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The Effects of Domestic Violence Allegations on Custody Evaluators' Recommendations

Jason D. Hans
University of Kentucky

Jennifer L. Hardesty
University of Illinois

Megan L. Haselschwerdt
Auburn University

Laura M. Frey
University of Kentucky

Judges and attorneys often request professional assessments from child custody evaluators when allegations of adult domestic violence (DV) have been made, but it is unclear whether and how evaluators' recommendations are impacted by these allegations. Custody evaluators ($N = 607$) in the United States responded to a multiple-segment factorial vignette designed to examine the effects of 2 key factors in DV allegations: type of alleged violence (conflict-based, control-based) and counterallegations (none, mutual, and female-initiated). Effects of control- versus conflict-based DV allegations by the mother on custody recommendations were small and the majority of evaluators recommended joint custody regardless of violence type. Reported confidence in making a recommendation increased once the father responded to the allegation, but to a smaller degree when a counterallegation of mutual or female-initiated violence was made. Evaluators were no more skeptical about the potential motive of a counterallegation in the context of controlling behavior than in the context of conflict-based behavior. Overall, results indicate that most custody evaluators are not sufficiently sensitized to distinguish between situational couple violence and coercive controlling behavior, and the postseparation safety of mothers and their children may therefore be jeopardized.

Keywords: child custody evaluations, divorce, domestic violence

Most custody evaluators consider it better to err on the side of child safety over parental rights by limiting alleged perpetrators' visitation or custody when there is evidence that a parent has abused a child (Ackerman & Brej Pritzl, 2011). However, an estimated 25–50% of child custody cases involve a history of adult domestic violence (DV)—that is, abuse directed toward a parent (Morrill, Dai, Dunn, Sung, & Smith, 2005)—and studies have found that custody evaluators often ignore or minimize DV allegations when making recommendations to courts (Kernic, Monary-Ernsdorff, Koepsell, & Holt, 2005; Logan, Walker, Jordan, & Horvath, 2002; Silverman, Mesh, Cuthbert, Slote, & Bancroft, 2004). Although courts are mandated to consider DV in custody decisions, factors such as preferences for joint custody may take precedence (Dragiewicz, 2010). Allegations may also be downplayed because of common beliefs about DV in the context of custody disputes (Saunders, Tolman, & Faller, 2013).

Although no studies have examined the extent of false DV allegations in the context of custody disputes, research indicates that false allegations of child abuse in custody disputes are rare (Faller, 2005; Trocmé & Bala, 2005) and are made more often by fathers than mothers (Trocmé & Bala, 2005). Regardless, those in the court system commonly believe that mothers make false DV allegations to gain advantage in custody disputes (Jaffe, Lemon, & Poisson, 2003). Two perceptions that further diminish concern when DV allegations are made by mothers are that (a) violence among divorcing parents is synonymous with conflict and, therefore, does not warrant a distinctive response, and (b) violence is typically mutual or female-initiated (Bancroft & Silverman, 2002). Such beliefs ignore risks posed by violence in the context of coercive control, which studies have found is largely perpetrated by men against women and rarely mutual (Kelly & Johnson, 2008), and contribute to ongoing risk when custody evaluators do not adequately consider DV (Saunders et al., 2013). Given these concerns, in the current study we used a multiple-segment factorial vignette to examine the extent to which type of violence and counterallegations influence custody evaluators' assessments of the credibility of DV allegations and their custody recommendations.

Domestic Violence

Type of Violence

To make sense of conflicting research findings regarding the characteristics of perpetrators and the nature of DV, Johnson

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Jason D. Hans, Department of Family Sciences, University of Kentucky; Jennifer L. Hardesty, Department of Human and Community Development, University of Illinois; Megan L. Haselschwerdt, Department of Human Development and Family Studies, Auburn University; Laura M. Frey, Department of Family Sciences, University of Kentucky.

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Correspondence concerning this article should be addressed to Jason D. Hans, Department of Family Sciences, 315 Funkhouser Building, University of Kentucky, Lexington, KY 40514. E-mail: jhans@uky.edu

(2008) coined the terms *intimate terrorism* (or coercive controlling violence) and *situational couple violence* to describe two different types of DV. Coercive controlling violence, or what is traditionally thought of as battering, involves a pattern of violent and nonviolent tactics (e.g., isolation, monitoring activities) aimed at dominating and controlling one's partner. In contrast, situational couple violence typically occurs in the context of arguments that escalate to one or both partners using physical violence, but there is no underlying motive to control or dominate a partner (Johnson, 2008). Numerous studies demonstrate that these different types or contexts of violence are associated with different dynamics and effects on victims (Ansara & Hindin, 2010b; Frye, Manganello, Campbell, Walton-Moss, & Wilt, 2006; Graham-Kevan & Archer, 2003, 2008; Johnson, 2006, 2008; Johnson & Leone, 2005; Johnson, Leone, & Xu, 2014; Leone, 2011; Leone, Johnson, & Cohan, 2007).

Although distinguished by their different contexts (i.e., coercive control vs. conflict), the violence within each type of DV also tends to differ in both frequency and severity. Compared with situational couple violence, coercive controlling violence involves more frequent and severe violence (Frye et al., 2006; Graham-Kevan & Archer, 2003, 2008; Johnson, 2006; Johnson & Leone, 2005) and is less likely to stop (Johnson & Leone, 2005; Leone, Johnson, Cohan, & Lloyd, 2004). Even after separation, violence and harassing behaviors have been found to persist for some women (Campbell et al., 2003; Hardesty, 2002; Hotton, 2001; Ornstein & Rickne, 2013). Coercive controlling violence is also associated with greater fear (Ansara & Hindin, 2010a; Felson & Outlaw, 2007; Laroche, 2005) and perceived threat of future harm (Gondolf & Heckert, 2003).

