



THE UNIVERSITY OF QUEENSLAND
AUSTRALIA

**Motivational Interviewing and Family Mediation; Outcomes for Separated
Families**

Megan Morris

B.Psych., Post Grad Dip Psych

*A thesis submitted for the degree of Doctor of Philosophy at
The University of Queensland in 2016
School of Psychology*

Abstract

Family mediation is a widely used alternative to litigation for separated parents to resolve conflict about parenting arrangements. The current research includes two studies. The first investigated engagement in family mediation, and attempted to predict those families that would not engage in or complete the mediation process. In a sample of 524 parents who initiated family mediation, 354 (67%) did not complete mediation; 113 (22%) disengaged prior to their former partner being invited and 241 (46%) did not complete mediation because their former partner refused to engage in mediation. I tested whether socio-demographic variables, psychological distress, co-parental acrimony, parenting problems or children's behavioral difficulties predicted mediation engagement. Only high inter-parental acrimony predicted failure to engage in mediation. A sample of families that did not mediate ($n = 131$) showed high psychological distress, acrimony, parenting problems and child adjustment difficulties, which remained unchanged 6 months later. The second study was a randomised controlled trial, testing if motivational interviewing (MI) improved agreement rate and outcomes for separated families relative to mediation as usual (MAU). The outcome of mediation was classified as no agreement, partial agreement, and full agreement. Parental psychological distress, child adjustment, and co-parental conflict was assessed before and after the mediation, and at a three month follow-up. The mediation outcomes for the MI condition included a reduced rate of no agreement in comparison to the MAU condition (33% versus 42% of all mediations), and double the rate of full agreements (16% versus 33%). There was no significant difference in psychological distress, child adjustment, or acrimony between the MI and MAU conditions. While outcomes for the MI condition included enhanced agreement rates, there was no significant difference in psychological outcomes between conditions.

This research suggests that the outcomes for separated families seeking mediation may be improved by enhancing the process of engagement with respondent parents and training family mediators in motivational interviewing.

Declaration by Author

This thesis is composed of my original work, and contains no material previously published or written by another person except where due reference has been made in the text. I have clearly stated the contribution by others to jointly-authored works that I have included in my thesis.

I have clearly stated the contribution of others to my thesis as a whole, including statistical assistance, survey design, data analysis, significant technical procedures, professional editorial advice, and any other original research work used or reported in my thesis. The content of my thesis is the result of work I have carried out since the commencement of my research higher degree candidature and does not include any work that has been submitted to qualify for the award of any other degree or diploma in any university or other tertiary institution.

I acknowledge that an electronic copy of my thesis must be lodged with the University Library and, subject to the policy and procedures of The University of Queensland, the thesis be made available for research and study in accordance with the Copyright Act 1968 unless a period of embargo has been approved by the Dean of the Graduate School.

I acknowledge that copyright of all material contained in my thesis resides with the copyright holder(s) of that material. Where appropriate I have obtained copyright permission from the copyright holder to reproduce material in this thesis.

Publications during candidature

Morris, M. & Halford, W. K. (2014). Family Mediation: a guide for family therapists.

Australia and New Zealand Journal of Family Therapy, 35, (4), 479-492. Doi:

10.1002/anzf.1078

Morris, M., and Halford, W. K., Petch, J., Hardwick, D. (2015). Predictors of Engagement in

Family Mediation and Outcomes for those Families who Fail to Engage. *Manuscript*

under review: Incorporated as Chapter 3.

Morris, M., and Halford, W. K., & Petch, J. (2016). A Randomised Controlled Trial of

Family Mediation with Motivational Interviewing. *Manuscript under review*:

Incorporated as Chapter 4.

Publications included in this thesis

Morris, M. & Halford, W. K. (2014). Family Mediation: a guide for family therapists.

Australia and New Zealand Journal of Family Therapy, 35(4), 479-492. Doi:

10.1002/anzf.1078

Incorporated as Chapter 2.

Contributor	Statement of contribution
Megan Morris (Candidate)	Literature review and preparation of first draft, 100% Subsequent revision drafts, 85%
Kim W. Halford	Manuscript revision, editing and adjustment, 15%
Note: This manuscript largely contributed to Chapter 2 of the thesis. The candidate added additional information to the introduction of the chapter and updated and reviewed the research literature in order to introduce the program of research.	

Contributions by others to the thesis

I wish to thank the following people for their important contribution to the research reported in this thesis.

- Riyad Rahimullah, who worked on the enhancing mediation research project from an early stage and assisted in recruiting participants, data collection and data management.
- Tulsi Aichi, David Hardwick, Chris Pepping, Megan Macoun, who all worked as research assistants, recruiting participants and collecting data.
- Sarah and Lea, who were visiting international students and volunteer research assistants who assisted with the cross referencing of coding data.
- Kirsty Laurie, Freya Young, Zack (Zixiang Pu) and Paige Ebersohn who comprised the MI coding team and remained enthusiastic and dedicated throughout the coding project.
- Michelle Felsman, Mark Thomson, Gai Campbell and Mike Hardy at Relationships Australia Queensland for their tireless assistance to integrate research requirements into service processes and their constant support for the project.
- Natasha Rae and Jemima Petch from Relationships Australia Queensland for their ongoing support and belief in the benefits of conducting the research program.
- The entire Telephone Dispute Resolution Team for welcoming the researchers into their workplace and for sharing their knowledge and their time.

Statement of parts of the thesis submitted to qualify for the award of another degree

None

Acknowledgements

Research reported in this thesis was supported by the Australian Research Council Linkage grant LP120200140 *Enhancing outcomes for separated families by improving family mediation* awarded to W. Kim Halford, and funding provided by Relationships Australia-Queensland. Kim Halford has provided paid consultation to Relationships Australia-Queensland on training of staff, and service innovation.

The completion and success of this research program is largely due to the tireless persistence of Kim Halford. Kim has been a constant in this project, demonstrating patience, direction and encouragement, and I cannot be thankful enough for his calm yet enthusiastic support. Thank you to Jemima Petch for her organizational support with Relationships Australia Queensland and her involvement with weekly and fortnightly meetings. The successful recruitment for this project was largely due to the enthusiastic collaboration of the Contact Center and the Telephone Dispute Resolution Service at Relationships Australia Queensland. I will be eternally grateful to my husband and family for their endless assistance and generosity of spirit. This thesis could not have been produced without their contributions of time, patience, physical and emotional support.

Keywords

Separated families, divorce, family mediation, motivational interviewing, intake session, conjoint session, agreement rate, acrimony, inter-parent conflict.

Australian and New Zealand Standard Research Classifications (ANZSRC)

ANZSRC code: 170113 Social and Community Psychology, 40%

ANZSRC code: 170106 Health, Clinical and Counselling Psychology, 40%

ANZSRC code: 111708 Health and Community Services, 20%

Fields of Research (FoR) Classification

FoR code: 1701 Psychology, 70%

FoR code: 1801 Law, 20%

FoR code: 1117 Public Health and Health Services, 10%

TABLE OF CONTENTS

LIST OF TABLES.....	xiii
LIST OF FIGURES.....	xiv
LIST OF ABBREVIATIONS IN THIS THESIS.....	xv
CHAPTER ONE: Family Separation: Significance and Consequences.....	1
The Significance of Separation.....	4
Consequences of Separation.....	7
Models of Adjustment to Separation.....	9
CHAPTER TWO: Court Based and Mediation Based approaches to Resolution.....	16
The Family Court Process.....	19
Family Court Parenting Orders.....	22
Mediation in Post Separated Parenting Disputes.....	24
Models of Family Mediation.....	26
The Effectiveness of Family Mediation.....	30
Process Variables in Mediation.....	36
Limitations of Existing Approaches.....	39
Motivational Interviewing.....	40
Motivational Interviewing with Conflicted Couples.....	43
Telephone Based Family Mediation.....	47
A Summary of Research Rationale.....	48
CHAPTER THREE: Predictors of Engagement in Family Mediation and Outcomes for Families who Fail to Engage.....	50

Abstract.....	51
Significance of Parenting after Separation.....	52
Family Mediation.....	53
Engagement with Family Mediation.....	55
The Current Research.....	58
Method.....	59
Participants.....	59
Measures.....	62
Procedure.....	64
Data Analysis.....	64
Results.....	65
Predicting Mediation Engagement.....	65
Outcomes when Not Completing Mediation.....	70
Participants who Did Not Provide Follow-up Data.....	71
Discussion.....	73
Limitations.....	74
Implications for Practice and Research.....	76
Conclusion.....	78
CHAPTER FOUR: A Randomised Controlled Trial of Family Mediation.....	80
Abstract.....	81
A Randomised Controlled Trial of Family Mediation.....	82
Family Mediation and Dispute Resolution.....	83
Motivational Interviewing to Address Limitations of Mediation.....	85
Telephone Based Mediation.....	85
Research Aims and Hypotheses.....	86

Method.....	87
Participants.....	87
Measures.....	87
Mediator Training.....	90
Procedure.....	91
Data Analysis.....	92
Results.....	92
Mediator Behavior.....	96
Agreements and Consumer Satisfaction.....	97
Psychological Outcomes.....	99
Participants who Did Not Provide Follow-Up.....	101
Discussion.....	102
Strengths and Limitations of the Study.....	105
Conclusion.....	107
General Discussion.....	108
References.....	111

LIST OF TABLES

Table 2.1: Examples of Mediator Dialogue with and without Motivational Interviewing (MI)	44
Table 3.1: Means, Standard Deviations and Correlations of Predictors with Completion of Mediation.....	67
Table 3.2: Polynomial Logistic Regression Coefficients and Standard Errors (In Parentheses) Predicting Engagement with Mediation.....	69
Table 3.3: Means and Standard Deviation (in parentheses) on Family Outcomes for those Not Completing Mediation.....	72
Table 3.4: A Comparison of Follow-Up Participants who Completed and Did Not Complete the Interview.....	72
Table 4.1: Baseline Characteristics of Mediation Initiating Parents by Condition.....	96
Table 4.2: Multi-Level Modelling of the Trajectory of Psychological Outcomes from Pre-mediation to 3 Month Follow-up by Condition.....	100

LIST OF FIGURES

Figure 1.1: The Separation-Stress-Adjustment model.....	11
Figure 3.1: Flow of participants through study 1.....	61
Figure 4.1: Consort Diagram.....	95
Figure 4.2: Agreement by Condition for Intention to Treat Group.....	100

LIST OF ABBREVIATIONS USED IN THIS THESIS

ANOVA	Analysis of Variance
<i>d</i>	Cohens <i>d</i>
df	Degrees of freedom
doi	Digital object identifier
Eds.	Editors
e.g.	for example
<i>F</i>	F-ratio
IPV	Inter-partner violence
ICC	Inter Class Correlation Co-efficient
M	Mean
MAU	Mediation As Usual Condition
MI	Motivational Interviewing Condition
<i>N or n</i>	Number of participants
<i>p</i>	Probability
pp.	Pages
<i>r</i>	Pearson product-moment correlation
<i>SD</i>	Standard Deviation
SDQ	Strengths and Difficulties Questionnaire
<i>t</i>	t statistic (Students t test)
TDRS	Telephone Dispute Resolution Service
US	United States of America
UK	United Kingdom
Symbols:	
<i>a</i>	Cronbach's alpha
χ^2	Chi squared
>	Greater than
<	Less than
%	Percent

Chapter One

Family Separation: Significance and Consequences

“Maddy and Eric

Maddy and Eric separated a year ago after living together for 5 years. Their relationship collapsed when Maddy found out Eric was having an affair and shortly afterward she initiated the separation. They have two children aged 3 and 5 and Maddy, who did most of the child care when the parents were cohabiting, continued to do so after separation. Since separation, she was very angry about Eric’s behavior, and had trouble managing her emotions. She was also much busier as she had returned to work to supplement her new single parent lifestyle. Eric was feeling lonely and missed the family, renting a small studio flat and seeing the children on weekends. Maddy resisted having contact with Eric in order to avoid having to think about him or communicate with him. The parents frequently argued about parenting arrangements, often in front of the children and the children seemed constantly upset and tearful.

Eric wanted more time with the children, and friends had suggested he seek court orders. However the lawyer had advised to first attempt mediation with Maddy to try and organise their parenting arrangements. Eric initiated the process and completed his intake interview with the mediator but Maddy took months to respond. During this time, Eric became frustrated with the lack of communication and uncertainty. Finally Maddy responded and a date for their mediation was organised. Eric was anticipating a swift agreement. Maddy however was tired, angry, and overwhelmed with all the changes since separation and didn’t feel ready to communicate with Eric. She had received legal advice that she should attend the mediation and so she was prepared to sit and listen, but that was all at this stage. The mediation was tense and difficult for both parents. No agreements were reached.

Family Separation: Significance and Consequences

The case of Maddy and Eric is a typical family separation scenario based on families seeking mediation for parenting issues in a community based centre. Maddy and Eric are separated but nevertheless remain a family, fragmented and fractured, yet connected through their children. As a family dispute resolution practitioner in a large community centre, I work with and listen to a diverse range of adults and children from separated families. The transition from an intact family to a healthy separated family is complex and often psychologically painful, and it is during this time that parents must negotiate to organise parenting arrangements to support the healthy adjustment of themselves and their children. From my practitioner's perspective some common themes are evident. There seem to be many parents who initiate mediation and then wait for long periods with no response from their former partner. As a result they don't complete the mediation process, leaving their parenting problems unresolved. Furthermore, even when mediation is completed reaching an agreement only happens some of the time, and there are no proven formulas for mediation success. The lack of evidence and the consequential questions that arise regarding the outcomes for those families who seek but don't complete mediation, provided the impetus for the current research into enhancing mediation and improving outcomes for separated families.

The program of research presented in this thesis investigated the family mediation process, documented the psychological and mediation outcomes for separated families, and tested an enhanced mediation process that attempted to improve the rate of parent agreement and psychological outcomes for separated families. The studies were all conducted within the Telephone Dispute Resolution Service, an Australian national provider of mediation. The term "separated families" in this document refers to divorced, formerly married parents, as

well as unmarried parents who previously cohabited or lived apart prior to relationship dissolution. The thesis consists of four chapters.

The first two chapters are introductory. Chapter one provides an overview of the significance of separation and explores the short and long term consequences of parental separation on the adult partners and children. The second chapter describes the two main pathways for reaching parenting agreements, litigation and mediation, and the evidence for the effectiveness of the mediation approach. Motivational interviewing is then introduced as a potentially appropriate intervention to enhance the mediation process. The third chapter reports on the first research study that investigated the engagement of separated families in the family mediation process, and assessed the outcomes for those parents initiating but not completing mediation. Chapter four reports on the second research study, a randomised controlled trial of family mediation with motivational interviewing compared to mediation as usual. Finally, chapter four provides a discussion of the conclusions, directions for future research, and suggested changes to the current system for assisting separated families.

The Significance of Separation

The dissolution of couple relationships affects a large number of adults and children every year. Unfortunately, the number of parent couples that separate annually is not easy to estimate in most Western countries. Adult relationships exist on a continuum from brief casual relationships, through varying degrees of cohabitation to marriage. Historically it is only the formal relationships of marriage that have been recorded. Divorce records provide an indication of the number of children impacted annually by marital separations. In Australia, there are approximately 50,000 divorces per year, impacting an estimated 50,000 children annually (Australian Bureau Statistics, 2013). In the US, more than 1 million children experience divorce every year (Centers for Disease Control and Prevention, 2012), and in the

UK over 125,000 children under the age of 16 years, experience their parent's divorce annually (Office of National Statistics, 2014).

In addition to children of divorced married parents, there is a growing number of children impacted by separated parents who lived in a cohabiting relationship. An increasing proportion of couple households are cohabiting but not married (Hayes, Weston & Qu, 2010). Qu, De Vaus and Weston (2009) reported that 15% of all couple households in Australia were cohabiting couples. In the US, over one quarter of all unions amongst women between the ages of 19 and 44 were cohabiting unions at the time of the 2011-2013 data collection (Centers for Disease Control and Prevention, 2015). Cohabiting couples are also increasingly likely to have children together. Approximately 35% of all births in Australia (an estimated 89,000 children annually) were to cohabiting couples, a figure that rose from just 7.4% of births in 1971, through to 22% of births in 1990 (Australian Bureau of Statistics, 2010). In the US, 59% of all births in 2013 (approximately 2.3 million children) were to cohabiting parents (Centers for Disease Control and Prevention, 2015). In Europe there are substantial differences between nations, but there is an overall trend to higher rates of children being born to unmarried parents, with a particularly high rate in some Scandinavian countries (e.g., Norway 50% of all births to cohabiting couples) (Lesthaeghe, 2010; Statistics Norway, 2013). Most provinces in Canada report similar rates of births to cohabiting couples as the US, although distinctively the province of Quebec reported that non-married couples contributed to 63% of all births in 2011 (Institute of Marriage and Family Canada, 2013).

The risk of a cohabiting relationship dissolving is greater than that of married couples in Australia and the US (Qu, Weston & de Vaus, 2009; Copen, Daniels & Mosher, 2013). Approximately one third of cohabiting couples separate within the first five years of cohabitation in both the United States and Australia (Qu, Weston & de Vaus, 2009; Copen, Daniels & Mosher, 2013). These rates of separation are about 3 times that of the 10-12% of

couples who separate in the first five years of marriage (Australian Institute of Family Studies, 2010; Copen, Daniels and Mosher, 2013).

Parents often re-partner after separation, and these subsequent partnerships create blended families with children from prior relationships of one or both partners. Blended families experience particularly high rates of parental separation. For example, in the US, 25% of re-marriages separate within 5 years, and rates of separation are even higher for blended cohabiting families (National Center for Health Statistics, 2007). Multiple family transitions can have negative consequences for family members; a higher number of family transitions is associated with poorer outcomes for children (Osborne & McLanahan, 2007).

Clearly, divorce statistics alone underestimate the number of children impacted by parental separation, and a more accurate picture emerges when children from all separated relationships are considered. Across the western world, family relationships are becoming more transient and more dynamic (Tai, Baxter & Hewitt, 2014). Clarifying the impact for adults and children of changeable family structures is both complex and necessary, for developing a support system that can help to manage the consequences on the children of families of parental separations.

Historically, divorce research has tended to create a negative picture of consequences for the families involved (Amato, 2014). However, contemporary perspectives conceptualise the family separation as a process of transition rather than a single event and that people respond to this process of adjusting to family transition differently depending on resources (Amato, 2014). The psychological and physical adjustment of separating families to their separated lives is largely dependent on their access to these resources, the manner in which they interpret their separation and their evolving self-identity.

Consequences of Separation

The effects of relationship dissolution can be experienced at individual, psychological, family, social, and economic levels (Tucker, et al., 1997). There is a long history of research on the sequelae of couple separation which shows that, on average, adults and children from separated relationships have poorer adjustment, across a wide range of outcomes, than those of intact families (Amato, 2010). However, that generalization needs to be interpreted with attention to two key factors: 1) there usually are large changes in immediate versus long-term adjustment to separation; and 2) there is wide variability between families in long-term adjustment to separation.

In the immediate period around relationship dissolution almost all separating couples and their children experience elevated psychological distress, and this is true for married (Buchanan, 2005; Halford & Sweeper, 2013) or cohabiting couples (Rhoades, Dush, Atkins, Stanley, & Markman, 2011). Such distress is understandable; there are the emotional effects of ending the relationship, the likelihood of at least one adult moving house immediately after separation, contact between parents and children changes, children might move schools, and there are changes in social networks and relationships with extended family. In the short term, separation has a negative impact financially, with less disposable income often requiring changes in lifestyle (De Vaus, Gray, Qu & Stanton, 2014). The separated parents have to develop new ways of caring for their children, and this is a common source of conflict between the parents (Sweeper & Halford, 2006). Parents often become less supportive and more withdrawn from their children immediately after separation (Wood, Repetti, & Roesch, 2004), and children have more problems with academic performance and psychological adjustment (Hetherington, 2003; Stefano & Cyr, 2014).

Across a period of 1 to 2 years after separation, the adjustment of separated adults and their children tends to improve (Halford, & Sweeper, 2013). For example, in a large scale

study of adults' life satisfaction after separation, it was found that in the year before and after separation adults show a major decline in mean life satisfaction. However the mean life satisfaction increases back, moving close to baseline levels across the following 2 to 3 years (Lucas, 2005). This gradual improvement in adjustment in the years after separation likely reflects a number of influences. The economic costs associated with separation reduce across time, particularly for men (De Vaus, Gray, Qu & Stanton, 2014; Raz-Yurovich, 2013). Most separated parents will reach some agreement about how to co-parent their children, which reduces the stress on them and the exposure of the children to interparental conflict (Kaspiew, Gray, Weston, Moloney & Qu, 2009). Emotional attachment to the former partner tends to decline with time (Halford & Sweeper, 2013).

There is a long history of research on the consequences associated with couple separation, which shows that adults and children from separated relationships have poorer health, and the children have poorer educational outcomes, than those of intact families (Amato, 2010). More specifically, adults and children from separated families experience higher rates of mental health problems (e.g., depression, anxiety), and poorer physical health (e.g., longevity, prevalence of chronic health problems), than adults and children from intact families. Offspring of separated families do more poorly in terms of educational achievement and career outcomes in their adult lives (Amato, 2010).

On average separated families experience only slightly more long-term adjustment problems than intact families; the mean effect size of the difference between indices of adjustment (e.g., educational attainment, psychological distress) of children from divorced and intact families is very small – in the order of about 0.1 standard deviations across all adjustment indices (Amato, 2010). On socio-economic circumstances children of intact families enjoy only a slight advantage over those from separated families (Cherlin, Chase-Lansdale & McRae, 1998).

However, there is a small but significant subset of separated families who experience severe problems over the longer term (Hetherington, 2003; Amato, 2010). These problems include mental and physical health issues, risk taking behaviours, and early mortality rates. The rate of suicide in divorced adults is higher than that of married adults, particularly amongst males. The risk of divorced men committing suicide is more than twice that of non-divorced men (Kposowa, 2000). Divorced adults and their children suffer from psychological disorders, at more than double the rate of the rest of the population (Amato, 2010; Cantor & Slater, 1995).

It might seem paradoxical that some separated family members suffer very serious adjustment problems while most separated families adjust relatively well. Models describing the factors that influence the adjustment process have been proposed to explain this variability in adjustment, and the next section describes two of these models.

