

Attachment and Parenting Time for Children Under Three Years of Age

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**Biographical Sketch**

William Fabricius is Associate Professor of Psychology and Affiliated Faculty in Law and Behavioral Science at Arizona State University. His research has been supported by the National Institutes of Health, and focuses on social cognitive development in childhood and adolescence, the role of fathers in adolescent and young adult mental and physical health, and social policy regarding child custody after parental divorce. He was instrumental in the passage of reforms to Arizona's child custody statutes in 2013 favoring equal parenting time.

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### **Abstract**

Attachment theory is the current standard model for how infants and toddlers develop emotional connections to their caregivers. This chapter is focused on implications that can be drawn from attachment theory and research for legal policies regarding overnight parenting time for children under three years of age whose parents either never cohabitated after the birth of the child, or cohabitated for a period of time before separating. First, the basic principles of modern attachment theory are presented, followed by a brief review of research on the importance of the emotional security that children can derive from parent-child relationships for their healthy social, emotional, and stress-related physical health development. Second, the recent heated debate about overnight parenting time for infants and toddlers is reviewed, and the relevant studies and findings are discussed. Third, the implications that can be drawn from the current state of theory and findings are considered, and are found to support policies to encourage equal parenting time for children under three years of age. Finally, it is argued that equal parenting time not only serves children's best interest in terms of their long-term health, but also serves gender equality. Thus, gender equality could provide the needed principled legal framework on which to found consistent new custody policies presuming equal parenting time.

## Introduction

In his 2011 book, *Family Law and the Indissolubility of Parenthood*, Patrick Parkinson, Professor of Law at the University of Sydney, developed his thesis that the divorce revolution of the 1960s and 1970s, which sought to establish divorce as a clean dissolution leaving ex-spouses free to pursue separate lives, ran head-on into another great cultural change. The second great change was the realization of the importance of fathers for children's healthy development, which in turn requires acceptance of the "indissolubility of parenthood" after divorce. In many countries now, cultural norms have settled into a view of divorce involving children as not a simple dissolution of an adult relationship, but rather as a restructuring of a continuing adult relationship in order to maintain children's relationships with both parents. Parkinson's thesis is that legal regimes have been unable to keep up with the cultural change. Parkinson argues that no principled legal framework, or "philosophical shift in the meaning of divorce" (p. 42) has emerged on which to found consistent new custody policy, resulting in "either insufficient consensus to achieve reform or unsatisfactory compromises that lead to laws filled with contradictions" (p. 9). Parkinson should know, having played a major role in Australia's 2006 custody statute reforms.

Parkinson's thesis of insufficient legal consensus and unsatisfactory compromises is amply illustrated in the topic of this chapter: Attachment and parenting time for children under three years of age. The recent historical context of this topic stems from a special issue of *Family Court Review* on "Attachment Theory, Separation, and Divorce" (McIntosh, 2011) that featured interviews with selected attachment researchers (for the longer history, see Warshak, 2018). Kelly (2014), Lamb (2012), and Ludolph (2012) subsequently criticized editor McIntosh for choosing commentators who did not reflect the range of opinions among attachment researchers.

The special issue was immediately followed by the 2012 annual Association of Family and Conciliation Courts (AFCC) meetings devoted to the topic, “Attachment, Brain Science, and Children of Divorce.” Both the special issue and the conference sounded an alarm about overnight parenting time away from the custodial parent (usually the mother) for very young children.

AFCC leadership convened a follow-up think tank meeting in 2013, composed of 19 social scientists and mental health practitioners, 12 legal professionals, and one activist-educator, to evaluate the limited research upon which the alarm was based, and to consider implications for practice and policy. However, the think tank did not reach consensus, but instead concluded that research had not settled the issue, and eschewed any prescriptions about the ideal amount of overnight parenting time for young children, as reported in a second special issue of *Family Court Review* (Pruett & DiFonzo, 2014).

Nevertheless, three think tank members pursued consensus among themselves (Pruett, McIntosh, & Kelly, 2014; McIntosh, Pruett, & Kelly, 2014), and proposed detailed guidelines for individual practice and general policy for children aged birth to 3 that recommended infrequent overnights. At the same time, Warshak (2014) brought the issue to the attention of a wider academic and legal community, resulting in an alternative consensus statement signed by 110 psychologists and family law scholars endorsing frequent overnights during the child’s first three years as beneficial to the father-child relationship and not harmful to the mother-child relationship. Additionally, Nielsen (2014) argued that advocates opposed to overnight parenting time for infants and toddlers had misrepresented the four empirical studies that had been done on the topic.

Finally, 70 prominent attachment experts issued a consensus statement 10 years after the initial 2011 special issue of *Family Court Review* (Forslund et al., 2021). The attachment experts not only echoed Nielsen's (2014) critique of the misuse of attachment theory in the debates about overnight parenting time, but importantly they also presented the mainstream scientific knowledge about attachment, and warned of the dangers of expecting under-trained custody evaluators in individual divorce cases, as well as in child protection cases, to attempt to use the scientific instruments that attachment researchers have developed over the years for research purposes. Those research purposes involve measuring child attachment security and insecurity on the one hand, and parent attachment-related behaviors on the other hand, in order to understand the basic mechanisms of attachment development. Forslund et al. (2021) forcefully, and rightfully, pushed back against growing tendencies in child protection agencies worldwide to use ill-defined and subjectively-assessed "attachment insecurity" to remove children from their homes or stable foster care placements. The Forslund et al. (2021) critique is a direct descendent of the original critique (Rodham, 1973) of subjectivity and cultural bias in child custody decisions, and is the latest in an unbroken series of such critiques since 1973 (e.g., Emery, Otto, & O'Donohue, 2005). For our purposes, however, what Forslund et al. (2021) did *not* do was reach consensus on cashing out the substantial wealth of attachment theory and research that has accumulated during the same time period into policy recommendations for overnight parenting time for very young children.

