

# Child Custody Laws and Household Outcomes

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## Abstract

Shared parenting or joint physical custody is an increasingly common phenomenon in many Western countries. While one strand of the economics literature on this topic has taken a theoretical approach, examining the efficiency and distributional effects of joint custody within marriage, most of the literature has focused on identifying the effects of shared parenting empirically. However, an empirical analysis of shared parenting and its consequences is difficult for multiple reasons, including selection in joint custody and data ambiguity in identifying “friendly” joint custody legal regimes. This Handbook chapter provides an overview of the legal treatment of shared parenting internationally and within the USA and discuss the theoretical and empirical literature on the effects of shared parenting on family outcomes. The chapter conclude with directions for future research.

## Introduction

Shared parenting, or joint physical custody, a parental care arrangement in which a child lives with each parent about equally after separation or divorce, is an increasingly common phenomenon in many Western countries. This has led to a vivid debate about the consequences of shared parenting for children and parents. While one strand of the economics literature on this topic has taken a theoretical approach, examining the efficiency and distributional effects of joint custody within marriage, most of the literature has focused on identifying the effects of shared parenting empirically. However, an empirical analysis of shared parenting and its consequences is difficult for multiple reasons. First and foremost, parents of children under joint physical custody tend to be highly educated, with closer ties to their children pre-divorce and show more agreeableness or less conflict in their relationship with the other parent (Nielsen [2018](#); Steinbach [2019](#)). This positive selection of high-quality parents into shared parenting makes it difficult to draw conclusions about the causal effects of this type of custody on the wellbeing of children as any positive association

between shared parenting and child outcomes might simply reflect the positive impact of good parenting styles.

A frequent and well-known solution to this problem in the economics literature is to find exogenous sources of variation in custody types, often by exploiting the different timing of pro-shared parenting legal reforms in different jurisdictions. This strategy, however, presents its own challenges. First, in legal and non-legal writings very often there is no explicit distinction between joint legal custody and joint physical custody, and the term joint custody is often used to denote either one or both types of custody. But even when laws mention joint physical custody or shared parenting explicitly, whether those laws truly promote shared parenting or not depends on the details of those laws, which can be difficult to assess or might be simply overlooked. Moreover, there are a range of types of custody laws. While some custody laws do not allow for shared parenting and others have a presumption of joint custody, there exists a continuum of legal support for joint custody between these two extremes, making the identification of “friendly” vs. “un-friendly” shared parenting regimes sometimes difficult.

This Handbook chapter first provides an overview of the theoretical literature focused on joint custody (Section “[Theoretical Literature](#)”). It then covers the legal treatment of shared parenting internationally and within the USA (Section “[The Legal Treatment of Shared Parenting After Divorce](#)”); this overview may serve to identify useful variation to examine the effects of joint physical custody. The next section (Section “[Empirical Evidence of the Effects of Shared Parenting on Family and Child Outcomes](#)”) discusses the empirical literature on joint custody. Finally, section “[Summary](#)” offers directions for new research and concludes.

## Theoretical Literature

While fertility and investment in children have played a central role in family economics since Becker, relatively few papers have examined custody from an explicitly theoretical perspective, with most theoretical work that is discussed in this section focused on optimal custody allocation to encourage parental investment. Weiss and Willis ([1985](#)) were among the first to develop a model that included custody considerations in family decision-making. Weiss and Willis point out the children can be thought of as marital public goods, but marital dissolution introduces inefficiencies into this investment. In case of divorce, the non-custodial parent is unable to monitor spending by the custodial parent on the child, leading to lower and inefficient child expenditure levels driven by the monitoring problem introduced by sole custody. It also implies that the custody and transfer decisions are linked in ex-ante contracts, as parents allocate custody to the altruistic parent and the non-custodial parent may in turn offer higher transfers to maintain child expenditures.

Like Weiss and Willis ([1985](#)), Rasul ([2006](#)) models optimal custody decisions as determined ex-ante at the start of marriage. However, Rasul’s model differs from Weiss and Willis in its recognition that transaction costs and incomplete contracting may lead to inefficient investment in children even within an intact marriage since unenforceable contracts will lead to renegotiation within marriage. He shows that this inefficiency can be thought of as a version of the holdup problem that has been discussed as it relates to property rights and the firm (Grossman and Hart [1986](#); Hart and Moor [1990](#); Besley and Ghatak [2001](#)). Using a model with endogenous divorce in which parents first determine custody allocation, then invest in child quality and finally either bargain over marital surplus or divorce, he finds that optimal custody will be allocated to the parent who values child

quality the most to encourage parental investment within marriage. However, as the probability of divorce increases, the likelihood of joint custody increases as both parents have an incentive to seek custody to maintain control over their investment. In cases in which parents have relatively homogeneous valuations of child quality, shared custody is optimal.

