

# INDIVIDUAL AND COPARENTING DIFFERENCES BETWEEN DIVORCING AND UNMARRIED FATHERS Implications for Family Court Services

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The current study examines differences in demographic characteristics, parental conflict, and nonresidential father involvement between divorcing and unmarried fathers with young children. Participants were 161 families (36 unmarried) with children aged 0 to 6 years, involved in a larger longitudinal study of separating and divorcing families. Baseline data were gathered from parenting plans, court databases, and parent reports. Results indicated that unmarried fathers were younger, more economically disadvantaged, less well educated, less likely to have their children living with them, and had less influence on decision making. Unmarried fathers reported more conflict regarding their attempts to be involved with their children in their day-to-day activities. Understanding these unique characteristics and dynamics will help to maximize effective services in the legal system for unmarried couples.

*Keywords:* *unmarrieds; divorce; coparenting; father involvement*

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Family courts face a brave new world with regard to issues of paternal involvement. The separation and divorce rate has led to a prevalent family form in which many fathers are not living with their children all or some of the time, spurring concerns about the effects of non-residential fathering and the potential impact of father absence on family relationships and child development. These concerns about divorced fathers are echoed, if not magnified, for unmarried fathers.

Although men and women across different racial, ethnic, and socioeconomic groups still view marriage as an ideal (Oropesa & Gorman, 2000; Thornton, 1989), the imperative to marry has weakened since the 1950s. Singlehood, cohabitation, and nonmarried childbearing are gradually becoming more acceptable and prevalent across various socioeconomic groups (Thornton, 1989; Thornton & Young-Demarco, 2001). As more couples with children choose these less traditional family forms, the courts are faced with challenges for developing coparenting plans and child support agreements between unmarried parents.

Although family court trends point to an increasing incidence of shared legal and physical custody among separating parents (Seltzer, 1998), the vast majority of children still reside primarily with their mothers instead of sharing time equally between parents' residences or living with their fathers (Emery, 1994; Loewen, 1988; Maccoby & Mnookin, 1992). Family court dockets are replete with separated fathers, married or unmarried, who are attempting to negotiate ways into their children's lives through paternity establishment, more defined parenting responsibility, and increases in time spent with their children (Beitel & Parke, 1998; Doherty, Kouneski, & Erickson, 1998; Kline Pruett & Pruett, 1998; Levine & Pitt, 1995). Fathers are also initiating child support motions as another way of caring for their children. Yet many of these fathers remain on the periphery of their children's lives com-

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pared to married fathers. Lower percentages of unmarried fathers pay child support or see their children compared to separated and divorcing fathers (see Seltzer, 2000), although the actual amount of involvement by these men over time may be greater than the combined wisdom from cross-sectional studies suggests (McKenry, McKelvey, Leigh, & Wark, 1996).

As the numbers of unmarried couples seeking judicial input into decisions regarding childrearing and coparenting surge in the family courts, judges face new conundrums. Unmarried men are seeking involvement with their children without the protections and directions provided by laws pertaining to marriage and divorce (Gordon, 1998-1999). Concomitantly, unmarried couples who may or may not have borne their children in the context of a committed, romantic relationship present more dilemmas about coparenting in the contexts of two single-parent or newly married families. Ambiguous roles and connections between the parents at the beginnings of the child's life lead to complicated dissolutions and legal agreements shortly thereafter.

### UNMARRIED FATHERING

Rates of childbearing for cohabiting and unmarried couples have steadily increased over the past 20 years, such that 35% of never married cohabiters have children in the household (Smock, 2000). Regardless of cohabitation status, almost one third of America's children were born outside of married relationships in 1997 (Seltzer, 2000). Without the legal rights and emotional relationships that develop over time between spouses, extended families, and fathers and children as a result of living in the same household, father involvement may be subject to a rapid and powerful erosion process. This assumption, however, has not been sufficiently tested. Research on unmarried fathers has been scant compared to divorced fathers, and the issues for these fathers are less understood, particularly in the context of their increasing presence in family court. It is becoming imperative to examine unmarried groups more closely to foster sound legal and social policies based on a greater understanding of the specific legal and interpersonal issues they bring before a judge.

The ways in which unmarried fathers are different from divorcing fathers with regard to their individual and family characteristics (i.e., age, ethnicity, education level, and number of children), level and kinds of conflict between parents, and father involvement await further detail from research. What we do know is that unmarried fathers differ from married and divorcing men in important ways.

In general, cohabiters (with or without children) have less stable relationships than married couples (Smock, 2000) and are more likely than married partners to end their romantic relationships within the first 2 years (McKenry et al., 1996). Unmarried fathers are more disadvantaged in terms of education, income, and age, and they are at higher risk for poorer physical and mental health outcomes (Wilson & Brooks-Gunn, 2001). Some studies have found that married couples have lower rates of distress, mental illness, and depression than unmarried parents (Horwitz, White, & Howell-White, 1996; Smock, 2000; Umberson & Williams, 1993), whereas other studies find no such differences (Horwitz & White, 1998).