Against the historical backdrop, I begin this chapter with a brief overview of attachment theory. Next, I discuss the research that exists on overnight parenting time for children under three years of age. I conclude with a discussion of the implications of attachment theory and

research for policies and practices for overnight parenting time for children under three years of age.

### **Attachment Theory**

The modern theory of how infants develop attachment relationships with parents was the work of British psychiatrist John Bowlby (1969; 1973; 1980). According to attachment theory, human infants are biologically programmed to begin actively engaging with any and all adults, and to slowly develop preferences for, and later attachments to, those adults who care for them. Establishing attachment relationships allows infants to signal when distressed, and anticipate and obtain a soothing response from their attachment figures. Cycles of signal and response not only help ensure infants' survival, but also build up a feeling of security, termed a secure base, that allows toddlers to begin independently exploring the physical and social worlds with confidence and trust that attachment figures will have their backs, so to speak. Consistent with attachment theory, secure parent–child relationships are among the most reliable predictors of healthy development in many areas, including social skills, mental health, self-esteem, educational attainment, relationship success, and lifetime earnings (Lamb & Lewis, 2010).

Contemporary research has added physical health to the list of positive outcomes of strong parent–child relationships (Ranson & Urichuk, 2008; Troxell & Mathews, 2004). Research on the connection between attachment and physical health suggests that the cycles of infant signal and caregiver response during the development of attachment also serve to establish the set points of the infant's developing biological stress-response regulatory system. A well-regulated stress response allows the individual to respond to threats and danger, and then quickly recover to healthy, baseline equilibrium when the danger has passed.

The first indications of connections between attachment and physical health were noticed in rat pups who had been repeatedly, but briefly, separated from mothers in early infancy as part of other experimental procedures (Caldi et al., 1998). Upon reunion, the separated pups received more maternal soothing behaviors (licking and grooming) than they would have without the repeated separations and reunions. These artificially-enhanced cycles of separation and reunion altered the infant pups' brain chemistry, resulting in better regulated responses to future stressors, faster recovery to baseline, milder age-related declines, and longer lives.

The first exploration of the public health literature for links between attachment and chronic, stress-related physical health was reported by Repetti, Taylor, and Seeman in 2002. They found that large public health studies going back to the 1960s contained evidence that lack of support and deficient nurturing in childhood led, decades later, to higher rates of serious chronic illnesses, including hypertension, heart disease, diabetes, obesity, and some cancers. Other studies reviewed by Repetti et al (2002) indicated that one link between deficient nurturing and chronic disease lay in dysregulation of children's developing stress-response systems. One important component of stress-response regulation is the hormone cortisol. The instantaneous secretion of stress hormones such as cortisol helps mobilize an individual for "fight or flight," and the timely re-absorption of stress hormones returns the individual to healthy equilibrium. Dysregulated set points for response and recovery prolong a child's exposure to chronic, low levels of stress hormones, which can disrupt cardiovascular, metabolic, and immune functions. Dysregulation can be established early, and then persist. Within the first few months of life, the less sensitivity that mothers display to their infants' signals, the slower the infants' cortisol recovery following a stressful event (Albers et al., 2008). In young adulthood, college students

who reported having had poor family relationships in childhood had higher blood pressure, and higher cortisol levels in response to stress (Luecken, 1998).

Three important aspects of attachment that are often misunderstood are the universal developmental timing of attachment during the first two years, secure versus insecure attachments, and attachments to multiple caregivers.

*Developmental timing.* During the early months, up to about six months of age, infants generally respond indiscriminately to adults, expressing pleasure in interacting, and not expressing stress in separating from one caregiver and joining another. The reason for infants' inclusiveness is that during the first six months, infants have not yet developed the cognitive capacity to expect different things from caregivers than from strangers. Everything is new and interesting, especially people. From about 7 to 9 months, however, it becomes increasingly apparent that infants are slowly acquiring expectations of specific caregivers, are beginning to be wary of strangers, and are establishing emotional attachments to their caregivers. Between 9 and 24 months, infants are fully engaged in maintaining and benefitting from their attachment relationships. When upset or distressed, they turn to those adults for comfort, and when not upset or distressed, they turn to those adults for playful interactions.

Thus, the period from about 7 months through 24 months is the most important time to avoid unexpected and prolonged separations from regular caregivers. The disappearance of an adult with whom the infant has begun to become attached is experienced by the infant as a prolonged, chronic threat. Acute threats, such as a stranger appearing or a parent leaving the room, can be dealt with by signaling distress and receiving a soothing response. But signals to an *absent* attachment figure go unheeded. The infant's cognitive, emotional, and physiological systems had been learning to anticipate a response from that particular parent, and the prolonged



absence of a response throws those systems into disarray. The longer the separation goes on, the more disoriented and abandoned the infant feels, the longer the infant's developing systems are exposed to chronic release of stress hormones, and the more likely the infant is to learn an unconscious and life-long lesson about the dangers of trusting someone. Bowlby's early research showed that when toddlers were separated from *both* parents for even a few days' hospital stay, intense child distress and disturbances in parent-child relationships persisted for as long as six months after the child came home. Those findings led to reforms in pediatric hospital policy that allowed parents to stay with their infants during hospitalizations, a practice that was initially met with resistance from the medical community, but is now a social norm. Similar findings regarding separation from *both* parents come from studies of children in Israeli kibbutzim who had slept every night in communal centers away from their parents, a practice that was abandoned by the 1990s. Researchers later found long-lasting disturbances in those children's attachments to their parents (Aviezer, Sagi, & van IJzendoorn, 2002; Aviezer, van IJzendoorn, Sagi, & Schuengel, 1994).