In independent, concurrent work to Rasul (2006), Francesconi and Muthoo (2003), Francesconi and Muthoo (2011) use a similar incomplete contracts approach that also draws on the aforementioned property rights literature to assess optimal ex-ante custody allocations at the beginning of marriage. In their framework, optimal custody assignment depends not only on parental valuations of child quality and parental altruism, but also each parents' child quality technology, which may be thought of as describing the parent's ability to "produce" child quality. Their model implies that if one parent's investment (which may include monetary and non-monetary investments) is relatively more important, then she/he should be awarded sole custody; in contrast to Rasul (2006), the optimal custody may be awarded to the parent with relatively low valuation of child quality in order to induce increased investment, and joint custody should be awarded in cases in which the importance of parental investments are relatively equal with a higher percentage of custody given to the parent who values child quality less to induce increased child investment.

As Francesconi and Muthoo acknowledge, the literature has thus far offered relatively little guidance on how one might measure the effects of various custody regimes and allocations on family and child outcomes. Only a few papers have estimated parental vs. child utility weights which might shed some light on parents' altruism parameters which affect child outcomes by custody status (see, e.g., Del Boca and Flinn 1995; Flinn 2000), and finding a separate measure of each parent's productivity in child quality is even more difficult. As a result, the literature currently relies mostly on reduced form empirical results to gauge the impact of custody on family outcomes.

## The Legal Treatment of Shared Parenting After Divorce

Over the past few years, many US states and many European countries have changed their family laws to promote shared parenting after divorce. To shed some light on the different legislative regimes in different countries, this chapter analyzes the divorce laws of several European countries and a few other countries for which data is available and identifies those cases where the concept of shared custody is mentioned as the preferred option for the wellbeing of children after divorce and which do not explicitly require a mutual agreement between parents. Table 1 shows the result of this analysis. This table should be interpreted as a rough guideline given the previously discussed variation in the treatment of shared parenting even within the group of laws that present it as the preferable option. **Table 1**

The regulation of shared parenting

Country	Pro JPC law?	Year	Law/article
EUROPE			

Germany	YES	2013	Civil Code Section 1626a
Austria	YES	2001	
Belgium	YES	2006	Civil Code Art. 374 & 387bis
Bulgaria	No	–	
Cyprus	No	–	
Croatia	No	–	–
Denmark	YES	2007	Parental Responsibility Act 2007
Slovakia	YES	2010	Act no. 36/2005
Slovenia	No	–	Article 105a of the Marriage and Family Relations Act
Spain	–	–	–
Aragón	YES	2010	Law 2/2010 of May 26, 2010.
Cataluña	YES	2010	Law 25/2010 of July 29, 2010.
Navarra	YES	2011	Law 3/2011 of March 27, 2011.
País Vasco	YES	2015	Law 7/2015 of June 30, 2015.
Valencia	YES	2011	Law 5/2011 of April 1, 2011.
Other regions	No	–	
Estonia	No?	–	Family law 2010
Finland	No	–	

France	YES	2002	Article 372-2-9, French Civil Code (FCC)
Greece	No	–	Article 1511, Greek Civil Code
Hungary	YES?	2013	Act V 2013
Ireland	No	–	Granted if there is no dispute
Italy	YES	2006	Articles 337, Civil Code
Latvia	No	–	
Lithuania	No?		
Luxembourg	No	–	
Malta	No?		El divorcio se tornó legal en 2011 tras el Act XIV of 2011, pero no encuentro sobre child custody
Netherlands	YES	1997	Article 1:251(2), Dutch Civil Code
Poland	No	–	Article 58 § 1, FGC
Portugal	YES	1999	Civil Code Art. 1906, Law #59/99
United Kingdom	–	–	–
Scotland	YES	1995	Section 3, Children (Scotland) Act 1995
Wales	YES	2014	Section 11 of the CFA 2014
England	YES	2014	Section 11 of the CFA 2014
Northern Ireland	No	–	The Children (Northern Ireland) Order 1995

Czech Republic	YES		
Romania	No	–	Art. 496 par. (3) of the Civil Code
Sweden	YES	1998	Children and Parents Code, Chapter 6 and Chapter 2
PACIFIC			
Australia	YES	2006	Australia's Family Law Amendment (Shared Parental Responsibility) Act 2006
Japan	No	–	
Singapore	No	–	

Unfortunately, research on shared parenting policy outside of Europe and the USA is fairly sparse, and to the best of our knowledge there is no research on the effects of joint physical custody laws in non-US, non-European environments. However, we have provided data on shared parenting policy in those few non-European countries that had information available in Table [1](#).