Compared with situational couple violence, victims of coercive controlling violence are also more likely to experience psychological trauma and posttraumatic stress symptoms (Johnson & Leone, 2005), to have poor health (Leone et al., 2004), and to miss work because of injuries (Johnson & Leone, 2005; Leone et al., 2004). These differences between types of DV persist regardless of the frequency or severity of physical violence (Johnson & Leone, 2005). Furthermore, Johnson and Leone (2005) found that victims of coercive controlling violence are more likely than victims of situational couple violence to leave or attempt to leave their partners. Children exposed to coercive controlling violence also appear to have an elevated risk for poor emotional, cognitive, and social adaptation as well as exposure to violence after separation (Hardesty, Haselschwerdt, & Johnson, 2012), and they are at greater risk of direct child abuse than are children exposed to situational couple violence (Hardesty et al., 2012; Jouriles, McDonald, Slep, Heyman, & Garrido, 2008). Furthermore, the risk of postseparation violence and abuse is higher for women—especially mothers—exposed to coercive controlling violence (see Hardesty, Raffaelli, et al., 2012). As mothers, these women often have ongoing contact with abusive former partners through child custody hearings, visitation exchanges, and other parenting-related responsibilities, leaving them accessible to their former partners (Davies, Ford-Gilboe, & Hammerton, 2009). Given that these interactions are largely child-centric, the likelihood of children's exposure to ongoing violence and abuse continues and possibly increases after separation (Hotton, 2001; Shalansky, Ericksen, & Henderson, 1999). Thus, it is important that custody evaluators determine whether a family is experiencing coercive controlling

violence or situational couple violence, as these different types of violence likely necessitate unique parenting plans and interventions to prevent exposure to postseparation violence and to promote trauma recovery in the case of coercive controlling violence (Hardesty & Chung, 2006; Jaffe, Johnston, Crooks, & Bala, 2008; Johnson, 2008).

Counterallegations

Another belief that minimizes the seriousness of DV allegations is the assumption that violence is usually mutual (i.e., bidirectional) or female-initiated (Bancroft & Silverman, 2002). These beliefs are based on studies that primarily use the (Revised) Conflict Tactics Scales (Straus, Hamby, Boney-McCoy, & Sugarman, 1996), which counts the number of violent acts reported without attention to the context within which the violent acts occur (Kimmel, 2002). According to Johnson (2008) and Kimmel (2002), violence that occurs in a context of coercive control is rarely mutual and is predominately initiated by men against women. In contrast, situational couple violence is more gender symmetric in perpetration and more likely to be bidirectional. One study found that only one-quarter of custody cases in court involved mutual violence (Johnston, Lee, Oleson, & Walters, 2005), which suggests that unidirectional cases are more likely to end up in court or violence is less likely to be raised as an issue in custody cases heard by courts when violence was bidirectional. Coercive controlling abusers, however, may make counterallegations of mutual or female-initiated DV in the context of custody disputes to deflect attention away from their own violence (Jaffe et al., 2003). One study found that in the context of mutual violence, 69% of custody evaluators recommended some form of custody for the father (Bow & Boxer, 2003).

All DV allegations in the context of custody disputes, regardless of type or counterallegations, warrant serious attention (Ver Steegh, 2005). However, custody evaluators discount the risks associated with coercive controlling violence when they equate all violence with conflict and assume it is mutual. Some degree of conflict between parents is common, even normative, during the divorce process (King & Heard, 1999; Lamb, 2012) and not necessarily harmful to children. When episodes of violence are minor and isolated, which is more likely with situational couple violence, they may not need to impact custody decisions (Maccoby & Mnookin, 1992). Indeed, these divorcing parents may be well suited for traditional interventions that promote effective coparenting (e.g., parent education classes for divorcing parents; Hardesty & Chung, 2006; Ver Steegh, 2005), which is consistent with this type of violence being associated with poor conflict management skills (Babcock, Costa, Green, & Eckhardt, 2004; Johnson, 2008). Coercive controlling violence, in contrast, requires recommendations that prioritize safety of mothers' and children (e.g., supervised visits, limited contact between parents) over coparenting (Jaffe, Johnston, Crooks, & Bala, 2008).

The risks associated with coercive controlling violence—relative to situational couple violence, particularly in the context of divorce, suggest that custody evaluators should be more leery of joint and father custody in the context of coercive controlling violence. Moreover, the varied motivations for a counterallegation within these two types of violence suggest that custody evaluators should be more skeptical about a counterallegation in the context

of coercive controlling violence than in the context of situational couple violence. This study was designed to test whether these suppositions are reflected in custody evaluators' assessment of a hypothetical divorce situation where a DV allegation has been made.

Method

Sampling Approach and Sample

After institutional review board (IRB) approval was obtained at the first and second authors' institutions, custody evaluators were primarily recruited via the Internet using online telephone directories, referral lists of custody evaluators available on numerous county and court Web sites, Internet search terms such as "custody + evaluations" and "forensic + psychologist" on google.com, and from the Professional Academy of Custody Evaluators online directory. In addition, recruitment e-mails were sent through a large child custody evaluator listserv and the Association of Family and Conciliation Courts placed recruitment advertisements in two newsletters distributed to their entire membership, but these passive recruitment techniques did not result in any additional respondents.

