

LONG-TERM FOLLOW-UP OF A COURT-BASED INTERVENTION FOR DIVORCING PARENTS

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This study investigated whether participation in an educational program for divorcing parents is associated with a lower incidence of relitigating divorce-related decisions over time. A systematic review of court records indicated that couples who attended this program (n = 159) in central Illinois were just as likely as those in the control group (n = 43) to relitigate over a 6-year period. Furthermore, county-wide rates of relitigation increased from 2 years before to 3 years after the program's introduction. However, reports obtained from participating families suggest that the program may serve an important function for families in which there is a high risk of triangulating children into postdivorce conflict.

Although numerous educational programs have been developed to address the needs of divorcing families, very few of these programs have been subject to empirical study. The Children First program represents one exception. Developed by the Children First Foundation in Belleville, Illinois, the Children First program was designed to help divorcing parents be more sensitive to their children's needs. The two-session program uses videotaped scenarios to facilitate the discussion of how particular parental behaviors can have a negative impact on children. This program, and others like it, is receiving growing attention. In many communities, these programs are now legally mandated for parents who file for divorce or seek to relitigate prior divorce agreements (Blaisure & Geasler, 1996).

Kramer and Washo (1993) evaluated the Children First program and found mixed evidence for its effectiveness. Although no improvements were

Authors' Note: This research was supported by the Champaign County Mental Health Board. We appreciate the contributions of Bob Hughes, Kim Haskell, Rebecca Wertz, Natalie Cale, Sonia Noorman, Chris Washo, Barbara Wunn, Sheryl Bautch, and the personnel at the Champaign County Courthouse and Family Service. Portions of this article were presented at the annual meeting of the National Council on Family Relations, Kansas City, Missouri, November 10, 1996. Address all correspondence to Laurie Kramer, Department of Human and Community Development, University of Illinois, 1105 W. Nevada, Urbana, IL 61801; e-mail: l-kramer@uiuc.edu.

found in many of the areas assessed, participation in the program was associated with a reported reduction in children's exposure to and involvement in parental conflict. In comparison to a control group, participation in Children First also appeared to benefit families by encouraging them to seek additional resources. In addition, 82% of the participants in a 3-month follow-up evaluation stated that the program should continue to be mandated. The research also highlighted a general concern among parents about coordinating their parenting responsibilities, making decisions about their children, and communicating with their ex-spouse during the years following divorce. Thus, we have become interested in the degree to which the program helps to prepare parents to successfully coparent their children following divorce. The present research represents a follow-up examination of the effectiveness of the Children First program and uses court records and parental reports to determine whether participation in Children First is associated with more harmonious coparenting over time. Specifically, we examine whether participation is linked with a lower incidence of parents returning to the courts to relitigate divorce-related decisions such as support, custody, and visitation.

The frequency of relitigation is used in the current study as an indirect measure of the degree to which coparental relationships continue to be problematic for families following divorce. Ash and Guyer (1986) used the frequency of postdivorce relitigation as an operational measure of the level of conflict between parents and as a measure of the stability of visitation and child custody arrangements. They found that adversarial families (defined as those who contested custody or visitation predivorce) were more likely to relitigate custody decisions following divorce than control families. Ash and Guyer identified several advantages of using this measure, since it is easily quantifiable through court records and does not require researchers to locate individuals who may have moved or changed their name following divorce.

Admittedly, relitigation is a crude measure of how well a divorce education program is working. For example, many postdivorce families who are having significant difficulties may not return to court to settle disputes. It is also true that some forms of relitigation may be beneficial for families; for example, when a visitation schedule is adjusted to meet the developmental needs of a child. However, there are several reasons why it is important to know how relitigation rates have been affected by the introduction of a community-wide program. First, as discussed above, the presence of relitigation may signal that parents are indeed having serious difficulties in coordi-