### PARENTAL CONFLICT AMONG UNMARRIED COUPLES

Aside from group differences in personal and relationship characteristics, salient issues faced by family courts involve determinations of coparental interactions—past, present, and future—especially with regard to cooperation and conflict. Parental conflict among unmar-

ried couples is of interest from several vantage points. Parents in conflict pervade family court dockets and require more than their proportionate share of judicial time and resources. A few studies have shown that the amount of conflict between unmarried parents is likely to negatively influence their children's development in ways similar to that found for married and/or divorcing couples (Amato & Rezac, 1994; Emery, Fincham, & Cummings, 1992). We do not know whether the types of relationship conflict differ between unmarried and married couples.

The multiple pathways by which nonmarried status influences fathering are only beginning to be understood. One of the salient and defining features of fatherhood in contrast to motherhood is how it is influenced by social contexts, especially that of the parents' relationship. Coparental conflict affects paternal involvement (Pruett, Williams, Insabella, & Little, *in press*), and more paternal involvement can translate into more conflicts between parents (see Cohen, Cowan, & Cowan, 2002). Mothers are the primary gatekeepers of their children's time and involvement (Levine & Pitt, 1995). Numerous studies indicate that divorced fathers who have less contentious relationships with their children's mother are more involved in the child's upbringing (see Cohen et al., 2002). Alternately, mothers are less likely to limit nonresidential paternal contact and to exercise their gatekeeping functions when parents get along better (Cohen et al., 2002). Separated and divorced fathers report that some women limited their involvement with their children based on their feelings about the father "as father," as well as former lover/spouse/provider (Braver & Griffin, 2000; Coley, 2001).

Obvious differences exist between married and unmarried parents living apart, in terms of the legal formalization and dissolution of the marriage and sharing of a household. The inherent stresses and irritants that accompany these transitions could conceivably affect parental conflict, and, in turn, paternal involvement. The particular issues affecting unmarried fathers regarding conflict with their partners have yet to be addressed.

## FATHER INVOLVEMENT

Empirical interest in nonresidential fathering dates back to the earliest divorce research. Research has highlighted fathers' difficulties in accommodating to their new residential situation (Ahrons & Miller, 1993; Amato & Rezac, 1994; Grief, 1979; Thompson, 1994; Wallerstein & Kelly, 1980), and children's hungering for their fathers as paternal presence changes in the aftermath of divorce (Hetherington, 1989; Wallerstein & Kelly, 1980). These conditions, poignant in themselves, have taken on an even weightier import for social policy as researchers continue to discover the important and unique contributions fathers make to family well-being, generally, and child development, in particular (see Cohen et al., 2002). Father absence and depreciation are now understood as major contributory factors to family poverty and instability and child behavior problems (Cabrera, Tamis LeMonda, Bradley, Hofferth, & Lamb, 2000; Coley, 2001).

Within the divorce literature, concerns about father involvement stem from studies showing that a proportion of fathers drop off in their involvement over time. Although fathers typically spend less time in direct child care than mothers do (Coltrane, 1996; Pleck, 1997), the amount of fathers' time spent in direct care, as well as indirect care and recreation with children, diminishes after divorce (Furstenberg, Morgan, & Allison, 1987; Seltzer, 1991). In fact, national estimates indicate that one third of children have no contact with their nonresidential fathers (Nord & Zill, 1996).

Unmarried fathers do not start out less involved. More than three fourths of unmarried fathers are involved with their newborns (Johnson, 2001). Survey studies indicate that rates of involvement are highest for fathers of young children (Coley, 2001) and decrease among children school age and older (Furstenberg & Harris, 1993; Lerman, 1993). Although there is continuity across time such that fathers who get involved early on are more likely to stay involved (Cohen et al., 2002), the decline in involvement for the majority of nonresidential fathers occurs sharply and fairly quickly. The drop-off coincides with fathers' difficulty in staying close to their children when not living with them. Many fathers find their paternal roles more complex, more ambiguous, and less manageable than when they lived with their children (Minton & Pasley, 1996). Because married and cohabiting fathers generally stay more involved with their children than do divorced nonresidential fathers (Cooksey & Craig, 1998; McKenry et al., 1996; Seltzer, 2000), children whose parents are unmarried and do not live together appear to be at the greatest risk for a diminished or lost relationship with their fathers.

Using child support payments as one indicator of paternal involvement places children of unmarried parents at a distinct disadvantage. Although only 60% of eligible families (families with a nonresidential parent) have child support orders, never married mothers have the lowest rate (23%) of legal orders for child support (Garfinkel, Meyer, & McLanahan, 1998). In fact, only 20% of children born to unmarried parents receive the financial support to which they are legally entitled (Miller, Garfinkel, & McLanahan, 1997). Recent studies show that divorced fathers probably support their children financially in informal ways that go undetected in research (Coley, 2001), and the same may hold true for unmarried fathers. However, since fathers are less likely to pay support when their own education and income levels are low, which is generally the case with unmarried fathers, it stands to reason that this form of involvement will continue to be less prevalent among unmarried men.