Bowlby's early research on orphanages after World War II led to reforms in foster care and adoption policies that emphasize early placement with permanent parents before about 6 months of age, and in the event that is not possible, maintaining the temporary foster parents until about 24 months of age, with permanent placement after that time (for a consensus statement and a current review of effects of early institutionalization see, respectively, Dozier et al., 2014; van IJzendoorn et al., 2020). Confirmation of the importance of establishing and maintaining attachment relationships during the period from about 7 months through 24 months is found in studies of Romanian orphans adopted by British families in the early 1990s. Despite unusually severe deprivation of personalized caregiving in the Romanian orphanages, if infants

were adopted before 6 months of age, their daytime cortisol levels and their attachments to adoptive parents did not differ from a control group of adoptive families. Despite the radical change to placement in middle-class British families, if infants were adopted after 6 months of age, daytime cortisol levels and the prevalence of an attachment disorder unique to institutional care were significantly higher than in controls, and cortisol levels and attachment disorder both increased as child age at adoption increased (Gunnar, Morison, Chisholm, & Schuder, 2001; Rutter, O'Connor, & the English and Romanian Adoptees Study Team, 2004). The attachment disorder unique to institutional care seemed to reflect varying degrees of failure to develop attachments to their adoptive parents, and was characterized by coy, silly, overexuberant, or overexcited behavior in the presence of strangers.

*Secure versus insecure attachments.* Although infants are biologically programmed to develop attachments to their caregivers, we have seen that prolonged separations can disrupt attachments-in-progress, and lack of personalized caregiving can prevent attachment from having a chance to start. But even in normal caregiving environments, not all parent-child attachments are the same. It is a mistake to assume that infants' and toddlers' attachment needs for security will be met simply by having regular, consistent caregiving. Attachments can be secure or insecure, and the regularity and amount of caregiving time by itself is not sufficient for secure attachment to develop. Rates of insecurity vary with cultural differences in childrearing, but are always found to be substantial (for cross-cultural review, see Mesman, van IJzendoorn, & Sagi-Schwartz, 2016). In middle-class American families, for example, only about two thirds of parent-child attachments are classified as secure. That means that about one-third are classified as insecure. A 33% rate of failure to establish secure parent-child attachments shows that attachment development differs from language development. Both are biologically programmed,

but it is unheard-of that in any population, one-third of children would fail to become fluent speakers of the language of their community. Whereas linguistic interaction with caregivers is sufficient for language fluency, social interaction with caregivers is not sufficient for attachment security.

The security or insecurity of any parent-child attachment relationship reflects both individuals' contributions to the relationship. Parents differ in how responsive they are to infant signals, and infants differ in irritability and in how quickly they can be soothed. Insecure attachments are likely to develop when the behaviors of both the parent and the infant result in parents responding less effectively to infant signals. Disrupted cycles of signal and response result. Laboratory procedures administered by trained researchers reveal that some insecurely attached toddlers (labeled insecure-avoidant) neither signal to the parent when distressed, nor expect the parent to initiate a soothing response. They act as if they have given up expecting to receive comfort from that parent, and instead seem to withhold their painful feelings of distress from that parent. Other insecurely attached toddlers (labeled insecure-resistant) do signal their distress, but are not easily comforted when the parent responds. Instead, they show aggressive behaviors toward that parent while the parent attempts to provide a soothing response. In neither case does the child's stress-response system easily return to a healthy equilibrium; instead, it is held in disequilibrium by anger. Anger is expressed covertly and overtly, respectively, in both types of insecure attachment styles. The role of anger in the attachment system is not well understood, but it could function as a warning message to the caregiver. Insecure attachments can become more secure during the child's early years, perhaps as some parents get the message and are able to establish more effective cycles of signal and response. By the same token, initially secure attachments can become more insecure, not only as a result of prolonged

separations but also as a result of deteriorated parenting. Avoidant and resistant attachment styles are easily observable in adults. Adults with insecure attachment histories are prone to attribute negative intentions to their partners, and to respond with anger in the form of withdrawal or attack.

Insecure attachments stem from many of the same types of risky family environments that Repetti et al., (2002) found predicted stress-related physical and mental health problems later in life. For example, Flinn and England (1997) reported that abnormal cortisol response profiles, diminished immunity, and frequent illnesses from infancy through adolescence could be traced back to the types of parent-child interaction patterns that interfere with healthy cycles of signal and response, and thus foster insecurity; i.e., unavailable or erratic attention from parents, few positive, affectionate interactions, and high levels of negative interactions. On the one hand, family circumstances can make it harder for any parent and infant to establish and maintain a secure attachment. Flinn and England (1997) reported that it was less likely for children to receive positive parenting when mothers had little or no mate or kin support that they could draw on. Both divorce and high parent conflict can also diminish parenting quality (Sturge-Apple, Davies, & Cummings, 2006), adversely affect children's cortisol reactivity (Davies, Sturge-Apple, Cicchetti, & Cummings, 2007), and threaten children's emotional security. On the other hand, improvements in family circumstances that lead to decreased conflict can enhance parenting and cause parent-child relationships to become more secure (Cummings & Davies, 1994).