nating the parenting of their children. Second, litigation places a heavy burden on the court system, and this creates difficulties for people who are in immediate need of court-related services. In addition to being time consuming and expensive, the litigation process is likely to be very difficult for children because they are, in essence, asked to endure additional episodes of interparental conflict against their will (Koel, Clark, Straus, Whitney, & Hauser, 1994). There is now a large body of research that documents a variety of negative effects for children who witness extended and unresolved conflicts between their parents (e.g., Amato, 1993; Emery, 1982; Grych & Fincham, 1990; Johnston, Kline, & Tschann, 1989). Furthermore, litigation has been shown to predict poor adjustment, low self-esteem, and behavior problems among children (Camera & Resnick, 1989). Third, the use of litigation contributes to an overarching sense that an external objective figure must be necessary to resolve intrafamilial issues. This may lessen the degree to which individual parents feel capable of actively directing or participating in future decision-making situations. Individuals are more likely to believe that decisions are more equitable and are more likely to comply with decisions if they have taken an active role in the decision-making process (Girdner, 1986). Fourth, because of its adversarial nature, litigation may prompt additional litigation, thereby increasing destructive forms of conflict (Koel et al., 1994). Finally, with respect to social policy and legal reform, the demonstration that an educational program is associated with the reduction of litigation would be impressive and would help support the decision many communities make to legally mandate participation.

Court records were used in the current study to address two questions: Has the availability of Children First since 1990 in Champaign County, Illinois, helped to reduce county-wide rates of relitigation? Do families who participated in Children First have lower rates of relitigation in comparison to a control sample? In addition to court records, a second source of information is reports from individuals who participated in the original evaluation of Children First (Kramer & Washo, 1993). Participants' initial reports from 1990 to 1991 were used to investigate the presence of different patterns of relitigation for parents who reported higher levels of conflict with their former spouse and a greater tendency for either spouse to triangulate or involve children in post-marital conflict and to engage in adaptive parenting when they first divorced in 1990-1991. In addition, some original participants, who were treated as a subset, provided follow-up information about their family situation, their own and their children's postdivorce relationship with the former spouse, and their current opinions of the Children First program.

METHOD

PARTICIPANTS

The initial sample consisted of 168 parents (98 females) who filed for divorce in 1990-1991 and who attended the Children First program. In addition, a control group was composed of 43 divorcing parents (31 females) from a nearby county that did not offer Children First. The experimental and control groups presented similar demographic features. In general, participants were White males and females in their 30s with 14 years of education and with low- to middle-range incomes. Parents had two children on average, and approximately 50% of the children were under the age of 6 at the beginning of the study. Of the parents in the Children First group, 64% reported that their children lived primarily with their mothers, 6% reported that their children lived with their fathers, 21% reported a shared custody arrangement, and 9% reported some other arrangement. Parents in the control group were more likely to report sole maternal custody (85%) rather than sole paternal custody (0%), shared custody (7.5%), or some other arrangement (7.5%) (see Kramer & Washo, 1993, for additional information about the initial sample).

PROCEDURES

To determine how the availability of Children First influenced relitigation rates for the entire county, a systematic review of court records was conducted. The frequency of relitigation in Champaign County was computed for 2 years preceding the introduction of Children First (1989 and 1990) and for the 3 years following its inception (1991, 1992, and 1993). Court records were written documents that included a typed description of each litigation that occurred with respect to a given family. The records provided chronological information about the types of litigation that occurred along with judicial decisions and supporting materials. The first page of the record included a summary of all of the litigations that occurred. However, because the summaries were very brief, the entire record was examined for this investigation. Specifically, each file (identified by a docket number) was inspected by a research assistant to determine the date the dissolution of marriage was granted; the number of dependent children in the family; the date of each act of relitigation; and the type of relitigation, which was coded as support, custody, visitation, or other. The category of support also included motions to modify the amount of child support, terminate support, show cause (providing that there is a failure to pay support), arrear (a judgment that there is a fail-

ure to pay support), and withhold earnings by employers for support. Custody acts involved the transfer of custody from one parent to the other, modifying joint parenting agreements, and modifying other custody arrangements. Visitation acts involved the granting or removal of visitation privileges, changing visitation schedules, and granting visitation rights to other family members such as grandparents. Any act of relitigation that occurred but did not fit into any of the previously mentioned categories was included in the "other" category. This category included, but was not limited to, orders for mediation, home and background investigations, orders of protection, removal from state, and civil contempt (in which rules of settlement are breached by one or both parties). It was possible for cases to include more than one type of relitigation.