## PURPOSE OF STUDY

In this article, we will examine a court-based sample of divorcing and unmarried couples with young children (aged 6 years or younger) to better understand how differences in fathers' individual and family characteristics, coparental conflict, and nonresidential father involvement are manifested. We will also consider how the unique characteristics and processes among nonmarried couples might have differential effects on the relationship between interparental conflict and father involvement. Finally, we will discuss how the different characteristics and dynamics of unmarried couples could affect family courts and the services they provide.

This study uses baseline data from a larger longitudinal sample of divorcing and unmarried parents with children aged 0 to 6 years. We utilized mothers' and fathers' perceptions of paternal involvement, as well as court records of parenting plans, to expand on prior research drawn primarily from survey samples or from mothers' reports. Maternal reports of father involvement, in particular, tend to be quite discrepant from fathers' self-reports (Seltzer, 1991).

Based on previous research, it was expected that the unmarried fathers in our sample would be younger, less educated, earning lower incomes, and in poorer mental health than our married sample. We will investigate aspects of mental health that have been reported elsewhere (e.g., depression, anxiety, and hostility), as well as new ones that have not been

explored. Assuming that unmarried couples will have had briefer relationships, we also expect them to have fewer and younger children than divorcing couples. Additionally, more negative changes in the father-child relationship are expected among unmarried fathers than divorcing fathers.

Unmarried fathers are expected to be less involved with their children in comparison to divorcing fathers in terms of less participation in daily child care and parental responsibility, less influence in decision making, and fewer overnights. Finally, given the number of differences expected in the context of coparenting for unmarried and divorcing fathers, we hypothesized that fathers in more conflictual interparental relationships would be less involved with their children, especially among unmarried fathers.

## METHOD

### PARTICIPANTS

The Collaborative Divorce Project (CDP) was designed to assess the effectiveness of a comprehensive intervention program for children, aged 0 to 6 years, and their families during the initiation of divorce proceedings for married couples or of parenting plans and child support arrangements for nonmarried couples. Court clerks, parents' attorneys, the Family Court judges, and Family Services personnel from two Connecticut court districts cooperated with the CDP in recruiting participants. Inclusion criteria included (a) a child 6 years or younger who was a biological child of both parents, (b) no substantial history of parental substance use, and (c) no significant history of spousal or child abuse within the family. Eligible families were invited to participate in an assessment of an innovative court project with the goal of helping families with young children steer a course through the legal system with less adversarial and expensive legal costs, as well as improved coparenting relationships, greater father involvement, and children's psychosocial adjustment. Families were enrolled in the study at the beginning of their legal proceedings; most parents had just separated, whereas others were in the planning phase of doing so. Families were blind to their randomized condition assignment (intervention or comparison) when they joined the program.

Of the 161 families enrolled in the study, 36 fathers (22%) were not married to their partners. The majority of couples (78%) were beginning procedures to divorce. These parents were married from 1 to 26 years at the time of filing, with an average duration of 8.03 ( $\pm 4.5$ ) years. Married and unmarried couples lived together for significantly different durations,  $t(154) = 7.91, p < .001$ . On average, married couples ( $M = 9.52$  years,  $SD = 4.4$ ) had been living together longer than cohabiting unmarried couples ( $M = 3$  years,  $SD = 3.2$ ). Nine of the 36 unmarried couples reported they never lived together. The majority of fathers were Caucasian (85%), with several Latino (5%), African American or biracial (6%), and Native American (3%) fathers also participating.

### PROCEDURE

This study employed a longitudinal, multimeasure, multireporter data collection design. Participating parents completed questionnaires regarding individual, family, parental and child variables. For this study, information utilized included family demographics, parents' mental health symptomatology, legal outcomes, custody arrangements, nonresidential parents' involvement, and quality of the coparenting and parent-child relationships. Parents

were paid \$50 for their participation at each assessment. Information from the initial assessment (baseline) was used for this study to compare married/divorcing and unmarried fathers as they entered the family court system.

## MEASURES

Three paternal demographic variables were examined. Fathers' age was calculated at the time of the baseline assessment. Educational level was assessed on a 7-point Likert scale indicating the highest level of academic achievement attained ranging from 1 (*less than 7th grade*), 2 (*junior high school, 9th grade*), 3 (*partial high school, 10th or 11th grade*), 4 (*high school, preparatory, parochial, trade or public school graduate*), 5 (*partial college, at least 1 year, or specialized training*), 6 (*standard college or university graduate*), to 7 (*graduate professional training, graduate degree*). Fathers reported their yearly income based on a 7-point interval scale ranging from 1 (*less than \$5,000*), 2 (*\$5,000 to \$10,000*), 3 (*\$10,001 to \$18,000*), 4 (*\$18,001 to \$25,000*), 5 (*\$25,001 to \$50,000*), 6 (*\$50,001 to \$75,000*), to 7 (*more than \$75,000*).