*Attachments to multiple caregivers.* Infants in two-parent families begin to form attachments to both mothers and fathers at the same time, even though fathers typically spend less time with their infants (see Lamb, 2002, for a review). In an early study, Parke and Sawin

(1980) found that, regardless of educational background, new fathers were as effective as mothers in feeding newborns. Since then, researchers have consistently found that fathers and mothers display similar sensitivity to their infants' signals (e.g., Cabrera, Shannon, & Tamis-LeMonda, 2010). Thus, it should be unsurprising that infants are as likely to be securely attached to mothers as they are to be securely attached to fathers. For example, Kochanska and Kim (2012) found that among the 100 children they assessed at 15 months of age, 40 were secure with both mother and father, 18 were insecure with both, and 42 were mixed -- 16 secure with mother but insecure with father, and 26 secure with father but insecure with mother. Child sex was unrelated to whether the infants were securely attached to mothers or fathers.

Biological and neurological factors underpin equal attachments to mothers and fathers. Biological changes appear to shift men away from mating effort, and toward preparation for fatherhood (Bakermans-Kranenburg, Lotz, Alyousefi-van Dijk, & van IJzendoorn, 2019; Feldman, Braun, & Champagne, 2019). For example, testosterone levels decline during romantic relationships, continue to decline during the pregnancy, and decline further as men transition to fatherhood (Corpuza & Bugental, 2020; see also Meijer, van IJzendoorn, & Bakermans-Kranenburg, 2019). Similar decrease in testosterone occurs in other paternal mammals (Reburn & Wynne-Edwards, 1999) and in paternal birds (Wingfield & Farner, 1993). Both men and women have higher concentrations of prolactin (linked to paternal responsiveness to baby cries and paternal caregiving in many species) and cortisol (linked to maternal affiliative behaviors toward infants, and likely also to paternal affiliative behaviors) just before the births of their children, and lower concentrations of sex steroids (testosterone or estradiol) after birth (Storey, Walsh, Quinton, & Wynne-Edwards, 2000). One indicator of a history of early positive father-child social interactions has been found in enhanced rhythmic synchrony of brain activity

between fathers and their 5- to 6-year-old children during cooperative problem solving (Nguyen et al., 2021). These findings parallel similar previous findings with mothers. Brain synchrony is thought to be important in facilitating the continuous monitoring of a partner's behavior and one's own intentions and behavior during cooperative social interactions (Perner, Aichhorn, Kronbichler, Staffen, & Ladurner, 2006).

Other studies of the effects of fathers' parenting on child development also attest to the importance of attachments to both parents. In regard to mental health, studies have consistently shown that mother-child and father-child attachment relationships play similar roles in children's development of problem behaviors, depression, and anxiety (Deneault et al., 2021), and further suggest that the mental health benefits of two secure relationships likely outweigh the benefits from only one secure parent-child relationship (Dagan et al., 2021). Early father involvement is also associated with children's educational attainments, independent of mothers' involvement, child sex, and one- or two-parent family structure (Flouri & Buchanan, 2004).

In addition, recent studies on child stress- and health-related variables reveal effects of fathers' parenting during infancy. For example, high father involvement in infancy is associated with low levels of cortisol in 2-year-olds (Mills-Koonce et al., 2011). Fathers' high involvement and personal commitment to sharing infant care at 12 months of age can blunt the effects of chronic stress, protecting those children who are biologically over-sensitive to stress and who otherwise would be at risk for mental health problems at age 9 (Boyce et al., 2006; Roby et al., 2021). At 10 months of age, fathers' sensitive parenting was actually found to be more closely related than mothers' sensitive parenting to infants' ability to successfully manage their emotional reactions to frustrations in a challenging problem-solving task (Martins, Soares, Martins, & Osorio, 2015). At 27 months of age, both mothers' and fathers' parenting behaviors

predicted children's ability to self-regulate and manage stress at 4½ and 6 years of age, after controlling for child sex, child temperament, and hereditary effects (Bridgett et al., 2018).

Father-child shared time often emerges as one important aspect of positive father involvement, and as such is relevant to the general issue of parenting time after divorce or separation. For example, shared activities, supportive behavior, and feelings of affection on the part of mothers and both biological and step-fathers predict fewer child behavior problems that are linked with dysregulation of the stress-response system (Amato & Gilbreth, 1999; Amato & Rivera, 1999). Frequent father engagement in shared activities in adolescence predicts lower cortisol reactivity to stress in young adulthood (Ibrahim, Somers, Luecken, Fabricius, & Cookston, 2017). In post-divorce families, higher father support behaviors (i.e., helping, participating in fun activities, and giving positive feedback, advice, and emotional support) bolster adolescents' self-esteem and confidence in their ability to handle problems, which in turn predict better stress-related physical health in young adulthood (Ibrahim, Luecken, Jewell, Somers, Wolchik, & Sandler, 2021).

*Summary.* During the first two years, infants and toddlers begin to develop their first relationships. Given two caregivers, children will develop independent relationships with each, gaining emotional security from both, neither, or only one (for a current review see Dagan & Sagi-Schwartz, 2021). The initial security or insecurity of a parent-child attachment relationship is not set in stone, but can change, and security must be maintained by continued responsiveness and availability of the parent. Secure parent-child relationships provide an important component of future mental health and, given the intimate connection between mind and body, future stress-related physical health as well. Courts cannot predict the future of any parent-child relationship

but they can do no harm during the child's early years, by prioritizing the continued availability of both parents.

### **Research on Overnight Parenting Time for Infants and Toddlers**

*Previous research.* Parkinson's thesis about insufficient consensus and unsatisfactory compromises is most clearly illustrated in the flurry of activity in 2014 that was noted above; i.e., the guidelines for overnight parenting time for infants and toddlers (Pruett, McIntosh, & Kelly, 2014; McIntosh, Pruett, & Kelly, 2014), the alternative consensus statement (Warshak, 2014), and the many critiques of the small empirical base of four studies of overnight parenting time for infants and toddlers (e.g., Nielsen, 2014; see Emery et al., 2016 for a full list of citations).