Two teams of research assistants received 10 hours of training in how to summarize information from the court file and report this on a standard summary form. Accuracy of the summarized data was ensured by having an independent team of research assistants check the work of the first team.

Using the identical procedure, the frequency of relitigation as of April 1996 was calculated by the two teams of research assistants for the sample of parents who participated in the original evaluation of the Children First program (Kramer & Washo, 1993). This information was also obtained for the control group through the inspection of court records in that county's courthouse. It should be noted that the style of record keeping was very similar in the two counties. Current information was available through court records on 159 of the 168 parents in the experimental group and all 43 parents in the control group.

Finally, the original sample of 168 parents in the experimental group and 43 parents in the control group was mailed a brief follow-up questionnaire in the summer of 1996. This questionnaire is described below. Responses were obtained from 44 parents in the experimental group and 10 parents in the control group. We experienced a significant challenge in locating former participants. Moving and/or changing one's name is relatively common following divorce. Efforts to raise this response rate included the use of computer searches of telephone books across the country. In addition, we made repeated phone calls to individuals we were able to locate to encourage them to complete the questionnaires.

MEASURES

Several indices of parenting behavior from the initial evaluation were used. As described in Kramer and Washo (1993), parents provided independ-

ent reports of their own and their former spouses' behaviors on questionnaires administered immediately before the beginning of Children First (Time 1), immediately following the completion of Children First, and at 3-months follow-up. The latter questionnaire was administered through the mail. Subjects in the control group completed the first and third questionnaires at a 3-month interval. Participants in this 6-year follow-up study completed an abbreviated version of the third questionnaire.

Of interest in the current follow-up are parents' reports at Time 1 and at the 6-year follow-up of interparental conflict, the triangulation of children into marital conflict, and adaptive parenting. Perceptions of interparental conflict were assessed with the following question: "In general, how much conflict is there between you and your former spouse?" Parents responded using a 5-point Likert-type scale (1 = *not at all*, 5 = *a great deal*). The measure of triangulating children into marital conflict included six items: (a) criticizing the former spouse in front of the children, (b) probing the children about the other parent's private life, (c) telling the children that the other parent was to blame for the divorce, (d) fighting with the former spouse in front of the children, (e) trying to get the children to see him or her as their favorite parent, and (f) trying to limit the children's contact with the other parent ($\alpha = .83$). The measure of adaptive parenting included questions about (a) spending enough time with children, (b) keeping promises to children, (c) and using appropriate discipline strategies ($\alpha = .74$). For both the triangulation and adaptive parenting scales, parents indicated on a 5-point Likert-type scale how often their former spouse engaged in each of these behaviors (1 = *never*, 5 = *very often*).

With the exception of interparental conflict, administration of the measures at Time 1 and at the 6-year follow-up were significantly correlated (triangulation: $r = .39, p < .05$; adaptive parenting: $r = .39, p < .05$). Ratings of interparental conflict decreased for the experimental group between Time 1 ($M = 2.94, SD = 1.03$) and the 6-year follow-up ($M = 2.05, SD = 0.95$).

RESULTS

COMMUNITY-LEVEL ANALYSIS

As shown in Table 1, the frequency of relitigation in Champaign County rose steadily between 1989 and 1993. This is true despite an overall decrease in the number of couples with dependent children filing for divorce in the county during this time. Total numbers of divorces filed in the county also de-

Table 1

Number of Couples in Champaign County Relitigating Divorce Decisions Before and After the Introduction of Children First

Year	Number of Couples Relitigating per Year	Number of Divorces Involving Children
Before Children First		
1989	207	420
1990	232	521
After Children First		
1991	265	466
1992	328	441
1993	354	429

Table 2

Frequency of Relitigation by Type in Champaign County Before and After the Introduction of Children First

Year	Type of Relitigation			
	Support	Custody	Visitation	Other
Before Children First				
1989	268	101	96	70
1990	275	62	78	80
After Children First				
1991	317	101	108	120
1992	407	77	76	147
1993	403	74	102	154

creased from 978 in 1989 to 882 in 1995. Table 2 provides a breakdown by type of relitigation. This table shows that the increase in total rates of relitigation after 1991 may be due to more frequent relitigations over support and other issues such as failure to pay child support, a charge of contempt of court, and so on. In summary, we do not see evidence that rates of relitigation have been reduced community-wide since Children First was introduced.