Models of Adjustment to Separation

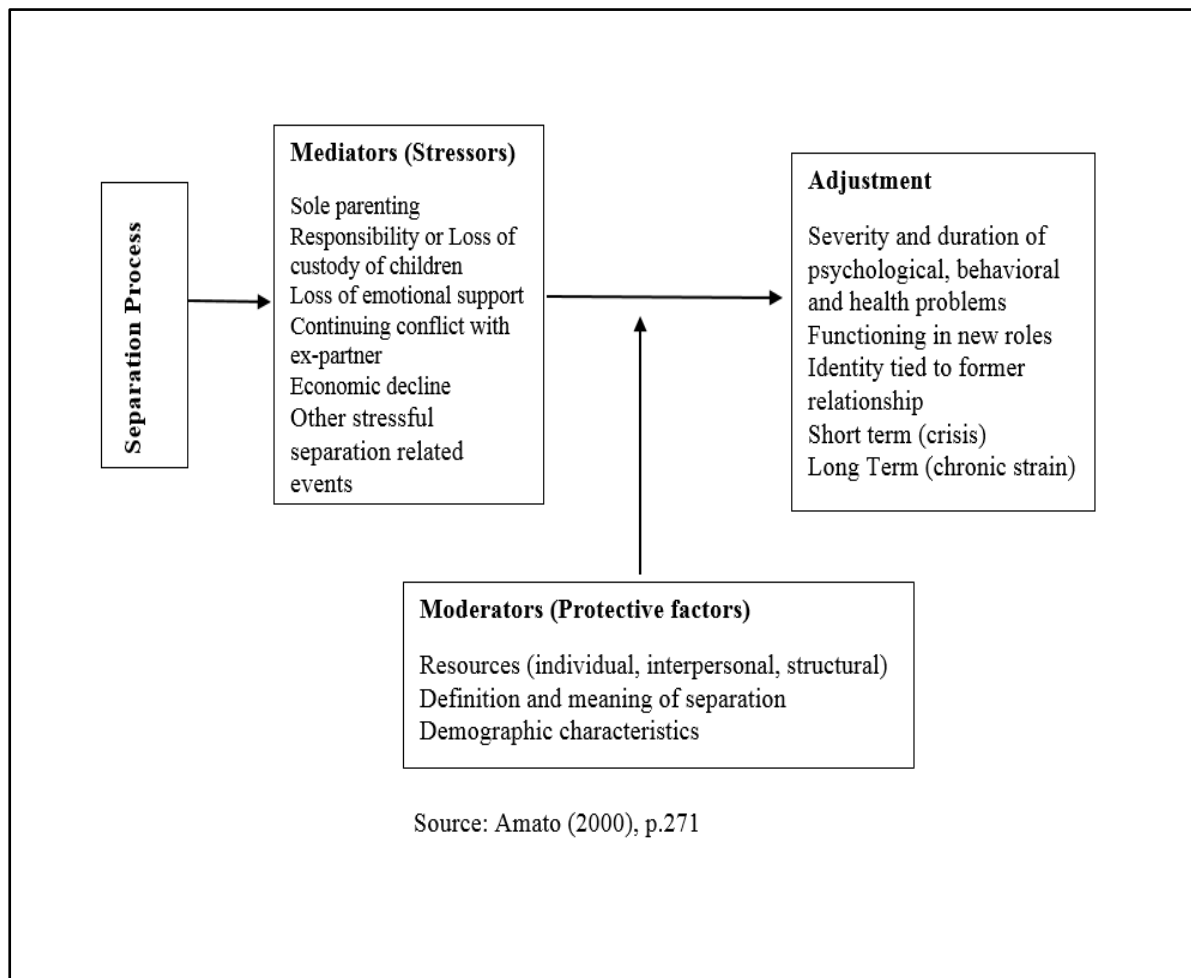
Models of separation adjustment can help to explain the diversity of outcomes for adults and children (e.g, Amato, 2000; Emery, 2011). These models conceptualize adjustment to separation as a process occurring across time, rather than as a single event. That is, after separation, the adjustment process involves a gradual reorganising of identities and lifestyles over a period of years (Emery, 2011; Amato, 2000). Contemporary models illustrating this process of adjustment include Emery's (2011) Cyclical model and Amato's (2000) Divorce-Stress-Adjustment model (which for the purpose of this thesis has been renamed the Separation-Stress-Adjustment model to include separated but never married parents).

Emery's cyclical model of emotional coping with separation (2011) proposes that parental adjustment to separation is often influenced by high emotional attachment to the former partner. More specifically, Emery suggests that many separated individuals

experience cyclical fluctuations of feelings of love, anger, and sadness concerning the former partner. He argues that these changing feelings are sources of difficulty in creating a consistent co-parenting relationship for separated parents. For example, Halford and Sweeper (2013) found that separated parents who are highly attached to their ex-partner are more likely to report that they miss their former partner a lot, that reliving their relationship through photos and memorabilia is painful and that they wish they could make that relationship work. High emotional attachment in one parent is associated with a reluctance to engage with the other parent about issues related to finalising the separation (Emery, 2011). This can delay the development of a productive co-parenting relationship important for minimising child adjustment issues post separation. For most separated parents, feelings associated with being attached to their former partner dissipate over time, with adults who experience high attachment issues at separation reporting a decline in the severity of these issues in the first two years following separation (Halford & Sweeper, 2013). While this cyclical model of emotional attachment is helpful to understand the changing relationship between the separated parents, a more complex model is required to depict the factors that impact the quality of the family environment and the consequential process of adjustment for separated families.

Figure 1.1 illustrates Amato's (2000) model of separation, a conceptual picture of the process of adjustment after separation, influenced by mediators and moderators that shape the family and the individual's adjustment to the post-separated life. This model depicts internal and external influences on the adjustment of family members involved. The combination of influences and their consequential changes can lead to highly variable outcomes. Most families experience the separation transition in the short term as a highly stressful and anxiety-provoking time that places physical, psychological, social and financial pressure (mediators) on the adults and children concerned. Many adults and their children are able to

access protective mechanisms (moderators) such as family and friends as well as individual resources and resilience. The number and severity of the mediating factors and the balance of moderating factors combine to influence the adjustment process over the longer term.



Mediating factors. Amato (2000) identifies mediating effects as stressors that negatively impact the adjustment of individuals and families. Examples of adult stressors in his model include continued conflict with an ex-spouse, loss of custody of children, sole parenting responsibility, a lack of social and emotional support and economic and financial difficulty. Similar factors mediate the impact of separation on children and include a lack of parental support and or control, loss of emotional support, ongoing conflict between parents,

financial and economic difficulty and the loss of contact with extended family (Kelly & Emery, 2003; Amato, 2000; Stegano & Cyr, 2014). Negative life events are also a consistent predictor of poor adjustment in children of separation (Amato, 2010).

An appreciation of the relationship between parents and children as being transactional and multi-directional (Whitemna, McHale & Crouter, 2007; Jenkins, Simpson, Dunn, Rasbash & O'Connor, 2005) is key to understanding the impact of mediating factors on adults and children. That is, parents, their parental relationship and parenting behaviors, influence the psychological, social and emotional development of the child. The child's physical and emotional well-being and consequential behavior, influences their parents, their parenting and their parental relationship. The presence of conflict before and after separation in the parental relationship is associated with poorer parent child relationships, child adjustment, self-esteem, academic performance, family and peer relationship problems and wellbeing (Johnson, La Voie & Mahoney, 2001; Kelly, 2003; Cheung, Cummings, Zhang & Davies, 2015, Amato, 2010; Cummings & Davies, 2010). For example, a longitudinal study conducted by Davies, Cummings and Winter (2004) investigated the relationship between family functioning, child emotional insecurity and child psychological adjustment. Data was collected from self-report measures of parents, and reactions from kindergarten children to simulated parent scenarios. They found children from families with higher levels of hostility and conflict displayed greater emotional insecurity and more internalising and externalising symptoms initially and at follow-up one year later.

Separated families are at greater risk of experiencing conflict. A recent study comparing separated and divorcing families on levels of conflict within the parent, sibling and parent-child relationships found that the participants from the separating and divorcing families reported significantly more conflict in all relationships than participants from the continuously married group (Noller, Fenney, Darlington & Rogers, 2008). Mothers' reports

of conflict were associated with an increase in adjustment problems of children. Over a period of 12 months the level of conflict remained stable and participants reported that this post separated conflict between parents was often about finances and child related issues. In other research, the amount of court involvement by parents has been used as an indicator of the amount of conflict between separated parents. Research finds that parents who are highly conflicted (as measured by higher amounts of court involvement) are more likely to have families with higher rates of maladjustment, child coping problems and family conflict (Bing, Nelson III & Wesolowski, 2009).

In the majority of separations, mothers have most of the care or primary parenting and custody of children (Moloney, Qu, Weston & Hand, 2013). Becoming a single parent can place additional stressors on the family environment and the quality of parenting is an important predictor of child adjustment after separation (Martinez & Forgatch, 2002; Sander, Miles, Cookston & Braver, 2008). One of the consequences of separation is the splitting of economic and human resources, and in single-parent families there are fewer resources. While many families experience a reduction in finances after separating (De Vaud, Gray, Qu & Stanton, 2014), children in households who maintain a higher level of income have fewer internalising and externalising problems (Gennetian & Morris, 2003; Bradley & Corwyn, 2002). Economic stress associated with moving from a two parent home to a one parent home can lead to a series of often unanticipated changes for the adults and children involved, such as moving to a more affordable community, minimising extra-curricular activities and changing social networks and activities.

Moderating factors. Moderating factors in the Separation-Stress-Adjustment model are those factors that support and protect the individual and the family, and attenuate the impact of the stressors on separation adjustment (Amato, 2000). There are three categories of

inter-related moderators: resources, an individual's definition and interpretation of the separation, and demographic characteristics.

Resources are further categorised into individual, interpersonal and structural resources. Individual resources include the mental health and well-being of the separated parents which is a contributing factor to the healthy adjustment of the children (Pruett, Williams, Insabella & Little, 2003; Amato & Fowler, 2004). Interpersonal resources include the maintenance of social relationships with friends and family. Research suggests that maintaining healthy family and social connections is associated with higher levels of positive adjustment and lower levels of maladjustment (Kramrei, Coit, Martin, Fogo & Mahoney, 2007). Government and Non-government organisations provide structural resources; pensions, access to health care, psychological support and welfare systems (Amato, 2000). Higher levels of demographic characteristics such as education and income can improve a family's quantity and quality of resources and their ability to access and utilise these resources.

How a separated parent perceives the collapse of their relationship can also contribute to the variability of the adjustment process (Amato, 2000; Emery, 2011). One example is Emery's theory that parents perceive themselves as either the leaver or the left. The initiators of the separation are considered the leavers and the responders to the request for separation are considered to be the left. These different internal perspectives of separation, illustrated by comments such as "I've been left behind, he doesn't want me anymore" or "I'm on my way to making the changes for a better life", can influence a parents' ability to manage the consequences associated with separating.

The current research explores the challenges for separated adults and children associated with adjustment to their separated lives and the formation of new roles, identities and relationships. For parents an important adjustment after separation is adapting to their

new roles as separated co-parents. For children of separated families, separation often includes adjusting from living in one family home to living between two homes. In most western nations, parents who are unable to amicably develop a parenting plan after their separation can pursue two pathways, litigation and mediation, to assist them reach agreement regarding parenting (Morris & Halford, 2014). The following chapter reviews the literature assessing these pathways and further explores the mediation process and its effectiveness to assist separated families.

Chapter Two

Court Based and Mediation Based Approaches to Resolution

Note

As detailed in the *Publications Included in This Thesis* section, the following published article formed the original version of this chapter.

Morris, M., & Halford, W. K. (2014). Family Mediation: a guide for family therapists.

Australia and New Zealand Journal of Family Therapy, 35(4), 479-492. Doi:

10.1002/anzf.1078

Court Based and Mediation Based Approaches to Resolution

Part of the family separation process includes parents making decisions concerning on-going parenting responsibilities. The agreement between parents about the distribution of parenting responsibilities after separating is often termed a parenting plan. The Australian Attorney General's department has a website to assist separated families, and this website describes a parenting plan as, "a voluntary agreement that sets out parenting arrangements for children. It can cover the day to day responsibilities of each parent, the practical considerations of a child's daily life, as well as how parents will agree and consult on important issues about their children," (Australian Government, Family Relationships Online, 2016).

Research generally agrees that a good parenting plan takes into consideration the level of conflict between parents; is flexible, age appropriate, dynamic; a mix of holiday, regular and weekend time, and meets the unique needs of the family in question (Emery, 2004; Kelly, 2005, 2003). For example, the non-resident parent who works a schedule of 8 days on and 4 days off may have a parenting plan where they regularly spend short amounts of time during the day caring for their infant child during their time-off. A flexible age-appropriate plan involves the parents renegotiating the plan as the child develops. Once the child reaches school-age, the parents may mutually decide to include overnight time between the child and the non-resident parent. Flexibility is also required when parents need to re-organise the parenting schedule to accommodate a family occasion. For example, in order for a child to attend a grandparent's birthday they may have to forgo time normally spent with their other parent. Parents might agree to swap weekend care arrangements so that they and their child manage to see each other regularly.

Some separated couples are able to agree on parenting and financial settlements without the assistance of any separation professionals. However, in Australia more than 60% of

separated parents seek professional advice, (from a lawyer, mediator or separation counselor) to assist them develop parenting arrangements after their separation (Kaspiew, et al., 2009). The number of separating families who access the courts or professionals for parenting assistance in the US is unavailable as there is no national recording system, making it hard to compare and track caseloads (National Center for Court Statistics, 2012). However the National Center for Court Statistics, (2012) reported that in 2009, twenty-five of 36 jurisdictions in the US had clearance rates of less than 100%, meaning that within the context of a 12 month timeframe, more cases are entering the system than the court can complete. As a result of poor clearance rates and continuing demand, family courts in the US have often been described as being overwhelmed (Kourlis, Taylor, Schepard & Pruett, 2013).

A substantial minority of separated families have chronic inter-parental conflict around co-parenting arrangements, which often leads to parents accessing family court services to resolve ongoing disputes. For example, in the 2013-2014 year approximately 66% of all family law applications in Australia involved children's matters (Federal Circuit Court Annual Report, 2013-2014). According to a review of separated parents and their parenting pathways and arrangements, approximately 37% of separated parents in Australia were unable to negotiate mutually agreeable parenting arrangements by themselves, and reported using solicitors and the family court to assist them develop arrangements (Qu, Weston, Moloney, Kaspiew & Dunstan, 2014).

Conversation between 5 year old Harry and his mother (recently separated)

Harry: Mum, when are we going to see Dad?

Mother: I'm not sure Harry; I have to work it out...

Harry: Is he coming to my soccer game? Will he watch me play?

Mother: I don't know Harry. I haven't been able to speak with him lately.

Harry: Will he be coming to my school? Has he seen my school uniform?

Mother: I'm not sure Harry, but I'll try to work it out. Hopefully you'll see him soon.

The Family Court Process

For the separating family in conflict, the litigation process in most western countries can be lengthy, costly and stressful (Emery, 2011; Community Law Australia, 2012). Family law is big business, and family law courts in the US and Australia are extremely busy. Court clearance rates of less than 100% indicate that a court has more cases being filed in a year than the court can finalise in that time frame, leaving many families waiting for long periods before their matter can be heard in the court.

Since 2006, the court process in Australia has focused on improving accessibility by diversifying its services such as increasing online access and providing additional pathways for resolution (Federal Circuit Court Annual Report, 2013-2014). Approximately 84,000 applications were filed in family law matters in 2013-2014 in Australia and the federal circuit court reported a clearance rate of approximately 97% (Federal Circuit Court, 2013-2014). Unfortunately the current record keeping provides no way of deducing the exact number of families or children involved in these applications as one family may be involved in multiple filings. However in a 2010 report by Qu and Weston, 67% of all parents accessing the family court reported that resolving children's care arrangements was the reason for their court process.

Often there are long waiting periods for access to court and access to legal professionals to represent parents in court (Kourlis, Taylor, Schepard & Pruett, 2013; Parkinson, 2014). Family court proceedings are expensive for not only the family members involved but also the broader community, who pay for the court processes through their taxes. One concern for parents is the inflexibility of parenting arrangements that are ordered through family courts. Court ordered parenting arrangements are detailed and developed according to the work schedules and living arrangements of the parents at the time of attending court.

The court may also choose to pursue a more collaborative process and utilise the services of a family consultant to assist them with ordering parenting arrangements that are in the best interests of the child and appropriate to the parent's lifestyle. The family consultant usually is a psychologist or social worker with experience working with separated families. Their role can be to address a specific issue in a matter, but more often they are engaged to provide the court with additional information or perspective on the functioning of the family relationships (Commonwealth Court Portal, 2013).

If parents are unable to mutually negotiate changes to their orders, then changes to the parenting orders require further court engagement which can be costly for parents in both time and money. A second concern is that the adversarial nature of court might escalate conflict between separating parents, undermining the post-separation co-parenting alliance and thus negatively impacting the children (Emery, 2011; Emery, Matthews & Wyer, 1991).

Some experts suggest that the adversarial nature of the court process unnecessarily separates the mother and father into adversarial roles where each seeks to win a dispute (Huntington, 2009). It has been suggested that this positioning of parent against parent can further disconnect separated parents who need to cooperate in order to co-parent effectively. Emery (2011) emphasises that this disconnection can be particularly destructive to the separated family as it occurs at a time when the family is struggling to redefine itself. After separation, family membership is no longer defined by living under the one roof, but instead by appreciating family roles and relationships regardless of living arrangements (Emery, 2011).

Now more than ever before, Australian families along with the US and many western countries have a choice of pathways and family support services for resolving parenting and separation related disputes. The Australian family law act (1975) introduced the principle of no-fault divorce, which means that the court does not consider which person in a marriage

was responsible for the marriage breakdown (Commonwealth Courts Portal, 2016). This system has been amended on numerous occasions to incorporate the shift to joint parental responsibility after separation and the promotion of family mediation (2006), parenting and property rights for separating couples in a de facto and same sex relationship (2008), and most recently the family violence amendment (2012). This latest amendment updated the definitions of family violence, introduced the encouragement of disclosure and the requirement for action to be taken to protect children in family law disputes (Australian Government, Attorney General's Department, 2016).

While mediation and alternate pathways to parenting arrangements have become more widely available, a significant minority of parent's use litigious pathways to assist them organize future parenting arrangements. The 2015 Australian assessment of the impact of the 2012 family law changes (Qu & Weston, 2015) indicates that more than 38% of separating parents reported mainly using either a court based or a solicitor based pathway for reaching parenting arrangements. Separated parents who had experienced violence before, during, or after separation were the heaviest users of all family law services, such as family mediation, legal assistance and the family court (Kaspiew et al., 2015). Those families with higher risks were less likely to succeed in resolving parenting matters at family mediation (Kaspiew et al., 2015). According to Kaspiew and colleagues (2015), only 37.5% of parents reporting physical violence and 38% of parents reporting emotional violence alone were able to reach agreement in family mediation, as compared to 53% of parents who reported no family violence. The majority of separated parents (86%) who accessed the family courts in 2014 reported family violence, with 45% of these parents reporting physical violence and 41% reporting emotional violence alone, before during or after their separation.

Fehlberg and Millward (2013), interviewed 60 Australian parents once a year for a period of three years, to explore how post-separation parenting arrangements were related to

financial arrangements. Their research found that one possible reason why parents choose legal pathways over family mediation is that parents may believe that litigation can offer greater protective services for partners who are fearful or feel threatened by their former partners. Another reason is that some parents reported that mediation was unsuccessful due to the other parents' deliberate undermining of the process (Fehlberg & Millward, 2013). In such cases, the act of communicating through a third party, such as their legal representative, has been reported as helpful to some parents by reducing anxiety and minimizing the opportunity for further conflict (Fehlberg & Millward, 2013).

Some parents experience added complications to their post-separation lifestyles and parenting issues as a result of an acrimonious separation or family trauma. In these cases, lawyer assisted pathways and litigation can provide advice, direction and stability for families, with an opportunity for change at a later time if and when necessary (Fehlberg & Millward, 2013).

Family Court Parenting Orders

In the family court process, parents essentially relinquish authority for presenting their viewpoints on parenting arrangements for their children to their legal representation. Parents can choose to self-represent, however the number of parents self-representing in final orders for family matters across Australian courts between 2004 and 2013 has decreased to approximately 34% of all applications for final orders (Kaspiew, Moloney, Dunstan & De Maio, 2015). This seems to be in contrast to the US where self-representation continues to increase in recent years (Shepard, 2010).

Usually legal representatives present the case for the parent to the court. The presiding judge(s) rely on the parents' affidavits, family reports and testimony from other professionals to provide appropriate information from which the judge determines court orders. Court orders prescribe the parenting arrangements for both the children and adults. The parents and

children are expected, indeed legally required, to abide by the determination. Court ordered parenting arrangements can be highly prescriptive and they often are in place until the children are 18 years of age. A fixed legal arrangement like this makes little provision for the changing circumstances of the separated family. For example, a parent who has to move cities for their work might no longer be able to fulfil their co-parenting requirements of caring for children on every other week. As a second example, parents who require hospitalisation and have a long period of recovery are unable to complete their usual child care responsibilities (e.g. the pick-up and drop-offs for school-age children). In such examples negotiating a change in parenting arrangements is crucial. Parents can attempt to negotiate mutually agreeable changes themselves or engage in family mediation to make changes to their arrangements that supersede their orders. If unsuccessful they may then file an application for court. However, often parents attending the family court for resolution are characterized by complex and conflicted family matters, (Kaspiew et al., 2009) making the reality of reaching agreement through direct negotiation limited.

The lack of flexibility with court mandated orders might be one reason why less than half of the parents appearing in the Australian family courts report they have a satisfactory co-parenting arrangement nine months after their court appearance (Moloney, Qu, Weston & Hand, 2013). While the family court can impose a parenting arrangement, this arrangement is often not acceptable to parents. A prescriptive court order is most unlikely to be able to take into account the changing circumstances of parents and children across the post separation years. Consequentially, parents can resort to contravening their orders when the orders become unsuitable or inconvenient. Specific data quantifying contraventions of parenting orders is not currently available, however anecdotally family law professionals report that parents often fail to adhere to the provisions of the prescribed arrangements.

Mediation in Post Separated Parenting Disputes

Family law systems in most parts of Europe, the UK, and the US provide the opportunity for parents to engage in family mediation as an alternative form of dispute resolution for parenting issues (Roberts, 2014; Tondo, Coronel & Drucker, 2001). However, while mediation is widely provided, there are differences between states and nations regarding the timing and accessibility of family mediation. For example, some family law pathways include mandatory family mediation, while others have voluntary referral processes; some encourage parents to mediate prior to filing an application for court, while others have a court process where referrals to mediation occur after filing an application and at the judge's discretion. In the US, while private mediation is available, there is no current external nationally-based community service provided by the government, and the majority of family mediation takes place within the family court environment (Tondo, Drucker & Coronel, 2001; Kourlis, Schepard, Kline Pruett, 2013). In Australia separated parents can choose to use a community service or a private provider of family mediation both of which are located externally to the court (Kaspiew et al., 2009). In an Australian study evaluating the implementation of these government initiated community agencies, approximately two thirds of separated families reported using a community service agency at some stage for assistance with parenting issues (Moloney, Qu, Weston & Hand, 2013).

In Australia, where the current research was conducted, all separated parents have access to a national community-based family mediation service aimed at early intervention and resolution of parenting disputes (Moloney, Qu, Weston & Hand, 2013). The UK has a family law system where mediation is encouraged, although not mandatory, and is available to parents within the court process via in-court conciliation, or external to the court process at a community-based mediation centre (Roberts, 2014).

In the US, while the majority of states have legislation that regulates family mediation, referral to mediation is generally at the discretion of the court (Tondo, Coronel & Drucker, 2001). After filing an application in court, parents in the US either enter a mandatory mediation program or await direction from the judge once their documents have been perused (Tondo, Coronel & Drucker, 2001). In contrast to many of the US states, the system in Australia requires that an application to court cannot be filed without separated parents first attempting to resolve their issues at mediation. Mediation must occur *before* seeking a court based settlement (Kaspiew et al., 2009).

As noted previously, parents who have litigated and received court ordered parenting arrangements often require amendments to their parenting arrangement. Life events can reduce the appropriateness of court determined parenting orders. For example, adjustments to parenting plans are required when a parent is required to move interstate by their employer, or when a parent has a health issue that requires hospitalisation. In addition, across a child's development new decisions might need to be taken. For example, parents may need to negotiate decisions concerning the selection of an appropriate secondary school, extra-curricular activities or renegotiate care schedules due to changes in work schedules. If a child developed a serious health problem, shared decisions might need to be taken about treatment. Changes to a parenting plan can be negotiated at mediation. Furthermore, parents can access mediation at any time after separation and as often as they feel necessary while they have a child less than 18 years of age.

Under the Shared Parental Act (2006) Australian parents share a (presumptive) legal and social responsibility of raising their children (Australian Government Attorney Generals Department, 2016). The presumption that parents can have equal responsibility for care and decision-making in their child's best interests can be rebutted or found not applicable if for example the court finds it inappropriate or has concerns regarding family violence or child

abuse (Kaspiew et al., 2009). The numbers of parents engaging in family mediation services dramatically increased after the 2006 family law amendments (Kaspiew et al., 2009). In a recent Australian survey the majority of parents (69%), reported that they attempted to make their parenting arrangements through discussions with the other parent (Kaspiew et al., 2015). Yet child rearing can last for 20 or more years after separation. For example, parents who separate when their child is young might be negotiating 25 years later about who pays for their now adult offspring's wedding, and 30 years later may be negotiating their involvement in child care for their grand-children. Hence there is a need for long-term ongoing communication, and the maintenance of a working relationship between separated parents (Emery, 2011).

However, many of these parents have separated because they cannot communicate effectively, and they often feel hurt or anger about the other parent, or simply no longer like their former spouse. Approximately, 20% of mothers and 16% of fathers in a recent Australian review reported that they experienced two or three of the following problems in their separated relationship; violence/abuse, fears for safety, high conflict and or fearful relationships (Qu, Weston, Moloney, Kaspiew & Dunstan, 2014). Mental health issues and new partners were also reported by separated parents as issues causing conflict and difficulties in relation to parenting matters, (Qu, Weston, Moloney, Kaspiew & Dunstan, 2014). These relationship and communication problems can interfere with the parent's ability to focus upon the needs of their children.

