



ICPSR 20365

Mandatory Custody Mediation in San Diego, California, 1996

Dennis P. Saccuzzo
San Diego State University

Nancy E. Johnson
San Diego State University

Wendy J. Koen
San Diego State University

User Guide



National Institute of Justice
Data Resources Program

ICPSR

P.O. Box 1248
Ann Arbor, Michigan 48106
www.icpsr.umich.edu

Terms of Use

The terms of use for this study can be found at:
<http://www.icpsr.umich.edu/cocoon/ICPSR/TERMS/20365.xml>

Information about Copyrighted Content

Some instruments administered as part of this study may contain in whole or substantially in part contents from copyrighted instruments. Reproductions of the instruments are provided as documentation for the analysis of the data associated with this collection. Restrictions on "fair use" apply to all copyrighted content. More information about the reproduction of copyrighted works by educators and librarians is available from the United States Copyright Office.

NOTICE

WARNING CONCERNING COPYRIGHT RESTRICTIONS

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be "used for any purpose other than private study, scholarship, or research." If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of "fair use," that user may be liable for copyright infringement.

Bibliographic Description

ICPSR Study No.: 20365

Title: Mandatory Custody Mediation in San Diego, California, 1996

Principal Investigator(s): Dennis P. Saccuzzo, San Diego State University

Nancy E. Johnson, San Diego State University

Wendy J. Koen, San Diego State University

Funding Agency: United States Department of Justice. National Institute of Justice.

Grant Number: 1999-WT-VW-0015

Bibliographic Citation: Saccuzzo, Dennis P., Nancy E. Johnson, and Wendy J. Koen. Mandatory Custody Mediation in San Diego, California, 1996 [Computer file]. ICPSR20365-v1. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2010. doi:10.3886/ICPSR20365

Scope of Study

Summary: The purpose of the study was to provide empirical data to inform the debate and lead to meaningful answers to questions in custody mediation and domestic violence including equity of outcomes for families with partner violence versus those without any evidence of violence, and the issue of health and safety outcomes for the children. Researchers examined every seventh action filed in the Family Court in San Diego during the calendar year 1996. Each of the 512 nonagreement mediation reports and its associated Court Screening Form were scanned in its entirety and subsequently printed. Each report also contained an appended page, containing a detailed parenting plan in which the mediator summarized the percentage of physical custody recommended for each parent. Each report was studied and content analyzed by three trained raters who had no access to the Court Screening Form and so were blind to any a prior domestic violence allegations. The majority of coding items called for yes/no responses. Other coding items allowed the raters to choose from among more than two options. A variable was coded in a particular direction if all three raters agreed or if two of the three raters agreed. The domestic violence sample (n = 200) included all of the selected cases with domestic violence indicators on the current screening form, prior allegation of domestic violence on a court screening form and/or a permanent domestic violence restraining order in the case file that was available to the mediator, and clear cases of domestic

violence as documented by the mediator in which there was absolutely no indication of domestic violence on any screening form or in the case file. The nondomestic violence sample (n = 200) included 200 of the remaining 312 cases that had no indicators of domestic violence in the file and no mention of domestic violence in the mediation report. The data includes five categories of variables: general case information, parental factors, child factors, family interaction factors, and current parental relationship.

Subject Term(s): child abuse, child custody, child custody hearings, divorce, domestic violence, family courts, family violence, mediation, violence against women

Smallest Geographic Unit: none

Geographic Coverage: California, San Diego, United States

Time Period: 1996

Date(s) of Collection: 1999 - 2000, Fall

Unit of Observation: Family Court filing

Universe: Every action filed in the Family Court in San Diego during the calendar year 1996.

Data Type: administrative records data

Methodology

Purpose of the Study: The purpose of the study was to provide empirical data to inform the debate and lead to meaningful answers to important questions in custody mediation and domestic violence including equity of outcomes for families with partner violence versus those without any evidence of violence, and the issue of health and safety outcomes for the children.