FAMILY LEVEL OF ANALYSIS

Of the 159 parents who attended Children First, 67 (42%) returned to court to relitigate divorce decisions at least once ($M = 1.42$, $SD = 2.28$) since September of 1991 when the initial study ended. Of the 43 parents in the control group, 22 (51%) relitigated during this time ($M = 1.51$, $SD = 2.35$). The

Table 3

Type of Relitigation Experienced by Children First and Control Group Participants

Type of Relitigation	Children First		Control Group		<i>F</i> (1, 200)
	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>	
Support	0.77	1.37	1.12	1.42	2.17
Custody	0.18	0.58	0.07	0.26	1.52
Visitation	0.14	0.50	0.14	0.56	0.00
Other	0.33	0.78	0.53	1.40	1.65

number of relitigations per family ranged from 0 to 12 over this 5-year period. A one-way analysis of variance (ANOVA) failed to reveal a significant difference in the total number of relitigations between the groups, indicating that parents in the Children First group did not relitigate less often than parents in the control group.

Because parents may relitigate for different reasons, we next examined whether there were variations in relitigation rates for the two groups when the issues were either custody decisions, support decisions, visitation, or other. As shown in Table 3, relitigation over financial support issues such as child support was the most frequent impetus for relitigation in both groups. A series of univariate ANOVAs failed to reveal significant differences between the Children First and control group on any of these factors. Thus, participants in Children First were as likely to engage in divorce relitigation as parents who did not attend a similar program, regardless of the type of relitigation targeted.

“INDIVIDUAL DIFFERENCES” ACROSS FAMILIES

We next addressed the question of whether different patterns of relitigation occurred for divorced families who reported different family processes. Following Kramer and Washo (1993), we began by examining the differences in relitigation for parents reporting high or low levels of interparental conflict. We next extended this investigation to the exploration of divergent relitigation patterns for parents reporting high and low levels of triangulating children in postmarital conflict and adaptive parenting.

Frequency of relitigation for parents reporting high and low levels of interparental conflict. Following the procedures of Kramer and Washo (1993), a median split was performed on the Time 1 measure of interparental conflict

to form two subgroups that represented high and low levels of interparental conflict (median = 3). A series of one-way ANOVAs was then conducted within each of the two groups to determine if differences existed in the frequency of relitigation for individuals who reported either high or low levels of interparental conflict. These analyses revealed that ex-spouses who reported engaging in higher levels of conflict and who attended Children First ($n = 97$) were less likely to relitigate issues related to child support ($M = 0.84$, $SD = 1.43$) than high-conflict ex-spouses who did not attend Children First ($n = 27$; $M = 1.52$, $SD = 1.53$), $F = 4.70$, $p < .05$. No significant results emerged for individuals who reported low levels of interparental conflict.

Frequency of relitigation for parents reporting high and low levels of triangulating children into postmarital conflict. We next examined whether parents who initially reported different levels of triangulating their children into postmarital conflict relitigated to a different degree depending on whether they participated in Children First. Following the procedure described above, median splits were performed on the measures of triangulation to form two subgroups representing parents who reported engaging in high or low levels of triangulation at Time 1. The medians were 10 when parents reported their own triangulating behavior and 15 when they reported their former spouse's behavior. One-way ANOVAs were conducted within the high and low groups to determine if differences existed in rates of relitigation for members of the Children First and control groups. These analyses revealed that parents who rated themselves high on triangulation and who attended Children First ($n = 70$) were less likely to relitigate ($M = 1.64$, $SD = 2.11$) than parents who were high on triangulation but did not attend Children First ($n = 22$; $M = 2.82$, $SD = 2.94$), $F(1, 89) = 4.25$, $p < .05$. In addition, parents who reported themselves to be high on triangulation and who attended Children First were less likely to relitigate about issues of child support ($M = 0.80$, $SD = 1.15$) than their counterparts in the control group ($M = 1.64$, $SD = 1.40$), $F(1, 89) = 7.97$, $p < .01$. No significant results were found with the subgroups of parents who reported engaging in low levels of triangulating behaviors.