Models of Family Mediation

Emery and Wyr (1987, p.472) define family mediation as being "an opportunity for marital parties to meet with an impartial third party to identify issues, discuss and ultimately resolve their disputes." The term "marital parties" is now a little dated, since many separating parents have cohabitated without marriage. Family mediation can be used to settle disputes

concerning property and asset division, custody or parenting issues and parenting plans. The objective for separated parents in mediation is to make agreements which can become a dynamic parenting plan or be transferred via legal representation to the court to be approved as court orders.

A typical mediation process in Australia includes but is not limited to three general steps. One parent can begin the process by engaging with a mediation agency and booking an intake interview. After the initiating parent has completed their intake interview, the mediator then invites the other parent to attend the mediation process and to book an intake interview. After each step of the mediation process, it is the mediator's responsibility to assess the parents and the information they have provided in order to determine the most suitable pathway for dispute resolution (Australian Government Attorney General's Department, 2016). For example, mediators may refer parents to a variety of adjunct support services before continuing with the mediation process or may deem a dispute inappropriate for mediation due to complexity or concerns for the safety or welfare of a family member. The Australian government (Australian Government Attorney General's Department, 2016) outline the following considerations to be made by the mediator before deeming mediation to be suitable for their clients;

- A history of violence (if any) among the people involved
- The likely safety of the people involved
- The equality of bargaining power the risk that a child may suffer abuse
- The emotional psychological and physical health of the people involved
- Any other matter that the practitioner considers relevant to the proposed family dispute resolution

If the respondent parent engages with the process and the mediator has assessed the case as suitable for mediation, one or more conjoint sessions are conducted where negotiation to resolve the issues in dispute becomes the focus. In the conjoint sessions, the mediator facilitates a process that moves through stages of agenda setting, exploration, negotiation and agreement (Emery, 2011).

Much of the literature on family mediation has been concerned with models of how mediators should behave in mediation, and the advantages and disadvantages of these different models of mediating in terms of assisting parties to reach agreement. Historically there has been much debate concerning the advantages and disadvantages of the different models with little consideration for the lack of empirical evidence establishing they exist in practise. For the purpose of this thesis, theoretical models of mediation have been categorised into 5 types: facilitative, solution focused, evaluative, transformative and therapeutic. Proponents of the facilitative style such as Folger & Bush (1994), Fulberg and Taylor (1984), and Mayer (2000), propose that it is client and process centred, communications focused, interest based, child focused and that the mediator is neutral and impartial. A solution-focused model guides discussion away from exploring the origin of the problem, and is considered agreement and future focused. The mediator develops a collaborative partnership with the clients and shapes discussion toward developing solutions (Bannink, 2007). The mediator using an evaluative model identifies strengths and weaknesses of parties and may develop or propose options with less emphasis on impartiality and more on concrete resources and problem solving (Gabel, 2003). The transformative model of mediation focuses on change in the relationship between the parties and that the relationship is paramount to obtaining solutions to conflict (Bush & Folger, 1994; Gabel, 2003).

Philosophically, these models differ in terms of the focus for discussion, and the focus on the problem as opposed to the solution. Solution-focused proponent Frederik Bannink

(2007) suggests that a key difference between models is the type of content that the mediator focuses upon, and the goal of this focus of attention. Unlike other models of mediation, the therapeutic mediation process embraces client recovery and support, and may involve counselling and psycho-education for clients in an effort to psychologically prepare clients through the mediation process (Kelly, 1996; Smyth & Moloney, 2003).

In Kruk's (1998) Canadian study of 250 practising family mediators, mediators most frequently endorsed the facilitative and therapeutic models of mediation as their preferred model. Using a combination of models dependent on the client communication and the mediation progress was reported as common mediator practice (Kruk, 1998). Unfortunately as there is no empirical research testing if these different models are associated with different mediator behaviors in session, there is no method of identifying if one model is more successful than another for reaching agreement or managing difficult issues.

A qualitative study conducted in the US by Marcum, Stoner and Perry (2007) interviewed 15 mediators (who were a mix of counsellors, attorneys or retired judges) about their use of facilitative, transformative and evaluative mediation. Regardless of mediator background, experience, training, or avowed mediator model, researchers noted mediators believed that certain behaviors were associated with reaching agreements. These behaviors included: establishing a safe and secure setting, clarifying the mediator's role, practising deep listening and identifying the goals and needs of each parent.

It seems that all mediation models have in common the basic structure of clients meeting together with a mediator who facilitates discussion concerning clarifying the issues in conflict, with the objective of helping participants to negotiate agreements that are acceptable to both parents. However, mediator models are theoretically differentiated by the behavior of the mediator, the decision to include clients' psychological needs and referral

services, and a focus on analysis of the problem and problem solving, as opposed to maintaining a future focus and an emphasis on constructing solutions.

As a result of the lack of empirical research assessing mediator behavior within the mediation models, there is a lack of evidenced-based techniques available to the mediator. The models provide descriptions of mediator communication styles, but lack behavioral specificity of procedures for mediators to use when assisting parents who exhibit behaviors that impede the process and its goals.

There needs to be further research into processes of mediation that predict achieving agreements and parent satisfaction with the mediation process. Such research may assist to develop models of mediation that are more helpful for assisting conflicted separated families.

The Effectiveness of Family Mediation

Advocates of mediation propose that mediation allows parents to make parenting plans unique to their family situation and their children's needs (Emery, 2012). As these parenting plans are developed by the parents, they can be updated by mutual agreement at any time. In Australia, parenting arrangements negotiated through mediation are acceptable to almost all parents who negotiate a mutual agreement, at least in the short term (Moloney et al., 2013). However, there is no long-term research that establishes whether parents who mediate successfully adapt their parenting arrangements when required.

One of the earliest attempts to evaluate the outcomes of mediation versus litigation was the Denver Custody project conducted in the early 1980's by Thoennes and Pearson in the US. Their report is no longer accessible publicly; however a summary of the method and results can be found in Garner's (1989) article summarising child custody mediation as an alternative to litigation. This early study found that overall parents were more satisfied with the mediation process than court, and that parents who mediated found the process less costly in time and money. The study has been criticized for not providing gender specific

information and family participant details such as the number of children, length of marriage, time since divorce, number of marriages and whether or not the divorce was being contested. Questions have also been raised concerning the system for allocation of membership to the conditions. However the results encouraged further research.

The only research comparing mediation and court outcomes in a randomized control design was conducted in the US by Emery and Wyer (1987), with 40 parent dyads who agreed to be randomised into mediation or litigation pathways for resolving parenting disputes. The study was replicated by Emery, Matthews and Wyer in 1991, with 15 parent dyads randomized to the mediation group and 16 parent dyads randomized to the litigation group. Parents were not randomized *after* agreeing to participate in the research as per the classic randomized controlled trial process. Instead, they were approached at the time of their court hearing, and were invited to resolve their dispute in either the courts new mediation program or to take part in an evaluation of the litigation process. The condition they were offered was randomly determined. Given that random assignment happened before agreeing to participate in the research, it is conceivable that self-selection into the study might vary across conditions. For example, more conflicted couples might have declined to participate in mediation at greater rates than they declined a court appearance. However, rates of agreement to participate in the study were high (20/23 families approached about mediation agreed to participate and 20/25 approached to participate in litigation agreed). Parents who mediated were offered up to 6 x 2 hour mediation sessions.

Emery and Wyer (1987) found mixed results in their comparison of litigation and mediation. For those parents who mediated, mediation greatly reduced frequency of court hearings (achieving a 67% reduction in cases proceeding to court). Agreements were reached in half the time, and the fathers reported greater satisfaction with the mediation process and outcomes.

Fathers regardless of condition (mediation or litigation) reported lower satisfaction with their rights being protected than mothers in either group. Fathers who mediated reported greater involvement with their children's lives at the one year follow-up and at a follow-up completed twelve years later. Mothers who mediated felt they had won less and lost more than mothers who litigated although mothers in both conditions reported that they believed their rights had been protected. Mothers who mediated also felt that the process had had a more positive impact on their children than the mothers who litigated.

In terms of psychological adjustment, there was no consistent difference between parents who mediated and parents who litigated. This study provided no evidence that mediation provided a change for the better in terms of accepting the finality of the relationship ending or the level of conflict between parents.

In 1991, the Emery and Wyer (1987) study was replicated with a smaller sample being recruited under the same methods as the initial study. Comparisons were made between outcomes for fifteen parent dyads who mediated and sixteen parent dyads who litigated. The main findings from the initial study were replicated; that mediation significantly reduced the number of cases proceeding to court and cases were completed in a significantly shorter time period.

The results for fathers in the replication study largely repeated those of the initial study. The fathers in the mediation group reported a consistently higher level of satisfaction with the process than the fathers in the litigation group. However the psychological impacts for mothers varied. While differences between mothers in conditions were small, in contrast to the initial study results, mothers in the litigation group in the second study reported a significantly more favourable impact of the court contact on their children. When the results of the two studies were combined, statistical tests showed no significant difference between mothers who litigated and mothers who mediated on the variables of court impact on

children, satisfaction, child-rearing conflict, acceptance of marital termination or depression (Emery, Matthews & Wyer, 1991).

In a review of nine quasi-experimental comparisons of mediation and family court adversarial processes, Kelly (2004) found separated parents rated mediation as more satisfactory and as more enhancing of co-parenting relationships than the family court process. In all but two studies (Emery & Wyer, 1987; Emery, Matthews & Wyer, 1991), separated couples self-selected whether to undertake mediation or court, and therefore it is possible that characteristics of couples willing to try mediation were associated with better outcomes.

In a meta-analysis of five studies comparing mediation and litigation, Shaw (2010) found a moderate effect size advantage for mediation producing better outcomes than litigation ($d = .36$) in terms of consumer satisfaction with the mediation process and mediation outcome, adult adjustment, and child adjustment. Self-selection into mediation versus court in all but the Emery and Wyer study (1987) prevented clear conclusions from being drawn.

Measuring the success of mediation traditionally has focused upon the reaching of agreement and the rate of re-litigation, with the notable exception of the Emery and Wyer (1987) and the Emery, Matthews and Wyer (1991) research that also included measures of adult and child adjustment. However in the past two decades there has been a greater emphasis on the satisfaction of the parties with the process and the promotion of psychological adjustment in adults and children (Emery, 2011; Sbarra & Emery, 2008; Cohen, 2009). A substantial minority of families remain highly conflicted even after receiving court orders or attempting mediation. For example, in a recent Australian evaluation, (Kaspiew et al., 2015) about 30% of separated parents reported they were still in the process of making arrangements. Sixty-eight percent of these fathers and 54% of these

mothers reported physical or emotional abuse since separation. Ongoing parental conflict is a concern as it predicts poorer adult and child adjustment (Amato, 2010; Cummings & Davies, 2010).

The McIntosh and Long study (2006) used a quasi-experimental lagged design to test differences in outcomes between a child- focused mediation and a child- inclusive mediation process, and measured psychological outcomes up to four years after mediation. A child-focused design involves the mediator maintaining the focus for discussion on the children's needs and includes research-based educative information regarding children and separation adjustment issues. The child-inclusive mediation includes the extra steps of a child-consultant meeting independently with the children prior to the mediation, and then attending a feedback session with the mediator and the parents to discuss the children's experience of the separation. The study was conducted in Australia with a sample of 150 families who presented for family mediation at a community face-to-face service. Participants received a face-to-face mediation process of between 5 and 8 hours of contact per family. The families who had received a child inclusive mediation process reported better outcomes than those receiving child-focused mediation in reduced parental conflict (as reported by the parents and the children); greater involvement in care arrangements by parents, particularly by fathers; and a reduction in subsequent mediation or litigation. However, four years after mediation, parents who had received the child inclusive mediation reported no difference to the parents receiving the child focused mediation in terms of feeling friendly toward the other parent, the rate and magnitude of conflict, the level of grief and rate of adjustment to the separation. Further testing of these child inclusive and child focused models is currently underway in the US (Rudd, Ogle, Holtzworth-Munroe, Applegate & D'Onofrio, 2014) using a randomized controlled design.

Many years after separation there can be ongoing conflict between separated co-parents. In a follow-up study conducted 12 years after mediation or litigation, Sbarra and Emery (2005) found that 41% of mothers and 28% of fathers (n = 118) reported that they could never have a conversation with their former partner about their children. Twenty-five percent of the mothers and 10% of the fathers reported that they 'almost always' engaged in angry disagreements with their former partner. Parents who mediated their issues reported higher levels of non-acceptance regarding their relationship ending than those who litigated. Fathers who were non-accepting of their relationship termination at the time of mediation were more likely to remain non-acceptant 12 years later, and father's non-acceptance of relationship termination was negatively associated to co-parenting conflict at the 12 year follow-up. In contrast to the research hypothesis, fathers who reported greater conflict also reported greater acceptance to the marriage ending.

Emery, Laumann-Billings, Waldron, Sbarra, and Dillon, found at the 12 year follow-up that parents who mediated enjoyed several benefits over those who litigated. Residential parents who mediated were more likely to have non-residential parents that could discuss problems and children's issues. Non-residential parents who mediated had significantly more regular contact with their children across the next 12 years, were more able to discuss children's issues with the other parent, and were more involved in their children's lives than non-residential parents who had litigated (Emery, Sbarra & Grover, 2005).

The limited empirical research comparing mediation with litigation, and the wide spread use of research designs that do not include random assignment into conditions, makes it difficult to reach definitive conclusions about the differential outcomes of mediation versus litigation. However, the evidence to date suggests that most parents are satisfied with the mediation process, that between 50 and 90% of parents reach at least partial agreement in mediation, and that mediation is generally more cost effective than litigation and reduces re-

litigation rates (Kelly, 2004). In the longer term parents who mediate rather than continue with litigation are more likely to communicate about children's issues and remain involved in their children's lives (Sbarra & Emery, 2005).

The lower cost of mediation relative to litigation to parents and communities is likely a major influence on the increasing use of mediation with separated parents. California, in the early 1980's was the first state in the US to incorporate family mediation into the family law pathway. Since this time, other states have supported additional pathways to resolution and as at 2001, fifty states provided dispute resolution services which included a mix of mediation and education programs (Tondo, Coronel & Drucker, 2001). In Australia, where the current research was conducted, mandatory mediation prior to filing an application for court was introduced in 2006 and government initiated community-based centers were established to provide a range of services to support separated families (Kaspiew et al., 2009). Research conducted in 2013 surveyed a large Australian sample of separated parents, and reported that 37% of these separating families had at least one parent who had accessed mediation services (Kaspiew et al., 2015).

Process Variables in Mediation

Parents participating in mediation report that they value mediator behaviors of empathy, encouraging them to use existing skills, and encouraging them to voice concerns (Cohen, 2009). Cohen's (2009) small qualitative research, (n = 14) reported that the five most valued mediator behaviors, as reported by clients, were: understanding/warmth and non-judgmental acceptance, putting clients at ease and keeping calm, encouraging parties to give voice to difficulties, empowering the client, and behaving impartially.

Two hundred and fifty practising mediators in Canada responded to questionnaires collecting mediator's perspectives on practise issues (Kruk, 1998). Mediators most frequently endorsed the following mediator characteristics as contributing to reaching agreement:

impartiality, empathy and respect, active listening, communication skills, control of process, patience and mediation knowledge.

Observational research has provided further information regarding mediation processes and mediation outcomes. Slaikeu, Culler, Pearson & Thoennes (1985) analysed 80 audiotaped mediations from three centers in Los Angeles, Hartford and Minneapolis, and found that in cases reaching agreement, mediators spent more time discussing possible solutions and less time explaining the mediation process than in cases where agreement was not reached. Additionally, in cases reaching agreement mediators also spent less time making or requesting disclosures of feelings by clients or making attributions about attitudes of people other than the parents and their children.

Also in the US (New York), Zubek, Pruitt, Peirce, McGillicuddy & Syna (1992) observed 73 mediations with 73 different mediators and made notes on the mediator's behavior, the clients' behaviors, and the mediation process; and then interviewed the parents after their mediation was complete. They concluded that reaching agreement was more likely when clients engaged in joint problem solving, and had low levels of client hostile and competitive behaviors. Mediator behaviors that were associated with reaching agreement were empathy, behaviors that provided structure or behaviors that stimulated client thinking.

In an Australian study by Bickerdike and Littlefeld (2000), 112 parent dyads provided pre-mediation measures of anger, attachment and sadness and 50 mediations were video recorded and coded for disputant behavior. The study found that couples' low problem solving strategies, high levels of difference in problem solving skills and high contentious behavior was predictive of not achieving a co-parenting agreement. Client antecedent anger, sadness and emotional attachment toward their co-parent predicted low client satisfaction with mediation, and a low chance of reaching parenting agreement. Client anger before

mediation was the strongest predictor of a negative mediation process and a low likelihood of achieving agreement.

In summary, client report, mediator report and observational research all suggest that mediator behaviors of showing empathy, positive regard, empowering clients and neutrality in behavior toward the parents predicts the likelihood of reaching settlement. However, as this is correlational data it does not demonstrate causality. For example, it is possible that mediators are able to more easily empathise with less conflicted parents and that low conflict may predict better mediation outcomes.

Further studies are required to test the mechanisms of the effects of mediation, which could help improve the mediation process and assist conflicted separated parents reach agreement. For example a comparison of the different mediation models could test for differences in process and outcomes. Another option would be to measure the outcomes of mediations conducted by two groups of mediators; mediators observed as demonstrating the behaviors associated with reaching agreement, and mediators observed as not demonstrating the behaviors associated with reaching agreement.

Limitations of Existing Approaches

In Australia the system for initiating family mediation includes a three step mediation process that begins after an initiating parent has approached a mediation service. The service provider invites the responding parent to attend mediation after the initiating parent has completed their intake interview. The mediator conducts intake interviews with both parents prior to the conjoint session occurring and assesses the suitability of the case to proceed at each of these steps in the process. No research currently exists providing comparative rates of engagement and uptake for mediation based on the initiating parent's intake interview.

Annual reports of community- based mediation providers is one source of publicly available data collection, however agencies have different methods of reporting, making it difficult to

determine the number of completed mediations in comparison to the number of initiating parent intakes per agency. The manager of one of the largest Australian providers of family mediation (Manager Telephone Dispute Resolution Service, 2012) reports that many parents initiating mediation often complete their individual intake interview but do not complete the conjoint mediation session because the responding parent fails to engage with the process, and these numbers are reflected in their annual report (Relationships Australia Queensland, 2014). Comparative information from the US has also been unattainable, as the process of engaging with mediation is usually mandated, court- based and differs on a state by state basis (Tondo, Coronel & Drucker, 2001). However US providers of other support services to separated families such as parenting education programs, report problems with voluntary and court mandated attendance (Salem, Sandlker, & Wolchik, 2013; de Luse & Braver, 2015).

There has been no research assessing the outcomes of those families who initiate family mediation yet fail to complete the conjoint session for reasons that include the other parent failing to engage and the initiating parents choosing to withdraw.

It is possible that families who fail to complete mediation resolve the difficulties themselves, and no longer need mediation to make parenting arrangements. Alternatively, perhaps highly conflicted parents avoid mediation and therefore continue to experience chronic conflict which can negatively impact parenting and psychological health and well-being.

For parents who do complete a conjoint mediation session, results are encouraging. Research in the US found that about two thirds of family mediations result in parenting agreements (Kelly, 2004). In Australia about 40% of separated parents who complete mediation reach agreement at the time of mediation, and another 25% of couples reach an agreement within the next nine months (Moloney et al., 2013). In sum, this means about 2/3 of families reach agreement within nine months of mediation. However, often these

agreements resolve only some of the parenting issues in dispute, and one-third of parents do not resolve any of the parenting issues in dispute through mediation. Consequently, between 25% and 60% of families who initiated mediation continue living with parenting matters unresolved for a period of time after attempting to mediate, and the children of these families continue to be exposed to the negative consequences of parental conflict.

The challenge is twofold; firstly to engage both parents in the process and secondly to encourage them to participate in a manner that is conducive to reaching agreement. One method for addressing this challenge is the introduction and testing of an evidence-based intervention that aims to assist separated parents change unhelpful behaviors within the co-parenting relationship to more positive behaviors. Motivational interviewing is such an intervention. It is an empirically tested intervention that assists people to manage change. It has the potential for assisting separated parents make positive changes which could then impact the lives of themselves and their families.

Motivational interviewing

Motivational interviewing (MI) according to Miller and Rollnick (2013) is a directive, client centred approach that seeks to motivate clients to alter behaviors by exploring and resolving their ambivalence to change. Over the past three decades, MI has been shown to be particularly helpful for people who are resistant to change (Miller & Rollnick, 2013). The five key factors for providing an MI process are: developing discrepancy, rolling with resistance, avoiding argument, improving client self-efficacy and showing empathy.

The techniques of developing discrepancy and rolling with resistance are specific to MI and assist MI practitioners explore client ambivalence in relation to a problem behavior. Miller and Rose (2015) described ambivalence as a normal part of the process of change. They suggest before people commit to change they often first experience discrepant desires to change and concerns about the possibility of change. In MI, the practitioner helps the client to explore

their ambivalence by encouraging them to articulate and develop their discrepancies. In order for discussion to occur about client discrepancies, MI practitioners are trained to “roll with the resistance”. This technique involves empathizing with the clients’ resistance to change, but also clarifying and amplifying the client’s desire for change. The aim is to help the client become aware of their ambivalence, and to build the motivation for change.

Avoiding argument or confrontation by the therapist seeking to promote change is considered key to MI. Instead the focus is on developing therapeutic rapport, and therapeutic rapport and expressing empathy are well recognised as being critical to positive outcomes of the therapeutic alliance and are fundamentals of Rogers’ person-centred therapy (Rogers, 1980). In addition to empathy, developing client desire for change by having clients talk about why they might want to change, and developing client self-efficacy for making change is central to MI practise (Miller & Rollnick, 2013). The eliciting of client discussion that involves talk about the reasons for change, the way that change might be enacted, and developing and commitment to change are key strategies in MI (Miller & Rollnick, 2013).

Practitioner empathy has been recognised as contributing positively to therapy outcome in a range of therapies. A meta-analysis conducted by Elliot, Bohart, Watson and Greenberg (2011) of 59 studies found that empathy is a moderate to strong predictor of therapy outcome with a mean weighted $r = .31$ ($p < .001$; 95% confidence interval: .28-.34).

Initially developed as an intervention to assist alcohol and drug abusers, over the past two decades MI has been empirically tested in over 70 studies with a wide variety of disorders and problem behaviors. In the Drinker’s Check Up study (Miller, Sovereign & Krege, 1988) the drinker’s check-up was designed as an early detection tool for identifying negative consequences of drinking behaviors. The sample consisted of 40 participants (12 women, 30 men) who mostly described themselves as social drinkers although reported high levels of drinking by US standards. The intervention consisted of two sessions, the drinker’s check-up

session and the feedback session. The feedback session was delivered in a motivational interviewing style. Participants were randomly allocated into one of three conditions, drinker's check-up, drinkers check-up plus referral information and delayed drinker's check-up. All groups showed significant reduction in alcohol consumption at 6 weeks follow up and this reduction was maintained at 18 months follow up.

Three subsequent trials followed testing the effectiveness of MI as a prelude to substance treatment programs, and in each trial clients were randomly assigned to a control group (no MI) or an intervention group (MI). The trials were conducted on adult in-patients, (Brown & Miller, 1993), out-patients (Bien, Miller & Boroughs, 1993) and adolescents (Aubrey, 1998). The intervention group received a single MI session at the beginning of treatment. Clients receiving MI in all three trials showed double the rate of alcohol abstinence at 3–6 months after treatment. Additionally participating therapists, unaware of participants' group assignment, also reported an increased motivation for change in client participants belonging to the MI condition (Brown & Miller, 1993). Therapists who were confrontational, argumentative and emphasized the client's problem were associated with little or no change in drinking behaviors.

A compelling aspect of MI from both a practitioner's and clients' perspective is the minimal number of sessions required to effect change. Effects have been repeatedly shown to occur within 1-2 sessions of motivational enhancement therapy. (Miller & Rollnick, 2013; Miller, Yahnne, Moyers, Martinez, Pirritano, 2004).