Initial contact and follow-up procedures were adapted from Dillman (2007) to maximize response rate. Custody evaluators were initially contacted via e-mail or telephone by trained research assistants. Introductory information was provided and screening was conducted to ensure that each individual was qualified to participate (i.e., completed a professional custody evaluation within the U.S. legal system in the previous 10 years). Those qualified and willing to participate were then sent an e-mail with additional information about the study, a Web address for the online survey, a unique participant identification number required to gain access to the survey, and a request to complete the survey within 1 week. Respondents then completed the survey online at their convenience.

Those who had not completed the survey within 1 week after the initial contact received a follow-up reminder e-mail. A week after the follow-up e-mail nonrespondents were called via telephone again, which was then followed by another reminder e-mail a week after the follow-up telephone call. Thus, nonresponders were contacted on four occasions over a 3–4 week period, unless at some point during the follow-up attempts they asked not to be contacted again. These procedures resulted in a 75% response rate among those who were sent a participant identification number.

The sample of respondents consisted of 607 custody evaluators representing 48 different states. Ages ranged from 28 to 78 years ($M = 55.5$, $SD = 9.6$), a small majority were female (54.5%), and the vast majority were White (93.2%) and had advanced college degrees (doctoral = 72.0%, master's = 18.0%). Respondents reported working in their primary professions 1–48 years ($M = 22.4$, $SD = 10.2$) and identified their primary professions as psychologist (52.3%), attorney (15.4%), social worker (11.8%), or counselor (7.8%). Nearly 75% were in independent practice and an additional 11% worked in the court system. Respondents reported conducting custody evaluations 1–38 years ($M = 14.1$, $SD = 8.6$); 64% completed 10 or fewer custody evaluations per year and 90% completed 30 or fewer per year ($M = 15.8$, $SD = 19.5$). Respondents as a whole estimated that 43% of all custody evaluations they

conducted involved DV issues and about 74% indicated that they had received DV training or education within the past 3 years ($M = 3.4$, $SD = 4.0$). Although the heterogeneity of professions and locations of evaluators signifies that the sample was diverse, the extent to which the sample is representative of all custody evaluators in the United States is unknown.

Procedures and Measures

Multiple-segment factorial vignette. We developed a three-segment (paragraph) factorial vignette, which is an experimental approach designed to examine beliefs by randomly manipulating key variables in a vignette that spans several paragraphs (see Ganong & Coleman, 2006). The two key variables, or factors, in our vignette were type of violence, which had two levels (conflict-based, control-based), and counterallegation, which had three levels (none, mutual, and female-initiated). Randomization of variables was computer generated, and the online survey was programed such that respondents were unable to return to previous sections after advancing. Thus, respondents could not return to previous segments to change their answers after learning new information as the story in the vignette developed across segments.

Segment 1. The first segment was designed to provide a baseline measure of respondents' custody recommendations and, therefore, presented general contextual information but did not include any independent variables. Every respondent read the following scenario:

John and Vanessa are getting divorced and disagree about how physical custody should be arranged for their 10-year-old child. As the custody evaluator assigned to their case, you know from court records that Vanessa wants sole physical custody but John also wants sole physical custody. Vanessa has been the child's primary caregiver, but her new job will require long hours and some traveling. John has also recently started a new job, as a school teacher, which will allow him to usually be available when the child is not in school.

Respondents were then asked which of three physical custody arrangements they would recommend at this point (*sole father custody*, *sole mother custody*, or *joint custody*) and how much confidence they had in that recommendation, with response options ranging from *none at all* (0) to *a great deal* (3).

Segment 2. The second segment revealed a history of violence in the marriage, and randomly manipulated the type of violence. That is, some respondents read about conflict-based violence and others read about control-based violence. These scenarios were presented as follows:

[Conflict-based violence] It appears that there had been physical aggression in the marriage. Specifically, according to Vanessa, John would slap her or push her against the wall during heated arguments. Vanessa explained that John has a bad temper and resorts to physical aggression to resolve conflicts.

[Control-based violence] It appears that there had been physical aggression in the marriage. Specifically, according to Vanessa, John would slap her or push her against the wall for arbitrary reasons. Vanessa explained that John is very controlling and resorts to physical aggression when she does not do what he tells her to do. Vanessa also said she felt like a prisoner within the marriage because, for example, John refused to let her get a job and he controlled all of their money.

Following Segment 2, the extent to which respondents believed the mother's allegation was measured on a 6-point Likert-type item anchored by *definitely true* and *definitely false*. They were also once again asked which custody arrangement they would recommend at this point and how much confidence they had in their recommendation.

Segment 3. In the third segment the husband did not deny that there was some physical violence in the marriage, and he provided one of three randomly selected counterallegations: He either acknowledged having poor anger management skills (i.e., no counterallegation of female-perpetrated violence), said the violence was mutual, or insisted that the violence was female-initiated and that he was only defending himself. This segment was presented as follows (the text in parentheses was only presented to those who read about control-based violence in Segment 2):

[No counterallegation] John did not deny that there was physical aggression in the marriage and that he needs to develop better anger management skills.

[Counterallegation of mutual violence] John did not deny that there was physical aggression in the marriage and that he occasionally went too far, but he also said that Vanessa was physically aggressive (and controlling) toward him too.

[Counterallegation of female-initiated violence] John did not deny that there was physical aggression in the marriage and that he occasionally went too far, but he insisted that Vanessa was always the aggressor and he was defending himself (and that she chose not to work and didn't want to be responsible for paying bills).