## The Treatment of Shared Parenting in the Spanish Divorce Law

The Spanish case offers an example of a country that went through a process of radical reform in a relatively short period of time. In the original formulation of the Spanish Civil Code (CC), the legal custody of children following marriage nullity or separation was granted to both parents (joint *legal* custody), but physical custody was granted exclusively to one, usually the mother. This distinction between legal and physical custody meant that as a general rule, children spent most of their time with their mothers, but both parents shared legal authority over them and had to coordinate important decisions. It was not until the Law 15/2005 of July 8, which modified the CC and the Civil Procedure Law on separation and divorce, that the joint *physical* custody of children, or shared parenting after divorce, was allowed. Although this 2005 law opened the door to shared parenting, it also required mutual agreement by both parents except under extraordinary circumstances (Article 92 of CC, sections 5 and 6). Not surprisingly, the 2005 law resulted in few shared parenting awards (less than 11% of total custody decisions in 2009, five years after its approval). In practice, opposition by one parent often was sufficient to avoid joint physical custody after divorce.

In 2009, several Spanish regions started to push for shared parenting laws. Between 2009 and 2011, 5 regions passed pro-shared parenting reforms, which included 14 provinces; they represent approximately 38% of Spain's total population in 2015. These reforms included the passage of laws that explicitly encouraged judges to grant shared parenting after divorce even when one of the

parents (most often the mother) opposed it as well as introducing a new set of criteria in custody-related disputes that generally favored shared parenting (Solsona et al. [2017](#)).

The reforms in these five regions elicited strong increases in shared parenting awards (see, Fig. [1](#)). For example, two of the treated regions, Aragón and Valencia, doubled the percentage of shared parenting awards just two years after their laws were introduced (from 10.2% and 9.1%, respectively, to 19.4% and 18.9%). In three others – Catalunya, Valencia, and Aragón – the incidence of shared parenting awards reached 40% just five years after the approval of the shared parenting laws, up from an incidence of 11% on average pre-reform. In contrast, Madrid, still ruled by the 2005 law, maintained a constant percentage of shared parenting awards, of around 12% between 2010 and 2012, which increased to just 17% at the end of the study period.

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### Fig. 1

Rulings granting shared parenting as a percentage of all divorce rulings: difference between reform and non-reform regions. Notes: Authors' calculations based on data from the Spanish General Council of the Judicial Power. Data available at [www.ine.es](http://www.ine.es). The figure shows the difference between reform and non-reform regions before and after the pro shared parenting reforms and after removing group specific pre-trends and time and region fixed effects. The figure shows the estimated coefficients for the set of years before and after the reform dummies and the 5% confidence intervals, with standard errors clustered at the region level. Data about rulings granting joint custody are available from 2007, so the third year before the reform does not include Baleares, whose treatment starts in 2009

The rather drastic Spanish reforms offer a good opportunity to analyze the causal impact of shared parenting on family and child outcomes. In section “[The Legal Treatment of Shared Parenting After Divorce](#),” the chapter describes the results of two ongoing research projects about these reforms.

## Regulation in the USA

During the 1980s and 1990s, many US states passed pro-joint custody laws, guided by the “best interest of the child” standard. Because these laws allowed but rarely required equal parenting time (shared parenting) of children after divorces, judges' discretion and parents' disagreements have created a situation in which shared parenting or joint physical custody remain low in the United States. Although there are no official statistics of the prevalence of shared physical parenting in the United States, several independent sources yield an incidence rate of around 25% that has remained quite stable over the past several decades. For example, according to the US Census Bureau, only 25% of the 12.9 million custodial parents in [2017](#) had joint (legal or physical) custody of their children. Using micro-level divorce certificate data from the National Vital Statistics, Halla ([2013](#)) finds that joint physical custody (defined as a minimum of 30% time share with each parent) applies to 25% of all divorces in the period between 1989 and 1995. Finally, using the 2014 Annual Social and Economic Supplement sample of the CPS, 23.45% of all cases with a child support agreement were awarded joint physical custody of the children (defined as a minimum of 40% time share with each parent). In contrast, using administrative data from Wisconsin, Meyer and coauthors find that

the incidence of joint physical custody defined as custody in which each parent has custody at least 25% of the time has risen from 12% in 1989 to 50% in 2010 (Meyer et al. [2017](#)). However, cases in which parents shared physical custody in equal amounts comprised only about 30% of cases as of 2008 (Cancian et al. [2014](#)).