MI has also been empirically tested for its effect on a wide range of other problem behaviors including diet and exercise adherence, HIV risk, gambling, relationships, smoking, eating disorders and water purification (Hetteimer, Steele & Miller, 2005). Effect sizes vary according to problem behaviors and it is conceivable that MI may be more effective for some behaviors than others. However in all evaluations MI produces some positive change.

Motivational Interviewing with Conflicted Couples

There has been a little research investigating the use of MI with intact distressed couples. For example, a recent study found that receiving MI enhanced feedback significantly reduced aggressive couple behaviors (Woodin & O’Leary, 2010). If MI can assist to reduce conflict in intact couples, perhaps it might also do so in separated conflicted couples. More specifically, MI might assist conflicted couples undertaking mediation to reach agreement, and might help parents reduce conflict within the co-parental relationship.

Separated parents often are ambivalent about change their parenting behaviors or communicate with their ex-spouse. MI might be a useful strategy to address this resistance to change. A key challenge of mediation for parents over custody and parenting issues is the inability of some separated parents to acknowledge the need to create a constructive co-parenting role with their ex-spouse (Emery, 2011). This ambivalence concerning the post separated relationship might be resolved more easily using the MI strategies of rolling with resistance and developing discrepancy.

Family mediation typically consists of three or four sessions of client contact (Roberts, 2014), making it ideally suited to a brief intervention like MI. The MI characteristics of increasing readiness, and reducing resistance, for change are ideal strategies to engage conflicted parents in the mediation process. Active ingredients of MI such as expressing empathy, rapport building, displaying warmth, active listening, attending and stimulating client thinking are also mediator characteristics believed to be associated with better mediation outcomes (Kelly & Gigy, 1998; Kruk, 1998; Cohen, 2009; Irving & Benjamin, 2002).

Table 2.1 illustrates MI in family mediation practise and demonstrates the shift in language required from the mediation practitioner in order to integrate MI into their responses to parents. In my capacity as a supervisor and trainer of mediation, I reviewed many recordings of mediation sessions. From these recorded sessions I chose examples of dialogue that

illustrated how MI can be incorporated into the mediation process. The table provides examples of mediator language that may be used during mediation and alternative dialogues that embrace the MI spirit.

The table is divided into the mediation sections of intake interview and conjoint mediation. Intake interviews are usually conducted with each parent independently and in the conjoint session the mediator manages both parents participation simultaneously conference style. The conjoint mediation session is more challenging for the mediator to provide appropriate dialogue within the MI spirit, as the mediator uses their skills to respond to a more complex communication dynamic, and often parents are highly conflicted and can become embroiled in historical arguments.

Table 2.1

Examples of Mediator Dialogue with and without Motivational Interviewing (MI)

Stage in mediation	MI Skills	Examples of MI communication	Examples of Non-MI communication
Intake			
Retrieving relevant background	Listening and empathy	“I’m interested to hear how.....”	“Who do you think was responsible for the breakdown of the marriage?” (closed question)
	Creating rapport	“That sounds like it was a very difficult time for you. Would you tell me a bit more about how you coped?”	“So things weren’t going well, what happened next?”(lack of appropriate direction & empathy)
	Building MI spirit	“Would you mind if I ask you some questions related to your past relationship?”	“Was it a good relationship?” (closed)
Information gathering/ and safety check	Identifying sustain talk	“And so you said that you were feeling lonely and isolated in the marriage”	“It seems like you blame your ex-wife for the relationship breakdown

Stage in Mediation	MI Skills	Examples of MI Communication	Examples of Non-MI Communication
Intake continued			
Constant assessment for relevancy	Using eliciting and evoking to clarify stage of change	“How was it for you when she left? Would you mind telling me more about this?” (open question, asking permission) Would you mind if I ask some questions regarding your relationship?(asking permission)	Can you tell me more about what happened?” (focus on other person’s behavior) “Uh Huh, and what happened next?” (lack of empathy, missed opportunity) “Do you have some issues that you’d like to address?”(closed question)
	Using reflections	“So what you’re saying is that this isn’t working for you. You said that it makes life difficult and that the kids are complaining, is that correct?”(reflection)	“Well life’s not easy. Maybe you need to think a little about what you’re doing.” (discounting and judgmental)
	Evoking & identifying presence of change talk, magnifying change talk.	“When you say you want things to be different, what is it that you think you want? How might things be different?” (evoking change talk)	“Why haven’t you done things differently?” (judgmental, encouraging sustain talk)
Conjoint Mediation			
Welcome and consent to mediate	Providing structure Giving information in the spirit of MI.	“I have some information that I’m obliged to give you before we begin the mediation process. Would you mind if we complete this now?” (setting the scene and asking permission)	“O.K. You two have to read over these forms and then sign here.” (order)

Stage in Mediation	MI Skills	Examples of MI Communication	Examples of Non MI Communication
Agenda setting; (future focused, action questions)	Create questions that will help focus on realistic behavioral change.	“I hear you saying that you want to talk about the change- over and that you have some ideas for how that might work better.” (complex reflection, reframing as helpful)	So you’re not happy with the changeover arrangements?” (closed, focus on negative)
	Listen to both clients ability	Would it be appropriate to word that as ‘How can we create a more calm and peaceful changeover?’	“The first agenda item then is changeovers and why they’re going wrong, correct?” (telling, negative, closed)
Negotiation	Magnify what they can or want to do Elicit change talk and commitment to act.	Or “What do we need to do to ensure that change-over is a pleasant experience for all family members?”	So John, what are the issues you’re experiencing? (focusing on problems)
Resolution and challenging agreements for reality and mutuality		“Joanne you’d really like to be able to communicate without feeling judged is that correct? And it would make a big difference to you if this was possible?” John, you’ve said you worry that you won’t be heard. And being heard would make a difference to you.”	Joanne it would help if you listened to John and John it would help if you didn’t judge Joanne.” (telling, solving).
	Use <i>both</i> clients desire, ability, reason, need to reinforce agreements	“So you both really want this change, and you John feel that it is do-able and Joanne you’ve said that it works with your schedule. What other things might you want to consider?”	“So how do you think this is going to work for you two?” (closed and directionless)

Telephone Based Family Mediation

Reflective of the broader movement to make psychological interventions more accessible, family mediation is available by telephone and online. Increasing the availability of telephone and online-based mediation may enhance the engagement of parents with mediation. The most commonly cited barriers to attending psychosocial face-to-face services are practical issues like travel or babysitting (Sullivan, Pasch, Cornelius, & Cirigliano, 2004), and families are more likely to attend a single session, read a book, or review online resources than attend multiple face-to-face sessions (Doss, Rhoades, Stanley, & Markman, 2009). Telephone or video-based mediation reduces the barriers to attendance for those parents who find it hard to schedule travel or child care to attend face-to-face sessions. It also allows a sense of safety for those families where violence has been a problem which is common in separated parents (Holtzworth-Munroe, 2011), eliminating the need for face-to-face interaction with a violent former spouse.

One of the busiest non-government venues providing telephone based mediation to families throughout Australia is the national Telephone Dispute Resolution Service (TDRS) operated by Relationships Australia Queensland. In the 2013-2014 year this service reported opening 2,984 new cases for family mediation and completing 993 telephone based mediations (Relationships Australia Queensland, 2014). Parents are referred to the Telephone Dispute Resolution Service via the national Family Relationship Advice Line, (a telephone referral service for people with family relationship issues) or an alternate affiliated community service. A telephone service may be more appropriate for many clients for a number of reasons including remote access, parents residing in different states, a lack of transport or ability to have children cared for, a history of violence and illness or disability.

The studies included in the current thesis were conducted within the national Telephone Dispute Resolution Service. The costs of the mediation are subsidized by the Australian

Government, and the service aims to provide family mediation with a particular focus on assisting low income and other socially disadvantaged families who typically pay little or no fees for the service (Relationships Australia Queensland, 2014).

A Summary of Research Rationale

There has been an increase in the use of family mediation over the past few decades as an alternative to court procedures to resolve disputes about parenting between separated parents (Tondo, Coronel & Drucker, 2001; Kaspiew et al., 2009). Mediation has some benefits over litigation in terms of lower cost and faster resolution, and the possibility of developing parenting arrangements that are more acceptable to parents. However, a majority of parents who initiate mediation do not complete mediation (Relationships Australia Queensland, 2014). Moreover a substantial proportion of separated parents who do complete mediation do not reach an agreement, or reach only a partial agreement covering only some of the issue in dispute (Kelly, 2004; Kaspiew et al., 2009). In Kelly's comparison of 9 studies of family mediation that were conducted in the US between the years 1980 and 2000, studies reported reaching agreement between 50% and 90% of the time. A recent evaluation in Australia of a sample of more than 10,000 parents reported that parents reached an agreement at mediation just under 40% of the time, and that approximately two thirds of the parents who did not reach an agreement and did not receive a certificate for court, were able to reach an arrangement at some time after completing mediation (Moloney, Qu, Weston & Hand, 2013).

MI is an empirically tested intervention that assists people resolve ambivalence and change problem behaviors. Not only has it been tested on many problem behaviors with positive results but its delivery by telephone-based practitioners has also been found to be effective (Toll et al., 2015). A recent study of smoking and hazardous drinking found that telephone counsellors were able to provide competent MI enhanced counselling. This

counselling was associated with a significantly higher rate of smoking abstinence than the counselling as usual, for smokers who were hazardous drinkers (Toll et al., 2015).

The current program of research includes two studies. Both studies were conducted in collaboration with the telephone dispute resolution service and all participants received telephone-based services. The first study investigated predictors of engagement with family mediation and the outcomes for separated families who began mediation but did not complete the process. The second study follows those parents who went on to complete the mediation process. This study used a randomized controlled trial to compare psychological and mediation outcomes for separated families who were randomly assigned to either an enhanced version of mediation (mediation with MI) or mediation as usual (MAU).

Chapter Three

Predictors of Engagement in Family Mediation and Outcomes for Families who Fail to Engage

Note

As detailed in the *Publications Included in This Thesis* section, this chapter consists of Manuscript 2 which has been submitted to a journal and is currently under review.

Morris, M., Halford, W.K., Petch, J. & Hardwick, D. (2016). Predictors of Engagement in Family Mediation and Outcomes for Families who Fail to Engage.

Abstract

An important limitation to the effectiveness of family mediation in assisting separated parents is that parents fail to complete the mediation process. In 524 parents who presented to a telephone-based mediation service, 113 (22%) initiating parents withdrew from mediation before the other parent was invited to participate, 241 (46%) respondent parents declined to participate in mediation, and 170 cases (32%) continued to complete mediation. We tested whether socio-demographic variables, psychological distress, co-parental acrimony, parenting problems or children's behavioral difficulties predicted mediation engagement. High inter-parental acrimony predicted failure to engage in mediation, but none of the other variables predicted mediation engagement. We followed a sample of 131 families that did not mediate and found they showed elevated psychological distress, acrimony, parenting problems and child adjustment difficulties, which remained unchanged 6 months later. Further research is needed to explore strategies to enhance respondent parent engagement with mediation, and to address the negative outcomes for those separated families not proceeding with mediation.

Predictors of Engagement in Family Mediation and Outcomes for Families Who Fail to Engage

Family mediation has become a common method to assist separated parents who find it hard to establish mutually acceptable parenting arrangements (Emery, 2011). However, agencies who provide mediation report that a majority of parents who present seeking mediation fail to complete the mediation process (e.g., Relationships Australia Queensland, 2014). The current research examined predictors of engagement with mediation and the outcomes for those separated parents and their children who do not complete mediation.

Significance of Parenting after Separation

In many Western countries, between 20% and 30% of children's parents separate before the children are 18 years of age (Hayes, Weston, Qu, & Gray, 2010; Copen, Daniels & Mosher, 2013). Almost all divorced adults and their children experience some psychological distress around separation, with approximately 35% of adults experiencing clinical levels of depression or anxiety (Halford & Sweeper, 2013). Psychological distress usually declines across a 1–2 year period after separation, though a non-trivial minority (about 15%) report chronic distress (Amato, 2010). Separated families on average have slightly poorer physical and mental health than their continually married counterparts, although the effect size difference on most indices of adjustment between divorced and intact families is very small (Amato, 2010). At the same time there is a subset of separated families who adjust poorly, and adults and children of divorced families are more than twice as likely to show clinical levels of distress as their married counterparts (Amato, 2010). Halford and Sweeper's (2013) Australian study of 303 recently separated individuals reported that individuals of formerly cohabiting relationships experience similar problems as those of divorcing families. Attachment to the former partner, psychological distress and loneliness were initially high for previously married and cohabiting individuals and improved over a two year period, yet

conflict remained stable for both groups across time. In the Halford and Sweeper study the separated families who showed poorest adjustment were characterized by inter-parental conflict (2013).

A large Australian study that collected data from more than 10,000 separated parents reported that between 17% and 19% of the sample described the relationship with their former partner as being highly conflicted or fearful (Qu & Weston, 2010) and this conflict continued to be reported in the follow-up sample taken 12 months later. These reported high levels of ongoing conflict are of particular concern given there is a reciprocal relationship between severity of co-parenting conflict and poor adjustment of children (Cummings & Davies, 2010), and between inter-parental conflict and ongoing psychological distress in adults (Amato, 2010).

Conflict between separated parents most often revolves around child related matters and the distribution of parenting responsibilities (Emery, 2011; Smyth, 2005). It is estimated that between 60% and 70% of separated parents reach a mutually acceptable agreement about co-parenting their children (Kaspiew et al., 2015) and that approximately 47% of these parents report using one or more of the support services such as counselling, mediation or dispute resolution. However this leaves a substantial minority, (30%- 40% of separated parents) reporting ongoing conflict about parenting matters.

Family Mediation

Separated parents who are unable to agree on parenting arrangements have a variety of options available to assist them, including negotiating through legal representatives, using family court processes, family counseling or family mediation. There has been a major push in many Western countries to encourage use of family mediation (Emery, 2011). Pathways to access mediation services vary across legal jurisdictions. For example, in the United States in some states mediation is mandated, and in others states mediation can be required at the

discretion of the family court (Tondo, Coronel, & Drucker, 2001). In Australia, where the current study was conducted, there is a national family law that requires mediation be attempted. Exceptions to this law exist and include (but are not limited to) the following examples: if a person is applying for procedural orders, interim orders or consent orders, if the matter is urgent, if there are reasonable grounds to believe that family violence or a risk of child abuse has occurred or may occur, if a person's capacity to participate is compromised or if a person has shown disregard for the court and contravened orders in the past (Commonwealth Courts Portal, 2009). The mediator must assess for suitability at intake stage and continually throughout the process to consider the following before deciding to progress the mediation; a history of violence (if any) among the people involved, the likely safety of the people involved, the equality of bargaining power the risk that a child may suffer abuse, the emotional psychological and physical health of the people involved, any other matter that the practitioner considers relevant to the proposed family dispute resolution (Commonwealth Courts Portal, 2009). In the case that mediation has been attempted and was unsuccessful an application can then be made for the dispute to be considered by the Family Court.

Family mediation involves a professional mediator assisting separated parents to negotiate a mutually acceptable co-parenting agreement. Advocates of family mediation note that it is considerably cheaper than court processes, and there is an assumption that an agreement negotiated by the co-parents will be implemented more effectively than a parenting arrangement imposed by a court (Emery, 2011). In Australia, mediation usually is initiated by one parent, who attends an intake interview. The second parent is invited to participate in mediation by the mediator, and agreeing parents attend an intake interview, and then one (or more) conjoint sessions with both parents are conducted to negotiate a mutually acceptable agreement. Research in the US and Australia has found that about two-thirds of completed family mediations result in parenting agreements (Kelly, 2004; Moloney, Qu,

Weston & Hand, 2013). However, a substantial minority of separated parents have ongoing conflict about parenting matters, and might benefit from more intensive help such as family therapy (LeBow & Newcomb Rekart, 2007).

Even for parents who through mediation reach an agreement resolving points of dispute at a given time, effective long-term co-parenting requires ongoing cooperation in parenting arrangements to address changing circumstances (Emery, 2011). As examples, changing work circumstances for either parent might necessitate changes in child care arrangements, and a series of decisions need to be made across time about children's education. In a 12 year term follow up of 118 parents who had mediated, 25% of mothers and 10% of fathers reported ongoing inter-parental conflict (Sbarra & Emery, 2005). Thus mediation is only one step in an ongoing process of co-parenting.

Engagement with Family Mediation

Despite the often positive outcomes from family mediation, the largest service providing mediation in Australia (Telephone Dispute Resolution Service) reports that more than half of the time one of the parents declines to participate or the initiating parent disengages prior to the conjoint session taking place (Relationships Australia Queensland, 2014). Comparative agency data were not available at the time of writing, yet anecdotal reports by mediators in community-based centers, suggest that the problem of engagement is not uncommon. This lack of engagement is not specific to mediation, as US providers of co-parenting education programs to separated parents also report a modest level of engagement with services (Salem, Sandlker, & Wolchik, 2013), even when services are mandated by family courts (de Luse & Braver, 2015).

Identifying the characteristics of families who initiate but fail to complete the conjoint mediation might clarify the extent to which these families experience chronic, negative outcomes. In the Australian study by Halford and Sweeper (2013), which investigated

trajectories of adjustment after separation from a sample of 303 recently separated individuals, conflict was reported as high initially and continued to be reported as high at the follow-up two years later. While assessment results of adjustment issues were similar for men and women at baseline and at follow-up, (emotional attachment, loneliness, psychological distress and co-parent conflict) males reported higher scores of inter-partner conflict than women (Halford & Sweeper, 2013).

If non-engaging separated families are those with high conflict, then non-engagement with mediation likely predicts chronic unresolved conflict. Alternatively, if non-engaging families have relatively low inter-parental conflict, then the initiation of mediation might prompt these families to constructively resolve disputes by themselves, resulting in the family reporting no ongoing need for mediation.

The possibility that some separated families not proceeding with mediation will continue with chronic, unresolved conflict is concerning as rates of inter-partner violence (IPV) range from 40% to 70% of all couples with parenting disputes (Holtzworth-Munroe, 2011). For women who have been victims of IPV, the fear and intimidation they feel toward their co-parent might make meaningful participation in mediation very difficult. Unfortunately there is no research on whether inter-parental conflict or IPV predict non-engagement with mediation and the current research seeks to fill that knowledge gap.

Aside from parental conflict and IPV, there are other potential predictors of mediation engagement. Psychological distress in a parent might decrease the chance of completing mediation by inhibiting parents' willingness or capacity to participate. This is potentially problematic as elevated parental psychological distress predicts child adjustment difficulties (Amato, 2000). Given that there is a reciprocal relationship between child adjustment and parental adjustment (Emery, Waldron, Kitzmann & Aaron, 1999), it is also possible that child adjustment difficulties impact negatively on adult adjustment and reduce the chance of

parental engagement in family mediation. Lastly, negative parenting practices like coercive parenting are more common when adults are stressed, and are correlated with child adjustment problems (Cummings & Davies, 2010), and might further reduce the chance of the parent committing to mediation. Hence parents reporting psychological distress, child adjustment problems and/or negative parenting practices might be less likely to engage in mediation.

Another potential predictor of mediation disengagement is ongoing attachment to the former partner. About 25% of separated partners report ongoing distress that the couple relationship has ended (e.g., “I wish my former partner and I could try to make the relationship work”), and hurt about the loss of their former partner (e.g., “I miss my former partner a lot”) (Sweeper & Halford, 2006). Another Australian study found that when parents did engage with the mediation process, high emotional attachment predicted low likelihood of reaching a co-parenting agreement (Bickerdike & Littlefield, 2000). Emery (2011), has observed that high emotional attachment to the former partner is associated with a reluctance to engage with mediation, and suggests that this may be due to mediation being associated with the finality of the end of the couple relationship.

Parenting arrangements after separation are highly variable. Only about 14% of children spend about equal time living with both parents; most children predominantly live with one parent (most often the mother) (Moloney et al., 2013). In a proportion of families in which children live predominantly with one parent, the child has little or no contact with the other parent, and this often reflects that the non-caretaking parent did little or no child care before the separation (Bausermann, 2002). In a large Australian study investigating parenting dynamics after separation, the relationship between separated parents was most likely to be described negatively by parents (for example distant, conflictual or fearful), by fathers who never spent time with their child followed by mothers who never spent time with their child

(Qu & Weston, 2010). Based on the idea that exclusive residence with one parent might reflect disengagement of the other parent with child care, we thought shared child care might predict engagement with mediation.

On average married couples have higher commitment to their relationship than cohabiting couples (Tai, Baxter & Hewitt, 2014), and formerly married parents are more likely to share parenting responsibilities after separation than formerly cohabiting parents (Maldonado, 2014). It is possible that this low inter-parent commitment from separated cohabiting parents might be associated with low engagement with mediation to organise co-parenting arrangements. Therefore it was predicted that formerly cohabiting parents may be less likely to engage in mediation than formerly married parents. Low socio-economic and educational status are associated with low continuing engagement with psychological services in general (Swift & Greenberg, 2012), and with programs targeted to support separated parents specifically (de Luse & Braver, 2015). Similarly, it was predicted that participants with low income and education might be less likely to engage with mediation, possibly because they might be concerned about mediation costs, might find the interaction with mediation professionals intimidating, or the legal issues hard to comprehend.

The Current Research

In the current study we compared separated parents who presented for mediation and then did or did not complete the conjoint mediation process. It was hypothesized that mediation engagement would be predicted by low co-parental conflict, no history of IPV, low psychological distress, low parenting problems, positive child adjustment, low former partner attachment, shared care of children, parents having been married rather than cohabited, and high education and income (Hypothesis 1). In addition, it was hypothesized that families not completing the conjoint mediation would experience chronic unresolved conflict, ongoing parenting disputes, and psychological distress (Hypothesis 2), based on prior research that

showed co-parenting conflict after separation is often chronic (e.g., Halford & Sweeper, 2013).

Method

Participants

Participants were 524 separated parents (267 fathers and 257 mothers) presenting between September 2013 and August 2014 to the Telephone Dispute Resolution Service (TDRS) of Relationships Australia Queensland. The TDRS provides telephone-based family mediation to any separated parent residing in Australia who has a child under 18 years of age. Parents self-refer for mediation, most often on the basis of advice from a national family advice service (TDRS manager, G. Campbell, 2014). Approximately 2,700 parents initiated mediation across the recruitment period. It was our intention to invite all presenting parents to participate in the research, but unfortunately this was not done consistently and we are uncertain of how many initiating parents were invited. We do know that 597 presenting parents agreed to participate. Of the 579 initiating parents 55 parents withdrew or provided no data leaving 524 parents (see Figure 3.1). Inclusion criteria were that participants were separated parents seeking mediation for parenting issues, had at least one child under the age of 18, and could read and write in English. Initially it was intended that data would be collected from both the initiating and respondent parents participating in the mediation process, however the provision of data by respondent parents was very low and hence we could only utilize data collected from the initiating parent.

Of the 524 initiating parents, 113 declined to continue in the mediation process after they had completed their intake interview and before their former partner had been invited to participate in mediation. Agency staff invited the respondent parents of the remaining 411

initiating parents to participate in mediation; 241 respondent parents declined to engage in mediation, and 170 parents engaged with and continued to the conjoint mediation process. The progress through mediation was classified into three groups: initiating parent disengaged, respondent parent declined engagement, or parents completed the conjoint mediation process. The initiating parents who declined to continue (113) and those who had responding parents who declined mediation (241) comprised the disengaged sub sample (who did not complete the conjoint mediation process) and were contacted for follow-up assessment.

In the second part of the study we sought follow up contact with the first 220 successive presentations of the disengaged sub sample. Of these 220 initiating parents, 69 were uncontactable (32%), 20 declined to participate in the follow-up assessment (9%), and 131 (87% of those we contacted, and 60% of those we sought to contact) agreed to participate. Of the 131 who agreed to participate, 126 (76 women, 55 men) completed a telephone interview, 5 completed only the online questionnaire and 71 completed both.

The mean age of the $n = 524$ initiating parents was 36.6 years ($SD = 8.4$), and they had been separated from their co-parent for approximately 3 to 4 years ($M = 41$ months, $SD = 25$ months). Two hundred and sixty (51%) parents had been married to their co-parent, 201 (39%) cohabited, 48 (9%) had a brief relationship, and 4 did not answer the question.