Following Segment 3 the same questions were posed as those following Segment 2. In addition, to assess the degree to which respondents would add protective or safety-focused measures to their physical custody recommendation, respondents were asked to indicate which (if any) additional conditions or intervention programs they would recommend. Response options included *supervised visitation* and *supervised exchanges* for the parents, and *counseling*, *parenting classes*, *batterer treatment program*, and *anger management classes* for the mother and/or father.

Demographic and background information. Demographic questions were asked at the end of the survey. In addition to standard respondent characteristics such as age, sex, race, and education, respondents were also asked several questions about their experience as custody evaluators and their education and training in DV.

Analytical Procedures

Initially, the distribution of respondent characteristics across vignette conditions was examined to assess the success of random assignment. Respondent sex was the only characteristic for which statistical differences were found between experimental groups, and this was the case for both type of violence and counterallegation. Compared with females, males were 20% more likely to read about control-based violence and were 60% more likely to hear a counterallegation of mutual aggression. Conversely, compared with males, females were 18% more likely to read about conflict-based violence and were 40% more likely to hear no counterallegation.

All statistical analyses were conducted using SPSS 20 (Chicago, IL) and, after ensuring that the missing data did not bias the dependent variables (Allison, 2009), missing data were excluded listwise for each analysis. Paired samples *t* tests were used to assess the change in custody recommendations and believability of the mother's allegation across vignette segments. Then the custody recommendations that followed each segment were analyzed with multinomial logistic regression models, and the believability questions that followed Segments 2 and 3 were analyzed using binary logistic regression models by collapsing responses according to whether respondents leaned toward believing that the mother's DV allegation was true or false. Variables were entered into each Segment 3 model using three blocks: (a) the experimental conditions manipulated in the vignette (i.e., type of violence and counterallegation) were forced into the models; (b) two-way interactions between type of violence and counterallegation, as well as between each of those experimental conditions and respondent sex because of the imbalanced distributions of respondents according to sex, were entered into the models using a forward stepwise procedure (although none of the interactions were retained in the models); and (c) respondent characteristics were forced into the models. The same procedure was followed for each model following Segment 2, except counterallegation and its interactions were not included because it had not yet been introduced in the vignette. Respondents' confidence in their custody recommendations was assessed using descriptive statistics and *t* tests. Finally, variation in the additional conditions and intervention programs recommended were assessed using χ^2 tests.

Results

Custody Recommendation and Believability

Segment 1: Baseline. Following Segment 1 the vast majority (81.7%) of respondents indicated that joint custody was the preferred arrangement based on the information provided (see Table 1 for full descriptive information). Table 2 depicts multinomial logistic regression results according to which parent respondents leaned toward for primary physical custody; joint custody was the reference category. Using only respondent characteristics as predictors statistically enhanced the prediction of custody recommendation over a model with no predictors, $\chi^2(18, N = 514) = 35.49$,

Table 1
Custody Recommendations by Percentage Within Each Vignette Condition

Condition	n	Which custody arrangement would you recommend?		
		Father custody	Joint custody	Mother custody
Segment 1 (baseline)	607	13.8	81.7	4.4
Type of violence				
Conflict-based	283	8.5	59.4	32.2
Control-based	321	4.0	53.6	42.4
Counterallegation				
No counter	199	2.0	42.7	55.3
Mutual aggression	181	7.2	57.5	35.4
Female-initiated	223	5.8	49.3	44.8

Table 2
Which Physical Custody Arrangement Would You Recommend? Summary of Multinomial Logistic Regression Analyses (Reference Category Is "Joint Custody")

