

SPECIAL ISSUE ARTICLE

Coparenting and intimate partner violence

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Abstract

Intimate partner violence (IPV) is a major public health issue across the globe due to its associations with health and wellbeing, especially among mothers and children. These associations are often more pronounced following separation or divorce, which can compromise safety given that women and children are at heightened risk during these transitions. Thus, it is critical to understand the implications of coparenting in the context of IPV. In this paper, we first discuss the literature on IPV broadly. In particular, we discuss the differences between two types of violence: coercive controlling violence (i.e., violence that occurs in the context of systematic control) and situational couple violence (i.e., violence that occurs without a pattern of control). We then link it to parenting and coparenting processes as they relate to separation and divorce. In this section, we focus heavily on the ways in which the legal system affects family dynamics as divorces make their way through the courts. Special attention is paid to the ways in which IPV affects child custody decisions and the safety of those decisions given empirical evidence suggesting that raising allegations of IPV often does not help achieve favorable court outcomes. We conclude with recommendations to guide family court practitioners based upon this substantial literature. Such recommendations center on the development and implementation of empirically-derived assessment tools as well as systematic training of legal professionals.

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KEYWORDS

coercive control, coparenting, domestic violence, family court, intimate partner violence, parenting, separation, separation instigated violence

Key points for the family court community

- Conceptualizing intimate partner violence (IPV) as discrete incidents of physical violence without considering context (e.g., coercive control vs. situational conflict) and chronicity underestimates the risks and harms associated with the insidious, daily nature of coercive control.
- When rigorously distinguished by a context of coercive control, different types of IPV are found to relate to different dynamics and outcomes. For example, coercive controlling violence (CCV) is predominantly perpetrated by men versus women and tends to be more frequent, severe, and injurious whereas situational couple violence (SCV) tends to be more gender symmetric (i.e., perpetrated by both men and women).
- Separation and divorce do not always end IPV, especially when children are involved, and separation from an abusive partner is often a lengthy, nonlinear process (e.g., multiple separations) that can vary by IPV type.
- Bringing allegations of IPV into divorce cases does not always result in greater protection, especially as it relates to parenting agreements.
- Children provide abusers with an ongoing link to their former partners, a link that is often reinforced when judges, parenting plan evaluators, and other family court professionals prioritize joint parenting arrangements. This coparental link leaves mothers and children vulnerable to ongoing intrusion and raises concerns about how to ensure safety if children are to maintain relationships with both parents.
- Translating empirical evidence about different types of IPV (e.g., that SCV is more common in the general public and tends to be less severe) to conclude that most IPV in family courts is SCV and therefore not of concern for parenting decisions is an inappropriate and potentially dangerous misuse of research findings.

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Jennifer L. Hardesty, Ph.D., is a Professor in the Department of Human Development and Family Studies at the University of Illinois Urbana-Champaign. She received a Ph.D. in Human Development and Family Studies from the University of Missouri and completed postdoctoral training at the Johns Hopkins University School of Nursing. Her research explores mothers' experiences of intimate partner violence, separation/divorce, and post-separation parenting as well as interactions with family courts.



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