Demographic characteristics of the families also were examined. Child's gender and age, measured continuously and categorically (infants and toddlers, 0 to 3 years; and older children, 3 to 6 years) were analyzed for marital status differences. Fathers reported the number of children from their dissolving relationships.

Parental symptomatology was assessed using the 53-item, self-reported Brief Symptom Inventory (BSI) (Derogatis, 1993). This study used seven of the nine primary symptom dimensions assessed by the BSI: somatization, obsessive-compulsive thoughts and behaviors, interpersonal sensitivity, depression, anxiety, hostility, and paranoid ideation. Parents rated how much discomfort each symptom had caused them in the past 3 months using a 4-point scale ranging from 1 (*not at all*) to 4 (*extremely*). The primary symptom dimensions have been demonstrated to show high convergence with the constructs of the Symptom Checklist-90-R (Derogatis, 1993). Within the current sample, reliability scores for fathers' reports of their symptoms on the seven primary dimensions ranged from  $\alpha = .75$  (hostility) –  $\alpha = .90$  (obsessive compulsive thoughts and behaviors).

Negative changes in the parent-child relationship were assessed using Maccoby, Mnookin, and Depner's (1993) 10-item, 5-point Likert measure of the parent-child relationship developed for the Stanford Child Custody Study. Parents reported on changes in the emotional distance in their relationship with their child, as well as changes in expectations, play time, patience, consistency, and the child's compliance since parental separation. With one item recoded, higher scores indicate more distance and difficulty between fathers and their children ( $\alpha = .75$ ). Factor analyses confirmed the existence of a unidimensional measure of deterioration in the parent-child relationship.

Parental conflict was measured with the Content of Conflict Checklist (CCC) (Johnston, 1996). The CCC is a 17-item measure describing the fathers' perceptions of the extent of coparenting disagreements and concerns regarding visitation arrangements, child support payments, discipline, daily child care, as well as trust in and support for the other parents' involvement with their child. A 5-point Likert scale ranging from 1 (*false*), 2 (*somewhat false*), 3 (*neutral*), 4 (*somewhat true*), to 5 (*true*) was used and item responses were summed. Positively worded items were recoded; higher scores indicate more conflict between parents.

Factor analyses employing maximum likelihood techniques with an oblique rotation were conducted to verify the factor structure of this measure in our sample. Whereas Johnston and colleagues (Johnston & Roseby, 1997) used a unidimensional measure of

interparental conflict, our data suggest that fathers' responses are best characterized by two correlated but separate factors. One factor, conflict and interference with fathers' involvement ( $\alpha = .85$ ), comprised nine items regarding fathers' perceptions of the extent of their ex-partners' unhappiness with their involvement and efforts to decrease or hinder it, such as disputes over custody and visitation, attempts to "cut out" fathers from their children's lives, disagreements about children's daily care needs, negative comments about fathers to their children, and interference of mothers' new partners, relatives, or friends with the children. Distrust in mothers' parenting ( $\alpha = .87$ ) included five items that indicated fathers' concerns regarding the other parents' abilities to be responsive and interested in their children's emotional well-being, activities, safety, and physical welfare. Additionally, fathers reported their level of disapproval of their ex-partners' lifestyle because of its potential deleterious effects on their children. Three items from the CCC did not adequately load on either factor and were subsequently dropped.

Nonresidential father involvement was measured across several dimensions to capture various ways in which fathers participated in their children's lives. Information from mothers, fathers, and/or court records were used when relevant and available. The sample for these analyses was composed of families in which the children lived primarily with their mothers and fathers arranged for visits ( $n = 106$ ).

Residential arrangement information at baseline (i.e., primary physical custody to mother, primary physical custody to father, or joint physical custody) was collected from mothers and fathers. Information about legal custody was not included because most families had not yet completed the legal process.

Another aspect of nonresidential father involvement was extracted from a maximum likelihood factor analysis with an oblique rotation to develop a unified and parsimonious factor (17 items) from related various measures. Items on the factor analysis were questions posed to both parents separately regarding the regularity, frequency, consistency, and reliability of father contact and visits, as well as the degree of influence that fathers have in the decision making for their children. Additionally, mothers and fathers reported their perceptions of fathers' involvement in the day-to-day activities and needs of their children using Ahrons's (1981) 10-item checklist of nonresidential parent-child involvement. Various parental responsibilities were queried on a 5-point scale from 1 (*never*) to 5 (*always*), with items that include discipline, dressing and grooming, holiday celebrations, running errands for the child, religious and moral training, and taking the child for recreational activities. The non-residential parent involvement factor was very reliable ( $\alpha = .93$ ).

Mothers estimated fathers' influence on decision making by responding to the following question: "If you do discuss your child with his/her nonresidential parent, what do you think his influence is in making decisions about this child?" with answer choices defined as *none*, *some*, or *a great deal*. Fathers also provided information about whether they made payments of child support to the other parent.