	Leaning toward sole father custody					Leaning toward sole mother custody				
	B	SE	p	OR	95% CI	B	SE	p	OR	95% CI
Segment 1										
Respondent characteristics										
Years doing custody evaluations	-0.01	0.02	.549	0.99	[0.96, 1.02]	-0.03	0.03	.302	0.97	[0.92, 1.03]
Custody evaluations per year	-0.00	0.01	.742	1.00	[0.98, 1.01]	0.01	0.01	.270	1.01	[0.99, 1.03]
Years since DV training	0.03	0.03	.317	1.03	[0.97, 1.09]	-0.06	0.08	.470	0.94	[0.81, 1.10]
Male ^(female)	0.38	0.27	.164	1.46	[0.86, 2.50]	1.42	0.48	.003	4.15	[1.62, 10.62]
Master's degree ^(doctoral degree)	-0.80	0.52	.124	0.45	[0.16, 1.25]	1.18	0.79	.134	3.25	[0.70, 15.20]
Primary occupation										
Attorney ^(psychologist)	1.16	0.34	.001	3.17	[1.63, 6.20]	1.26	0.57	.028	3.51	[1.15, 10.73]
Counselor ^(psychologist)	0.37	0.61	.542	1.46	[0.44, 4.85]	0.10	0.90	.912	1.11	[0.19, 6.44]
Social worker ^(psychologist)	0.93	0.58	.105	2.54	[0.82, 7.85]	-0.08	0.92	.934	0.93	[0.15, 5.65]
Other ^(psychologist)	0.83	0.44	.060	2.29	[0.96, 5.46]	-0.22	0.93	.817	0.81	[0.13, 4.97]
Segment 2										
Conflict-based violence ^(control-based)	0.58	0.38	.127	1.78	[0.85, 3.75]	-0.34	0.19	.078	0.71	[0.49, 1.04]
Respondent characteristics										
Years doing custody evaluations	-0.01	0.02	.634	0.99	[0.95, 1.04]	-0.01	0.01	.527	0.99	[0.97, 1.02]
Custody evaluations per year	0.00	0.01	.855	1.00	[0.98, 1.02]	0.00	0.01	.498	1.00	[0.99, 1.01]
Years since DV training	0.01	0.05	.801	1.01	[0.93, 1.10]	-0.02	0.03	.366	0.98	[0.93, 1.03]
Male ^(female)	0.69	0.39	.080	1.99	[0.92, 4.29]	0.12	0.20	.537	1.13	[0.76, 1.68]
Master's degree ^(doctoral degree)	-1.19	0.71	.095	0.31	[0.08, 1.23]	0.14	0.36	.699	1.15	[0.57, 2.33]
Primary occupation										
Attorney ^(psychologist)	1.01	0.51	.046	2.75	[1.02, 7.43]	0.74	0.28	.008	2.10	[1.22, 3.63]
Counselor ^(psychologist)	1.28	0.68	.061	3.58	[0.94, 13.59]	-0.35	0.44	.432	0.71	[0.30, 1.68]
Social worker ^(psychologist)	1.18	0.81	.148	3.25	[0.66, 15.98]	0.29	0.42	.487	1.34	[0.59, 3.04]
Other ^(psychologist)	1.35	0.59	.022	3.87	[1.21, 12.36]	0.71	0.36	.048	2.03	[1.01, 4.08]
Segment 3										
Conflict-based violence ^(control-based)	0.67	0.44	.125	1.96	[0.83, 4.62]	-0.34	0.19	.074	0.71	[0.49, 1.03]
Counter allegation										
Female-initiated ^(no counter)	0.98	0.58	.148	2.65	[0.71, 9.96]	-0.51	0.22	.024	0.60	[0.39, 0.93]
Mutual aggression ^(no counter)	1.03	0.68	.128	2.80	[0.74, 10.57]	-0.89	0.24	<.001	0.41	[0.25, 0.66]
Mutual aggression ^(female-initiated)	0.06	0.44	.902	1.06	[0.44, 2.51]	-0.38	0.23	.101	0.68	[0.43, 1.08]
Respondent characteristics										
Years doing custody evaluations	-0.00	0.03	.954	1.00	[0.95, 1.05]	-0.01	0.01	.638	0.99	[0.97, 1.02]
Custody evaluations per year	0.01	0.01	.342	1.01	[0.99, 1.03]	0.01	0.01	.090	1.01	[1.00, 1.02]
Years since DV training	-0.03	0.06	.666	0.98	[0.87, 1.09]	-0.01	0.02	.827	1.00	[0.95, 1.04]
Male ^(female)	0.14	0.44	.749	1.96	[0.83, 4.62]	0.13	0.20	.527	1.14	[0.77, 1.68]
Master's degree ^(doctoral degree)	-1.60	0.93	.086	0.20	[0.03, 1.26]	0.21	0.36	.551	1.24	[0.62, 2.48]
Primary occupation										
Attorney ^(psychologist)	0.99	0.55	.071	2.69	[0.92, 7.89]	0.76	0.29	.008	2.13	[1.21, 3.75]
Counselor ^(psychologist)	0.54	0.85	.530	1.71	[0.32, 9.12]	-0.41	0.42	.325	0.66	[0.29, 1.50]
Social worker ^(psychologist)	0.88	0.96	.359	2.41	[0.37, 15.76]	-0.32	0.42	.447	0.73	[0.32, 1.65]
Other ^(psychologist)	1.03	0.65	.113	2.79	[0.78, 9.93]	0.09	0.36	.795	1.10	[0.55, 2.20]

Note. Reference category for predictor is in parentheses. CI = confidence interval for odds ratio (OR).

$p = .008$, Nagelkerke R^2 analogue = .10. Attorneys were over three times more likely than psychologists to recommend father or mother custody than joint custody, and male respondents were 4.2 times more likely than female respondents to lean toward mother custody over joint custody. The predictive ability of most other respondent characteristics were relatively small in magnitude. With regard to the confidence respondents had in their custody recommendation, substantially fewer respondents indicated that they had a great deal of confidence (11%) in their custody recommendation than indicated that they had no confidence at all (29%) in their custody recommendation.

Segment 2: Type of violence Segment 2 introduced the mother's DV allegation and implied whether conflict- or control-

based violence had occurred. Among respondents who read about conflict-based violence, 8.5% recommended father custody and 32.2% recommended mother custody; among their counterparts who read about control-based violence, 4.0% recommended father custody and 42.4% recommended mother custody (see Table 1). Overall, roughly 37% of respondents changed their custody recommendation between Segments 1 and 2. A paired samples t test indicated that the information presented in Segment 2 had a large effect on custody recommendations, $t(603) = -16.81$, $p < .001$, $d = 1.38$; respondents as a whole moved toward mother custody.

The multinomial logistic regression model for Segment 2 (see Table 2) statistically enhanced the prediction of custody recommendation over a model with no predictors, $\chi^2(20, N = 514) =$

35.35, $p = .018$, Nagelkerke R^2 analogue = .08. Compared with those who read about control-based violence, respondents who read about conflict-based violence were 78% more likely to recommend father custody and 40% less likely to recommend mother custody, although the magnitude and precision of these estimates were too small with these data to generalize the findings to the population ($p = .13$ and $.08$, respectively). A noteworthy change from Segment 1 in response tendencies according to respondent characteristics was that males were no longer substantially more likely than females to recommend sole mother custody. This change in relative odds occurred solely because, among those respondents who recommended joint custody following the first segment, females were more likely than males to switch to a recommendation of sole mother custody once they read her DV allegation in the second segment, regardless of whether they had read about conflict- or control-based violence.