Study Design: In order to examine custody mediation and domestic violence, researchers examined every seventh action filed in the Family Court in San Diego during the calendar year 1996. Researchers eliminated cases in which the parties resolved the dispute either before or during mediation. All remaining cases were those in which there was a mediation that failed to resolve the dispute, either in full or in part. Each of these 512 mediations resulted in a formal report with custody recommendations by the mediator. Each nonagreement mediation report and its associated Court Screening Form were scanned in its entirety and subsequently printed. Mediation reports ranged from 2 to 11 pages in length, and in general, contained 2 sections. In one section, the mediator made detailed

recommendations about custody and visitation. In the other section, the mediator wrote a narrative describing the mediation process and the rationale for any recommendations given. Each report also contained an appended page containing a detailed parenting plan in which the mediator summarized the percentage of physical custody recommended for each parent. A content analysis system was developed to systematically capture the information in the mediator's report. Each report was studied and content analyzed by three trained raters who had no access to the Court Screening Form and so were blind to any a prior domestic violence allegations. The majority of coding items called for yes/no responses. Other coding items allowed the raters to choose from among more than two options. A variable was coded in a particular direction if all three raters agreed or if two of the three raters agreed. In only rare instances was there no consistency among the three raters. In those instances, the investigators independently evaluated the reports, so that each final data point was based on full agreement by at least two people. The domestic violence sample (n = 200) contained mediations in which there were indications of domestic violence in the case file available to the mediator or the mediator identified domestic violence. The nondomestic violence sample (n = 200) contained cases with no indicators of domestic violence in the file and no mention of domestic violence in the mediation report.

Sample: The study had two randomly selected samples. The starting point for the study sample was every single action filed in the Family Court in San Diego during the calendar year 1996. Every seventh filing was examined. If there was a custody dispute in that filing, it was selected for further study. If there was no custody dispute, the researchers examined each subsequent filing sequentially and selected the first custody dispute that could be identified. From the resultant 948 files, researchers eliminated cases in which the parties resolved the dispute either before or during mediation. All remaining cases were those in which there was a mediation that failed to resolve the dispute, either in full or in part. Each of these 512 mediations resulted in a formal report with custody recommendations by the mediator. The domestic violence sample (n = 200) included all of the selected cases with domestic violence indicators on the current screening form, prior allegation of domestic violence on a court screening form and/or a permanent domestic violence restraining order in the case file that was available to the mediator, and clear cases of domestic violence as documented by the mediator in which there was absolutely no indication of domestic violence on any screening form or in the case file. The nondomestic violence sample (n = 200) included 200 of the remaining 312 cases that had no indicators of domestic violence in the file and no mention of domestic violence in the mediation report. A random number generator was used to eliminate nondomestic violence cases until researchers were left with a sample size of 200 cases.

Weight: none

Sources of Information:	The data are record abstracts collected from actions filed in the Family Court in San Diego during the calendar year 1996.
Mode of Data Collection:	record abstracts
Description of Variables:	The data include variables from five categories, including general case information, parental factors, child factors, family interaction factors, and current parental relationship. Case information variables include previous mediation, legal inclusion and physical custody recommendations, and types of visitation. Parental factors include mother's living arrangements, occupation, and work schedule, father's living arrangements, occupation, and work schedule, parental concern for child's well-being, current involvement with child, parental physical appearance, body language, emotional factors, hostility, and willingness to compromise, and drug and alcohol use. Child factor variables include child's living arrangements, day care plan, separation from primary caregiver, child's regressive behaviors, age, gender, and past occurrences of child abuse. Family interaction factors include domestic violence mentioned, child exchange difficulties, and extended family involvement. Current parental relationship variables include parent's current relationships, parental hostility, parent/child interaction, allegations regarding safety concerns, legal concerns or threats, and challenges to current visitations.
Response Rates:	Not applicable.
Presence of Common Scales:	Likert-type scales were used.
Extent of Processing:	Standardized missing values. Checked for undocumented or out-of-range codes.

Access and Availability

Note:	A list of the data formats available for this study can be found in the summary of holdings . Detailed file-level information (such as record length, case count, and variable count) is listed in the file manifest .
Restrictions:	The data are restricted from general dissemination. Users interested in obtaining these data must complete a Restricted Data Use Agreement form and specify the reasons for the request. A copy of the Restricted Data Use Agreement form can be requested by calling 800-999-0960. Researchers can also download this form as a Portable Document Format (PDF) file from the download page associated with this dataset. Completed forms should be returned to: Director, National Archive of Criminal Justice Data, Inter-university Consortium for Political and Social

Research, Institute for Social Research, P.O. Box 1248, University of Michigan, Ann Arbor, MI 48106-1248, or by fax: 734-647-8200.

Original ICPSR Release: 2010

Dataset(s): • DS1: Mandatory Custody Mediation in San Diego, California, 1996

Publications

Final Reports and Other Publication Resources: A list of publications related to, or based on, this data collection can be accessed from the study's download page on the NACJD Web site or through the ICPSR Bibliography of Data-Related Literature at <http://www.icpsr.umich.edu/ICPSR/citations/index.html>. The list of citations includes links to abstracts and publications in Portable Document Format (PDF) files or text files when available.

