understand. This can be pronounced if there is a major disruption in the consistency of an existing primary attachment relationship. Symptoms may include regression, problems with feeding and sleeping, self-soothing, and irritability. Some of these children become depressed and withdrawn, especially because they cannot express their loss in words. Separation anxiety for children in this age-group can become exaggerated. If one or both parents becomes depressed, which is quite common, basic care may be diminished.

Children at this age are at risk for more serious regression or developmental delays if the basic care giving is lacking because of depressed or disturbed parents. It is not uncommon for young, possibly immature, adults (ages 18-25) to have babies. Sometimes, the parents never lived together, or they may have separated during the first 2 years of the child’s life. The developmental needs of the children may be affected by the maturity level of the parents.

The evaluator must pay attention to the quality of the attachments in the child’s relationships. Rather than the idea of one psychological parent or a primary parent, recent research supports the idea the children can have a hierarchy of attachment figures, all of whom have importance for children in their post divorce adjustment. Some children do have one primary parent who has attended to the majority of the day-to-day needs. Other children may have two or three adults (two parents and a day care provider) who have attended to day-to-day needs. The task for the evaluator is to assess the nature of the child’s relationship with each parent and the ability of the parents to communicate about the child. Once that is done, it is important to recommend a parenting plan reflecting the following:

- ❖ The child’s relationship with a primary parent is of major importance during the first 3 years of life.
- ❖ Children up to 18 months old need stability and security in the primary attachment relationship (or relationships).
- ❖ Children can develop within normal limits when separated from the primary parent to be with the other parent. This will be affected by the extent to which each parent has been directly involved in the child’s life.

- ❖ The attachments, parenting skills, and environment are important.
- ❖ Frequent, shorter visits may be ideal. Overnights may need to be limited in the first year of life if there has been one primary parent.
- ❖ The major roles of caregivers are to provide a secure base, firm support, and flexible self-control; support communication; and help with gender identity and sex role development.
- ❖ With increased capacity for memory and cognition, many children in the group from 18 to 36 months who have had one primary attachment may begin to tolerate and benefit from overnight time with the other parent.
- ❖ It may be difficult to develop a relatively equal parenting plan for children in this age-group because there may be too many transitions and disruptions to the primary attachments.
- ❖ The children who do best with relatively equal parenting plans seem to be those children who have an easy temperament and parents who are supportive of each other and exchange their child with little conflict. Children who have disorganized or anxious attachments may need one primary parent. Other key factors are similar routines in each household, relative stability of the transitions, and parents who can communicate about the child and his or her developmental, medical, and emotional needs.
- ❖ This communication must allow the parents to be sufficiently responsive to the child and his or her needs. These parents need to have the capacity to help each other understand the infant, work together to develop routines that are familiar to the infant, collaborate on soothing techniques, help each other as language emerges, and reassure each other in their respective parenting techniques. Such parents must be flexible in their response to the child's changing needs. Such a pattern is used in healthy, intact families, and if it is used in a separated family, the shared parenting plan will be natural for the child and his or her development.
- ❖ When parents are in significant high conflict, very young children appear to benefit the most from schedules that resemble their pre-separation patterns of contact with each parent. Although neither parent needs to be considered the primary parent, the child needs predictability in his or her environment until the conflict can settle down.

In dealing with many families, the major task for the evaluator is to find a way to balance the child's attachments with each parent so that the child's needs for stability, predictability, peace, and security are met. The evaluator must also pay close attention to the ability of the parents to meet the child's changing moods and needs. Evaluating the emotional functioning of each parent is critical in this regard. The child's temperament is also a critical variable that needs to be understood by the evaluator. Though the rights of each parent are important during this time, the developmental needs of the child must come first. This might lead to situations that seem to one parent as being unfair."

Once child custody is determined, a visitation schedule can be worked out. Remember that children respond best to a routine that they can rely on. While the standard is every other week-end and alternating holidays, you need to take your child's age and development into consideration. Here are some general suggestions for visitation:

- **Infants** - a few hours every two to three days to build a bond with the parent who doesn't have physical child custody. Over-night is usually too traumatic.
- **1-year olds** - One day a week.
- **18 Months** - One day plus a night.
- **2 to 3 years** - Two days plus a night
- **Elementary School age** - Alternating week-ends, plus extended visits during school breaks
- **Teens** - Same as above, but with more flexibility to accommodate their schedules.