As evidence of the skepticism many respondents had toward the DV allegation, roughly 77% of respondents leaned *slightly* toward believing the allegation was true and 16% leaned *slightly* toward not believing the allegation; only 7% believed that the allegation was *probably* or *definitely* either true or false. Binary logistic regression was used to predict the believability of the mother's allegation (see Table 3), and the model statistically enhanced the prediction of custody recommendation over a model with no predictors, $\chi^2(10, N = 514) = 19.77$, $p = .031$, Nagelkerke R^2 analogue = .07. Counselors were 2.9 times less likely to believe the mother's allegation was true than were psychologists, and masters-level professionals were 2.5 times more likely (although $p = .055$) to believe the mother's allegation was true than were those with doctorates.

The overall confidence respondents had in making a custody recommendation at baseline ($M = 1.19$, $SD = 0.98$) statistically declined once they learned of the mother's DV allegation ($M = 1.04$, $SD = 0.88$), $t(603) = 6.35$, $p < .001$, but the decline was small in magnitude ($d = .16$) and did not meaningfully vary

according to whether conflict- or control-based violence was presented. Although the percentage of respondents who had no confidence (31%) remained stable from baseline, the percentage who reported a great deal of confidence (6%) dropped almost by half.

Segment 3: Counterallegation. The father's response to the DV allegation was revealed in Segment 3. Fewer than one in five respondents changed their custody recommendations between Segments 2 and 3. Overall, a paired samples t test indicated that the information presented in Segment 3 had a small additional effect on overall custody recommendations, $t(602) = -4.32$, $p < .001$, $d = 0.03$; respondents as a whole leaned slightly further toward mother custody.

The multinomial logistic regression model for Segment 3 (see Table 2) statistically enhanced the prediction of custody recommendation over a model with no predictors, $\chi^2(24, N = 514) = 51.71$, $p = .001$, Nagelkerke R^2 analogue = .12. Respondents who read that the father made a counterallegation of female-initiated or mutual violence were, respectively, 1.7 and 2.5 times less likely to recommend mother custody than were those who did not read about a counterallegation from the father (see Table 2). More importantly, type of violence and counterallegation did not interact in a statistical or meaningful way, indicating that evaluators were no more skeptical about the potential motive of a counterallegation in the context of controlling behavior than in the context of conflict-based behavior.

Two-thirds of respondents reported different degrees of believability between Segments 2 and 3. Respondents as a whole were increasingly likely to believe the mother's allegation was true regardless of the father's response in Segment 3, $t(602) = -20.85$, $p < .001$, $d = 2.24$, but the father's response did affect the magnitude of change. Specifically, the effect size of the change toward believing the mother's allegation was much larger ($d = 2.90$) when the father acknowledged that he needed to develop better anger management skills without making a counterallegation.

Table 3

Do You Lean Toward Believing the Mother's Allegation Is True or False? Summary of Logistic Regression Analyses (Reference Category Is "Lean Toward True")

	Segment 2 (True = 84%)					Segment 3 (True = 95%)				
	B	SE	p	OR	95% CI	B	SE	p	OR	95% CI
Independent design variables										
Conflict ^(control)	-0.23	0.25	.363	0.80	[0.49, 1.30]	-0.29	0.44	.503	0.75	[0.32, 1.76]
Female-initiated ^(no counter)						-2.22	0.76	.004	0.11	[0.02, 0.48]
Mutual aggression ^(no counter)						-0.92	0.86	.283	0.40	[0.07, 2.15]
Mutual aggression ^(female initiated)						1.29	0.53	.015	3.65	[1.28, 10.37]
Respondent characteristics										
Age	0.00	0.02	.907	1.00	[0.97, 1.04]	-0.01	0.03	.828	1.00	[0.98, 1.11]
Years doing custody evaluations	-0.03	0.02	.123	0.97	[0.94, 1.01]	0.04	0.03	.159	1.04	[0.99, 1.10]
Custody evaluations per year	-0.01	0.01	.293	0.99	[0.98, 1.01]	0.05	0.03	.083	1.05	[0.90, 1.10]
Years since DV training	-0.04	0.03	.145	0.96	[0.91, 1.01]	-0.01	0.05	.933	1.00	[0.90, 1.11]
Male ^(female)	0.12	0.26	.659	1.12	[0.67, 1.87]	-0.68	0.47	.148	0.51	[0.20, 1.28]
Master's degree ^(doctoral degree)	0.93	0.48	.055	2.52	[0.98, 6.49]	0.27	0.72	.707	1.31	[0.32, 5.43]
Primary occupation										
Attorney ^(psychologist)	0.69	0.44	.117	2.00	[0.84, 4.76]	-0.43	0.61	.480	0.65	[0.20, 2.14]
Counselor ^(psychologist)	-1.04	0.48	.029	0.35	[0.14, 0.90]	-0.41	0.92	.655	0.66	[0.11, 4.02]
Social worker ^(psychologist)	-0.58	0.55	.291	0.56	[0.19, 1.64]	-1.57	0.80	.049	0.21	[0.04, 0.99]
Other ^(psychologist)	0.15	0.48	.752	1.17	[0.45, 3.01]	-0.42	0.75	.576	0.66	[0.15, 2.87]

Note. Reference category for predictor is in parentheses. CI = confidence interval for odds ratio (OR).

tion against the mother than when he countered that the violence was mutual ($d = 1.77$) or female-initiated ($d = 0.94$).