Overnight information was gathered from specific parenting plan arrangements developed between 6 and 18 months following the initiation of court proceedings. The CDP and family services counselor teams negotiated parenting plans for the intervention families. Comparison families tended to have less detail in their court-filed parenting plans; thus, information was augmented with data from parental follow-up questionnaires. When parents' information differed, attempts were made to reconcile the differences using all available sources of information. When discrepancies could not be reconciled, the parental report that contained more detailed information was used.

CDP staff utilized the parenting plans to obtain information about the occurrence of any overnights (*yes* or *no*) and overnights during the school week from Monday to Thursday (*yes* or *no*), as well as the average number of overnights over a 1-month period and the highest number in a given week.

Utilization of court services was assessed in two different ways. Fathers reported the number of appearances before a judge to settle child-related disagreements, which was used as an indicator of involvement with the family court system. Parents in the family courts chose either to move through the court process *pro se* (representing themselves) or to hire an attorney. Whether fathers utilized the services of a lawyer, use of an attorney was assessed with a dichotomous variable: 0 (*no attorney involved*) or 1 (*attorney involved*). There was no significant association between income levels and attorney involvement for married/divorcing fathers ( $\chi^2_{[1]} = 0.14, p = .71$ ) or unmarried fathers ( $\chi^2_{[1]} = 2.70, p = .10$ ). Thus, a relationship between marital status and attorney involvement would not be confounded by an association between income level and attorney involvement for either group.

## RESULTS

Chi-square or independent means *t* tests were employed to test hypotheses regarding group mean differences between divorcing and unmarried fathers. Hierarchical regression analyses were utilized to test whether the relationship between interparental conflict and father involvement differed by marital status.

### DIFFERENCES BETWEEN DIVORCING AND UNMARRIED FATHERS

*Demographic differences.* Men who had not married their partners were younger ( $M = 29.43$  years,  $SD = 8.29$ ) than married men who were divorcing their wives ( $M = 34.72$  years,  $SD = 5.71$ ),  $t(152) = 4.34, p < .001$ . To maximize cell sizes for the categorical variables of yearly income and educational achievement, this information was collapsed into fewer categories. Income was measured by a dichotomous variable: yearly incomes less than or equal to \$25,000 per year or greater than or equal to \$25,001 per year. A yearly income of approximately \$25,000 or higher was the mode and median of the sample. There was a significant association between marital status and fathers' income levels ( $\chi^2_{[1]} = 7.15, p = .01$ ). Married fathers were more likely to be in the higher income group than were unmarried fathers. Fathers' highest educational achievements were characterized as partial high school/less than a high school diploma, high school graduate, or education or training beyond high school. Married fathers were more likely to have pursued specialized training or continued education after high school than were unmarried fathers ( $\chi^2_{[2]} = 7.52, p = .02$ ).

*Family demographic differences.* Unmarried parents had younger children ( $M = 2.43$  years,  $SD = 1.51$ ) at the time of their entry into the family court system than did married/divorcing parents ( $M = 3.55$  years,  $SD = 1.68$ ),  $t(159) = 3.59, p < .001$ . Unmarried parents tended to have more infants and toddlers than did divorcing couples at the time of entry into the CDP ( $\chi^2_{[1]} = 6.60, p = .01$ ). There was a significant difference by marital status in the number of children within families,  $t(151.95) = 8.85, p < .001$ . The average family of divorcing parents had two children, whereas the unmarried couples had only one child from their rela-



tionship. There were no significant associations between children's gender and marital status ( $\chi^2_{(1)} = 0.21, p = ns$ ).

*Parental symptomatology.* Fathers in unmarried couples did not report experiencing poorer mental health than did divorcing fathers. There were no group differences in the number of symptoms endorsed for depression, anxiety, hostility, somatic complaints, interpersonal sensitivity, paranoid ideation, or obsessive-compulsive thoughts and behaviors.

*Negative changes in the father-child relationship.* Negative changes in the father-child relationship since separation and/or legal proceedings did not differ across the two groups.

*Parental conflict.* Examining the two factors of interparental conflict and hostility, conflict and interference with fathers' involvement and distrust in mothers' parenting, we found no group differences in fathers' beliefs that their former partners could not be trusted to protect their children or respond to their needs and interests,  $t(159) = -1.30, p = ns$ . Unmarried fathers ( $M = 24.72, SD = 8.56$ ) did report more conflict and interference with their attempts to be involved with their children than did married/divorcing fathers ( $M = 20.94, SD = 8.42$ ),  $t(159) = -2.36, p = .02$ .

## FATHER INVOLVEMENT

Nonresidential father involvement was analyzed within the sample of families in which mothers had primary physical custody of their child. The construct was measured in several different ways with multiple reporters when applicable.