Final reports and other publications describing research conducted on a variety of criminal justice topics are available from the National Criminal Justice Reference Service (NCJRS). NCJRS was established in 1972 by the National Institute of Justice (NIJ), an agency of the U.S. Department of Justice, to provide research findings to criminal justice professionals and researchers. NCJRS operates specialized clearinghouses that are staffed by information specialists who supply a range of reference, referral, and distribution services. Publications can be obtained from NCJRS at NIJ/NCJRS, Box 6000, Rockville, MD, 20849-6000, 800-851-3420 or 301-519-5500. TTY Service for the Hearing Impaired is 877-712-9279 (toll-free) or 301-947-8374 (local). The URL for the NCJRS Web site is:

<http://www.ncjrs.org/>

NIJ Data Resources Program

About the DRP: The National Institute of Justice Data Resources Program (DRP) makes datasets from NIJ-funded research and evaluation projects available to the research community and sponsors research and training activities devoted to secondary data analysis. Datasets are archived by the National Archive of Criminal Justice Data (NACJD) at the Inter-university Consortium for Political and Social Research (ICPSR) at the University of Michigan.

The NACJD maintains a World Wide Web site with instructions for transferring files and sending messages. Criminal justice data funded by the Department of Justice are available via the Internet at this site at no charge to the user. NACJD may be contacted at NACJD/ICPSR, P.O. Box 1248, Ann Arbor, MI, 48106-1248, 800-999-0960. The URL for the NACJD Web site is:

<http://www.icpsr.umich.edu/NACJD/>

Data Completeness Report

Notes: (1) Variables are individually listed only if they have greater than 5% missing data. These variables are listed under the appropriate percentage category in the order in which they appear in the data file. (2) The Data Completeness Report only captures information about system missing or other values that are declared missing. Codes that have a label implying that they are missing but that are not declared missing values are not reflected in this report. Data users should consult the codebook for more specific information about missing values. (3) Some variables that have 100% missing data may have been blanked by ICPSR to protect respondent confidentiality. Data users should consult the codebook for more specific information about blanked variables. (4) Data do not contain skip patterns or skip patterns are not reflected in the data as coded.

Table 1: Distribution of Variables by Percentage of Missing Values

Variable Name and Label (Total Cases = 400)	Percent of Cases with Missing Values
69.6% (165 of 237 variables)	have 0% Missing Values
7.6% (18 of 237 variables)	have 0% - 1% Missing Values
0.0% (0 of 237 variables)	have 1% - 3% Missing Values
0.8% (2 of 237 variables)	have 3% - 5% Missing Values
8.4% (20 of 237 variables)	have 5% - 10% Missing Values
CARE	PRIMARY CARETAKER 6.5%
TTLMOTH	AVE TOTAL DAYS/NIGHTS/VAC WITH MOTHER PER MONTH 9.8%
EXCOMP	ARE COMPLICATIONS DURING EXCHANGES MENTIONED 6.5%
EXPROTEC	IS PROTECTION DURING EXCHANGES ORDERED 6.5%
JNTPHYS	IS THE TERM 'JOINT PHYSICAL CUSTODY ' USED 6.5%
DRUGABU	IS DRUG ABUSE MENTIONED CONCERNING THE PARENTS 6.5%
DRUGTREA	IS DRUG ABUSE TREATMENT MENTIONED CONCERNING THE PARENTS 6.5%
DRUGTROR	IS DRUG ABUSE TREATMENT ORDERED FOR THE PARENTS 6.5%
ALCABUSE	IS ALCOHOL ABUSE MENTIONED CONCERNING THE PARENTS 6.5%
ALCTREAT	IS ALCOHOL ABUSE TREATMENT MENTIONED CONCERNING THE PARENTS 6.5%
ALCTRORD	IS ALCOHOL ABUSE TREATMENT ORDERED FOR THE PARENTS 6.5%
GRADINCR	DOES THE PARENTING PLAN INCLUDE A GRADUAL INCREASE 6.5%
FILEQUAL	DOES THE CASE FILE MATCH OUR CALCULATIONS FOR CHILD SHARING PERCENTAGES 6.5%
FCSDVREP	SCREENING FORM -- DV ALLEGATIONS? 6.2%
FCSDVACT	SCREENING FORM -- DV INDICATORS (E.G., REPORT OR RO) 6.2%
FCSCHABS	SCREENING FORM --CHILD ABUSE REPORTED? 8.0%
FCSTELMD	SCREENING FORM -- TELEPHONE MEDIATION REQUESTED? 6.5%
FCSSPAN	SCREENING FORM -- SPANISH-SPEAKING REQUEST? 6.5%
FCSMOVE	SCREENING FORM -- MOVE-AWAY ISSUES REPORTED? 7.0%
FCSCHNGC	SCREENING FORM -- CHANGE OF CUSTODY REQUESTED? 6.5%
6.3% (15 of 237 variables)	have 10% - 20% Missing Values
PCTMOM	MOTHER'S PERCENT 19.8%
PCTDAD	FATHER'S PERCENT 19.8%