Figure 3.1. Flow of participants through study

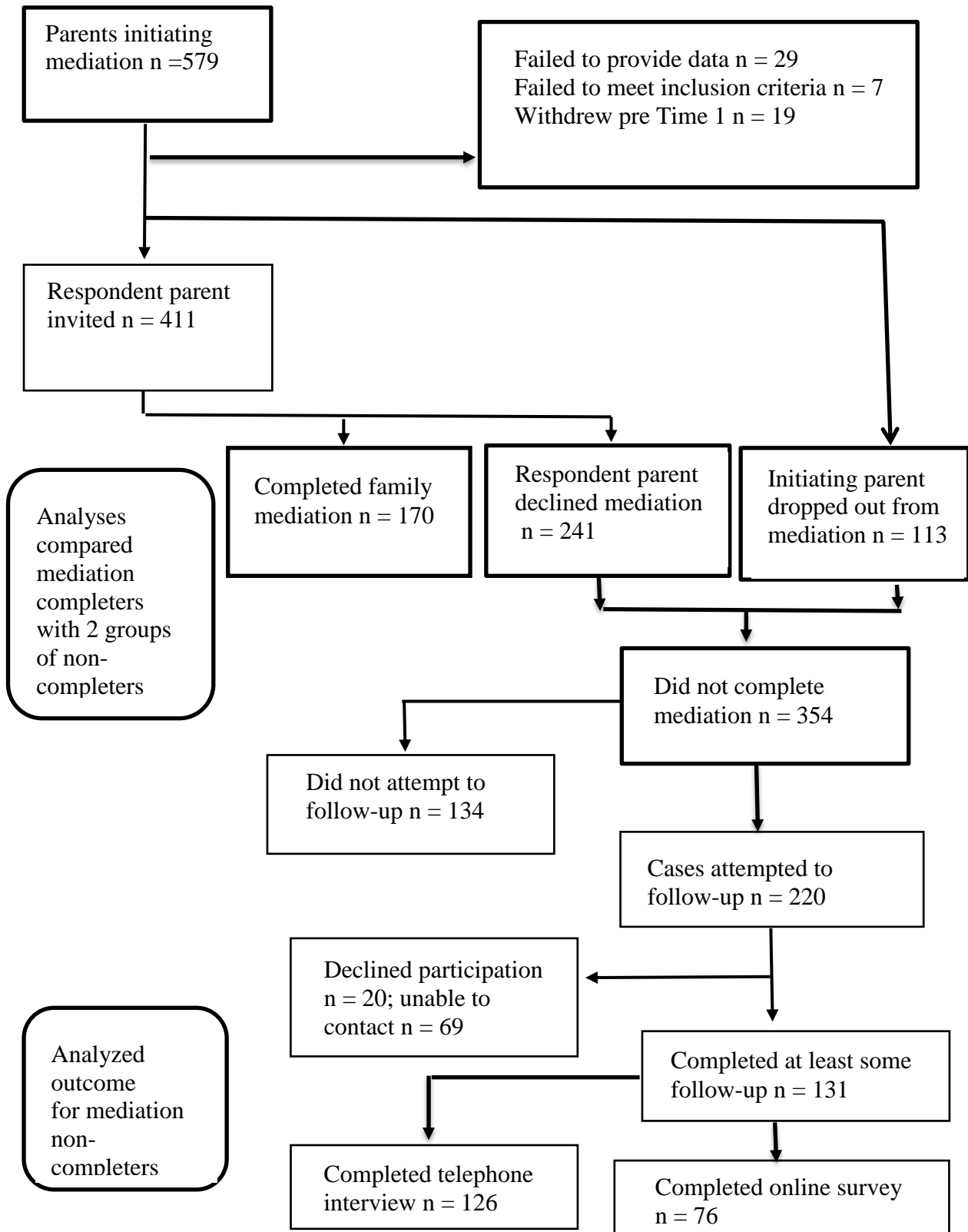


Figure 3.1. Flow and response rate of participants through the mediation process and at follow-up.

Most parents ($n = 430$, 83%) had 1 or 2 children (mean age of their eldest child = 8.7 years, $SD = 4.6$). Mean annual income was \$33,333 AUD ($SD = \$18,796$), which is much lower than the Australian mean individual income of \$80,000 per annum (Australian Bureau of Statistics, 2015), and only just above the poverty line for a single parent with one child (Poverty Lines Australia, 2014). Only 80 participants (16%) had a university degree, and 172 participants (33%) had not completed high school.

Measures

The following standardised measures were administered at registration with the mediation agency (pre-assessment) and at follow-up for those participants who disengaged from mediation (approximately 6 to 8 months after the pre-assessment). The 21-items of the Depression Anxiety Stress Scale (DASS-21) assess symptoms of depression, anxiety, and stress experienced across the last two weeks on a four point scale (0 - *did not apply* to 3 - *applied to me most of the time*) (Lovibond & Lovibond, 1995). A total score was used as an index of psychological distress, which has high internal consistency $\alpha = .89$. The 25-item Strength and Difficulties Questionnaire (SDQ) parent report version assesses child externalizing and internalizing problems, with the total being widely used as an index of child adjustment (Goodman, 2001). The scale has high internal consistency, $\alpha = .80$, and two-week test-retest reliability, $r = .76$ (Stone, Otten, Engels, Vermulst & Janssens, 2010). To manage participant burden, participants completed the SDQ only for their oldest child. The 8-items of the Attachment to Former Partner Scale are rated on a 5 point scale (1 = *strongly disagree*, 5 = *strongly agree*) of attachment distress (Sweeper & Halford, 2006). Higher scores reflect higher emotional attachment to the former partner. Halford and Sweeper (2013) provide large scale normative data and a suggested cut-off score of 30 to define particularly high levels of excessive attachment. The scale has high internal consistency, $\alpha = .88$ and two week test-

retest reliability, $r = .89$, and good convergent and discriminant validity (Sweeper & Halford, 2006).

The 25-items of the Acrimony Scale (Emery, 1982) are rated on a four point scale (1 = *almost never* to 4 = *almost always*), measure conflict in separated parents, and a high mean score per item reflects high acrimony. The scale has high internal consistency, $\alpha = .86$, and two-week test-retest reliability, $r = .88$. The 30-item Parenting Scale assesses usual parenting behaviors, each item is rated from 1 to 7 using a positive behavior as one anchor and a negative behavior as the other anchor (Arnold, O'Leary, Wolf & Acker, 1993). The total score reflects more problematic parenting behaviors, and has high internal consistency, $\alpha = .84$, and test-retest reliability, $r = .84$ (Arnold et al., 1993).

The 20-item Inter-Partner Violence Scale form H (IPVS-H) (Heyman, Slep, Snarr & Foran, 2013) is a screening measure that assesses occurrence ever of respondent-perpetration of specific aggressive behaviors, and respondent-victimisation by specific aggressive behaviors, which together indicate presence or absence of any inter-partner violence (IPV). As this is a screening measure it was only administered at pre-assessment.

In the follow-up assessment research officers also conducted a semi-structured telephone interview including the following questions. 1) What were the reasons that mediation did not proceed? 2) Were there any positives or negatives that came from not completing mediation? 3) Did you complete an intake interview and if yes, what positives and/or negatives came from doing an intake interview? Interviewers made notes on the answers given and two research assistants reviewed all notes of the answers for each question. We derived categories of answers given by two or more people, and report frequencies of those categories of answers.

Procedure

After registering for mediation initiating parents were invited to participate in the research; those that agreed were contacted by a research officer who explained the aims of the study and were sent a link to the online pre-assessment. Once the pre-assessment was completed participants were scheduled for a telephone-based intake interview with a professional mediator from the Telephone Dispute Resolution Service.

Participants who did not complete mediation within six months of their initial presentation, and had not made contact with the agency for at least three months, were eligible for the current study. These initiating parents were contacted by research officers and invited to complete the follow-up assessment. Participants who failed to complete the online questionnaire were prompted twice (by telephone and then by email). All procedures were approved by the Human Research Ethics Committee of the University of Queensland.

Data Analyses

The level of missing data was less than 5%, except for child adjustment difficulties on the Strength and Difficulties Questionnaire (SDQ). One hundred and fifty nine parents (31%) could not complete the SDQ because their eldest child was less than 4 years of age, which is the lower age limit for the use of the SDQ. We used maximum likelihood estimation to impute missing data on all measures except the SDQ.

To test Hypothesis 1 about predictors of mediation engagement we did three multinomial logistic regression analyses predicting mediation completion for three groups (initiating parent withdrew, co-parent declined, and mediation was completed). In all logistic regressions, mediation completers were compared to the other two groups. In the first regression we entered a series of socio-demographic variables as dummy variables: low income (annual income < \$40,000 = 1, annual income > \$40,000 = 0), low education (no

high school completion = 0, high school completion = 1), previous marital status with co-parent (0 = not married, 1 = married), gender (mother = 0, father = 1), and child care arrangement (0 = one parent primary carer, 1 = shared care). In the second regression we entered the following adult psychological adjustment variables: psychological distress, emotional attachment to the co-parent, inter-parental acrimony, parenting problems, and IPV, (0 = never occurred, 1 = has occurred at some time). In the third regression we entered total childhood difficulties as measured by the SDQ.

Hypothesis 2, that mediation non-engagement would be associated with continuing poor adjustment, was tested in two ways. First, the qualitative data from the telephone interviews was used to describe what had happened after initiation of mediation through to follow-up. Second we did a series of one-way ANOVAs across time (before mediation, at 6 month follow-up), in which time was a repeated measure on parent psychological distress, inter-parental acrimony, emotional attachment to the co-parent, parenting problems, and child adjustment difficulties.

Results

Predicting Mediation Engagement

Table 3.1 presents the means, standard deviations and correlations of the predictor variables and mediation completion. Psychological distress was somewhat elevated, with 28% of the sample above the suggested cut-off of 30 for clinical levels of psychological distress in separated parents (Halford & Sweeper, 2013). The mean score for child adjustment difficulties on the SDQ was slightly elevated relative to community normative data ($M = 8.2$, $SD = 6.1$) (Goodman, 2001), with 28% of the sample being above the cut off of 14 for at least mild child adjustment difficulties (Goodman, 2001). Twenty-eight percent of parents reported

scoring in the clinical range (> 3.1) for parenting problems (Arnold et al., 1993). Taking a score of 2.5 or more as indicative of very high inter-parental acrimony (Emery, 1982), 45% of the sample had very high acrimony. The mean acrimony score for males 2.3 (.38) and females, 2.5 (.4), was slightly higher than mean scores by gender in the Australian study by McIntosh and Long, (2006) and the US Emery and Wyr study (1987). Moreover 2/3 of parents reported at least some IPV had occurred at some point in their relationship.

Given the large number of non-independent correlations presented in Table 3.1 caution must be exercised in interpretation of any specific correlation, and the focus should be on the overall pattern of correlation. Most correlations were not significantly different to zero. The only medium size correlations were between low income and being female, psychological distress and high emotional attachment to the co-parent, and psychological distress and parenting problems.

Table 3.1

Means, Standard Deviations and Correlations of Predictors with Completion of Mediation

	Pre-assessment	2	3	4	5	6	7	8	9	10	11	12
	<i>M (SD)</i>											
1. Completed mediation ^a	0.29 (0.45)	.00	.02	.09*	.00	.09*	.02	.09	-.11*	-.06	-.05	-.02
2. Low income ^a	0.59 (0.49)		-.09*	-.15*	-.34*	-.11*	.03	.06	.07	.04	.15*	.03
3. High school education ^a	0.67 (0.47)			.19*	-.18*	.03	.00	-.10*	.07	-.03	-.06	-.01
4. Previously married ^a	0.51 (0.50)				-.07	.12*	.06	.00	.13*	.08	-.07	.01
5. Male gender ^a	0.51 (0.50)					.08	.06	.21*	-.22*	-.03	-.21*	-.02
6. Shared care ^a	0.29 (0.45)						.01	-.05	-.14*	-.05	-.02	.00
7. Psychological distress	21.60 (21.50)							.31*	.13*	.27*	.04	.26*
8. Co-parent attachment	14.61 (6.81)								-.18*	.14*	-.06	.02
9. Acrimony	2.40 (0.41)									.09*	.26*	.13*
10. Parenting problems	8.56 (1.91)										-.02	.22*
11. History of IPV ^a	0.66 (0.47)											.04
12. Child difficulties	10.02 (6.38)											

Note. IPV = Interpartner violence; n = 515 for all except the child adjustment difficulties measure where n = 356.

^aThese variables are dummy variables and the mean is the proportion in the category coded 1.

* $p < .05$;

The first polynomial regression showed that socio-demographic variables did not predict mediation engagement, $\chi^2(10) = 11.755, p = .302$, and we do not present any further details on this analysis. The second polynomial regression analysis showed the block of adult psychological adjustment variables predicted mediation engagement, $\chi^2(10) = 26.028, p = .004$. Table 3.2 presents the regression coefficients predicting cases in which the initiating parent disengaged from mediation, and the cases in which the respondent parent declined to engage in mediation, using cases completing mediation as the reference category. The only reliable prediction was that high acrimony predicted the respondent parent not agreeing to engage in mediation. Acrimony was unrelated to the initiating parent disengaging from mediation, and none of the other predictors reliably predicted mediation engagement. The third polynomial regression analysis showed that child adjustment difficulties did not predict mediation engagement, $\chi^2(2) = 0.187, p = .911$.

To evaluate the strength of the association between acrimony and mediation non-engagement, we ran a logistic regression predicting mediation non-engagement (co-parent declines versus mediation completed) from acrimony. Acrimony correctly predicted 199 of 234 cases in which respondent parents declined mediation (85% correct), but only correctly predicted 57 of 170 cases in which mediation proceeded (34% correct), which is reliably better than chance, $\chi^2(1, n = 404) = 15.2907, p < .001$. However, the inaccurate identification of mediation completion limits the utility of the prediction.

While occurrence of IPV did not predict low engagement with mediation, it seemed possible that mothers may be more intimidated by previous IPV and likely to decline to participate in mediation. However, a 2 by 3 chi-square analysis of history of IPV (yes or no) by mediation engagement (initiating parent disengaged, respondent parent declined to participate, mediation was completed) for respondent mothers showed no association between women participating in mediation and a history of IPV, $\chi^2(2, N = 254) = 1.379, p = .502$.

Table 3.2

Polynomial Logistic Regression Coefficients and Standard Errors (In Parentheses) Predicting Engagement with Mediation

Class of Predictor	Drop out category	Predictor	B (se)	Wald ^a	<i>p</i>
Adult Adjustment	Initiating parent dropped out	Psychological distress	-.01 (.13)	1.586	.208
		Co-parent attachment	-.024 (.02)	1.465	.226
		Acrimony	.053 (.33)	0.025	.875
		Parenting Problems	.126 (.069)	3.355	.067
		History of IPV	-.016 (.265)	0.004	.951
	Co-parent declined mediation	Psychological distress	-.002 (.005)	0.126	.722
		Co-parent attachment	-.021 (.016)	1.637	.201
		Acrimony	.897 (.280)*	10.285	.001
		Parenting Problems	.062 (0.57)	1.283	.257
		History of IPV	-.140 (.225)	0.389	.533
Child difficulties	Initiating parent dropped out	Child difficulties	.007 (.023)	0.089	.766
	Co-parent declined mediation	Child difficulties	.008 (.019)	0.173	.678

Note. The reference category for the regression is cases completing mediation. IPV = inter-partner violence.

^aWald *df* = is in all cases.

Outcomes When Not Completing Mediation

Of our sample of 126 parents who completed the follow-up interview, 33 (26%) disengaged from mediation before attending an intake interview. The initiating parents who disengaged commonly reported they disengaged from mediation because they had either resolved the issue, sought mediation elsewhere, or had decided to pursue litigation. Ninety three initiating parents (74%) attended an individual intake interview and wished to proceed to mediation but did not attend a conjoint mediation session with their co-parent as the co-parent declined to engage with mediation. When the respondent parent declined to engage in mediation, the initiating parent often reported frustration and that the problems for which they sought mediation remained unresolved.

One hundred and seven of the 126 (85%) initiating parents reported that the parenting issues for which they sought mediation were not resolved at the 6 month follow-up interview, and 19/126 (15%) reported initiating mediation had led the co-parents to discuss and resolve the issue(s) in dispute, either on their own or with other professional assistance. When asked about the consequences of mediation not proceeding most initiating parents (74/126, 59%) reported there were no positive outcomes from mediation not proceeding. Just over a quarter (33/126, 26%) reported that, while the problems for which they sought mediation were unresolved, the attempt to mediate was still useful (e.g., “made it clear my ex-partner was not willing to change”, “got useful information”).

When asked about the positive and negative consequences of the intake interview, many initiating parents (64/93, 66%) reported it provided helpful information about parenting issues and how they might be discussed with the co-parent, or about how mediation works (49, 51%). Thirteen parents (14%) stated the parenting issues with their co-parent got resolved before proceeding with mediation. Other parents reported gaining useful information about legal issues (15, 16%) (e.g., how to approach the Family Court, issues around personal

safety). Only one person who completed the intake interview reported that there were negative consequences of completing the interview, that person said discussion of the current situation upset them.

Table 3.3 presents the means, standard deviations, and one-way repeated measure ANOVA results for each of the psychological outcomes for families who did not mediate. There was a small but reliable decrease in attachment to former partners across time, $g = .17$. No other variables changed across time. The adults in this sample remained elevated on psychological distress, and child adjustment problems, with ongoing high inter-parental acrimony.

Participants Who Did Not Provide Follow-up Data

To check the possibility that the follow-up analyses could be biased by attrition from the study, we compared people from the disengaged sub sample who did and did not complete the follow-up interview. There were no reliable differences in completion of the follow-up interview by having low education (not having completed year 12 education), $\chi^2 (N = 211, df = 1) = 0.48, p = .487$, or having low household income (< AUD \$40,000 per year), $\chi^2 (N = 211, df = 1) = 0.35, p = .553$, or by gender, $\chi^2 (N = 211, df = 1) = 2.37, p = .123$. We also compared those who did and those who did not complete the follow-up interview on their pre-assessments, and results are summarized in Table 3.4. As shown, completers and non-completers of the follow-up interview were similar in age, years of separation, psychological distress and reported child difficulties. Relative to non-completers, completers reported a little more acrimony, $d = 0.34$, a little more attachment to the former partner, $d = 0.38$, and somewhat more negative parenting, $d = .45$.

Table 3.3

Means and Standard Deviation (in parentheses) on Family Outcomes for those not Completing Mediation

Outcome	Pre	Post	N ^a	F	Df
Acrimony	2.6 (0.40)	2.6 (0.50)	75	0.11	1, 74
Psychological distress	22.5 (21.4)	20.8 (24.6)	76	0.53	1, 75
Attachment to ex-partner	1.6 (0.63)	1.4 (0.48)	71	5.54*	1, 70
Parenting	2.8 (0.60)	2.9 (0.65)	76	0.92	1, 75
Child Difficulties ^b	10.6 (7.02)	11.6 (7.53)	59	2.26	1, 58

Note. ^aSample size varies slightly due to failure to complete all questionnaires by a few participants.

^bSample size for child difficulties is smaller as some parent's oldest child was under the minimum age for which the Strengths and Difficulties Questionnaire is appropriate

Table 3.4

Comparison of Participants who Completed and Did Not Complete the Follow-up Interview

Variable	Completers	Non-completers	ANOVA F	Df
Age in years	37.6 (3.6)	35.8 (8.5)	2.08	1, 209
Years of separation	3.6 (1.4)	3.7 (1.4)	0.28	1, 209
Acrimony	2.5 (0.4)	2.4 (0.4)	6.90*	1, 208
Psychological Distress	19.0 (20.5)	23.0 (23.7)	1.74	1, 209
Attachment	14.5 (4.6)	13.9 (6.5)	10.27*	1, 209
Parenting problems	3.0 (1.1)	2.7 (0.6)	4.39*	1, 207
Child Difficulties	10.0 (6.8)	8.9 (5.4)	1.08	1, 138

Note. * $p < .05$; $n = 220$

We also compared those participants who did and did not complete the follow-up online assessments and results which were very similar to the predictors of not completing the interview, so we do not repeat these here. One noteworthy exception was that fewer people (19/71, 27%) with low education completed the follow-up online questionnaire than people with year 12 education (59/140, 42%), $\chi^2(1, n = 211) = 4.784, p = .035$.

Discussion

In the current study there was a high rate of failure to complete the family mediation process (as defined by both parents engaging and proceeding toward a conjoint mediation), approximately 66%. The initiating parent disengaged from mediation (21%), or the respondent co-parent declined to engage in mediation (45%). Contrary to Hypothesis 1, mediation engagement was unrelated to socio-demographic variables, or the initiating parent's report of adjustment difficulties in the child or in themselves. The respondent co-parent declining mediation was unrelated to socio-demographic variables, initiating parent's report of adjustment difficulties in the child or psychological adjustment of the initiating parent. However, consistent with Hypothesis 1, high co-parental acrimony predicted the respondent parent declining mediation.

In the 6 month follow-up interviews, the majority of initiating parents reported that their issues remained unresolved, even though some reported pursuing possible alternate pathways such as seeking legal assistance or filing an application for court. These initiating parents also reported continuing high inter-parental acrimony. Prior mediation research has found that completing mediation is associated with positive outcomes for most parents (e.g., Kaspiew et al., 2009), and the current research shows that parents not completing mediation predominantly have poor outcomes. Despite the predominantly negative outcomes, the vast

majority of clients of the mediation service rated their experience of the service as positive, even though they did not complete mediation.

The current research was the first to attempt to predict engagement with family mediation. The sample had mean acrimony scores that were elevated in comparison to U.S. samples of separated parents (Emery & Wyr, 1987) and Australian samples (McIntosh & Long, 2006).

The only significant predictor of low engagement was high inter-parental acrimony, however high acrimony did not accurately identify cases proceeding to mediation. The sensitivity of acrimony to correctly classify families as not engaging in mediation was 85%, and the specificity of acrimony to correctly classify families as engaging and proceeding to mediation was 34%. The model had a positive predictive value of 64% and a negative predictive value of 39%. In other words, many highly acrimonious parents – including many who also reported a history of IPV - did engage with the process and proceed to mediate, suggesting that other variables not included in this study influence the decision to engage with the mediation process. Clearly mediation work at the Telephone Dispute Resolution Service is including some very high conflict families. Future research needs to explore other family and/or service variables that may predict mediation engagement.

Limitations

The current study followed-up with parents between 6 and 8 months after their final presentation within the mediation process. However, as noted in the introduction, negotiating co-parenting arrangements extends over decades. It is possible that some of the families who did not engage with mediation in the current study might engage at some point in the future. Although the current study does show that children were being exposed to ongoing inter-parental conflict for a substantial period of time.

We had no comparison group for our assessment of change in adjustment from initial presentation for mediation through to follow-up, which makes definitive interpretation of the observed lack of changes difficult. Moreover, the response rate for the follow-up was only 60% of the 220 we sought to contact (87% of those contacted) and selection factors in providing data might have biased the results. Most notably, people who provided data at follow-up reported more parenting problems at presentation than those who did not provide follow-up data. However, that underscores that people with more difficulties at presentation have poorer outcomes when mediation does not proceed. It is also noteworthy that clients with less formal education were less likely to complete the online assessment, and future research should use brief telephone based assessment with this population to enhance the response rate. In addition, we were only able to gather data from parents initiating mediation, and it would be helpful to have reports from the respondent parents. For example, psychological distress or emotional attachment to the former partner in the respondent parent might predict low engagement with mediation. However, given the reluctance of respondent parents to engage in mediation, recruiting them into research on engagement with mediation might be challenging.