At the initiation of court proceedings, residential arrangements for unmarried couples were more likely to be primary physical custody to mothers and less likely to be joint physical custody (86% primary physical custody to mothers, 8.3% primary physical custody to fathers, and 5.6% joint physical custody) than were arrangements for married/divorcing couples (60% primary physical custody to mothers, 8% primary physical custody to fathers, and 32% joint physical custody;  $\chi^2_{(2)} = 10.39, p = .01$ ).

*Fathers' involvement in daily activities.* Divorcing nonresidential fathers ( $M = 49.48, SD = 21.78$ ) reported that they visited their children more and were more involved in their day-to-day activities and needs than were unmarried fathers ( $M = 40.45, SD = 17.52$ ),  $t(104) = 2.05, p = .04$ . Mothers perceived nonresidential father contact and involvement similarly to fathers. Divorcing mothers ( $M = 47.27, SD = 17.07$ ) reported that their spouses were more involved than did unmarried mothers ( $M = 36.55, SD = 14.42$ ),  $t(103) = 3.07, p < .01$ .

*Fathers' influence on decision making.* Unmarried mothers were more likely to report that their partners had no influence on decision making for their children in contrast to divorcing mothers who reported that their spouses had a great deal of influence ( $\chi^2_{(2)} = 11.95, p < .01$ ).

*Payment of child support.* Divorcing fathers were no more likely to be paying child support than unmarried fathers were.

*Overnights.* Both unmarried and divorcing fathers were having their children stay for overnights ( $\chi^2_{(1)} = 1.36, p = ns$ ), although divorcing fathers were more likely to have overnights during the school week than were unmarried fathers ( $\chi^2_{(1)} = 5.69, p = .02$ ). Addi-

tionally, divorcing fathers averaged more overnights ( $M = 1.70$ ,  $SD = .98$ ),  $t(54.43) = 2.32$ ,  $p = .02$ , with their children in a given month and had the highest number of overnights per week ( $M = 2.36$ ,  $SD = 1.05$ ),  $t(62) = 2.55$ ,  $p = .01$ , compared to unmarried fathers (average overnights:  $M = 1.26$ ,  $SD = .50$ ; highest number during a given week:  $M = 1.65$ ,  $SD = .79$ ).

### COURT SERVICES UTILIZATION

Analyses were conducted to detail marital status differences related to fathers' involvement with the family court and utilization of court services. Unmarried fathers appeared before judges more frequently to settle disputes regarding their children ( $M = 1.83$ ,  $SD = 1.95$ ) than did divorcing fathers ( $M = .53$ ,  $SD = 1.25$ ),  $t(42.66) = -3.74$ ,  $p < .01$ . Although they were in court more frequently, unmarried fathers were less likely to have an attorney assisting them with their case than were married/divorcing fathers ( $\chi^2_{(1)} = 5.69$ ,  $p = .02$ ).

### EFFECT OF MARITAL STATUS ON FATHERS' INVOLVEMENT AND INTERPARENTAL CONFLICT

A hierarchical regression based on nonresidential fathers' data was run for each factor of interparental conflict, conflict and interference with fathers' involvement and distrust in mothers' parenting, with other variables held constant across models. Marital status was entered into the first block. The appropriate factor of interparental conflict was entered in the second block. Finally, the interaction between marital status and conflicts regarding fathers' involvement or fathers' concerns about mothers was added to the model. Within the regression models, no significant interaction was found. Thus, marital status did not affect the association between each factor of interparental conflict and fathers' involvement with their child. In the final regression models, both interparental conflict variables significantly predicted fathers' involvement. Conflict and interference with paternal involvement ( $\beta = -.28$ ,  $p = .02$ ) and distrust of mothers' parenting ( $\beta = -.25$ ,  $p = .02$ ) were associated with less nonresidential fathers' involvement.

## DISCUSSION

The current study examined differences and similarities between married and unmarried couples with young children (aged 6 years or younger) as they entered the family court system seeking divorces and/or settlements of child-related disputes. Given the legal setting, we were particularly interested in examining how marital status differences manifested themselves regarding individual and family characteristics, coparental and father-child conflict, and nonresidential father involvement. Understanding these characteristics and relationships among unmarried couples will help inform family court professionals and service providers (i.e., judges, attorneys, family service personnel, and mental health professionals) of the relevant special circumstances presented by unmarried fathers to maximize effective services for unmarried couples.

As expected, individual and family differences between unmarried and divorcing fathers replicated certain findings from previous research studies (Horwitz et al., 1996; Manning, 2001; McKenry et al., 1996; Smock, 2000; Ventura, Anderson, Martin, & Smith, 1998; Wilson & Brooks-Gunn, 2001). In this sample, unmarried fathers were more likely than divorcing fathers to be young, economically disadvantaged, and less well educated. In addition, the

relationships of unmarried couples were briefer by comparison to those of married/divorcing couples. Within these briefer relationships, unmarried couples were more likely to have fewer and younger children at the time of initiation of court proceedings. Previous research has found that although the majority of unmarried fathers are involved with their newborns (Jackson, Tienda, & Huang, 2001; Johnson, 2001), mothers maintain primary care of the children before and after parental separation and divorce (Emery, 1994; Loewen, 1988; Maccoby & Mnookin, 1992). Similarly in this sample, it was more likely that children of unmarried fathers lived primarily with their mothers, as opposed to a shared time arrangement. In fact, divorcing fathers were more likely to have joint physical custody of their children than were unmarried fathers.