Table 1: Distribution of Variables by Percentage of Missing Values

Variable Name and Label (Total Cases = 400)		Percent of Cases with Missing Values
VACFATH	AVE. VACATION DAYS WITH FATHER PER MONTH	12.5%
VACMOTH	AVE VACATION DAYS WITH MOTHER PER MONTH	14.5%
TTLFATH	TOTAL AVERAGE DAYS/NIGHTS/VAC/ WITH FATHER PER MONTH	10.3%
PERCEFA	PERCENT OF TIME THE FATHER HAS CUSTODY	11.3%
PERCEMO	PERCENT OF TIME THE MOTHER HAS CUSTODY	11.0%
FCSSEP	SCREENING FORM -- REQUEST FOR SEPARATE MEDIATIONS?	13.7%
SIGNATR	SIGNATURE ON SCREENING FORM	14.2%
MOMPRIME	DOES MOM HAVE PRIMARY (>75%) PHYSICAL CUSTODY, BY OUR CALCULATIONS?	11.0%
DADPRIME	DOES DAD HAVE PRIMARY (>75%) PHYSICAL CUSTODY, BY OUR CALCULATIONS?	11.3%
MDADPRIM	DOES THE MEDIATOR BELIEVE HE/SHE HAS RECOMMENDED PRIMARY CUSTODY FOR DAD?	19.8%
OURFAPRI	BY OUR CALCULATIONS, DID DAD GET PRIMARY CUSTODY?	11.3%
OURJOINT	BY OUR CALCULATIONS, WAS JOINT CUSTODY RECOMMENDED?	10.8%
MEDJOINT	BY MEDIATOR ESTIMATE, WAS JOINT CUSTODY RECOMMENDED?	20.0%
3.8% (9 of 237 variables) have 20% - 40% Missing Values		
DAYFATH	AVE. DAYTIME VISITS WITH FATHER PER MONTH	23.5%
NIGHTFAT	AVE. OVERNIGHT STAYS WITH FATHER PER MONTH	23.5%
FILEFA	FATHER'S CUSTODY PERCENT FROM CASE FILE	20.8%
FILEMO	MOTHER'S CUSTODY PERCENT FROM CASE FILE	21.0%
FCSDVRO	SCREENING FORM -- TRO/RO REPORTED AT SCREENING?	23.5%
FCSCOOP	SCREENING FORM -- WILLING TO WORK TOGETHER?	26.5%
MATCHM	DID MEDIATOR'S ESTIMATE MATCH OUR CALCULATION ON TIME?	34.8%
MOMCALC	FOR MOM, MEDIATOR ESTIMATE OF PHYSICAL TIME MINUS OUR CALCULATION	25.7%
ESTIMATE	DID MEDIATOR OVER- OR UNDER-ESTIMATE CUSTODY PERCENTAGE FOR MOM?	35.0%
3.0% (7 of 237 variables) have 40% - 99% Missing Values		
DVPERP	WHO IS THE ALLEGED DV PERPETRATOR?	74.5%
BIAS	BIAS PERCEIVED BY RATER?	56.8%
BIASWHO	BIAS AGAINST WHOM?	97.5%
DAYMOTH	AVE DAYS WITH MOTHER PER MONTH	78.2%
NIGHTMOT	OVERNIGHT STAYS WITH MOTHER PER MONTH	77.8%
MEDIATOR	THE MEDIATOR FOR THIS CASE	41.2%
FCSCPS	SCREENING FORM -- CPS INVOLVED WITH THIS FAMILY?	88.5%
0.4% (1 of 237 variables) have 100% missing values		

Table 1: Distribution of Variables by Percentage of Missing Values

Variable Name and Label (Total Cases = 400)	Percent of Cases with Missing Values
FACTRS	FACTORS NOT CAPTURED IN SCORING SHEET 100.0%