The insufficient consensus was expressed by Emery et al. (2016), who advised that in the debates about overnight parenting to date, there was "an inadequate body of research upon which to speculate about policy implications" (p. 144). In fact, none of the four studies had found evidence of harm to the mother-child relationship associated with overnight parenting time. The only study that used the gold-standard Strange Situation procedure for assessing attachment in young children (Solomon & George, 1999) found that attachment classifications were *not* significantly different between families with at least one overnight with father per month, and those with at least one daytime visit but no overnights; furthermore, within the overnight group, there were no associations between attachment to each parent and any of eight measures of the length, frequency, and age of initiation of overnights. Two of the four studies did not assess attachment with valid measures (McIntosh, Smyth, & Kelaher, 2013; Tornello et al., 2013), and the fourth did not assess parent-child relationships at all (Pruett, Ebling, & Insabella, 2004). Other findings among these four studies of associations between overnights and child outcome measures that might be expected to reflect attachment insecurity were limited and contradictory;



i.e., associations between overnights and difficulty with persistence and more problem behaviors (McIntosh et al., 2013) were contradicted by associations with fewer social problems (Pruett et al., 2004) and more positive behaviors (Tornello et al., 2013), and associations with more wheezing and irritability at age 1 were contradicted by associations with less wheezing and better health at age 2 (McIntosh et al., 2013). At least 39 other statistical tests in these four studies found no associations with overnights, even at the trend level (i.e.,  $p = .10$ ).

Unsatisfactory compromises were evident among the authors of the various guidelines (for a detailed analysis, see Warshak, 2018). Specifically, for birth to 18 months of age, proposals ranged from no overnights, unless it would benefit the mother (McIntosh, 2011), to a limit of one overnight per week for all parents (McIntosh, Pruett, & Kelly, 2014), to a limit of one overnight per week for parents who disagree on the parenting plan and take their cases to court (Pruett and McIntosh's "Charting Overnight Decisions for Infants and Toddlers (CODIT)" guidelines). For 2- and 3-year-olds, proposals ranged from one overnight per week for all parents (McIntosh, et al., 2015), to a limit of one overnight per week for parents who disagree (Pruett, McIntosh, & Kelly, 2014; Pruett, Deutsch, & Drozd, 2016), to no limit on overnights simply because parents disagree (Kelly, 2014).

*Current research.* The most recent consensus statement, by the attachment research community (Forslund et al., 2021), does not resolve the question of whether equal parenting time during the first years is associated with higher rates of secure attachment:

“What differs among attachment researchers – the current authors included – is whether the relationship with a “most familiar” caregiver may have particular importance as a safe haven in the earliest years of child life, and whether this caregiver – in the context of custody decisions – should consequently be allocated more time with the child until the

child's cognitive development makes separations from the most familiar caregiver more tolerable" (p. 12).

For the past 20 years, beginning with Solomon and Biringin (2001), attachment researchers have called for research to answer the question of whether equal parenting time during the first years of life is associated with higher rates of secure attachment; yet, Forslund et al. (2021) noted that "the attachment research community has not done enough research on topics and with samples relevant to court practice (e.g. time-allocation, overnights, and inter-parental conflict in relation to child attachment)" (p. 21). To our knowledge, Fabricius and Suh (2017) is the only new, quantitative study of overnight parenting time for very young children to appear since the original four studies. Attesting to the intense interest and need for research in this area, Fabricius and Suh (2017) was the most downloaded paper from the *Psychology, Public Policy, and Law* journal webpage in 2017 (Michael Lamb, personal communication, March 31, 2018), and reached over 10,000 "reads" on *Research Gate* by the end of 2021.

Forslund et al. (2021) called for studies that meet at least three requirements:

Collaboration between attachment experts and practitioners; tests of whether the association between overnights and attachment is influenced by different levels of parental conflict, parental cooperation, and children's developmental age; and careful consideration of the implications for court decisions. Fabricius and Suh (2017) largely met these requirements. We initiated the study in 2012 when the alarm was raised about overnight parenting time for very young children. In line with the call for collaborative research, we consulted in the early stages with Alan Sroufe, who has long been a leading attachment theorist and researcher, as well as a principal contributor to the 2011 special issue of *Family Court Review* (Sroufe & McIntosh, 2011). He suggested to us that any effects of overnight parenting time would have the strongest impact if overnights were

initiated during the child's first year. In response, we took the additional time to assemble a sample large enough to allow us to compare families that had initiated overnights during the child's first, second, or third year. We also examined the relation between equal overnight parenting time and attachment at different levels of parent conflict and parent cooperation. Finally, we also consulted with Sroufe on deriving the implications of the findings.

The four previous studies had examined only short-term associations with overnights, in which case it is difficult to distinguish temporary adjustment problems from more enduring effects on parent-child relationships. Attachment theory has always been directed toward explaining how experiences in infancy can propagate effects extending throughout childhood and into adulthood, with the goal of understanding how better to intervene with therapy and policy. Thus, we assessed long-term associations, and we did so by recruiting college students ( $N = 116$ ) whose parents had separated before they were 3 years old. This strategy provided some insight into long-term associations without having to wait 20 years to collect longitudinal data, but it also meant that we did not assess attachment with the standard measures during toddlerhood; consequently, the study fell outside of the focus adopted by Forslund et al. (2021), and received only brief mention there.

The students reported on their *current* relationships with each of their parents. Thus, the data on the dependent variables (i.e., security of parent-child relationships in young adulthood) were not retrospective. Most importantly, we also recruited the parents, and they reported on the predictor variables (i.e., parenting time at the father's home during each of the child's first three years) as well as on the various control variables. This met the rigorous requirement of obtaining data on predictor and dependent variables from different reporters, which is not met when

mothers report both overnights and child behaviors, as was the case in McIntosh, Smyth, and Kelaher (2013) and Tornello et al. (2013).