We examined two different aspects of interparental conflict from fathers' perspectives: (a) their distrust in mothers' parenting, and (b) conflict and maternal interference with fathers' involvement. Unmarried mothers were not perceived by their ex-partners to be less trustworthy with their children's well-being and safety or less responsive to their children's needs and interests than were divorcing mothers. Unmarried fathers did, however, report experiencing more obstacles than divorcing fathers did as they attempted to become more or stay involved with their children. Unmarried mothers were more likely to dispute visitation agreements and fathers' involvement in the day-to-day decisions for their children, as well as to interfere with fathers' time with and access to the children.

#### GROUP DIFFERENCES IN INDICES OF FATHERS' INVOLVEMENT

Paternal involvement is crucial to the well-being of families, and in particular of children (Pruett, 2000). Conversely, declines in fathers' involvement in their children's lives, with absence the most deleterious condition, destabilizes families and has deleterious effects for fathers, mothers, and their children (Cabrera et al., 2000; Cohen et al., 2002; Coley, 2001). Among the complex constellation of factors that have a negative impact on father involvement are time (or lack thereof), prohibited access, over- or underemployment, lack of support from extended families, and ambiguity of the fathering role (Coley, 2001; Furstenberg & Harris, 1993; Lerman, 1993; Minton & Pasley, 1996; Pleck, 1997). The nature of the coparental relationship exerts much influence on fathers' access and time with their children, with warmer relationships between partners supporting father involvement (Cohen et al., 2002). Separation from their children's mother, particularly within the context of a new romantic relationship, adds another challenge to fathers who wish to remain involved with their children. One novel contribution that this research adds to previous investigation is the utilization of several measures of father involvement, reported from different sources, to assess various ways in which fathers try to remain involved in their children's lives.

Unmarried fathers and mothers reported less father involvement in the daily activities, needs, and special events of their children than did divorcing parents (see also Cooksey & Craig, 1998; McKenry et al., 1996). Unmarried mothers also reported that fathers had very little influence in making decisions pertaining to their children. Parenting plans and parental reports indicated that unmarried fathers spent less time with their children and had fewer overnights with their children than did divorcing fathers, particularly during the school week. Because fathers reported that their attempts to be involved were thwarted by their ex-partners, it is suggestive that fathers wish for more involvement and that the lower involvement is due to prohibition rather than lack of interest, but this supposition remains speculative.

## GROUP SIMILARITIES

Contrary to expectations, there were important ways in which unmarried and divorcing fathers were similar. Unmarried fathers did not have poorer mental health than divorcing fathers, according to the measurement of psychological symptom areas including obsessive/compulsive thoughts and behaviors, depression, anxiety, paranoid ideation, interpersonal sensitivity, and hostility. This may be a function of those who decided to participate in our study having better mental health than those who declined participation or who could not be found or reached when participation was offered. There were also no differential deleterious effects on the father-child relationships in our sample. Fathers did not experience different negative impacts on their relationships with their children, regardless of whether they ended their relationships with the child's mother in the context of divorce or exited a cohabiting or more casual relationship. There was also no difference between divorcing fathers and unmarried fathers in terms of their payment of child support. Families entered the project early in their legal process, and there were many support orders that had not yet been formalized. Although there are varied social contexts (Cohen et al., 2002; Coley, 2001) for the experiences and stressors of unmarried versus divorcing fathers, there may be stressors and effects shared by fathers more broadly regarding gaining access to their children (Beitel & Parke, 1998; Bouchard & Lee, 2000; Cowan & Cowan, 1987; Levine & Pitt, 1995; Nelson, Clampet-Lundquist, & Edin, 2002).

Again, the age of the child might be key. The results argue for a possible marital status by child's age interaction, in which this stage of family life with young children presents unique opportunities and risks associated with unmarried fathering. The homogeneity of this study's population in age hones in on issues relevant to this stage of life, but does not allow for such comparisons to be made.

## STUDY LIMITATIONS

Although the use of multiple measures and reporters contributes to the current literature on unmarried couples and father involvement, there are several important limitations to be noted. Our conclusions are limited by correlational data collected at willing participants' entry points into the family legal system to obtain divorces and/or settlements of child-related disputes. Longitudinal data collected at several time points is needed to expand our understanding of the unique characteristics and needs of unmarried couples. Some information from the longitudinal aspect of this research project will be forthcoming. However, the sample of unmarried couples will still be relatively small. Having a larger sample of unmarried couples would add to the generalizability of these findings and highlight differences that may have gone undetected in this small sample. There also is no information available in this sample pertaining to subgroup differences across non-White populations and differentiating them from Caucasian populations. Such differences are expectable from prior research (Manning, 2001; Ventura et al., 1998). This sample also is too small to accurately differentiate unmarried subgroups who were or were not living together when the child was born and thereafter. Additional research is needed to further differentiate the nature and features of unmarried couples who are (a) cohabiting and romantically involved, (b) noncohabiting but romantically involved, and (c) noncohabiting and only sexually involved across the lifespan of their relationships. Such differentiation would be illuminating toward the goal of understanding paternal involvement among unmarried couples.