The disengaged sub sample ($n = 354$) was 67% of the eligible recruited participants. However a lack of comparative data with other agencies concerning initiating parent outcomes limits the utility of this figure. Similar to the current study, McIntosh and Long (2006), recruited participants from an Australian community-based service, and participants reported similar socio-economic demographics, although the current research including a higher number of participants who had not completed secondary school. Baseline levels of acrimony were elevated as in the current study. However, the current study differs to the McIntosh and Long study in three key areas. Firstly the McIntosh and Long study (2006) was a time lagged design and participants were not randomized. Secondly their mediations were

conducted and case-managed on a face-to-face basis with their appointed mediation staff at the center. Thirdly their study used more extensive selection criteria which required both partners to be engaged in the mediation process to participate in the research, and the drop-out rate measured occurred after both parents had engaged with the process. Their research was conducted on self-selecting dyads as opposed to the current research which investigated the selection and engagement process of separated parents. The rates of mediation initiation and refusal of responding parents for the period of recruitment for the McIntosh and Long study were not reported, thus eliminating comparison of engagement rates with the current study.

Administrative staff at the Telephone Dispute Resolution Service did report that clients were concerned about delays and waiting times, and it is possible that process delays contributed to the frustration reported by clients at follow up, or that specific venue characteristics contributed to non-engagement. US studies exploring therapeutic engagement found that avoiding appointment delays improved engagement rates, (e.g. Festinger, Lamb, Marlow & Kirby, 2002).

The current sample contained high proportions of people with low income, and low formal education relative to the Australian population demonstrating that the host agency Relationships Australia Queensland seems to be succeeding in its stated mission of providing services to socially disadvantaged groups. A major strength of the current study is that it evaluated outcomes of routine service provision of mediation to disadvantaged groups. At the same time, the generalizability of our findings to better resourced families' and other mediation venues needs to be evaluated.

Implications for Practice and Research

The high rate of mediation non-engagement in the Telephone Dispute Resolution Service is a major limitation on the potential positive impact of family mediation.

Anecdotally, Australian mediation practitioners in community-based agencies note a high rate of disengagement prior to completion however, the lack of comparative data regarding engagement means that caution should be applied regarding generalizability. As noted previously, low engagement is common in services targeted for conflicted separated parents, like low rates of attendance at co-parenting programs for separated parents (Salem et al., 2013). None-the-less further research into enhancing mediation engagement is needed. Such research should include the investigation of parental satisfaction with current parenting arrangements, as refusal by respondent parents to engage in mediation might reflect their satisfaction with current arrangements, whereas the initiating parent's commencement of mediation suggest their dissatisfaction with current parenting arrangements.

Future research could also evaluate strategies to enhance engagement of respondent co-parents, particularly in telephone-based mediation. Contacting the respondent parent can be difficult, as agency staff report that often contact details as provided by the initiating parent can be out of date or incorrect. This can create delays in the invitation and response process with the respondent parent, who can further delay their reply whilst they seek legal advice. These delays can extend the invitation and intake process, which could impact the initiating parent's motivation to continue with the process.

Current practice in Australia focuses upon the mediation service inviting respondent parents to mediation. Service staff reported that inviting respondent parents to participate in mediation was often stressful as respondent parents could be hostile to the invitation. Training in interventions focused on communication that addresses ambivalent behaviors such as Motivational Interviewing (MI) may be helpful for service staff, and extending the use of MI to engage reluctant respondent parents might increase rates of mediation engagement. A second possibility is providing additional information (e.g., online videos, tutorials) about mediation at the time of invitation. Respondent parents might then better

understand the process, potentially reducing perceived barriers of engagement and increasing the likelihood of parent engagement.

A potentially important influence on agreement to mediate is how the separated parents communicate with each other about the possibility of mediation. The current practice in Australia does not systematically address with the initiating parents whether they will talk to their co-parent and invite them to mediate. Anecdotally we noticed co-parental communication was highly variable with some parents having no communication at all, some making hostile statements (e.g., “I will force you to mediation if you don’t change”), and some making positive invitations (e.g., “perhaps a mediator could help us work out something good for you, me and the children”). Coaching partners in intact relationships to positively invite their spouse increases the rate of accessing psychological services among reluctant clients (Halford, Price, Kelly, Bouma, & Young, 2001), and such coaching may also work for initiating parents inviting a co-parent to mediation.

The follow-up data showed that participants who did complete the interview had higher mean levels of acrimony, attachment to the former partner, and parenting concerns at baseline than those participants who did not complete an interview. While the magnitude of the effect size between groups was small to medium for acrimony ($d = .34$) and attachment issues ($d = .38$), their remaining engaged in the research might reflect that these parents are seeking further support services. The provision of services targeting the reduction of acrimony and attachment could be helpful at this stage in the process. Particularly as the medium effect for parenting issues ($d = .42$) indicates that the children of these families may be at a higher risk of experiencing negative adjustment consequences.

Conclusion

The effectiveness of family mediation to resolve parenting disputes is limited by the number of parents who do not complete mediation, and in particular by the number of

respondent parents who decline to mediate. The high rate of parent disengagement from the process before completing the conjoint mediation process may be a factor of telephone-based mediation, however the lack of comparative data with other community-based agencies limits the generalizability of this finding. The current research shows co-parental acrimony predicted low mediation engagement, but not mediation completion; and that outcomes for most families not completing mediation were poor. Finding ways to enhance engagement in family mediation by responding parents remains a major challenge to mediation service providers and I anticipate that innovations in service delivery, such as offering support services and enhancing the initial contact with respondent parents, hold out the promise of engaging more distressed families in potentially effective services.

The following chapter follows those initiating parents whose respondent parent engaged in the mediation process. These parents went on to complete mediation according to their randomly assigned condition; mediation with Motivational Interviewing (MI) or mediation as usual (MAU).

Chapter Four

A Randomised Controlled Trial of Family Mediation

Note

As detailed in the *Publications Included in This Thesis* section, this chapter consists of

Manuscript 3 which has been submitted to a journal and is currently under review.

Morris, M., Halford, W.K. & Petch, J. (2016). A Randomised Controlled Trial of Family Mediation with Motivational Interviewing.

Abstract

Family mediation is a widely used approach to assist separated parents to resolve conflicts about parenting arrangements for their children, but frequently parents undertaking mediation do not reach a mutually agreeable resolution (Kelly, 2004). A randomised controlled trial compared mediation enhanced with motivational interviewing (MI) versus mediation as usual (MAU). One hundred and seventy-seven dyads were recruited from a community-based telephone mediation service. Outcome of mediation was classified as no agreement, partial agreement on some of the areas in dispute, and full agreement. We assessed parental psychological distress, adult attachment to former partner, child adjustment, and co-parental conflict before and after the mediation, and at a three month follow-up. The parents in the MI condition had an improved pattern of outcomes with a lower rate of no agreement than parents in the MAU condition (33% versus 42%), and double the rate of full agreements than the MAU condition (33% versus 16%). There was no reliable difference in the trajectory of psychological distress, child adjustment, or co-parental conflict between parents in the MI and MAU conditions. The MI condition showed an enhanced agreement pattern but did not enhance other outcomes.

A Randomised Controlled trial of Family Mediation with Motivational Interviewing

In many Western countries such as Australia and the United States, between 20% and 30% of children experience parental separation (Copen, Daniels & Mosher, 2013; Australian Institute of Family Studies, 2010). Relative to children of married parents, children of divorced parents have poorer psychosocial outcomes (Amato, 2010). Furthermore, divorced men and women have poorer physical and mental health than their married counterparts, lower life expectancy and lower career achievement (Waite & Gallagher, 2000). The limited data on separated, formerly cohabiting relationships suggest similar problems exist as for divorcing couples and their children (Halford & Sweeper, 2013).

There is only a small average effect of separation on psychological adjustment of adults and children, but separated adults and their children have more frequent severe adjustment problems (Amato, 2010). For example, divorced adults attempt suicide, and divorced adults and their children suffer from psychological disorders, at more than double the rate of the rest of the population (Amato, 2010). While most separated families adjust relatively well, a proportion of separated family members suffer very serious adjustment problems.

About one-quarter of separated parents report substantial co-parenting conflict, this most often does not improve with time (Halford & Sweeper, 2013). The severity of co-parenting conflict strongly predicts poor adjustment of children, as well as ongoing psychological distress in the adults (Amato, 2010). Conflict between separated parents most often revolves around disagreement about child residency, parenting and custody, and the distribution of parenting responsibilities post-separation (Emery, 2011). It is estimated that between 60% and 70% of separated parents reach a mutually acceptable agreement about co-parenting their children on their own (Kaspiew et al., 2009). However, a substantial minority have ongoing conflict about parenting matters (Emery, 2011; Kaspiew et al., 2009).

Family Mediation and Dispute Resolution

Separated parents who are unable to make mutually agreeable parenting arrangements themselves have a variety of options available to assist them. They can try to negotiate an agreement through legal representatives, undertake family counseling, undertake family mediation, or pursue litigation through specialized Family Courts (Morris & Halford, 2014). In Australia, where the current study was conducted, national legislation requires that mediation be attempted before an application to the Family Court can be filed, unless there are special circumstances (e.g., serious risk of harm to the child). In a large survey of separating Australian parents, 30% reported having accessed mediation; 40% used a mixture of lawyers, legal services and court processes; and 30% reported using no service at all to negotiate parenting arrangements (Kaspiew et al., 2009).

Family court procedures do produce parenting arrangements, as the judge determines the arrangements for the separated family. However, less than half of parents appearing in the Australian Family court report they have a satisfactory co-parenting arrangement nine months after their court appearance (Moloney, Qu, Weston & Hand, 2013), and parents often fail to adhere to the provisions of the arrangements (Emery, 2011). In contrast, parenting arrangements negotiated through mediation are acceptable to most parents who negotiate an agreement (Moloney et al., 2013).

Relative to court litigation, mediation was substantially quicker and cheaper, associated with lower rates of future court presentation, and associated with higher satisfaction for fathers but not mothers. In a review of nine quasi-experimental comparisons of mediation and family court, Kelly (2004) found separated parents rated mediation as more satisfactory, and rated mediation as enhancing co-parenting relationships more than family court. However, as separated couples self-selected whether to undertake mediation or court, it is possible that characteristics of couples willing to try mediation were associated with better outcome. In a

meta-analysis of five studies that included some assessment of adult or child adjustment, Shaw (2010) found mediation was somewhat better than court, in terms of process and outcome satisfaction although again self-selection into mediation (versus court) in all but one study prevented clear conclusions from being drawn.

The promotion of family mediation in Australia and the US reflects concerns associated with reliance on Family Court procedures, which were associated with long waiting lists, expressed concerns about the fairness of procedures, and high costs (Emery, 2011). For parents who complete conjoint mediation, results on agreement rates are encouraging. In the US about 2/3 of family mediations result in parenting agreements (Kelly, 2004). Similarly in Australia about 2/3 of separated parents who complete mediation reach agreement, either at the time of mediation (40%) or within 9 months (25%), but 1/3 of separated parents do not resolve parenting arrangements via mediation (Moloney et al., 2013). Less evident in these numbers is that of the 2/3 of separated parents who reach agreement, many agreements resolve only some of the parenting issues in dispute. Further, in Australia approximately half of parents initiating mediation do not complete the conjoint mediation session because the responding parent fails to engage with the process (Morris, Halford, Petch & Hardwick, 2016).

In summary, there is clear evidence that mediation is cheaper than litigation through family courts, and perhaps is associated with higher parental satisfaction with the process. The research is less clear on whether mediation results in better parental or child adjustment outcomes. Finally, there is a substantial proportion of separated parents undertaking family mediation who fail to reach any agreement, or only reach partial agreement, to resolve disputes about parenting arrangements.

Motivational Interviewing to Address Limitations in Family Mediation

There are a number of challenges that influence whether parenting disputes are resolved through mediation. Separated parents often experience strong emotions about the separation and their former partner (e.g., anger, hurt, or desire to reconcile), which make it hard to develop a constructive co-parenting role; couples who separate often have very negative communication toward each other, which persists into their negotiations about co-parenting arrangements; and separation often creates a cascade of changes, such as changes to housing, declines in financial well-being, and changes in friendship circles, which can make the separated parent feel overwhelmed (Emery, 2011). Strong post-separation emotions (e.g., high emotional attachment to the former partner or anger) are associated with negative communication in mediation sessions and low rates of negotiating a parenting agreement (Bickerdike & Littlefield, 2000).

Motivational Interviewing (MI) is a client-centred approach that enhances client behavior change by exploring and resolving clients' ambivalence to change (Miller & Rollnick, 2013). MI has been shown in more than 70 studies to enhance change with a wide variety of disorders and problem behaviors (Miller & Rollnick, 2013). There are no trials investigating MI within family mediation. However, the MI focus on increasing readiness for change seems an appropriate strategy to encourage mediating parents who are ambivalent about the change required to reach an agreement. Already it has been established that when mediators use some of the key elements of MI, such as empathy, this predicts reaching an agreement through mediation (Cohen, 2009). Moreover, MI can reduce aggression in intact couples (Woodin & O'Leary, 2010), and might be able to do so in separated parents.

Telephone Based Mediation

About two-thirds of parents seeking family mediation for custody and parenting issues in Australia do so through Family Relationship Centres, which are non-government agencies who

offer services subsidized by the national government (Moloney et al., 2013). One of the busiest such centres is the national telephone-based family mediation service operated by Relationships Australia Queensland. The telephone service is popular as it allows access to mediation to families who find it hard to access face-to-face services, (e.g., people living in rural areas without face-to-face services, parents residing a long distance away from each other, parents who lack transport or child care), as well as for separated families who prefer a telephone-based service (e.g., families with a history of domestic violence). To access the service one parent initiates contact, and the issues in dispute are assessed in a one hour telephone-based intake interview. If mediation is judged to be appropriate by the mediator, then the other parent is invited to attend an intake interview. A conjoint session is then held by telephone between the mediator, the initiating parent, and the respondent parent with the aim of developing a parenting agreement that is mutually acceptable to the two parents, and serves the best interest of the child (ren).

MI seemed appropriate to evaluate within this telephone mediation service for several reasons. First, MI can be effective when delivered by telephone (e.g., Toll et al., 2015). Second, MI is a brief intervention that can be effective in 1-2 sessions (Miller & Rollnick, 2013), which fits with the typically brief intervention offered in family mediation. Third, the telephone mediation service works with a large number of clients, and if mediation with MI was effective it would produce better outcomes for large numbers of families.

Research Aims and Hypotheses

In summary, family mediation is a promising approach to help separated parents resolve parenting disagreements, but it has a substantial failure rate, and the effects of mediation on parent and child psychological outcomes, and parental conflict are not clear. The aim in the current study was to test whether MI enhanced family mediation outcomes within the context of a large national, telephone-based mediation service. The primary outcome was reaching a

parenting agreement. The secondary outcomes were consumer satisfaction with mediation, psychological adjustment, adult attachment to the former partner, parental conflict and child adjustment. Based on the previously observed effects of MI in enhancing behavior change, we predicted that MI would increase achievement of parenting agreements relative to mediation as usual (Hypothesis 1). We also expected that parents would be more satisfied with mediation if an agreement was negotiated, and hence MI would enhance consumer satisfaction with the service (Hypothesis 2). Finally, we reasoned that reaching an agreement would reduce ongoing conflict between the parents, which is known to enhance adjustment to separation. Therefore we predicted MI would reduce parental conflict and psychological distress, reduce adult attachment problems, and enhance child adjustment (Hypothesis 3).

Method

Participants

Participants were 177 separated parents who sought mediation through the telephone mediation service of Relationships Australia Queensland. Inclusion criteria were that participants had separated, had a child who was less than 18 years of age from the prior relationship, both parents agreed to participate in family mediation, and both parents spoke and wrote English.

Measures

The agreements reached in mediation are written out by the mediator in session, checked for agreement by both parents, and written copies are sent to each parent. These agreements were classified as no agreement, partial or full agreement based on whether none, some, or all of the agenda items of parental disagreement were resolved in the mediation.

The Client Assessment of Mediation Service (CAMS) was administered after mediation to assess participant satisfaction with mediation. The CAMS consists of two subscales: the

mediation process satisfaction scale (31 items, $\alpha = .91$) and the mediation outcome scale (15 items, $\alpha = .74$), (Kelly & Gigy, 1988). All items are rated on a 7- point Likert scale (1 = *extremely negative*, 7 = *extremely positive*). The derived score is the mean item score for each subscale with higher scores reflecting higher consumer satisfaction.

We administered four self-report measures of psychological adjustment before mediation, after completion of mediation, and at three month follow-up. The Depression Anxiety Stress Scale- 21 (DASS-21) is a 21-item measure of depression, anxiety and stress experienced in the past two weeks (Lovibond & Lovibond, 1995). All items are rated on a four point scale (0 = *did not apply*, 3 = *applied to me most of the time*) and a total score was used as an index of psychological distress, which has high internal consistency $\alpha = .89$ (Lovibond & Lovibond, 1995).

The Strength and Difficulties Questionnaire (SDQ) is a 25-item measure of child adjustment, with versions suitable for assessment of children between 5 and 17 years of age, (Goodman, 2001). The total difficulties score is the sum of four subscales: emotional symptoms, hyperactivity, peer problems, and conduct problems, with higher scores reflecting more parent report of problematic behaviors. As a sizeable proportion of the sample had a low level of education we tried to limit participant burden in completing questionnaires, so participants completed the SDQ only for their eldest child. The scale has high internal consistency, $\alpha = .80$ and the test-reliability of the SDQ is satisfactory over 6 months, $r = 0.62$ (Goodman, 2001). Emotional attachment to the former partner was assessed with the 8-item emotional attachment subscale of the Psychological Adjustment to Separation Test (PAST) (Sweeper & Halford, 2006). Items are rated on a five point scale (1 = *strongly disagree*, 5 = *strongly agree*) with higher scores reflecting higher attachment distress. Halford and Sweeper (2013) provide large scale normative data and a suggested cut-off score of 30 to define particularly high level of emotional attachment. The scale has high internal consistency, α

=.88 and two week test-retest reliability, $r = .89$, and good convergent and discriminant validity (Sweeper & Halford, 2006).

The Acrimony Scale is a 25-item measure of conflict between separated parents. Items are rated on a four point Likert scale ranging from 1 (*almost never*) to 4 (*almost always*). The mean score per item is used as a total score with higher scores reflecting higher acrimony. The scale has good test-retest reliability $r = .88$, and high internal consistency, $\alpha = .86$ (Emery, 1982).

The Inter Partner Violence Scale (IPVS) - H (Heyman, Slep, Snarr & Foran, 2013) was administered before mediation. The IPVS is a 20-item screening measure of emotional, physical and sexual abuse. Specific behaviors are rated on a 3-point scale (0 = *never*, 1 = *previously but not in the last 12 months*, 2 = *within the last 12 months*). Of the 16 items that describe physical violence, 8 focus on the respondent's behavior and 8 on the behavior of their former partner. As the parents had been separated for a mean of about three years, and some had little regular contact with each other, we only administered the IPVS at the pre-mediation assessment and focused on whether there was a history of violence.

The Motivational Interviewing Treatment Integrity (MITI) is a coding system for assessing implementation of MI based on recorded sessions (Moyers, Martin, Manuel, Hendrickson & Miller, 2005). The integrity of MI delivery is most often summarized in a Global Spirit rating, which is the mean of three global ratings: evocation by the MI practitioner of clients' reasons for change and ideas for change, collaboration between the practitioner and the client, and promotion and support of client autonomy by the practitioner. Each of these three ratings is on a 5-point Likert scale (1 = *low*, 5 = *high*). In addition a count is made of MI adherent behaviors (e.g., asking permission, affirming the client, emphasizing the client's control and freedom of choice) and MI non-adherent behaviors (e.g., advising without permission, confronting the client, or directing the client).

During the first half of the study there were repeated technical difficulties with the recording equipment which resulted in many recordings being unavailable. In addition 36 respondent parents declined to participate in the research, and we could not access recordings of any intake or conjoint sessions involving these parents. In total 108 sessions were coded, and included samples of all 15 participating mediators' behavior, and sampled both intake sessions with an individual parent and conjoint mediation sessions with both parents.

Four research assistants received 40 hours training in the MITI consisting of memorizing code definitions, demonstrations of coding, and coding practice with feedback. During the lengthy process of coding, research assistants met fortnightly to review completed coding, and receive regular feedback on that coding. The sample of 108 audio files was independently coded by multiple coders to assess inter-rater reliability. Interclass correlations were all satisfactory, Global Spirit ICC = .73, MI Adherent behaviors ICC = .79, MI non-adherent behaviors ICC = .69.

Mediator Training

All 15 mediators employed at the telephone mediation service at the time of the study agreed to participate in the research. A goal of the collaborative agency was to provide all mediators with training in motivational interviewing. The research was conducted on the basis that one half of the mediators would be trained for the purpose of the research, and the second half would receive motivational interviewing training at the completion of the data collection phase. Mediators were thus randomly assigned to either: undertake MI training and provide MI enhanced mediation for the study (n = 8 mediators); or continue to provide mediation as usual (MAU) during the study (n = 7 mediators) and be trained in MI after the study was completed. There were 14 female mediators and one male; all were accredited family mediators under the Australian accreditation system.

The researchers attempted to provide similar amounts of attention to the mediator groups within the confines of the collaborative agencies work schedules. The mediators in the MI condition attended a 3-day training course in MI applied to family mediation. Two trainers described and modeled core MI skills, gave mediators multiple opportunities to practice MI skills in role plays, and provided feedback on implementation of MI. After the initial training each mediator received feedback on their use of MI skills within their recorded client sessions, attended two x 2 hour group supervision sessions five and seven months after initial training, and completed two brief (20 min) individual coaching sessions focused on providing feedback from mediation recordings.

Mediators in the MAU condition received one day of initial training in mediation skills, where they engaged in group activities to identify and rehearse key mediator skills. They were also given the second edition book by Robert Emery, “Renegotiating Family Relationships” (2011), to read at leisure, and to discuss at a follow-up supervision session approximately 6 months after the initial training. Agency requirements, along with restrictions of time and resources prevented the training of the group interventions from being more similar.

Procedure

Initiating parents contacting the telephone mediation service were invited to participate in the research. Those who agreed were contacted by a research officer who obtained informed consent, and provided them with a link to an online questionnaire. For people without internet access assessments were conducted by telephone. Once the initial assessment was completed, the initiating parent was randomly assigned by a researcher to either MI or MAU on the basis of a random number table, and the allocated condition noted on the client’s file. An intake interview was scheduled with a mediator in the appropriate condition. After the intake interview, the initiating parents’ former partner was invited to participate in mediation and in the research. Respondent parents who agreed to participate in mediation were scheduled for an

intake interview with a mediator from the same condition as their co-parent and those who also agreed to participate in the research were contacted by a research officer who obtained informed consent, and provided them with a link to an online questionnaire. After completion of the two intake interviews, a conjoint mediation session was scheduled. Once mediation was completed, participants completed a post mediation assessment by an online survey link. Participants were contacted three months later and again asked to complete the same set of outcome measures using the online link.

Data Analysis

In people providing data at each assessment there was less than 5% missing data, and those missing data were imputed using maximum likelihood imputation. To estimate the effect of MI on mediation outcomes on psychological distress, co-parental conflict and child adjustment, 3 two-level multi-level model (MLM) analyses were conducted using Multi Level Modelling for Windows (MLwiN) (Rasbash, Charlton, Browne, Healy, & Cameron, 2005). Time formed level 1, which was clustered within participants that formed level 2. Time was centred at pre-mediation and coded as 0 = pre-mediation, 1 = post-mediation, 2 = 3 month follow up after mediation. Condition was entered as a dummy variable (0 = MAU, 1 = MI). The final equation used for each outcome variable was:

$$\text{Outcome}_{ijk} = [\beta_{0ij}\text{Intercept} + \text{Time}_{ij}] + [\text{MI}_{ij} + \text{MI}.\text{Time}_{ij}] + \mu_j + e_{ij}$$

The first set of brackets in the equation includes the intercept (pre-mediation) mean for the MAU condition, and time, which is the slope of change in MAU is expressed as scale points of change per measurement occasion. The second set of brackets represent the difference on the outcome between conditions at pre-mediation (MI_{ij}) and the difference in slope of change in MI relative to MAU ($\text{MI}_{ij}.\text{Time}_{ij}$). The term μ_j is the error at the individual level, and e_{ij} is the error at the level of time for each individual.