Similar findings were obtained when we examined participants' reports about their former spouse's use of triangulating behaviors at Time 1. Here, parents who viewed their former spouse as engaging in high levels of triangulation were less likely to relitigate if they had participated in Children First ($n = 68$; $M = 1.65$, $SD = 0.31$) than parents who rated their ex-spouse as high on triangulation but did not attend Children First ($n = 19$; $M = 3.63$, $SD = 2.93$), $F(1, 84) = 9.01$, $p < .01$. Lower rates of relitigation for support issues were also found for Children First parents who viewed their former spouse as high on triangulating behavior ($M = 0.74$, $SD = 1.20$) in comparison to

non-Children First participants ($M = 2.16$, $SD = 1.42$), $F(1, 84) = 19.10$, $p < .001$. Furthermore, parents who attended Children First and reported that their ex-spouse engaged in higher levels of triangulating behavior tended to relitigate less about other issues ($M = 0.43$, $SD = 0.89$) than corresponding parents in the control group ($M = 1.05$, $SD = 1.99$), $F(1, 84) = 4.01$, $p < .05$.

Frequency of relitigation for parents reporting high and low levels of adaptive parenting. A parallel set of analyses was conducted to examine whether rates of relitigation differed for parents reporting high versus low levels of adaptive parenting at Time 1 and in accordance with participation in Children First. Again, median splits were used to divide the sample into high and low adaptive parenting subgroups (median = 13 when reporting about their own adaptive parenting and 10 when reporting about their former spouse's behavior). Parents who reported that they engaged in lower levels of adaptive parenting and who attended Children First ($n = 66$; $M = 1.03$, $SD = 1.81$) relitigated less frequently than corresponding parents in the control group ($n = 17$; $M = 2.18$, $SD = 1.19$), $F(1, 81) = 4.95$, $p < .05$. These parents also reported lower levels of relitigation regarding child support issues ($M = 0.55$, $SD = 1.13$) than parents in the control group who reported lower adaptive parenting ($M = 1.41$, $SD = 1.50$), $F(1, 81) = 6.94$, $p < .01$. Similarly, Children First participants who reported lower levels of adaptive parenting reported lower rates of other relitigation ($M = 0.17$, $SD = 0.51$) than corresponding parents in the control group ($M = 0.53$, $SD = 0.94$), $F(1, 81) = 4.59$, $p < .05$. No significant effects were found for relitigation rates when parents reported higher levels of their own adaptive parenting or when parents reported about their former spouse's adaptive parenting.

In summary, the results reveal that parents who may be at risk for further difficulties because they engage in relatively higher levels of conflict with their former spouse, report a relatively greater tendency to triangulate their children into postmarital conflict, or report engaging in less adaptive parenting at Time 1 relitigated less often if they had participated in Children First than if they had not.

FOLLOW-UP REPORTS FROM ORIGINAL RESEARCH PARTICIPANTS

Given the relatively small number of individuals who completed the 6-year follow-up questionnaire, the analyses of these data were narrow in scope. However, we were able to establish some of the current correlates of relitigation. Among Children First participants, individuals were most likely to relitigate when they reported that their spouse currently engaged in more

triangulating child-rearing behaviors ($r = .34, p < .05$) and when they reported a lower quality coparental relationship ($r = -.51, p < .001$). These associations were also significant for the control group ($r = .81, p < .001$ for triangulating behaviors; $r = -.97, p < .001$ for coparenting relationship). Interestingly, parents' perceptions of their children's current adjustment or of their own personal adjustment were not significantly associated with the frequency of relitigation.

In response to the question of whether the Children First program should continue to be mandated in Champaign County, 37 of 40 (92.5%) individuals who had an opinion stated that it should be continued. Open-ended responses to an item inquiring about other programs or services that should be made available to parents and children undergoing divorce were also summarized. The most frequent response indicated a belief that good programs were already available in the county and that they needed to be made more accessible to people and be better advertised. Other common responses included the need for a child-centered program, additional counseling programs, and free or low-cost legal counsel.