## **FUTURE DIRECTIONS FOR RESEARCH**

Although unmarried fathers were found to be less involved with their children as compared to divorcing fathers, the association between greater interparental conflict (regardless of type) and decline in father involvement was found for unmarried and divorcing couples. However, unmarried fathers also experienced their ex-partner acting in the role of gatekeeper more frequently than did the divorcing fathers (Levine & Pitt; 1995). Unmarried fathers felt that their coparents often hindered their ability to be involved with their children without interference.

The reasons that unmarried mothers attempt to hinder father involvement may be varied. It is known that children born to unmarried parents are more likely to have been unplanned than those born to married parents (Brown & Eisenberg, 1995). This may reflect the parents' initial uncertainty about the potential of this relationship to be a long-term commitment. The birth of children into these relationships changes circumstances substantially. Given the potentially lower, even more hostile, expectations of some unmarried couples, the question is raised: How are unmarried fathers who did not live with their former partners perceived as coparents by their ex-partners? Do unmarried mothers want fathers to be involved, and under what conditions? Unmarried fathers may be vulnerable to being denied more frequent contact with their children over longer periods of time. The thwarted connection between unmarried fathers and their children may contribute to the overall decline in father involvement, including the potential cessation of child support payments.

## **IMPLICATIONS FOR FAMILY COURT SERVICES**

The unmarried fathers in this study appeared in court more frequently to settle child-related disputes than divorcing fathers did, but they also were less likely to engage the services of an attorney to assist them in their legal negotiations. This indicates a pro se subgroup for whom specific services might be targeted. These men face the court with relatively high frequency despite the fact that they have fewer legal protections (Gordon, 1998-1999) than married men, thus negotiating or litigating in more ambiguous circumstances. Consequently, they might feel less entitled to their claims for paternal involvement and find less support for them from their child's mother, her family, and surrounding social networks. Pro se handbooks and simple, clear court forms are needed to help these fathers navigate the system. Court staff that assist them through the process in ways that convey acceptance and a sense of legitimacy for their issues could help mitigate anger between parents, and anger aimed at the court system itself, both of which serve to foment conflict inside and outside of the courtroom.

Our experience shows that early case management can be used to inform unmarried fathers (and mothers) of the various services provided by the courts, including legal representation and, where available, other services provided by court-related mental health professionals, such as mediations, negotiations, and evaluations. In addition, information about relevant issues targeted specifically to unmarried parents could be made available at the courthouse. For example, gatekeeping and conflicts over fathers' visits and decision-making influence appear to be even more problematic for unmarried than divorcing fathers. Information that includes acknowledgement of the issues, statements about paternal rights and responsibilities regardless of marital status, and information on the potentially different expectations and needs of unmarried couples in the family court system might assist in earlier and better problem resolution between parents.

Problem resolution as such might be augmented in states with mandatory or voluntary parent education programs through programs geared especially for unmarried parents. Both psychoeducational programs and family court personnel could focus on parenting plan designs that take into account the more limited social and economic resources of these parents. Lower incomes and education often translate into less job flexibility: a father who wants more time with his child might not be able to arrange it in ways that conform to generally accepted proscriptions of desirable time sharing arrangements. For these parents, creativity and flexibility in planning, working through between parents, and careful attention to what children's temperament, age, and circumstances enable them to handle could make the difference between viable parenting plans and drop-off in father involvement shortly after the legal process is concluded.

Legal intervention with this population of unmarried fathers and mothers offers opportunities for early intervention with groups that often do not present in mental health or justice arenas, at least not until later in the family's trajectory. Through educational and therapeutic interventions, young parents can be assisted in thinking about their long-term goals for stable and committed relationships. Of more immediacy, parenting support and guidance can be offered that will help reduce the incidence of child neglect and increase early identification of child and/or family problems that, if undetected or untreated, could advance into more serious individual and family pathologies. Simultaneously, individual and family strengths can be built on to provide the surest scaffolding for the child's optimal development over time.

At this early juncture, at least, children of unmarried couples did not experience more disruptions in their relationships with fathers than did children in divorcing families. Thus, intervention with this population at this point in time to secure continued father involvement and to prevent the possibility of deterioration in the father-child relationship could prove efficient and remarkably resilient over time. In this way, quality father involvement that promotes positive child development (Pruett, 2000), and adjustment to this early experience of family transition, can be fostered as an important resiliency factor for children who might face numerous other stresses and vulnerabilities.

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