Results

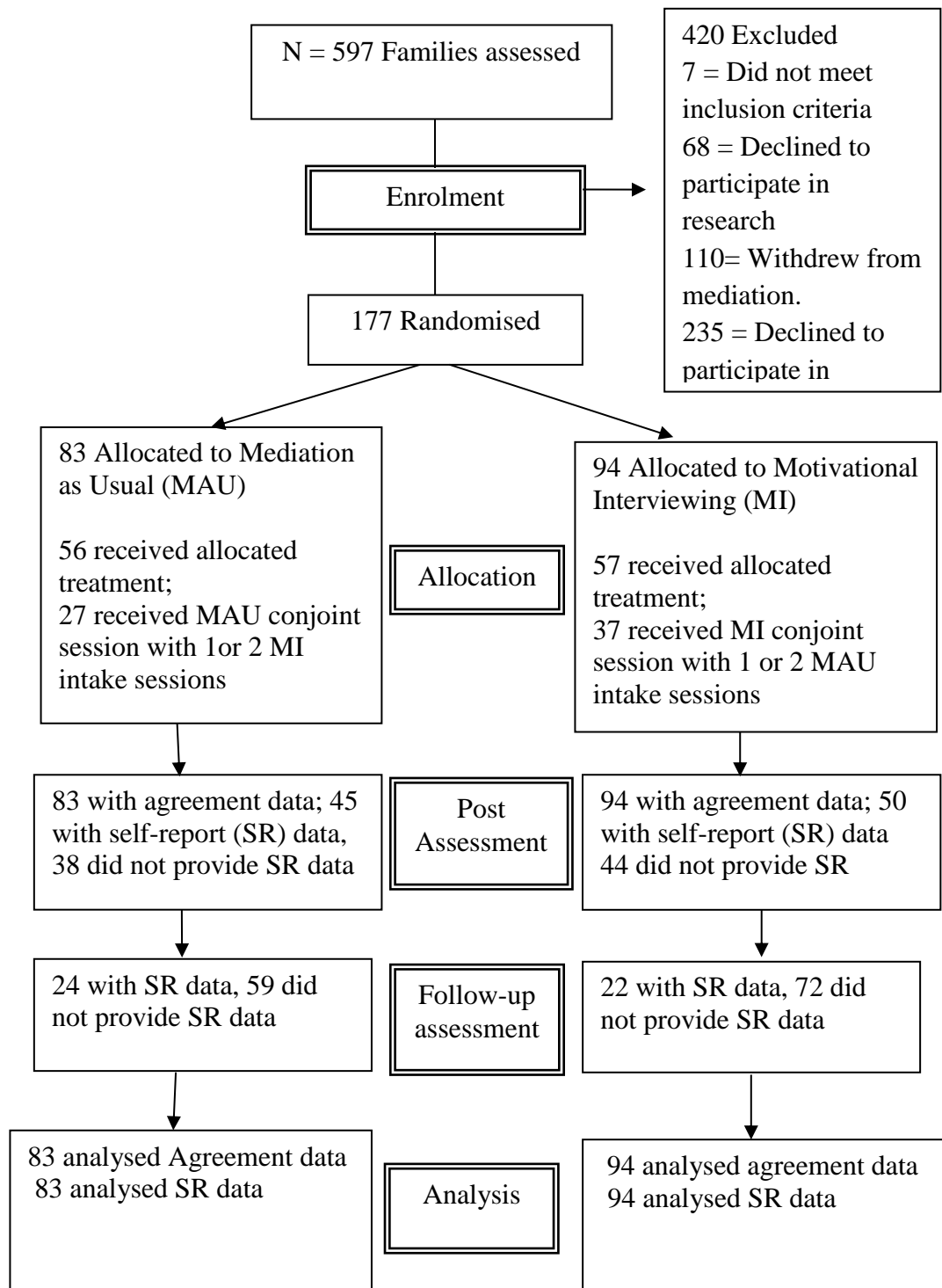
Figure 4.1 shows a CONSORT participant flow chart for the study; 597 families were assessed for eligibility and 420 families were excluded. Among the excluded participants were $n = 110$ initiating parents who voluntarily exited the mediation process before their co-parent had been invited to participate. Explanations for early withdrawal from mediation were varied (e.g., “We resolved the issues ourselves”, “My ex has started mediation with another agency,” and “Our lawyer has advised to start a court process”). Agency staff invited the remaining 487 respondent parents of whom 235 (48%) declined to participate in mediation. There were 177 separated families in which both parents agreed to participate in mediation, and the initiating parent agreed to provide research data. While 159 respondent parents agreed to participate in the research, in only $n = 67$ of these separated families did the respondent parent provide data for the research. As there was too little data from respondent parents to be analysed, we only report on the data provided by the initiating parent.

The intent was for parents to receive all mediation intake and conjoint sessions as per their randomly assigned condition. However, organisational errors in scheduling appointments (administrative staff mistakenly offering the next available session regardless of condition) resulted in some families inadvertently receiving some sessions in the wrong condition. As the parenting agreement is negotiated in the conjoint session we reasoned this session was the most crucial in terms of families receiving the allocated condition. One hundred and fifty-five participating families received the conjoint session as per their allocated condition but 13 families assigned to MAU received an MI conjoint session and 9 families assigned to MI received an MAU conjoint session. We classified the 13 families as MI and the 9 families as MAU in the analyses. There were 37 families in the MI condition who had an MAU intake session, and 27 families in the MAU condition who received an intake session that was MI.

Baseline descriptive characteristics of the initiating parents are presented in Table 4.1. The sample of mediation initiating parents consisted of approximately equal numbers of mothers and fathers, mostly aged in their thirties, who had been separated for an average of three years. Just over half of participants had been married to their former partner. Approximately one third of the sample had not completed high school, which is somewhat higher than the reported rate of about 24% of the Australian population aged 30 to 40 years who have not completed high school (Australian Bureau of Statistics, 2011). The mean reported annual income for those in paid employment was \$40,662 AUD, which is low relative to the median national wage (Australian Bureau of Statistics, 2015), and one-third of the participants were not in paid employment.

Existing care arrangements for children were categorized into three classes based on the number of nights the initiating parents spent caring for their children. More than a third of initiating parents reported that they had little time caring for their children (25 nights per year or less); about a third of initiating parents we classified as sharing care with the other parent (90 to 220 nights per year caring for their children), and just under a third reported providing the vast majority of care (≥ 340 nights per year).

Figure 4.1. CONSORT flowchart of Participants in the Randomized Controlled Trial of Motivational Interviewing in Family Mediation.



Consort Note. Thirteen participants randomly allocated to MAU received an MI conjoint session and were reclassified as being in the MI condition and 9 participants randomly allocated to MI received a MAU conjoint session and were reclassified as being in the MAU condition.

Table 4.1.

Baseline Characteristics of Mediation Initiating Parents by Condition

	MAU (n = 83)	MI (n = 94)
Continuous Variables: Mean and Standard Deviation (in parentheses)		
Annual income \$000	34.0 (19.4)	31.9 (18.9)
Australian		
Parent age in years	38.2 (7.3)	36.4 (7.7)
Mean years since separation	3.0 (2.1)	3.6 (2.2)
Eldest child age in years	8.4 (4.1)	8.2 (4.2)
Categorical variables number and percentage (in parentheses)		
Married	54 (57%)	56 (56%)
High school completion	66 (70%)	66 (65%)
Male	46 (49%)	57 (56%)
Shared care of children	30 (32%)	32 (32%)

Mediator Behavior

After the initial workshop in MI, all mediators in the MI condition provided audio recordings of their mediation sessions, which were coded using the MITI. The coded sessions were used to provide feedback individually to MI mediators until they were competent in MI. A score of 4 or above on each of the five global rating scales of the MITI is considered MI competent (Moyers et al., 2004).

A sample of 108 mediator audio recordings consisting of 68 intake sessions, (MI = 40, MAU = 28) and 40 conjoint sessions (MI = 25, MAU = 15) were coded for mediator MI competency. The MI mediators scored significantly higher on MI global spirit ($M = 4.41$, $SD = 0.63$) than MAU mediators ($M = 3.91$, $SD = 0.96$), $t(66.18) = 3.07$, $p = .003$, and significantly lower on the MI non adherence scale (MI; $M = .38$, $SD = .80$, MAU; $M = 1.58$, $SD = 3.69$), $t(44.65) = 2.10$, $p = .041$. There was no significant difference between the conditions on MI adherent scores (MI: $M = 2.96$, $SD = 2.95$; MAU: $M = 2.14$, $SD = 1.86$), $t(105.8) = 1.76$, $p = .08$. The effect size of the difference between groups in MI global spirit was moderate to large, $d = .62$, and small to moderate for MI non adherence, $d = .45$.

Agreements and Consumer Satisfaction

A two-way Chi-Square analysis of condition (MAU versus MI) by mediation agreement (full agreement, partial agreement or no agreement) showed there were different rates of reaching agreements between conditions, $\chi^2(2, N= 177) = 7.084$, $p = .029$. As shown in Figure 4.2, higher rates of agreement were reached in MI than MAU, with more people reaching full agreement (MI = 33%, MAU = 16%) and fewer people reaching no agreement (MI = 33%, MAU = 42%). Repeating the analyses just on participants who received the full four hours of MI, or the full four hours of MAU, showed an association of MI with reaching agreement, $\chi^2(2, N = 113) = 6.316$, $p = .043$. The proportion of better outcomes again was higher in MI, (full agreement: MI = 42%, MAU = 21%; no agreement: MI = 19%, MAU = 34%).

There was a low rate of completion of the consumer satisfaction measure; only 36 of the MAU families (38%) and 37 of the MI families (44%) completed the survey. For those who provided consumer satisfaction data there was no difference between mean scores of MI ($M = 4.66$, $SD = 0.85$) and MAU ($M = 4.62$, $SD = 0.86$) on the satisfaction with mediation outcome, $t(71) = .20$, $p = .84$. Nor was there any difference between scores on the

satisfaction with mediation process for MI ($M = 3.82$, $SD = 0.87$) or MAU ($M = 3.83$, $SD = 0.83$), $t(71) = 0.01$, $p = .99$.

A 3 x 2 chi-square analysis of agreement (none, partial or full) by provided consumer satisfaction data (no or yes) showed there was an association between reaching agreement in mediation and providing consumer satisfaction data, $\chi^2(2) = 6.784$, $p = .034$. We examined this association separately by condition and found it was specific to MAU, $\chi^2(2) = 9.297$, $p = .010$. Of the 83 MAU families, 8/35 (23%) who did not reach an agreement, 42% of the 20/35 (58%) who reached a partial agreement, 7/13 (54%) of those who reached a full agreement, provided consumer satisfaction data. In MI there was no association between reaching an agreement and providing satisfaction data, $\chi^2(2) = 3.027$, $p = .220$. Given the differential bias across conditions for providing data, and the overall low rate of response, the results on consumer satisfaction should be interpreted very cautiously.

Figure 4.2 Agreement Rate by Condition

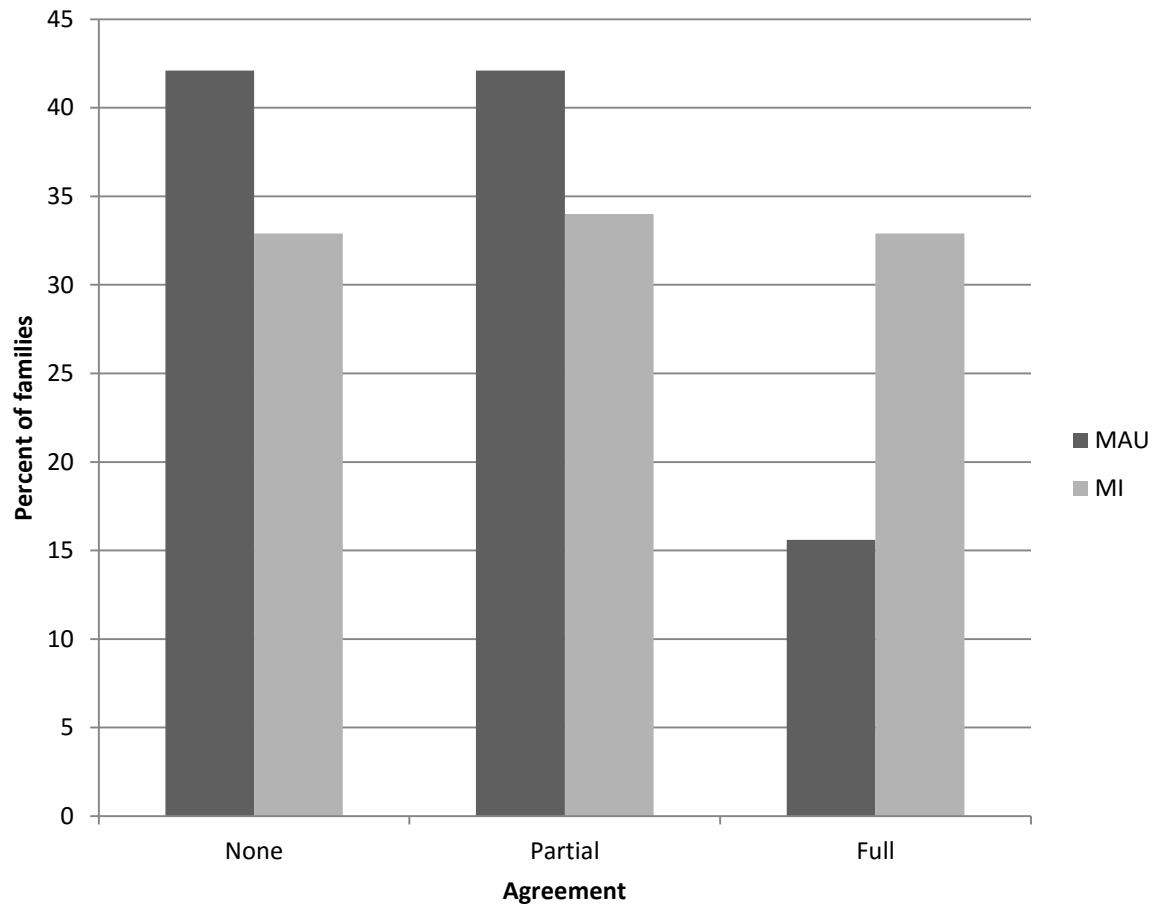


Figure 4.2. Agreement by Condition (MI or MAU) for Intention to Treat Participants

Psychological Outcomes

Of the 177 families in the study, 170 had useable data at time 1 (7 failed to complete 50% of the questionnaire), 101 at post-mediation and 48 at the three month follow-up. Table 4.2 presents the MLM analyses for the intention-to-treat sample, which predicts participant outcome relative to the assigned condition (irrespective of whether they received all of the intended MI or MAU).

Table 4.2.

Multi-Level Modelling of the Trajectory of Psychological Outcomes from Pre-mediation to 3 Month Follow-up by Condition

Outcome	Effect	Df	Chi square	Coefficient	Initial	Slope
Depression Anxiety	Fixed	1	0.82			
Stress	Random	1	3.43		20.18 (12.18)	0.25 (1.74)
	Condition	2	1.31	Condition	2.54 (3.00)	-1.75 (2.48)
Strengths &	Fixed	1	0.64			
Difficulties Questionnaire	Random	1	4.20		8.72 (0.79)	-0.30 (0.45)
	Condition	2	6.85	Condition	1.38 (1.10)	1.29 (0.63)
Inter-parental	Fixed	1	0.70			
Acrimony	Random	1	0.91		2.29 (0.04)	-0.00 (0.03)
	Condition	2	1.95	Condition	0.08 (0.06)	-0.05 (0.05)
Attachment to Former	Fixed	1	13.07*			
Partner	Random	1	20.24*		14.11 (0.84)	-1.06 (0.43)
	Condition	2	5.10	Condition	2.45(1.12)	-0.15 (0.62)

Note. * $p < .05$, Holm-Bonferroni corrected p values.

The table shows the pre-mediation score for the MAU condition, the slope of change in scale points per measurement occasion for the MAU condition, and the coefficients for the difference in pre-mediation score and slope for the MI as against the MAU. Given we had four non-independent outcomes we adjusted the p value using the Holm-Bonferroni sequential correction procedure (Abidi, 2000) to keep the overall experiment wide type 1 error rate at $p = .05$. As shown, there was no change across time, or difference between the conditions, for the first three outcomes: psychological distress assessed on the Depression, Anxiety and Stress scale, child difficulties assessed on the Strengths and Difficulties Questionnaire, or inter-parental acrimony. There was a small ($d = .34$), but statistically reliable decrease in attachment to the former partner across time, but the change did not differ reliably between conditions. In summary, there was little change in any of the outcomes across time, and no evidence of reliable differences between conditions.

Participants Who Did Not Provide Follow Up Data

A substantial number of participants did not provide self-reports of adjustment at post-mediation and/or 3 month follow-up, and missing data might bias the results. We classified participants into those who provided at least one of either the post-mediation or follow up data, and those participants who only provided the pre-mediation assessment. There was no significant difference in mean scores at pre-mediation for those who did or did not provide later data on psychological distress, $t(168) = .281, p = .78$, children's behavioral difficulties, $t(115) = .18, p = .86$, acrimony, $t(163) = .68, p = .49$, or attachment to the former partner, $t(163) = 1.887, p = .06$. Those who provided data were very similar to those who did not on the assessed outcomes at pre-mediation.

We also tested if the participants who completed either post-mediation or follow-up assessments differed at baseline on socio-demographic variables from those that did not complete assessments. Sharing the care of children, $\chi^2(1) = 2.98, p = .273$, previous marital

status, $\chi^2(1) = .014, p = .907$, and having a low income, $\chi^2(1) = 2.65, p = .104$ were not associated with completing assessments. However, fewer participants who had not finished high school completed assessments (33/63, 52%) than those who had finished high school (100/132, 76%), $\chi^2(1) = 10.22, p = .001$.

Discussion

Hypothesis 1 was supported; participants in the motivational interviewing condition (MI) were more likely to reach agreements at mediation than participants in the mediation as usual condition (MAU). Contrary to Hypothesis 2, consumer satisfaction was not reliably higher for MI than MAU, although high rates of missing data might have obscured possible effects on this outcome. Hypothesis 3 that MI would enhance psychological adjustment was not supported. Adult psychological distress, inter-parental acrimony, child behavioral difficulties, and emotional attachment to the former partner showed little change through to 3-month follow-up in either MI or MAU.

Mediation is a widely used intervention in Australia, UK, the US and Canada for resolving parenting issues (Kelly, 2004; Morris et al., 2016). Yet there has only been two published randomized controlled trials of family mediation comparing family mediation with family court litigation (Emery, 1987; Emery, Matthews & Wyer, 1991), and one randomized controlled trial comparing child inclusive with child focused mediation (Ballard, et al., 2013). The current study is the first randomized controlled trial to compare mediator skill within mediation and the first to integrate MI into family mediation. Importantly it showed that introducing MI to family mediation can increase the rate of full agreement and reduce the substantial proportion of couples who fail to reach an agreement with mediation as it is often practiced. While replication of the effect is needed, these results are very encouraging about the potential benefit of use of MI in mediation.

The current research was the first evaluation of telephone-based family mediation. The 58% agreement rate (full and partial) in the MAU condition was higher, and the 67% in the MI condition a lot higher, than the 40% agreement rate reported immediately after mediation in a national Australian study of face-to-face mediation (Moloney et al., 2013). The high agreement rates in MAU relative to the Moloney and colleagues benchmark are particularly noteworthy given that the participants in the current study had a preponderance of low income people with modest formal education, who had a high prevalence of history of inter-partner violence (IPV), and who were a challenging clientele for mediation. The very high agreement rates in MI shows that telephone-based mediation can be successful in helping most parents reach a parenting agreement, which is in line with considerable research that a range of psychological services can be offered effectively using technology rather than face-to-face (Christensen & Hickie, 2010). This use of technology can reduce many reported barriers for client service access, such as travel time and arranging child care (Sullivan, Pasch, Cornelius, & Cirigliano, 2004). In the case of mediation with clients who have a history of IPV, it also provides a sense of safety as it does not require co-parents to meet.

The effects of MI in enhancing telephone-based mediation agreement rates replicate previous research that MI can be delivered successfully in a telephone-based psychological service (Toll et al., 2015). The current study also replicates research that MI can be applied successfully in working with couples (Woodin & O'Leary, 2010) and not just individual clients who have been the focus of most MI research (Miller & Rollnick, 2013).

There also remain some questions about the mechanisms of the effects of MI on reaching agreement in mediation. The higher agreement rate in the MI condition might have been influenced by the extra hours of supervision provided to the MI mediators relative to the MAU mediators. Perhaps supervision promoted reflective practice that enhanced outcome, rather than enhanced agreement rates being a specific effect of introducing MI per se. Good

quality supervision can enhance practitioner self-efficacy and enhance client outcomes even when the focus is not on acquiring particular treatment approaches (e.g., Bambling, King, Raue, Schweitzer, & Lambert, 2006). However, in the current study mediators trained in MI did implement MI more effectively than other mediators. Anecdotally, in reviewing session recordings we noticed that even very occasional breaches of MI recommended behaviors (e.g., giving advice without seeking permission, criticism of a co-parent resisting change) could significantly undermine the process of mediation, particularly with respect to increasing parental resistance to negotiating an agreement. The difficulty in getting a comprehensive sample of sessions recorded and coded in the current study prevented us from doing an analysis of whether MI behavior mediated outcomes, but that would be very useful to do in future research.

When compared to the MAU condition, the MI condition showed an improvement in agreement rates but did not show a reduction in inter-parental conflict, or enhancement of psychological adjustment for the parents or their children. Caution is needed in regard to placing too much weight on the null results, as we had considerable attrition from the follow-up assessments that compromised power to detect effects. None-the-less it is quite possible that successful facilitating of co-parenting agreements does not address all the needs of high conflict separated families. Some separated parents might not have the required knowledge and skills to negotiate a co-parenting agreement, even with the assistance of a mediator. In the US and Australia divorce education programs are widely available (Frackrell, Hawkins & Kay, 2011). A meta-analysis of 19 studies (Frackrell et al., 2011) found a mean small to moderate effect ($d = .39$) of separation education on reducing co-parenting conflict, and improving child and parents' wellbeing. However, 16 of the 19 studies were quasi-experimental or pre-post designs, and high rates of attrition make clear assessment of benefits impossible. Further research is warranted on how co-parenting education might complement

mediation in helping separated parents reduce inter-parental conflict and improve parent and child psychological adjustment.

Strengths and Limitations of the Study

A major strength of this study is that it was conducted in a large community organization servicing a predominantly socially disadvantaged clientele. Families with limited resources often do not achieve the levels of well-being and education for their children as those who come from socially advantaged families (Huston, 2011) and providing an effective service that is inclusive of such families is crucial. Importantly the agency is now planning to include MI training for all its mediators, so the research is having a substantial impact on service provision in a large organization. Moreover, the collaborative agency uses a model of family mediation implemented in over 65 agencies nationwide in Australia as part of a national strategy initiated by the Australian Government (Kaspiew et al., 2009). The generalizability of current findings to other similar community agencies needs to be tested rather than presumed, but the current effectiveness study has higher face validity for its generalizability than most published trials.

At the same time, conducting an effectiveness study in a community organization led to some noteworthy limitations in the research. One limitation was that the mediators in the MI group had more time in training and supervision than mediators in the MAU group. It is possible that the extra time and attention provided to mediators, rather than a specific effect of MI training per se influenced mediator behaviour. Moreover, in order to allow the conduct of the current study, the agency in which the research was conducted had to be persuaded that testing the effects of MI in mediation was potentially useful. When persuaded they were then keen all their mediators be trained in MI. All mediators agreeing to participate in the research were told that they would receive training in MI either immediately or after the completion of the trial. While such an arrangement was required in the negotiations to conduct the study, it

is possible this arrangement created positive expectancies in the mediators about how they might do better with MI. It is known that client outcomes are influenced by the clients having positive expectations of an intervention, that this can be an effect not closely related to the specific effects of the intervention content, and that the belief of the practitioner in the approach they are taking can generate positive expectations in clients (Messer & Wompold, 2002). Future research is needed testing whether changes in mediator use of MI mediates improvements in client outcome which would test for specific versus non-specific effects of MI training.

Problems with recording facilities compromised the comprehensive collection of session recordings, and errors in scheduling of sessions somewhat compromised random allocation. Moreover working with a sample of participants with lower than average education, rather than the highly educated participants often recruited into efficacy studies, was a contributor to the substantial rates of missing data on self-report measures.