The binary logistic regression model (see Table 3) statistically enhanced the prediction of whether the mother's allegation was deemed believable over a model with no predictors, $\chi^2(12, N = 514) = 30.37, p = .002$, Nagelkerke R^2 analogue = .17. Respondents who read that the father counteralleged female-initiated violence were 9.1 times less likely to believe the mother's original DV allegation than were those who did not read about a counter-allegation and were 3.7 times less likely to believe the mother than were those who read that the father counteralleged mutual violence. Furthermore, social workers were about 4.8 times less likely than psychologists to believe the mother's DV allegation.

Overall, respondents expressed more confidence in making a custody recommendation after hearing both the mother's DV allegation and the father's response ($M = 1.39, SD = 0.84$), $t(602) = -14.23, p < .001, d = .41$. Notably, although confidence increased regardless of the father's response to the DV allegation, respondents expressed more confidence in their recommendations if they read that the father had acknowledged the violence without making a counterallegation ($M = 1.59, SD = 0.82$) than if he counteralleged that the violence was mutual ($M = 1.33, SD = 0.85$), $t(378) = -2.99, p = .003, d = .31$, or female-initiated ($M = 1.26, SD = 0.81$), $t(420) = -4.06, p < .001, d = .40$.

Additional Conditions

The most common recommendations for additional conditions were counseling for both the mother (recommended by 73% of respondents) and father (72%) and anger management classes for the father (68%). The least common recommendation was supervised visitation, which was suggested by fewer than 9% of respondents. Variation in the additional conditions and intervention programs recommended according to type of DV were assessed using Fischer's exact χ^2 tests, and differences according to the type of counterallegation were assessed using the Pearson χ^2 tests (see Table 4). Those who read about control-based violence were 45% more likely than those who read about conflict-based violence to recommend a batterer treatment program for the father, but only

38% of respondents in the control-based violence group recommended a batterer treatment program. Concerning mothers, respondents who read about control-based violence were 67% more likely to recommend counseling than their counterparts who read about conflict-based violence. Conversely, those who read about conflict-based violence were 54% more likely to recommend anger management classes for the mother than were those who read about control-based violence. Notably, the percentage of respondents who recommended supervised exchanges or visitation did not vary according to whether conflict- or control-based violence was depicted.

Differences according to the father's counterallegation were generally as one might intuitively expect. For example, respondents were more likely to recommend parenting classes, a batterer treatment program, and anger management classes for the father if they did not read about a counterallegation than if they read that he claimed mutual or female-initiated violence. Those who read a counterallegation that the violence was mutual were more likely to recommend anger management classes for the mother than were those who read a counterallegation that the violence was female-initiated.

Discussion

This study examined how the type of alleged violence and counterallegations impact child custody recommendations among custody evaluators in cases where DV allegations have been made in a hypothetical vignette. The results indicate that only about one-third of custody evaluators shy away from an initial joint custody recommendation once allegations of violence are raised and that they are probably only somewhat more likely to recommend sole custody for the mother when the alleged type of violence is rooted in control than conflict; most recommend joint custody in the context of DV allegations regardless of the type of violence. These findings are troubling given the greater risks associated with coercive controlling violence (Johnson & Leone, 2005) and the higher likelihood that this type of violence will continue even after the separation and divorce (Hardesty et al., 2012; Johnson & Leone, 2005; Leone et al., 2004).

Table 4
Percentage of Respondents Recommending Additional Conditions and Intervention Programs and χ^2 Results for Recommendations According to Type of Violence and Counterallegation ($N = 603$)

	Type of violence							Counterallegation					
	Conflict	Control	χ^2	p	Φ	OR	95% CI	None	Mutual	Female-initiated	χ^2	p	V
For father													
Counseling	70.3	73.8	0.72	.364	.04	0.84	[0.59, 1.20]	73.4	70.7	72.7	0.33	.849	.02
Parenting classes	48.4	55.3	2.60	.102	.07	0.76	[0.55, 1.05]	57.8	45.3	52.5	5.94	.051	.10
Batterer treatment program	29.3	37.5	4.13	.038	.09	0.69	[0.49, 0.97]	41.7	27.1	31.8	9.62	.008	.13
Anger management classes	71.7	64.7	3.11	.067	.08	1.39	[0.98, 1.96]	80.9	64.1	59.6	23.66	<.001	.20
For mother													
Counseling	67.1	77.2	0.71	.006	.11	0.60	[0.42, 0.87]	69.8	72.4	74.9	1.34	.520	.05
Parenting classes	43.1	44.7	0.10	.742	.02	0.94	[0.68, 1.29]	40.7	43.1	47.5	2.07	.358	.06
Batterer treatment program	11.7	11.9	0.00	.999	.00	0.98	[0.60, 1.61]	10.6	11.6	13.0	0.62	.729	.03
Anger management classes	32.9	24.1	5.32	.018	.10	1.54	[1.08, 2.21]	4.5	46.4	34.5	89.17	<.001	.39
For parents													
Supervised visitation	8.5	8.8	0.00	.999	.01	0.97	[0.55, 1.71]	12.1	7.7	6.3	4.72	.095	.09
Supervised exchanges	33.6	34.7	0.04	.797	.01	0.95	[0.68, 1.33]	32.3	29.3	39.9	5.55	.064	.10

Note. CI = confidence interval for odds ratio (OR).