DISCUSSION

Despite the introduction of Children First in 1990, rates of relitigation have steadily risen in Champaign County between 1989 and 1993. During this time, there was an overall decrease in the number of couples filing for divorce in the county. Although there may be many reasons for this increase in relitigation (e.g., changes in legal practices, divorce law, or trends in what lawyers feel they may successfully litigate), there is little proof that Children First has made a substantial impact on the community level in helping divorcing couples to handle subsequent conflicts on their own.

When the analysis focused on individual families rather than community-wide statistics, we again did not see a strong advantage for Children First participants. The frequency of relitigation 6 years after divorce for Children First participants was no different than that of individuals who did not go through the program.

However, a more fine-grained analysis at the family level of analysis revealed that the program may have particular benefits for parents who report the occurrence of relatively high levels of interparental conflict, triangulating children into postmarital conflict, and low levels of adaptive parenting. The frequency of relitigation over a 6-year period was lower for parents who reported relatively high levels of interparental conflict, triangulating children into postmarital conflict, and low levels of adaptive parenting if they had at-

tended Children First in comparison to parents in the control group. Thus, similar to the results of the initial evaluation, there is some indication that Children First may play an important function for divorcing families who may be described as being at greater risk.

Similar to the results of Kramer and Washo (1993), the Children First program appears to be most helpful for high-conflict families. No other studies have examined relitigation rates for participants in divorce education programs, so we do not yet know whether similar findings would exist for participants in other educational programs for divorcing parents. However, the general rates of relitigation for participants in this study are very similar to those reported by Koel et al. (1994) in a sample of 700 divorced couples over a 6-year period.

Relitigation rates may not be the best way to assess the effectiveness of a divorce education program. Relitigation rates are subject to various influences, many of which may be independent from the divorce education program itself (Ash & Guyer, 1986). Changes in the law, legal trends, what lawyers believe they can successfully litigate, and a general awareness among society of the need for child support enforcement influence the prevalence of relitigation. Some relitigations may not represent conflict but rather the legal endorsement of an agreed-upon change in custody or visitation. One limitation of this type of research is that court records do not indicate whether a particular litigation represents a desired change for family members. Furthermore, recent changes in the law have made it more difficult for individuals to change a divorce agreement without going to court (Bautch, personal communication, October 1997). Even the manner in which county clerks maintain legal records may affect the accuracy of the data that are collected. Thus, although a decline in community-wide rates of relitigation may be seen as proof of the effectiveness of a divorce education program, the converse may not be true. That is, an increase in relitigation may not necessarily signal program failure, so it will be important to include multiple measures of program effectiveness into future evaluations. In particular, it will be important to assess family members' perceptions of the desirability of the outcome of the litigation.

IMPLICATIONS FOR PRACTICE

There is reason to believe that educational programs on divorce have the potential to help families. However, there is also reason to believe that these services can be improved. Educational programs are by nature very brief (e.g., 2 to 4 hours), so it is not surprising that we see only limited evidence of

program effectiveness. Educational programs for divorcing parents almost never include additional contact with participants following the end of the program. One suggestion for bolstering program effectiveness is to offer booster sessions or to at least provide continuing information and support to participants through mailed information sheets or newsletters (e.g., Hughes, 1988). More systematic referral systems to other support and educational resources would also be helpful. Furthermore, because so many relitigations involved support issues, we must pay more attention to family economic issues when planning prevention or intervention programs.

The current study reinforces the fact that postdivorce conflict is a continuing problem for divorced individuals, who must find ways to effectively coparent their children, and for the legal system, which is burdened by this problem. The results emphasize that families need assistance in coordinating their parenting responsibilities long past the actual legal divorce. We need to do a better job of supporting parents and children as they make the transition from a nuclear family to two households in ways that minimize conflict. One strategy that merits further attention is to extend the use of mediation to postdivorce circumstances. That is, divorced parents may benefit from joint contact with a mediator or counselor that focuses on developing and/or implementing a parenting plan. Finally, there is a need to continue to evaluate educational programs so that we can better identify the components of successful programs.

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