The incidence of shared parenting in the United States may have been limited by issues of emphasis in many of the statutes that regulate the custody of children after divorce, with some statutes permitting but not directly promoting shared parenting. It is in this context that in the last 10 years different states considered as many as 86 bills to encourage shared parenting or make it a legal presumption, even when parents disagree. However, of those bills, 52 failed to be passed or were withdrawn, 26 are pending for approval and only 8 were signed into law; in recent years, Arizona, Kentucky, Missouri, Oregon, Virginia and Wisconsin have approved new legislation. For example, Kentucky passed a shared parenting law in 2018 which establishes a “presumption, rebuttable by a preponderance of evidence, that joint custody and equally shared parenting time is in the best interest of the child” (Kentucky House Bill #528). One assessment of shared parenting laws assigned low scores to 42 states (National Parents Organization NPO [2019](#)). That assessment looked at the complete language of each state’s child custody statutes and found that only nine states’ statutes indicated an explicit preference for shared parenting or a rebuttable presumption of shared parenting even when both parents do not agree. Under a rebuttable presumption, any deviation from a 50/50 split would require clear and convincing evidence that the other parent represents a threat to the child’s physical, mental, moral, or emotional health. According to the NPO study, the nine states that obtained this good grade are: Kentucky, Arizona, District of Columbia, Iowa, Nevada, Louisiana, Minnesota, South Dakota, and Wisconsin.

An alternative way to assess the treatment of shared parenting in US state laws is to look at the treatment of child support under shared parenting. Since the Family Support Act of 1988, all US states have used a “guideline,” or algorithm, to determine a fixed child support amount based on parental income and the number of children. States differ substantially in both their guideline support amounts and also in their treatment of joint physical custody. In some states, there is no offset to the child support obligation when custody is shared, while in other states fathers may avoid paying most or all child support by assuming joint physical custody of the children. The economic incentives generated by those child support savings (CSS) are therefore very different across different states with implications for the incidence of shared parenting and the wellbeing of children. Fernández-Kranz et al. ([2021](#)) looked at the child support guidelines from all 50 states, 12 of which do not take into account joint custody for the purposes of calculating child support orders, that is, “child support savings,” are zero for those states. They define CSS as the dollar amount saved in monthly child support due to a father having joint custody and express this value as a percentage of the non-custodial parent’s monthly income. State-level guidelines legally determine the amount of child support that each father is expected to pay, and this amount is based on parental incomes and the number of children as well as the amount of time that each parent spends with the child. Hence, the child support guidelines imply that the CSS measure varies not only across states but also across income levels within each state.

The next figure displays the distribution of states according to the grade obtained in the National Parents Organization (NPO) study (panel a) and according to the level of CSS (panel b). In each case, the states are divided in quartiles, from the lowest score (first quartile) to the highest one (fourth quartile). A position in a higher quartile means that shared parenting is promoted to a higher degree either through the language in the custody law (panel a) or by a large level of CSS in the child support guidelines (panel b). There is a lot of overlap between the two measures (the correlation coefficient is +0.28) but also some differences. For example, the promotion of shared

parenting is in average larger in the West coast and in the Midwest than in the South East and North East. But in some states, there is a remarkable discrepancy between the child custody and child support laws. For example, Kentucky ranks the highest in terms of child custody law (with a presumption for shared-parenting rebuttable by a preponderance of evidence) but has no offset to the child support obligation when custody is shared. Or, to the contrary, in California the economic incentives for shared parenting that are generated by the child support guidelines are quite high (CSS = 34%), but this state has no *real* statutory preference for, or presumption of, shared parenting since the presumption in favor of joint custody applies only when both parents agree to joint physical custody (CAL. FAM. CODE§ 3080). As in the case of Spain, the differences across states in the treatment of shared parenting offer an ideal environment in which to study the causal effects of joint physical custody on family and child outcomes (Fig. 2).