The data from the parents were retrospective, and thus potentially subject to recall biases. The rigorous requirement for establishing objectivity of retrospective data is that different reporters agree with each other. On all our retrospective variables, mothers' and fathers' independent reports were highly consistent with each other (and also with students' reports where applicable), replicating Fabricius and Luecken's (2007) findings of similar consistency among multiple reporters with a sample such as this one, and providing some assurance of objectivity.

Regarding representativeness, college samples of young adults with divorced parents are sometimes characterized as the "success stories" of children of divorce, but that is not necessarily the case, at least not in terms of mental health. Face-to-face interviews conducted in the 2001-2002 National Epidemiologic Survey on Alcohol and Related Conditions ( $N = 43,093$ ) revealed that almost half of college-aged individuals had a psychiatric disorder in the past year, and the overall rate did not differ between those attending college and those not attending college (Blanco et al., 2008). Laumann-Billings and Emery (2000) also reported that their sample of relatively affluent University of Virginia students did not differ on standard measures of mental health, as well as on a new measure of lingering painful feelings about parents' divorces, from low-income community adolescents and young adults, many of whom had chaotic family backgrounds including abuse and extreme poverty. Whereas Laumann-Billings and Emery's college sample was middle to upper-middle class (mean household income = \$105,715), our college samples have been drawn from Arizona State University, whose mission goals include "accessibility to match Arizona's socioeconomic diversity"

(<https://newamericanuniversity.asu.edu/about/asu-charter-mission-and-goals>). That goal is a reality, as reflected in a large sample ( $N = 1,030$ ) that we obtained in 2006, in which students were asked, for each parent, “What is the financial status of your [mother’s/father’s] household (including new spouse, if any) right now?” The 10-point scale ranged from “complete poverty” to “very wealthy.” The median for mothers’ households was at the mid-point of the scale (i.e., “enough money for almost all small extras [i.e., under \$50], and very few big extras [over \$500]”). The median for fathers’ households was one step above (“enough money for all small extras and a few big extras”). The students’ reports correlated highly with the Free Application for Federal Student Aid (FAFSA) data on their families’ financial situations supplied to us by the university Office of Financial Aid, thus providing some assurance of objectivity.

Returning to the Fabricius and Suh study, students rated five different aspects of their current relationships with each of their parents: Attributions of parental blame for family problems (Laumann-Billings & Emery, 2000), representations of parental warmth and responsiveness (Parker, 1989), enjoyment in spending time together, overall closeness of the relationship, and feelings of mattering to parents (Velez, Braver, Cookston, Fabricius, & Parke, 2020). All five measures tapped into two distinct factors, one reflecting mother-child relationships, and one reflecting father-child relationships. Students’ scores on each factor provided continuous measures that we took to be reasonable indications of how secure they currently felt with each parent.

Parents reported the frequency of parent conflict before and up to five years after the separation; their level of education; and whether they had agreed about overnight parenting time (75% of the families) or disagreed (25%). Those who disagreed reported either that they never came to agreement and one parent got what he or she wanted mostly because the other one gave

in, or that the final decision came from mediation, custody evaluation, attorney-led bargaining, or court hearing. Parents further reported that when they disagreed, it was because the father wanted the child to spend more overnights at his home but mother wanted the child to spend fewer overnights at his home. Parents who disagreed ended up with similar numbers of overnights as parents who agreed, and in both groups, 14% of children had equal overnights with each parent at age 2. Parents also reported the amount of parenting time with the father when the child was 5- to 10-years old, and 10- to 15-years-old, because controlling for effects of later parenting time is necessary in order to isolate effects of parenting time during the child's first three years.

For father-child relationships, there was a linear, "dose-response" relation between more overnights with fathers, *up to and including equal overnights* at both parents' homes, and correspondingly higher scores on the relationship security factor. For mother-child relationships, there was no decrease in scores on the relationship security factor with increasing overnights; on the contrary, higher scores on the relationship security factor were associated with having *at least two to four overnights per month* with fathers, as well as *more daytime-only parenting time* with fathers. The positive associations between overnight parenting time and long-term quality of both parent-child relationships are to be expected if infants were developing attachment relationships with both parents. As a result, those young adults who, as infants and toddlers, had more equally distributed overnights with both parents felt closer to both of their parents; were more likely to remember each of their parents as having been warm and responsive during their childhood and as having enjoyed spending time together; blamed their parents less for family problems; and were more certain that they mattered to each of their parents.

These findings for both parents held after controlling for children's sex, daytime parenting time with fathers, yearly percentage of parenting time with fathers during childhood and adolescence, parent education, parent conflict up to five years after separation, child age at separation, and disagreement about overnights. Controlling for parenting time in childhood and adolescence means that "lost" overnight parenting time in the first three years was not made up by parenting time later. There were no benefits to the father-child relationship associated with daytime-only visits, which means that more daytime visits did not make up for fewer overnights. The same positive associations between overnights and both parent-child relationships were clearly present regardless of whether parents (a) were more versus less educated, (b) had high conflict versus low conflict, (c) had separated when children were under 1 year old versus when children were either 1 or 2 years old, or (d) had agreed about overnight parenting time and thus presumably volunteered for it, versus disagreed and had an arrangement imposed unwillingly upon one of them. This means that it is *not* true that overnights only "worked" for parents who were more educated, or who had less conflict, or whose children who were over 1 year of age, or who had agreed about overnights.

Furthermore, when there was high conflict or disagreement about overnights, more overnights were required for father-child relationships to attain the same level of security as when there was low conflict or agreement. Similarly, when parents had less education or had separated during the child's first year, more overnights were required to attain the same level of father-child relationship security as when parents had more education or had separated during the child's second or third year.

