



The Program for Agreement and Cooperation in Contested Custody Cases 2007-2009 Implementation and Outcomes Evaluation Report

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Compiled by:

Megan Kuhfeld, B.S.

Frances Ballard, M.S.N.

Jacinta Bronte-Tinkew, Ph.D.

Camille Whitney, B.S.

Mary Burkhauser, M.A.

Kassim Mbwana, M.P.P.

Emily Lilja, B.A.

Project Manager:

Jacinta Bronte-Tinkew, Ph.D.

Child Trends

4301 Connecticut Ave, N.W.

Suite 350

Washington D.C.

(202) 572-6122

jbronte@childtrends.org

Contact:

Tim Ross, Ph.D.

Child Trends

4301 Connecticut Ave, N.W.

Suite 350

Washington D.C.

718-499-5079

tross@childtrends.org

Prepared by

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PREPARED BY CHILD TRENDS FOR THE

AMERICAN PSYCHOLOGICAL ASSOCIATION PRACTICE DIRECTORATE

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EXECUTIVE SUMMARY

BACKGROUND

In July of 2009, The American Psychological Association (APA) contracted with Child Trends, a non-profit, non-partisan research organization located in the District of Columbia, to evaluate its Program for Agreement and Cooperation in Contested Custody Cases (PAC), funded by the Family Court of the Superior Court of the District of Columbia. The purpose of the current report is to summarize program implementation and activities in the context of the program's objectives and goals. PAC was initiated in 2007 as a pilot program for one judge and was later expanded to include all family court judges. Data were collected between 2007 and 2009 from observations of program activities; focus groups with participating parents and guardians; analyses of intake forms and court records; evaluation surveys filled out by participating adults and children; and semi-structured interviews with administrative staff, frontline staff, and judges. This report presents key findings from the evaluation including information on the status of families in the program, on the program's characteristics and performance, and recommendations on how to further develop and improve the program.

STUDY DESIGN

The evaluation of PAC includes both an *outcomes* study and an *implementation* study.

- The *outcomes* evaluation includes data from the following sources: intake forms, evaluations completed by PAC participants, and court records.
- The *implementation* evaluation includes data from observations of program activities; focus groups with participating parents and guardians; analyses of intake forms and court records; and interviews with project staff and judges.

Together, the implementation and outcomes studies address eight key research questions that support the American Psychological Association's efforts to develop and inform program implementation:

1. *What are the socio-demographic characteristics of adults served by PAC?*
2. *Did adults and children perceive changes in key outcomes after participating in the program?*
3. *Did outcomes vary significantly between PAC participants and non-PAC participants?*
4. *Which strategies were most effective in engaging families in the program?*
5. *Which services or program structures were perceived to be most effective?*
6. *What challenges were experienced in implementing the program and delivering services?*
7. *Which program characteristics facilitated the implementation of PAC?*
8. *What are some program improvement strategies?*

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EVALUATION FINDINGS

Socio-Demographic Characteristics of Adults Served by PAC

- Data were collected from 1,490 adults participating in PAC between February 2007 and July 2009
- About half of PAC participants (48.5%) were between the ages of 18-29
- PAC Participants were evenly split by gender: 52.5 percent were women and 47.5 percent were men.
- Four in five PAC participants (81.5%) lived in Washington, DC at the time of their case, with the highest percentage (44.6%) living in Southeast DC
- Eighty-six percent of PAC participants reported obtaining a high school degree or higher
- Many PAC participants struggled financially: 43 percent earned less than \$21,000 annually, and 19.9 percent were unemployed

Characteristics of Court Case

- Eighty-six percent of PAC participants described their case as a custody case, while 18 percent described their case as a divorce case, 20.8 percent described the case as a child support case, and 6.5 percent described it as having to do with alimony, paternity, or other (participants were allowed to check more than one response)
- Fewer than 25 percent of PAC participants were married to the other party to the case
- Concerns about domestic violence were identified as an issue in 14.2 percent of cases

Participant Feedback about the PAC Seminars

Feedback from participating adults was generally positive.