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## Fig. 2

Distribution of states according to the promotion of shared parenting: (National Parent Organization) NPO score versus child support savings (CSS)

Investigating the same issue in an international context, Hakovirta and Skinner ([2021](#)) find that in cases of equal parenting time only two countries (Denmark and the UK) deem there to be no child maintenance obligation, while in France and Sweden child support is annulled only if parents have equal incomes. Appositely, only Estonia and Iceland do not recognize the division of care as a factor that can modify child maintenance obligations. For the majority of countries, however, an obligation to pay remains where there is equal time share and for most, the amounts are reduced/adjusted by varying degrees depending on the rules applied.

## Empirical Evidence of the Effects of Shared Parenting on Family and Child Outcomes

Studies using large-scale representative data on the causal effects of shared parenting on household and child well-being are still rare. This is probably due to the paucity of data on the prevalence of joint physical custody (shared parenting) and that the laws regulating shared parenting in different jurisdictions are difficult to compare due to differences among the laws that make the characterization of the treatment of joint custody somewhat subjective. Moreover, the effects of shared parenting laws on children are hard to pinpoint theoretically; they depend on the effects on family outcomes such as marriage, divorce, and investment in children, which are a priori ambiguous, as well as the incentives that drive shared parenting requests, namely, whether fathers are expressing their true desire to spend more time with their children or else are seeking to reduce their child support obligations. Changing residences frequently also may influence children's emotional stress, depending on whether the lack of stability is outweighed by the benefits of more frequent contacts with both parents (see Turunen [2017](#)).

Various studies have noted correlations between shared parenting and children's emotional and educational outcomes. Although the results vary, a majority indicate that shared parenting leads to

better emotional and educational outcomes for children (see two recent literature reviews by Nielsen [2018](#) and Turunen [2017](#)). In another recent literature review, Steinbach ([2019](#)) looked at 40 studies from North America, Australia, and Europe published between 2007 and 2018 and finds in general positive effects of shared parenting on the well-being of children and of parents. However, as the author notes, self-selected highly educated parents with a high socioeconomic status, a low conflict level, and children between the ages of 6 and 15 practicing joint physical custody dominate the sample.

Even when studies control for parents' income or level of conflict, endogeneity issues arise, because heterogeneous parents sort into different custody decisions. Mahrer et al. ([2018](#)) review 11 studies of the relationship between parenting time and quality on children's outcomes in high-conflict divorced families and find that increased shared parenting leads to worse outcomes for children in the long run but not in the short run. Moreover, even in a context of couples with similar levels of conflict, selection into joint custody makes identifying the causal effects of shared parenting difficult. For example, steady contact strengthens parent-child bonds and facilitates parenting styles that encourage child development (Amato and Gilbreth [1999](#)), which is more frequent among fathers who request equal parenting time after divorce (Bastaitis et al. [2012](#)), even if that divorce is characterized by high levels of conflict. Whether this parenting style results from joint custody or is a trait that preceded the divorce is unknown and difficult to control for.

There are surprisingly very few studies that address such endogeneity concerns; most of those that do rely on changes to US joint custody laws from the 1970s to the 1990s, with these studies focused on changes to joint custody laws broadly defined to include both legal and physical custody. Looking at overall household outcomes, Halla ([2013](#)) uses American data in which the timing of states' entry into joint custody policies is defined as the passage of laws that specify that parents "share the rights and obligations concerning the child after divorce" as distinct from a policy that focuses on physical joint custody. He finds that those laws had ambiguous effects on divorce, reduced female labor participation rates, increased marriage rates and fertility, and reduced domestic violence and suicide among males, which he attributes to an increase in men's bargaining power. Boheim et al. ([2012](#)) reach a similar conclusion regarding the effects of joint custody laws on female labor participation, marriage rates, and fertility using Austrian administrative data (for a summary of the literature focusing on the 1980s and 1990s US joint custody laws, see Halla [2015](#)).

Of the few causal studies that examine the effects of joint custody on children, most find negative effects, which they posit may be caused by an increase in male bargaining power from joint custody laws. For example, Maiti ([2015](#)) finds worse educational and labor market outcomes for children who grew up in US states with joint custody laws, especially boys. Also consistent with research showing lower altruism among fathers (Attanasio and Lechene [2002](#); Lundberg et al. [1997](#)), Nunley and Seals Jr ([2011](#)) show that children of intact families in states with joint custody laws are less likely to attend private school, and Chen and Logan ([2020](#)) find that exposure to gender-neutral custody assignment (rather than one that gives preference to mothers) reduces the probability of completing high school. In contrast to the results on educational attainment, the literature generally shows a positive effect of joint custody on child support, perhaps because joint custody may alleviate the monitoring problem associated with payment of child support in the sole custody case (Allen et al. [2011](#); Brinig and Buckley [1998](#); Del Boca and Ribero [1998](#); Weiss and Willis [1985](#)).