Visitation during holidays and school breaks also needs to be worked out in the child custody section of your divorce papers. Generally the children will spend every other holiday with their father, alternating the years for Thanksgiving and Christmas. The children can benefit if their parents work out a mutual agreement for sharing both holidays and vacations. Always try to keep the child's best interests in mind and incorporate flexibility into child custody and visitation schedules.

VISITATION OUTLINE

## AGE APPROPRIATE VISITATION GUIDELINES

PRIMARY DEVELOPMENTAL TASKS	AGE OF CHILD	ACCESS NEEDS	COMMON MISTAKES	AGE OF CHILD	VISITATION THAT MAY WORK
1) Develop trust; 2) Attachment to caregivers; 3) Dependency needs met.	<u>Birth to 2 1/2 yrs</u>	1) Frequent, dependable contact; 2) Daily schedule consistency (meals sleeping); 3) Frequent but short contact with non-custodial parent; 4) Day-care same.	1) Alternating days, weeks or months; 2) Every other weekend only; 3) No familiar bed; 4) Long periods away from primary care giver(s) and home;	<u>Birth to 2 1/2 yrs</u>	1) Day with one parent night with other; 2) 1 day twice a week; 3) Nights one home with several hours-1 to 4 times per week with other parent; 4) Usually not overnight.
1) Role modeling; 2) Appropriate opposite sex directed behaviors; 3) Development of Self-concept.	<u>2 1/2 to 5 yrs</u>	1) Very reliable and frequent contact with both parents; 2) Very reliable day care; 3) Parents not conflicting with each other; 4) Consistent schedule for child.	1) Alternating days and weeks; 2) Inconsistent discipline between homes; 3) Different day care; 4) Everyother weekend; 5) Inconsistency in daily schedule.	<u>2 1/2 to 5 yrs</u>	1) Same as above; 2) Longer visit periods, frequency less important; 3) Summer visits up to 1 week at a time; 4) Maybe one overnight per week.
1) Social skill development; 2) Self-esteem enhancement; 3) Morality/conscience development; 4) Beginning independence 5) Sex role practice.	<u>6 to 10-11 yrs (girls) 6 to 12-13 yrs (boys)</u>	1) Perception of fair access arrangements; 2) Social stability and frequent reliable contact with both parents; 3) Issues (missing other parent); 4) Consistent discipline and rules; 5) Consistent support of child's activities.	1) Long travel arrangements; 2) School year with one parent summer with other if not significant contact during school year or strong relationship; 3) Parents demeaning other parent or open conflict; 4) Cohabiting or remarriage soon after divorce.	<u>6 to 10-11 yrs (girls) 6 to 12-13 yrs (boys)</u>	1) If relationships strong-homes similar; a. Weekdays / weekends; b. 2 or 3 overnights / week c. Each parent 2 consecutive days fixed, alternate 3 day weekend; 2) If not: a. Alternate weekends and alternate Wednesdays; b. Up to 3 visits of 2 weeks each in summer.
1) Completion of identity and self-confidence; 2) Survive puberty; 3) Attachment to peer and exploring intimacy; 4) Emotional self-discipline and self-sufficiency.	<u>Up to 18 yrs</u>	1) Perception of fair access arrangements; 2) Discipline consistency; 3) Same general rules in both homes; 4) Access to peers; 5) Parents (not child) makes decisions; 6) Child involved in own activities with both parents involved and supporting.	Forcing child to miss activities to be with other parent; Letting child set the schedule; Not respecting other parent or showing lack of support of other parents discipline; Parents exhibiting sexual promiscuity (Child will imitate)	<u>Up to 18 yrs</u>	1) Weekdays / weekends; 2) Every other weekend plus one weekday (if arranged around child's activities); 3) Child resides in one house most of the time or clear control by consistent and cooperating parents; 4) June and July with non residential parent.