An important caveat to the results, however, is that the vignette did not provide enough information for respondents to make informed custody recommendations, but we were not interested in the distributions of custody recommendations, *per se*. Rather, our primary interest was the predictors of relative custody recommendations and assessments of mother's credibility within segments and of change across segments. Thus, although descriptive data on custody recommendations were provided for readers to better interpret the meaning of the inferential statistics presented, the validity and generalizability of the distributions of respondents' custody recommendations are dubious beyond the context in which they were analyzed here.

Consistent with Bow and Boxer's (2003) finding that evaluators were more likely to recommend joint custody when hearing about mutual violence, our respondents were more likely to recommend joint custody than sole maternal custody when a counterallegation was made by the father. This tendency may be sensible when bidirectional violence reflects situational couple violence, which is more gender symmetric and may be mutual (Brown & Bulanda, 2008). The tendency is problematic, however, when counterallegations are made in the context of control-based violence, given that a controlling partner may use counterallegations as another form of manipulation and control (Goodmark, 2004). The findings indicate that our respondents were not sufficiently sensitized to this potential tactic of controlling partners. Furthermore, instead of mutual violence, women's use of violence against a coercive controlling abuser is more likely to be motivated by self-defense or a form of resistance (Johnson, 2008). Thus, custody evaluators should exhibit more skepticism toward counterallegations of mutual violence or female-initiated violence in the context of control-based violence (Ver Steegh, 2005).

Another explanation for our findings regarding counterallegations relates to the extent to which evaluators believe the allegations being made. Overall, respondents were likely to lean toward believing the mother's allegations regardless of whether a counterallegation was made. That said, the believability of the mother's allegation was substantially diminished when a counterallegation was made, suggesting that a father's counterallegation can lead some custody evaluators to doubt the validity of the mother's allegations. Counterallegations in and of themselves may also lead a custody evaluator to doubt the trustworthiness of the alleged perpetrator. Although we did not assess evaluators' perceptions of the father's believability, none of the fathers denied the allegations made against them. In fact, all acknowledged sometimes going too far or anger management difficulties.

Custody evaluators' primary occupation was associated with their recommendations; in particular, psychologists were consistently more likely than attorneys, counselors, or social workers to recommend joint custody. Family psychologists may view the child or entire family system with the mindset that both parents should be involved in a child's life and are therefore more oriented toward keeping the family together in some manner. Conversely, attorneys and social workers may be more accustomed to working with contentious and high-risk couples that are best mitigated by unambiguous postdivorce arrangements that minimize ongoing contact. In these cases, sole physical custody or restricted and supervised visits may be preferable for cases where coercive controlling violence is a concern (Hardesty & Chung, 2006; Hardesty et al., 2012).

Although the multiple-segment factorial vignette approach was an appropriate and practical method for experimentally testing the extent to which custody evaluators attune to and differentiate between types of violence and counterallegations—and the results suggest that there is much room for improvement—we reiterate that respondents were asked to make recommendations based on far less information than would be available in a real-world scenario. Child well-being in the context of divorce and especially DV is a complex issue that requires a holistic assessment of factors affecting the child's mental and physical health. Therefore, we caution against reading into these results beyond the effects of the experimental manipulations within the vignette. Furthermore, reading about DV in the context of a vignette may not produce the same degree of affective response as hearing about it in person (Collett & Childs, 2011; Parkinson & Manstead, 1993), and this may have dampened the effect of the vignette conditions relative to what would have occurred in an actual custody evaluation.

Concerning the experimental manipulation of violence type, we cannot be certain that evaluators interpreted the violence context in the way that we intended. However, research suggests that conflict-based violence (situational couple violence) can be thought of as the use of violence to control arguments, whereas control-based violence is rooted in the desire to control one's partner (Johnson, 2008; Johnson et al., 2014). Therefore, we expect that the distinct context and purpose conveyed in the two scenarios—violence in the context of arguments to resolve conflicts versus arbitrary reasons to control the woman—*should* have been telltale indicators of the type of violence depicted. Nonetheless, there are no validated measures for distinguishing between the violence types.

Caution is also advised when applying different types of violence to custody assessments and determinations. To effectively serve families, leading DV scholars and practitioners have concluded that appropriate decisions regarding child custody must account for differences in types of DV (Ellis, 2008; Frederick, 2008; Jaffe et al., 2008; Ver Steegh & Dalton, 2008; Warrier, 2008). At present, however, there are no validated tools for assessing risk or potential for effective coparenting for divorcing parents with a history of DV (Hardesty et al., 2012). The lack of validated tools coupled with a lack of uniform standardized training for custody evaluators provides opportunity for custody evaluators' beliefs to unduly influence the evaluation process (Haselschwerdt, Hardesty, & Hans, 2011). Thus, more work is urgently needed to translate empirical evidence about different types of violence to effective practice with divorcing parents.

Conclusion

Child custody evaluators conduct professional assessments and subsequently make recommendations to courts concerning the best interest of children in highly disputed custody cases. Because of their expertise in dealing with custody issues and the in-depth assessments they conduct, custody evaluators' recommendations can have a large impact on judges' final custody decisions (Bow & Boxer, 2003). Thus, the importance of having custody evaluators who are trained to evaluate and make custody recommendations in cases that include DV allegations is apparent given the negative consequences of experiencing and witnessing DV along with the ongoing risk of controlling violence after a separation or divorce.

This study augments the literature on DV in the context of divorce and particularly the need for professionals to make subtle but important distinctions necessary to prioritize safety and avoid unwittingly placing mothers and children at risk after a divorce. The findings suggest that training programs are needed that more effectively equip custody evaluators with the knowledge and skills necessary to ensure that safe postdivorce custody arrangements are made in cases where DV is present.

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