There are developmentally plausible processes by which overnights could lead to long-term benefits in security of parent-child relationships. Overnights allow the father to learn about

the child by assuming the role of caregiver. In support of this, a review of 14 papers describing the effectiveness of 12 interventions for fathers of infants and toddlers (Magill- Evans, Harrison, Rempel, & Slater, 2006) revealed that active participation with or observation of his child enhanced the father's interactions with and positive perceptions of the child. George and Solomon (2008) suggest that the attachment system in children is complemented by a caregiving system in adults. If so, then in the words of the attachment researchers' (Forslund et al., 2021) current consensus statement,

“Seriously depriving a caregiver of time with his/her child and caregiving responsibilities may consequently not only influence the child's ability to develop and maintain an attachment relationship to the caregiver. It may also have untoward effects on the caregiver's caregiving system, which may become thwarted” (p.14).

Regarding benefits to the mother-child relationship, overnights provide respite from caring for an infant alone, which could help the mother maintain a higher level of responsive parenting. This harkens back to Flinn and England's (1997) findings, reported above, that mothers' positive parenting was facilitated by having mate or kin support. Such support, according to these findings, can come in the form of providing practical assistance with child care.

### **Translating Attachment Theory and Research into Policies for Overnight Parenting Time in Infancy and Toddlerhood**

*Implications from attachment theory.* The developmental course of attachment implies that if parents separate during the first six months, when infants do not express stress in separating from one caregiver and joining another, no concerns are raised from the perspective of attachment theory about initiating equal overnight parenting time. During the first six months,



new caregivers can also be introduced. This applies to cases of never-married parents in which the father and mother have not been living together, and paternity is established in the early months. Paternity cases typically have been overlooked in policy discussions (Maldonado, 2014), and have fallen outside the focus of discussions of applying attachment theory to policy as well (Kelly & Lamb, 2000). When parents who have never lived together are both able to provide care, then no concerns are raised from the perspective of attachment theory about initiating equal overnight parenting time during the first six months.

The developmental course of attachment also implies that the period from about 7 months through 24 months is the most important time to avoid unexpected and prolonged separations from regular caregivers. Most of the proposed guidelines from 2014 assumed that overnights with all fathers should be gradually introduced in some kind of “step-up” plan during this time period. In paternity cases where paternity is established six months or more after the child’s birth, gradually introducing overnight parenting time with the father would be consistent with attachment theory. However, when fathers have been living with mothers before the separation, “gradual introduction” of overnights means that the child experiences “immediate separation” from the father precisely during the time when abrupt and prolonged separations are to be avoided.

Among some professionals who use attachment theory to advise courts, there has been a persistent bias to put primary emphasis on risk of harm to mother-child attachment security, and secondary emphasis on possibility of benefit to father-child attachment security. Kelly and Lamb (2000) explained where this bias originated:

“Thus, the infant or toddler who was accustomed to seeing both parents each day abruptly began seeing one parent, usually the father, only once a week (or once every 2

weeks) for a few hours. This arrangement was often represented by professionals as being in the best interests of the child due to the mistaken understanding, based on Bowlby's earliest speculations, that infants had only one significant or primary attachment. As a result, early child development research followed untested psychoanalytic theory in focusing exclusively on mothers and infants, presuming fathers to be quite peripheral and unnecessary to children's development and psychological adjustment. The resulting custody arrangements sacrificed continuity in infant-father relationships, with long-term socioemotional and economic consequences for children" (p. 304).

*Implications from empirical research.* In intact families, high-quality attachment research has consistently revealed that infants and toddlers are as likely to be secure with fathers as with mothers. Evidence that traditional visitation schedules have interfered with the development of secure father-child relationships comes from the fact that damaged father-child relationships are the most frequent outcome of divorce (Amato, 2003). Visitation schedules that unwittingly promote insecurity with fathers leave children to depend solely on the mother-child relationship for attachment security. Equal parenting time with both parents gives children a better chance of having at least one, or two secure relationships, which is reflected in findings that with equal parenting time, parent-child relationships in young adulthood are similar in divorced and intact families (Fabricius, 2003; Luecken & Fabricius, 2003).

The Fabricius and Suh (2017) findings did not find any associations between equal overnights and any long-term harm to either parent-child relationship, but instead revealed benefits to both relationships. Thus, the findings constitute a strong rejection of the hypothesis that attachment harm would be associated with overnight parenting time, and they contradict the policy implication that "prior to age 18 months, overnights away from the primary carer (*sic*)

should be quite rare” (Sroufe & McIntosh, 2011, p. 472). In discussing the policy implications with us, Sroufe decided, “Your results would of course lead me to temper my conclusions” (personal communication, September 21, 2016).

The Fabricius and Suh (2017) findings do not support policies that would urge parents and courts to generally be cautious about frequent overnights, or to begin with few overnights and gradually “step up” over several years to frequent overnights, when there are no extenuating circumstances such as parent mental illness, previous absence from the child’s life, and so forth. The best parent-child relationships in young adulthood were those in which the children were spending equal overnights at both parents’ homes before they turned 3. The long-term connection was independent of parenting time in childhood and adolescence, and thus constitutes an impressive validation of attachment theory.