- PAC participants gave high marks to staff: 93.2 percent of adult participants agreed that the PAC presenters were prepared and well-organized, and 95.7 percent of adult participants agreed that the PAC presenters were well-informed about the subject matter
- Over 80 percent of participants agreed that the PAC seminar increased their understanding of the effects of conflict on children, increased their ability to effectively deal with their children, and would improve their communication about family issues
- The most common praise of the seminar was that it was informative (34.3%); the most common complaint was that it was too long (23.4%)
- Over a quarter (26.7 %) of adult participants reported that they liked everything about the class and had no complaints

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Feedback from participating children was generally positive.

- The average age of children participating in PAC was 9.7 years, with ages ranging from 5 to 15 years
- Sixty-one percent of children participating in PAC between 2007 and 2009 agreed that they learned something they liked about themselves, while 70.1 percent agreed that they learned something they liked about their family
- Five of every six children (84.9%) participating in PAC between 2007 and 2009 said that they learned why it is important to talk to people in their family, and 83.8 percent said they learned some new things from listening to other children in the group

Demographic Characteristics of non-PAC Participants

- Non-participants were older than participating adults, with only 18.4 percent between the ages of 18 and 29, compared with 48.5 percent of participants
- Forty-four percent of non-participants were female, compared with 52.5 percent of participants in PAC

Outcomes for Participants

Participants in the PAC program had more positive mediation outcomes than non-PAC participants.

- PAC participants were significantly more likely to reach a full mediated agreement than non-PAC participants (32% of PAC participants compared to 25% of non-participants)
- On average, for cases in which an agreement was ultimately reached, PAC participants attended significantly more mediation sessions before reaching an agreement (3.66 sessions compared to 2.8 sessions for non-participants)
- In cases in which no agreement was reached, PAC participants attended significantly fewer mediation sessions
- During mediation sessions, PAC participants were significantly more likely than non-participants to discuss child custody issues
- PAC cases resulted in a slightly higher rate of mediation agreements: 45 percent of PAC cases included either a full, partial, or verbal agreement compared to 42 percent of non-PAC cases
- PAC agreements were more likely to be full agreements (as opposed to partial or verbal agreements): 71 percent of PAC mediation agreements were full agreements compared to 59 percent of non-PAC agreements



Court outcomes by PAC participation demonstrate the efficacy of the program.

The quantitative analysis suggests that PAC cases had a greater rate of full mediation agreements and a lower rate of contested custody hearings.

- PAC participants were significantly more likely to reach a consent or mediated custody agreement (full, partial, or verbal) than non-PAC participants (37% compared to 25%)
- PAC participants were less likely than non-PAC participants to have a contested custody hearing (34% compared to 39%); although, this difference was not significant
- Almost a fifth of non-PAC cases had an outcome of undisposed, whereas no PAC cases had an undisposed outcome
- Although there were limitations to the quantitative data, indicators suggest that PAC had a moderately positive effect on case proceedings

Program Implementation

Engaging and Retaining Families in the Program

- Several strategies were effective in engaging and/or retaining families in the program, including:
- Timing PAC sessions so that they are convenient for most parents and children
- Using video to deliver information
- Hiring staff with experience working on custody cases
- Employing interactive classroom activities that provided a range of opportunities for active participation

Program Structures Perceived to be Effective

Participants, staff, and judges perceived the following program characteristics and supports to be effective:

- Using a varied and interactive curriculum enhances participants' learning experiences
- Providing breaks during program sessions
- Providing refreshments as part of the children's program



Challenges in Program Implementation

PAC faced several implementation challenges, including:

- Lack of information on number of expected participants prevented staff from planning appropriately for training sessions
- Difficulties in having both parents to attend
- Difficulties in having parents bring their children
- Challenges screening children for age appropriateness and disabilities
- An uncomfortable physical space
- Lack of parking for participants
- Too few staff to deliver the program
- Some lapses in communication among program staff
- Scheduling classes only at a single time that created challenges for staff and participants
- Program services not available for non-English speakers

Characteristics that Facilitated Implementation

Several program characteristics facilitated implementation, including:

- Hiring staff with advanced degrees in psychology and law who also had experience working with people involved with the courts
- Hiring staff who are able to relate to the target population
- Providing pre-service training to frontline staff
- Providing staff training that links theory and practice
- Providing staff training that aligns with staff needs
- Formal and informal meetings between coaches and program staff
- Fostering enthusiasm and commitment among staff that helped create a positive organizational culture
- Conveying of management goals and expectations



PROGRAM IMPLEMENTATION RECOMMENDATIONS

The recommendations that follow reflect what we have learned from the unique circumstances and specific challenges voiced by administrative and frontline staff, judges, and participating parents and guardians, as well as from program observations.

Create greater flexibility in the scheduling of PAC services. A majority of parents in the focus group reported that having the program on Saturdays only was inconvenient, especially as it relates to childcare for younger children, adding a weekday evening session may increase program participation. Program staff also might respond positively to a more varied schedule.

Create a participation enforcement mechanism. Currently there are no consequences for not participating in program services even though the program is court mandated. The effectiveness of the program is undermined when one or more of the caretakers do not attend. Instituting a nominal fee/fine schedule or another sanction may increase participation. Additionally, because class size is currently so unpredictable, some classes end up with over 80 people and only two facilitators.

Improve communication with participant families before attending the PAC. Both filing and non-filing parents may not understand the PAC before attending the program. We recommend that the court notice be written in more specific and positive language, as staff perceived the existing notice as “cold” and vague. In addition, the program should develop a website and literature to explain, market and promote the goals and objectives of the program.

Hire a staff person who can dedicate himself/herself completely to PAC. PAC has no full time paid staff. The program director is a volunteer with numerous other responsibilities, including full-time employment. Although he is dedicated and passionate about the program and its services, he has limited time to spend directing and administering the program. A hired staff person would expand the program’s capacity to act on the recommendations made in this report and handle day-to-day tasks such as answering caretaker questions in a timely manner.

Secure appropriate program space. There are numerous environmental, health and safety challenges associated with the space where the program takes place. A more appropriate space is needed to address participant and staff concerns and to provide the work space/setting for hired staff.

Offer a daycare option. Parents and caregivers repeatedly cited the lack of daycare as a reason for not attending the program or not actively participating in the program if they did attend. Several reported that having children younger than the appropriate age for the program in the room led to seminar disruptions. Having a daycare option would increase participation, prevent parents from lying about their child’s age, and prevent PAC staff from having to decide between allowing a child of inappropriate age into the group or telling a parent who has traveled to the court that they cannot participate.

Offer a curriculum option for Spanish-speakers. Contested custody and divorce is common across all nationalities, cultures and ethnic groups. Spanish speaking people are a large and growing group. Currently, non-English speakers cannot participate even if they meet the mandated criteria and are in need of these educational and mediation services.

Create a new children’s video. Staff noted that some younger program participants appeared bored or disinterested in the current video employed in the children’s program, though this video seems to hold the attention of older children. A video geared toward a younger population would improve the program. We understand that the program does not have the resources to implement this recommendation at this time.

Hire additional program facilitators. The number of parents being mandated to attend PAC is increasing, as custody cases are now being referred by all the family court judges. The number of parents who attended the July 25 parents’ session more than doubled to 88 parents versus 40 parents at the previous session. The number of children attending increased even more, from a low of 2 to as many as 18 or 20 with no increase in program staffing. In August, PAC limited the number of participants at each session. However, this may lead to delays in providing the program unless additional staff are hired.