Another strand of the literature has focused specifically on how joint custody laws affect time use in both non-intact and intact families. To the extent that these laws increase the bargaining power of men, one may expect effects on married mothers' labor supply as well as on the division of labor within the household. Roff ([2017](#)) finds that fathers in joint custody law states have more bargaining

power, with those fathers doing significantly less household work under unilateral divorce with joint custody than their counterparts in sole custody states. The literature also shows that mothers respond to the increase in paternal bargaining power by increasing their labor supply, along with some evidence that fathers reduce their labor force participation (Nunley and Seals Jr [2011](#); Altindag et al. [2017](#)). In contrast, Vuri ([2018](#)) finds that joint custody laws lead to a decrease in earnings and an increase in poverty among single mothers. This effect appears to be driven by an increase in child support collections from fathers with joint custody, leading to increased mothers' non-earnings income and lower labor supply among single mothers.

As for more recent studies of the causal impact of shared parenting on the well-being of children, the authors of this survey have investigated this issue in three ongoing projects. These studies focus on the effects of joint physical custody, as distinct from the broader definition of joint custody that encompasses joint legal custody in the literature using American data. Fernández-Kranz and Nollenberger ([2021](#)) study the impact of shared parenting laws on divorce-related outcomes, female employment and risky behavior by teenagers, using the natural experiment created by a series of reforms to promote shared parenting in five Spanish regions, implemented between 2009 and 2011 (see, section "[The Treatment of Shared Parenting in the Spanish Divorce Law](#)"). They find that shared parenting has led to a decrease of contentious and wife-initiated divorces and an increase of employment among mothers relative to fathers. An analysis of drug use and family relationships among 165,000 teenagers further shows that shared parenting significantly decrease risky behavior by teenagers, especially boys, who claim to have better relationships with their father although they also report more unclear norms for behavior. Using the same set of reforms, Fernández-Kranz et al. ([2020](#)) find that pro shared parenting laws reduced domestic violence among married couples. Comparing the evolution of intimate partner violence in treated and control regions and using couples without children as an additional comparison group, they find that the policy led to a large and significant decrease in intimate partner violence, with the largest effects among couples in which the mother was more likely to seek sole custody before the policy change. Consistent with this finding, the policy also led to a significant reduction in female partner homicides in treated regions.

A handful of papers have looked explicitly at the interaction of joint custody with other family policies. Gonzalez-Val and Marcen ([2012](#)) examine whether controlling for joint custody reforms which happened subsequent to the passage of unilateral divorce laws may affect Wolfers' ([2006](#)) finding that unilateral divorce had only a temporary effect on divorce rate. They find that controlling for joint custody leads to a permanent effect of unilateral divorce on marital dissolution with joint custody laws generating a negative effect on divorce. Fernández-Kranz et al. ([2021](#)) merge child data from the Survey of Income and Program Participation (SIPP) with US state child support guidelines and find that economic incentives for joint custody (CSS) have negative effects on the human capital development and health of children of divorced parents, as measured by degree completion, attitudes toward schooling and self-reported health. In their study, custody data together with parental characteristics and time use data suggest that economic incentives for joint custody may limit children's time spent with relatively high-quality mothers, as fathers pursue joint custody in response to the policy. They do not find an effect of economic incentives for joint custody on the probability of divorce and on the wellbeing of children in intact families. The negative effects of economic incentives for joint custody on the wellbeing of children tend to be larger for girls and for children aged 12 and under.

## Summary

Overall, the empirical evidence of the causal impact of shared parenting on the wellbeing of children is very scarce and yields conflicting results, with some studies finding positive effects and others negative ones. Future research should seek to uncover the exact mechanisms and the consistency of findings across different contexts and situations; research which integrates the theoretical and empirical literature would be particularly useful. Special emphasis should be given to the distinction between joint legal custody and joint physical custody, a distinction often overlooked by the previous literature. Also, future research should aim at finding causal impacts, acknowledging the selection of more devoted, highly educated, and less conflicting fathers into joint physical custody in regular settings.

## Cross-References

- . [Female Labor Force Participation](#)
- . [Household Decision Making](#)
- . [Household Labor Supply](#)
- . [Parenting Behavior and Outcomes for Children](#)
- . [The Effect of Shocks of Households' Investments in Children's Human Capital](#)

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