The findings also indicate that parent conflict, disagreements about overnights, and children under 1 year of age are not circumstances that should require caution; on the contrary, more overnight parenting time was needed in those cases to achieve the same benefits to the father-child relationship. Importantly, the finding that benefits accrued to both mother-child and father-child relationships even when courts ordered overnight parenting over the mother’s objections resembled a similar finding from the classic Stanford Child Custody Study (Maccoby & Mnookin, 1992). Fabricius et al. (2012) reported that in the publicly available data from the Stanford study, the great majority of parents with shared parenting had to accept it after mediation, custody evaluation, trial, or judicial imposition. Nevertheless, those with shared parenting time had the most well-adjusted children years later. These findings provide evidential support for policies to encourage frequent overnight parenting time for infants and toddlers, even when one parent disagrees.

Finally, the opposite policy of postponing overnights would conflict with historically developing social norms. In the 1980s one-third of children under 2 spent overnights with their separated and divorced fathers (Maccoby, Charlene, Depner, & Mnookin, 1988; Seltzer, 1991). The Fabricius and Suh data reveal that in the mid-1990s, over half of parents of future college students provided overnights when the child was 1 year old, almost two thirds did so when the child was 2, and parents increased rather than decreased overnights during the child's first three years, which suggests that parents found overnight parenting time workable.

### **Conclusions**

*Context and connections.* Attachment theory is one of the great scientific advances, and early on it assumed its place among the great applications of basic science to public health. Infants in pediatric wards had long suffered high rates of failure to thrive and death from unknown causes. Bowlby and his colleagues recognized the power of sudden and protracted interference with infants' biological drive to form attachments. The medical community was unaware of the emotional life of infants, focused instead on protection from germ transmission, and was understandably reluctant to consider that traditional policies of excluding parents from pediatric wards might have unwittingly been causing harm. Films made of the rapid emotional withdrawal of infants in the first few days of complete separation from parents were instrumental in changing policy, and once started, the opening up of pediatric wards to parents quickly spread.

Modern research is connecting attachment insecurity in increasingly detailed ways to dysregulation of the stress-response system, and thus to long-term, stress-related, chronic physical and mental health problems. Chronic diseases are a great cost to individuals and to society. Thus, attachment theory has the potential to make further contributions to public health.

Forelund et al. (2021) did not point readers to the well-documented links between damaged parent-child relationships and stress-related physical health problems in later life (Ranson & Urichuk, 2008; Repetti, Taylor, & Seeman, 2002; Troxel & Mathews, 2004), and thus missed an opportunity to connect attachment insecurity and physical health. They focused instead on advising courts about the psychology of attachment, and the misuse of laboratory measures of attachment, all of which is important and needed, especially in regard to regulating child protection services. But without drawing a connection to physical health, the attachment researchers' consensus statement does little to help family courts weigh the importance of protecting the young child's developing attachment to each parent against a myriad of other factors that courts are required to consider.

The consistent pattern of previous findings reveals a chain of connections from equal parenting time in childhood, to secure parent-child relationships in young adulthood, to long-term health (for reviews see Fabricius 2020; Fabricius, et al., 2012). The current findings indicate the unique role of equal parenting time in infancy and toddlerhood in laying the foundation for future relationships. The long-term health risk of damaged parent-child relationships should translate into policies that encourage equal parenting time in order to protect the young child's developing attachment to each parent, and the child's future health.

In the drive to develop and test attachment theory, researchers had focused, partly for expediency, on only mother-child attachment. The unfortunate effect was that when custody standards switched in the 1970s from the "tender years doctrine" that young children should be placed with mothers, to the child's best interests standard, which was meant to be gender-neutral, the traditional gender bias in family law was not challenged by the attachment research of the day. Every-other weekend visits between divorced fathers and their children remained the norm.

The public health benefits once afforded by the application of attachment theory to the medical community now need to be extended by similar application to the family law community.

*Looking forward.* The cultural shift beginning in the 1970s toward recognition of the importance of father involvement in child rearing is directly reflected in public attitudes today favoring equal parenting time after divorce (Braver et al., 2011; Fabricius et al., 2012; Votruba, Ellman, Braver, & Fabricius, 2014). It is also reflected in the push for legal presumptions favoring equal parenting time currently underway in many countries around the world, and recently instituted in Belgium and in two states in the United States (Arizona in 2013 and Kentucky in 2018; for an evaluation of Arizona's law see Fabricius, Aaron, Akins, Assini, & McElroy, 2018). As Parkinson (2011) notes, however, the legal debates often seem to be framed in terms of a trade-off between freedom to pursue new lives after divorce, and continuing ties to ex-spouses in terms of child rearing, or between "mothers' rights" and "fathers' rights."

As often happens in the historical development of new ideas, when two sides have strong but irreconcilable arguments, it signals that both are missing something. In this case, both sides have something in common that has fueled both, which is the underlying cultural change toward gender equality. Gender equality underlay the changes in legal standards that previously instituted no-fault divorce and the gender-neutral best interests of the child standard in custody statutes. Gender equality would provide the needed principled legal framework to guide the current debates about custody policy reforms. Equal parenting time serves both children's best interests and gender equality. There are strong arguments to be made that equal parenting time supports greater gender equality (David, 2019). Legislation for rebuttable presumptions of equal parenting time would be an unmistakable espousal of gender equality in family law, and would have effects on the larger society beyond the family courts (see Maldonado, 2005, for a

discussion of the role of family law in shaping social norms of parenting). Espousal of gender equality in family law will be recognized, and accepted, by the general public as simply an expression of the on-going, dual cultural changes toward father involvement and gender equality. It would legitimize and codify expectations and social norms of equal parental responsibility for childcare, which would have cascading effects onto other gender equity policies in the workplace.

Equal parenting time serves children's best interest in terms of their long-term health, and it serves gender equality as well. Thus, gender equality could provide the needed principled legal framework on which to found consistent new custody policies presuming equal parenting time, which would allow ex-spouses to pursue their separate lives on a more equal playing field, while maintaining both parents in their children's lives, from birth onwards.

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