

Research paper on child custody issues in the criminal justice system

[Family](#), [Divorce](#)



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Introduction

Children's psychological effects of divorce seem devastating, and most divorcing couples are totally oblivious of how much their private conflicts have lasting effects on their children's psychology. Unfortunately, most parents do not stop to think of the consequences of treating their future ex-spouses inappropriately. In addition, they do not fathom their perpetual behavior of maligning them in the presence of their children. These adolescents or children undergo serious manipulation from their parents for financial, social, and personal reasons (Ogloff & Schuller, 2000). It is evident that children from divorced families have the imposition of psychological problem challenges than those children whose families are perpetually intact with each other.

A number of researchers accept the view there are variations in children's responses when it comes to family disruptions. The majority of such children adapt appropriately to their parents' conflicts and divorce, while a small percentage suffer from long-term negative psychological consequences. In contrast, according to clinical research study, researchers offer an extra pessimistic perspective of long lasting, severe and widespread negative

effects. It is true that the elderly adult children of divorced families undergo an over-representation in the clinical populations (Clarke-Stewart & Brentano, 2008).

However, the psychological well-being difference between adult children of divorced parents and those of non-divorced parents is very minimal generally. The divorce impact is, in fact, weakening as years go by, since it has become more commonplace. In the overall literature context on divorce effects on children, a diversity of reactions seems to be among the most reasonable conclusion, with the majority of the children adjusting properly after the initial trauma period and transition pass. The consensus the psychological professors of this field are that numerous factors relate to the specified results. The residential parents' prospective relocation requires consideration in the context of the specified variables.

Parental conflicts and divorce have an immediate and direct impact on the physical contact between the non-residential parent and the child. Speaking from a realistic perspective, in approximately eighty percent of the current divorce situations, the mother serves as the residential parent while the father is the non-residential parent (Weiner, 2003). When one speaks about having contact with the non-residential parent, this usually refers to the male parent. The distinction of that contact is especially substantial or rather relevant to relocation decisions. The consensus among the majority of the mental health professionals is that, in absent unusual circumstances, most children are better off with good relationships and contact with both of their parents.

Therefore, a lot goes on with children that receive deprivation of regular and

frequent contact with one of their parents due to geographic distance. Early research studies carried out to delve on the father absence situation, suggested that the less the age of the child, the higher the negative influence of the father's absence on the toddler. However, a greater percentage of the early studies did not precisely differentiate whether the male parent was absent due to abandonment, death, military service or divorce. Other report analysis suggested that the children of specified ages were more vulnerable than the others (Ogloff & Schuller, 2000). Children with their parents being absent because of divorce or death have more problems than those children whose families are all intact.

On the other hand, children associated with divorced families have several problems that are more than the children who lose one of their parents through death. Those children that experience a parent's death are sometimes subject to few negative effects and more positive ones.

Generally, they have not received exposure to the intra parental hostility like being asked to choose between their parents. Moreover, they have additional supporting sources which include the extended family of the non-present parent. A percentage of over twenty children have infrequent or even no contact with their non-custodial male parents, following divorce. Increased distance between children and their non-custodial male parents seem to have a relation to reduced paternal involvement. Non-custodial female parents are more likely keep contact with their children than the non-custodial male parents (Weiner, 2003).

Parental conflict has consistent association with poor psychological children's outcomes. Conflict is a major factor in relation to child adjustment after their

parents' divorce. Children whose parents pick up serious quarrels in front of them are most likely to exhibit a wide array of negative behaviors, if their parents' divorce eventually or not. Children from families with parents that are often high-conflict, end up exhibiting poorer adjustment and lower self-esteem than those children from low-conflict, intact or divorced families (Ogloff & Schuller, 2000). Parental conflict has recently received the identification of a differentiating variable in research studies as compared to the litigation and mediation success in resolving custody disputes and of sole versus joint physical custody.

In high conflicting divorces, courts often order joint physical custody and the frequent visitation relates to poor child adjustment especially in the case of girls. One of the most deleterious conflict effects manifests in the children whose parents include them battling conflicts by encouraging the alliances to use them in communicating with the other parent or even making negative assertions regarding the other parent towards the children. The negative parental conflict consequences undergo an attenuation through positive conflict resolution approaches, parental adjustments and conflict expression. Studies reveal that an inter-parental conflict following divorce may lead a child to delinquent behavior, depression, anxiety, teenage pregnancy and substance abuse. At times, the children make suicidal attempts that eventually lead to death (Clarke-Stewart & Brentano, 2008).

Clinical therapists have noted that children involved in divorcing families' animosity have concentration and attention problems. This is where sleeping disorders, anger and academic problems often emanate from in most cases. Therefore, it is compliance on the parents to delve for ways of meditating

and decreasing the destructive effects imposed on their children. One of the major problems that children undergo is blaming themselves for the divorce. This lowers their self-esteem because they feel they are not fit enough as children. However, there are times when separation of parents is beneficial and necessary for children's development (Ogloff & Schuller, 2000).

Generally, this occurs when both parents tend to be violent and refuse to undergo any treatment or therapy. It is only necessary when children are under violence exposure, or receiving sexual, emotional or physical abuse that cannot undergo resolving through family or even individual therapy. It is obvious that a parent should use common sense and their wisdom when a family or marital situation is destructive and untenable.

The psychological residue of the separation issue, regardless of whether it poses as a blocked or permitted situation, is considerable. People should take substantial steps in minimizing the negative effects of either decision. If a separation is to occur, it is necessary to develop age-effective plans that will be appropriate in preparing the children psychologically for the events that are to occur. Specific arrangements require to be set in place so that the left behind parent and the child know how and when they will maintain a firm relationship (Weiner, 2003). In the case of child relocation denial or disagreement, then the custodial parent may require psychological succor in order to deal with the depression, resentment and anger that may occur within them. The children involved in these critical situations, often feel upwelling sentiments of fear, guilt and anger and may also need succor to get through this period with counseling.

Conclusion

The psychological issues that surround the separation of parents and their children are interdependent and complex. Family dissolution, following divorce does not take place in a vacuum but rather associates with other distinct life events that may have negative or positive consequences for the family members. Social research has not fully accomplished the identification of the contributions of every single variable in a definitive fashion because of the complexities attached to the variables. Majority of the studies have the ability only of depicting an association between the two variables, but necessarily not a casual relationship. Studies that particularly address the relationship associated between children's adjustment and separation after divorce are essential but absent in a virtual sense.

The differences across various studies in terms of socioeconomic status, subject selection, ages of the involved children, and procedures, narrow down the generalizability of the research findings. With such limitations, many researchers find it difficult inform the legal society of accurate information concerning children's well-being when it comes to divorced or conflicting parents. The best alternative on this issue is to ensure that there is maintenance of family systems even after divorce. A parent that believes in the dismissal of their needs or rights may not be able to carry out their parental duties effectively or even encourage the relationship between their child and the other parent. While the child's best interests require being of primary focus, they will receive care if the solution is part of the family's best interests (Clarke-Stewart & Brentano, 2008).

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