It is also possible that the intervention contamination between groups may have contributed to a reduced effect for the MI group. While data was only collected from the initiating parent from each family, 27 families allocated to the MAU group received one or both intake sessions with an MI mediator (1-2 doses), and 37 MI families received one or both intakes from an MAU mediator (1-2 doses). The intended dosage of MI or MAU per family was 4, with one dose allocated per person for each time they engaged with the process. It would appear that even with 39% of the MI families receiving less than 4 doses of MI, and 32% of the MAU group receiving a maximum of 2 doses of MI, a significant improvement in agreement rate can be achieved. It seems likely that the difference between conditions would have been larger if the study were conducted in a tightly controlled efficacy study setting without some of the limitations in the current study implementation.

The long-term maintenance of the effects of MI training on mediator behaviors and client outcomes was not assessed in the current study. MI skills can erode over time and in order to maintain MI skills it is recommended that MI practitioners receive a mix of workshop, supervision and coaching sessions at regular intervals (Schwalbe, Oh, & Zweben, 2014). Initial training in MI in the current study, which included a workshop, group and individual supervision, took 24 hours of mediator time, which is time mediators spent away from direct service delivery. Providing ongoing training and supervision, if that is required, adds to the cost of MI implementation. Future research needs to look at the cost-effectiveness of sustaining effective MI implantation in mediation.

Conclusion

Integrating MI into family mediation substantially improved the rate of agreement achieved by mediation. However, MI did not reduce acrimony, attachment to former partner, and parent or child psychological adjustment. The presence of an MI trained mediator appeared to manage some of the conflict at the time of mediation, however up to a third of separated parents appear to require more support, or a different intervention, to achieve a parenting agreement. Furthermore, it is likely that some of the parents who did achieve an agreement in this study do not have the skills to continue to resolve future conflict in the context of their daily lives. Additional interventions like co-parenting education might address the ongoing requirement of co-parents to re-negotiate parenting agreements as their child grows older, and this possibility should be the focus of future research.

General Discussion

The purpose of the current research was to examine the outcomes for separated families from family mediation, and to test the effectiveness of a motivational interviewing (MI) enhanced version of family mediation. More than half of the participating families who initiated mediation failed to complete the process, but for those who did complete, most were able to reach agreement, and rates of agreement were significantly enhanced for participants in the MI condition.

The results highlight two issues. First, for nearly half of all initiating parents mediation did not proceed because their former partner refused to engage. These families did poorly, reporting chronic acrimony and psychological distress. Second, the MI condition showed an increased agreement rate at mediation but not a reduction in acrimony between parents after mediation. Ongoing parental conflict after mediation risks the collapse of their agreement, and increases the risk of negative consequences for their children (Amato, 2010). Clearly, reaching parenting agreements does not address all the challenges of helping separated families provide a safe and nurturing environment for their children.

The current research highlights that family mediation is likely to be but one piece of a comprehensive system of support for all families who separate. A comprehensive system could provide a stepped care model within which all separated families have access to support, and the level of support provided is variable dependent upon need. Brief support and education can be made universally available, while more time consuming and expensive support can be made available for families with more complex needs. Similar models of stepped care are widely used in the health system (Bower & Gilbody, 2005), for example there is a stepped care model of treating depression (Ekers & Webster, 2012).

In a stepped model of support for separated families, an initial focus at a low intensity level should be on increasing the engagement with as many separated families as possible, to ensure there is universal access to information, education and family assessment options. For example, at the least intensive step there could be online and/or printed resources for parents on what issues to consider when negotiating post separation parenting arrangements. At a somewhat more intensive level of intervention, parents could complete brief assessments online or by telephone with trained personal to evaluate current adjustment to separation to help parents identify appropriate additional services. This assessment could focus on parental conflict, attachment to the former partner, child adjustment and adult psychological distress, as these constructs are associated with poorer outcomes for separated families (Amato, 2010) including unsuccessful mediation (Bickerdike & Littlefield, 2000). More intensive intervention might include co-parenting education. For example, in the US the majority of states (46 states) provide co-parenting education classes at the time couples file for divorce (Pollet & Lombreglia, 2008).

A stepped model of support for those families seeking mediation on parenting agreements, could use pre-mediation assessments to facilitate access to appropriate complementary services. For example, parents who scored highly on scales for conflict might be referred to a pre-mediation intervention designed to reduce inter-parent conflict. Such pre-mediation interventions could both equip conflicted parents with skills to better manage their mediation, and to provide skills for ongoing co-parent communication. A range of targeted interventions could include communication skills for separated parents, conflict management skills, and educational programs focused on meeting children's emotional and psychological needs. In the US, there are many examples of co-parenting education programs focusing on these sorts of objectives for separated parents, although a lack of robust controlled trials

means their effectiveness is unclear (Fackrell, Hawkins & Kay, 2011), but parents report as being very satisfied with such programs (Sigal, Sandler, Wolchick, Braver, 2011).

Mediation incorporating MI produced more agreements than mediation as usual in the current research. However parents continued to report elevated levels of acrimony and psychological distress *after* mediation. It is likely that agreements will collapse if conflict persists, and the high rate of parenting order programs, which are designed to educate and support separated parents maintain their court ordered co-parenting arrangements, are evidence that many parents fail to uphold their court ordered parenting arrangements (Relationships Australia Queensland, 2014). Co-parenting education programs designed to assist parents uphold their agreements and manage conflict more effectively could be delivered after mediation.

One possible brief intervention is a co-parenting check-up session. This could involve assessment and feedback around co-parenting, which could be provided by telephone or online. Similar check-ups with intact couples significantly improve intimacy, satisfaction and acceptance in the couple relationship partners (Cordova et al., 2014). Future research should test the effectiveness of a stepped care model of interventions aimed at improving outcomes for separated families. Conducting effectiveness research with appropriate community agencies already providing mediation could enhance the uptake of such interventions.

Two key findings emerge from the current research: that low engagement in mediation is a challenge and is often associated with poor psychological outcomes, and that motivational interviewing seems to contribute to an enhanced agreement rate for those parents who complete the mediation. Ultimately the aim is to support separated families to provide a nurturing environment in which their children can physically and psychologically thrive. This research project provides a small but important step toward the provision of ongoing comprehensive care for separated parents and their children.

References

- Abidi, H. (2000). Holm's sequential Bonferroni procedure. In N. Salkind (Ed.) *Encyclopaedia of Research Design* (pp. 1-8). Thousand Oaks, California: Sage.
- Amato, P. R. (2000). The Consequences of Divorce for Adult and Children. *Journal of Marriage and Family*, 62, 1269-1287. Doi: 10.1111/j.1741-3737.2000.01269x
- Amato, P. R. (2001). Children of divorce in the 1990s: An update of the Amato and Keith (1991) meta-analysis. *Journal of Family Psychology*, 15(3), 355-370.
Doi:10.1037/0893-3200.15.3.355
- Amato, P. R. (2010). Research on divorce: Continuing trends and new developments. *Journal of Marriage and Family*, 72(3), 650-666. Doi: 10.1111/j.1741-3737.2010.00723.x
- Amato, P. R. (2014). The consequences of divorce for adults and children: An update. *Drustvena Istrazivanja*, 23(1), 5. Retrieved from <http://search.proquest.com/docview/1540738650?accountid=14723>
- Amato, P., & A. Booth. (1996). A prospective study of divorce and parent-child relationships. *Journal of Marriage and the Family*, 58, 356-365. Doi: 10.2307/353501
- Amato, P. R., & Cheadle, J. (2005). The long reach of divorce: Divorce and child well-being across three generations. *Journal of Marriage and Family*, 67(1), 191-206.
Doi:10.1111/j.0022-2445.2005.00014.x
- Amato, P. R., & Fowler, F. (2004). Parenting practices child adjustment and family diversity. *Journal of Marriage and the Family*, 64(3). 703-716. Doi: 10.1111/j.1741-3737.2002.00703x
- Arnold, D. S., O'Leary, S. G., Wolff, L. S., & Acker, M. M. (1993). The parenting scale: A measure of dysfunctional parenting in discipline situations. *Psychological Assessment*, 5(2), 137-144. Doi: 10.1037/1040-3590.5.2.137

- Aubrey, L. (1998). Motivational interviewing with adolescents presenting for outpatient substance abuse treatment. *Dissertation Abstracts International: Section B: The Sciences and Engineering*, 59(3-B). Retrieved from <http://psycnet.apa.org/psycinfo/1998-95018-121>
- Australian Government, Attorney Generals Department. (2013). Family Dispute Resolution Practitioners Fact Sheet (webpage). Retrieved from <https://www.ag.gov.au/FamiliesAndMarriage/Families/FamilyDisputeResolution/Documents/Fact%20sheet%20FDR%20Practitioner%20Obligations%20to%20clients.pdf> Australian Government Attorney Generals Department. Australian Bureau of Statistics. (2010). *Births Australia, 3301.0*. Retrieved from www.abs.gov.au/ausstats/abs@.nsf/0/3E003BC3FAFF6543CA2579330016756C?open=document
- Australian Bureau of Statistics. (2011). *Family Characteristics, 4442.0*. Retrieved from [ww.abs.gov.au/AUSSTATS/abs@.nsf/Previousproducts/4442.0Main%20Features22009-10?opendocument](http://www.abs.gov.au/AUSSTATS/abs@.nsf/Previousproducts/4442.0Main%20Features22009-10?opendocument)
- Australian Bureau of Statistics. (2013). *Marriages and Divorces Australia, 2013*. Retrieved from <http://www.abs.gov.au/ausstats/abs@.nsf/mf/3310.0>
- Australian Bureau of Statistics. (2015). *Average weekly earnings, Australia*. Retrieved from <http://www.abs.gov.au/ausstats/abs@.nsf/mf/6302.0/>
- Australian Government, Attorney General's Department. (2016). Family Violence Act (webpage). Retrieved from <https://www.ag.gov.au/familyviolenceact>
- Australian Government Attorney Generals Department. (2016). *Children and Family Law*. Retrieved from <https://www.ag.gov.au/FamiliesAndMarriage/Families/ChildrenAndFamilyLaw/Pages/default.aspx>

- Australian Government. (2016). Family law (webpage). Retrieved from <http://www.familycourt.gov.au/wps/wcm/connect/fcoaweb/family-law-matters/family-law-in-australia/no-fault-divorce/>.
- Australian Government. (2016). Family relationships online (webpage). Retrieved from <http://www.familyrelationships.gov.au/Pages/default.aspx>
- Australian Institute of Family Studies. (2010). *Families then and now: 1980- 2010*. Retrieved from <https://aifs.gov.au/publications/families-then-and-now-1980-2010>
- Ballard, R. H., Holtzworth-Munroe, A., Applegate, A. G., D'Onofrio, B. M., & Bates, J. E. (2013). A randomized controlled trial of child-informed mediation. *Psychology, Public Policy, and Law*, 18, 271-281. Doi: 10.1037/a0033274
- Bannink, F. P. (2007). Solution-Focused Mediation: The Future with a Difference. *Conflict Resolution Quarterly*, 25(2). Doi: 10.1002/crq.203
- Bambling, M., King, R., Raue, P., Schweitzer, R., & Lambert, W. (2006). Clinical supervision: its influence on client-rated working alliance and client symptom reduction in the brief treatment of depression. *Psychotherapy Research*, 16(3), 317-331. Doi: 10.1080/10503300500268524
- Bausermann, R. (2002). Child adjustment in joint custody versus sole custody arrangements: A meta-analytic review. *Journal of Family Psychology*, 16(1), 91-102. Doi: 10.1037/0893-3200.16.1.91
- Bickerdike, A., & Littlefield, L. (2000). Divorce adjustment and mediation: Theoretically grounded process research. *Mediation Quarterly*, 18(2), 181-201. Doi: 10.1002/crq.3890180207
- Bien, T. H., Miller, W. R., & Boroughs, J. M. (1993). Motivational interviewing with alcohol outpatients. *Behavioural and Cognitive Psychotherapy*, 21(4), 347-356. Doi: 10.1017/S135246580001167X

- Bing, N., Nelson III, W., & Wesolowski, K. (2009) Comparing the Effects of Amount of Conflict on Children's Adjustment Following Parental Divorce. *Journal of Divorce & Remarriage*, 50(3), 159-171, Doi: 10.1080/10502550902717699
- Bower, P., & Gilbody, S. (2005). Stepped care in psychological therapies: access, effectiveness and efficiency: Narrative literature review. *British Journal of Psychiatry*, 186(1), 11-17. Doi: 10.1192/bjp.186.1.11
- Bradley, R. H., & Corwyn, R. F. (2002). Socio-economic status and child development. *Annual Review of Psychology*, 53(1), 371-399. Doi: 10.1146/annurev.psych.53.100901.135233
- Brown, J. M., & Miller, W. R. (1993). Impact of motivational interviewing on participation and outcome in residential alcoholism treatment. *Psychology of Addictive Behaviors*, 7(4), 211-218. Doi:10.1037/0893-164X.7.4.211
- Buchanan, C. M. (2005). Girl's adjustment to divorce and remarriage. In D. J. Bell, S. L. Foster & E. J. Mash (Eds.), *Handbook of behavioral and emotional problems in girls* (pp. 415–438). New York, NY: Kluwer Academic/Plenum Publishers.
- Caruana, C. (2011). Divorce and Wellbeing in Later Life: trends and statistics. *Family Relationships Quarterly*, 18. Retrieved from <https://aifs.gov.au/cfca/publications/family-relationships-quarterly-no-18/divorce-and-wellbeing-later-life-trends>
- Cantor, C. H., & Slator, P. J. (1995). Marital breakdown, parenthood, and suicide. *Journal of Family Studies*, 1(2), 91–102. Doi: 10.5172/jfs.1.2.91
- Centers for Disease Control and Prevention. (2012). *National Marriage and Divorce Rate Trends*. Retrieved from http://www.cdc.gov/nchs/nvss/marriage_divorce_tables.htm
- Centers for Disease Control and Prevention. (2015). *National Survey of Family Growth*. Retrieved from http://www.cdc.gov/nchs/nsfg/nsfg_2011_2013_puf.htm

- Cherlin, A. J., Chase-Lansdale, P. L., & McRae, C. (1998). Effects of parental divorce on mental health throughout the life course. *American Sociological Review*, 63(2), 239-249. Retrieved from www.jstor.org/stable/265732
- Cheung, R. Y. M., Cummings, E. M., Zhang, Z., & Davies, P. T. (2015). Trivariate modeling of interparental conflict and adolescent emotional security: An examination of Mother–Father–Child dynamics. *Journal of Youth and Adolescence*, 1-17. Doi: 10.1007/s10964-015-0406-x
- Christensen, H., & Hickie, B. (2010). A new era in mental health services. *Medical Journal Australia*, 192(1), 353-356. Retrieved from <https://www.mja.com.au/journal/2010/192/11/e-mental-health-new-era-delivery-mental-health-services>
- Cohen, O. (2009). Listening to clients: Facilitating factors, difficulties, impediments, and turning points in divorce mediation. *Family Therapy*, 38(2), 63-82. Retrieved from <http://psycnet.apa.org/psycinfo/2009-19735-001>
- Commonwealth Courts Portal. (2009). Family Court of Australia, Compulsory Family Dispute Resolution- Court Procedures and Requirements (webpage). Retrieved from <http://www.familycourt.gov.au/wps/wcm/connect/fcoaweb/reports-and-publications/publications/getting-ready-for-court/compulsory-family-dispute-resolution-court-procedures-and-requirements>
- Commonwealth Courts Portal. (2013). Family Court of Australia, Family Consultants (webpage). Retrieved from <http://www.familycourt.gov.au/wps/wcm/connect/fcoaweb/reports-and-publications/publications/child+dispute+services/family-consultants>

- Commonwealth Courts Portal. (2013). Family Court of Australia, No Fault Divorce (webpage). <http://www.familycourt.gov.au/wps/wcm/connect/fcoaweb/family-law-matters/family-law-in-australia/no-fault-divorce/>
- Community Law Association Australia. (2012). Unaffordable and Out of Reach. The Problem of Access to the Australian Legal System (webpage). Retrieved from http://www.communitylawaustralia.org.au/wp-content/uploads/2012/07/CLA_Report_Final.pdf
- Copen, C., Daniels, K., & Mosher, W. D. (2013). First premarital cohabitation in the United States: 2006-2010. National Survey of Family Growth. *National Health Statistics Report, 64*. Retrieved from www.cdc.gov/nchs/data/nhsr/nhsr064.pdf
- Cordova, J. V., Fleming, C. J. E., Morrill, M. I., Hawrilenko, M., Sollenberger, J. W., Harp, A. G., . . . Wachs, K. (2014). The Marriage Checkup: A randomized controlled trial of annual relationship health checkups. *Journal of Consulting and Clinical Psychology, 82*(4), 592-604. Doi: 10.1037/a0037097
- Cummings, E. M., & Davies, P. T. (2010). *Marital conflict and children: An emotional security perspective*. New York: Guilford Press.
- Davies, P. T., Cummings, E. M., & Winter, M. A. (2004). Pathways between profiles of family functioning, child security in the interparental subsystem, and child psychological problems. *Development and Psychopathology, 16*(3), 525-550. Doi: 10.1017/S0954579404004651
- De Vaus, D., Gray, M., Qu, L., & Stanton, D. (2014). The Economic Consequences of Divorce in Australia. *International Journal of Law, Policy and the Family, 28*(1), 26-47. Doi:10.1093/lawfam/ebt014

- deLuse, S. R., & Braver, S. L. (2015). A rigorous quasi-experimental design to evaluate the causal effect of mandatory divorce education program. *Family Court Review, 53*(1), 66-78. Doi: 10.1111/fcre.12131
- Doss, B. D., Rhoades, G. K., Stanley, S. M., & Markman, H. J. (2009). The effect of the transition to parenthood on relationship quality: An 8-year prospective study. *Journal of Personality and Social Psychology, 96*(3), 601–619. Doi: 10.1037/a0013969
- Ekers, D., & Webster, L. (2012). An overview of the effectiveness of psychological therapy for depression and stepped care service delivery models. *Journal of Research in Nursing, 18*(2), 171-184. Doi: 10.1177/1744987112466254
- Elliott, R., Bohart, A., Watson, J., & Greenberg, L. (2011). Empathy. *Psychotherapy, 48*(1), 43-49. Doi: 10.1037/a0022187
- Emery, R. E. (1982). Inter-parental conflict and the children of discord and divorce. *Psychological Bulletin, 92*(2), 310-330. Doi: 10.1037/0033-2909.92.2.310
- Emery, R.E. (2004). *The truth about children and divorce*. New York: Viking.
- Emery, R. E. (2011). *Renegotiating Family Relationships: Divorce, Child Custody, and Mediation (2nd Ed.)*. New York, NY: Guilford.
- Emery, R. E., Matthews, S. G., & Wyer, M. M. (1991). Child custody mediation and litigation: Further evidence on the differing views of mothers and fathers. *Journal of Consulting and Clinical Psychology, 59*(3), 410-418. Doi:10.1037/0022-006X.59.3.410
- Emery, R., Sbarra, D., & Grover, T. (2005). Divorce Mediation: Research and reflections. *Family Court Review, 43*(1), 22-37. Doi: 10.1111/j.1744-1617.2005.00005.x.
- Emery, R. E., Waldron, M., Kitmann, K., & Aaron, J. (1999). Delinquent behavior, future divorce or nonmarital childbearing, and externalizing behavior among offspring: A 14-

- year prospective study. *Journal of Family Psychology*, 13(4), 568–579. Doi: 10.1037/0893-3200.13.4.568
- Emery, R. E., & Wyer, M. M. (1987). Child custody mediation and litigation: an experimental evaluation of the experience of parents. *Journal of Consulting and Clinical Psychology*, 55(2), 179-186. Doi: 10.1037/0022-006X.55.2.179
- Federal Circuit Court of Australia. (2014). *Australian Government, Federal Circuit Court Annual Report, 2013-2014*. Retrieved from <http://www.federalcircuitcourt.gov.au/pubs/html/annual.html>
- Federal Magistrates Court Australia. (2009-2010). *Australian Government, Annual Report, Canberra. [Electronic Version]*. Retrieved from www.fmc.gov.au/pubs/html/annual.html.
- Fehlberg, B., & Millward, C. (2013). Post-separation parenting and financial arrangements over time: Recent qualitative findings. *Family Matters*, 92, 29-40. Retrieved from <https://aifs.gov.au/publications/family-matters/issue-92/post-separation-parenting-and-financial-arrangements-over-time>
- Festinger, D.S., Lamb, R.J., Marlowe, D.B. & Kirby, K.C. (2002). From telephone to office: Intake attendance as a function of appointment delay. *Addictive Behaviors*, 27, 131–137. Doi: 10.1016/S0306-4603(01)00172-1
- Folger, J., & Bush, R. (1994). *The Promise of Mediation: responding to conflict through empowerment and recognition*. Jossey-Bass: San Francisco.
- Folberg, J., & Taylor, A. (1984). *Mediation: A Comprehensive Guide to resolving Disputes without Litigation*. Jossey- Bass: San Francisco.
- Frackrell, T.A., Hawkins, A.J., & Kay, N.M. (2011). How effective are court-affiliated divorcing parents' education programs? A meta-analytic study, *Family Court Review*, 49, 107-119. Doi: 10.1111/j.1744-1617.2010.01356.x

- Gabel, S. (2003). Mediation and psychotherapy: two sides of the Same Coin? *Negotiation Journal, 19*, 315 – 328. Retrieved from <http://search.proquest.com/docview/205152394?accountid=14723>
- Garner, T. (1989). Child Custody Mediation: A Proposed Alternative to Litigation. *Journal of Dispute Resolution, 1989*, 139. Retrieved from <http://scholarship.law.missouri.edu/jdr/vol1989/iss/8>
- Gennetian, L. A., & Morris, P. A. (2003). The effects of time limits and make-work-pay strategies on the well-being of children: Experimental evidence from two welfare reform programs. *Children and Youth Services Review, 25*(1), 17-54. Doi: 10.1016/S0190-7409(02)00265-7
- Goodman, R. (2001). Psychometric properties of the Strengths and Difficulties Questionnaire. *Child and Adolescent Psychiatry, 40*(11), 1337-1345. Doi: 10.1097/00004583-200111000-00015
- Halford, W. K., Price, J., Kelly, A. B., Bouma, R., & Young, R. M. (2001). Helping the female partners of men abusing alcohol: A comparison of three treatments. *Addiction, 96*(10), 1497-1508. Doi: 10.1046/j.1360-443.2001.9610149713.x
- Halford, W. K., & Sweeper, S. (2013). Trajectories of adjustment to couple relationship separation. *Family Process, 52*(2), 228-243. Doi: 10.1111/famp.12006
- Hayes, A., Weston, R., Qu, L., & Gray, M. (2010). *Families Then and Now, 1980-2010*. Melbourne, Australia: Australian Institute of Family Studies. Retrieved from <https://aifs.gov.au/publications/families-then-and-now-1980-2010>
- Hetherington, E. M. (2003). Social support and the adjustment of children in divorced and remarried families. *Childhood, 10*(2), 217-236. Doi: 10.1177/0907568203010002007

- Hettema, J., Steele, J., & Miller, W. (2005). Meta-analysis of research on motivational interviewing treatment effectiveness (MARMITE). *Annual review of Clinical Psychology, 1*. Retrieved from www.annualreviews.org/action/doSearch?pageSize=20&AllField=Meta+analysis+of+research+on+motivational+interviewing+treatment+effectiveness+&type=this
- Heyman, R. E., Slep, A. M. S., Snarr, J. D., & Foran, H. M. (2013). Practical tools for assessing partner maltreatment in clinical practice and public health settings. In H. Foran (Eds.), *Family Problems and Family Violence: Reliable Assessment and the ICD-11 (p.43)*. New York, New York: Springer.
- Holtzworth-Munroe, A. (2011). Controversies in divorce mediation and intimate partner violence: A focus on the children. *Aggression and Violent Behavior, 16*(4), 319-324. Doi:10.1016/j.avb.2011.04.009
- Huntington, C. (2009). Happy families? Translating positive psychology into family law. *Virginia Journal of Social Policy & the Law, 16*(2), 385. Retrieved from, http://ir.lawnet.fordham.edu/faculty_scholarship/179
- Huston, A. (2011). Children in poverty. Can public policy alleviate the consequences? *Family Matters, 87*, 13-26. Retrieved from <https://aifs.gov.au/sites/default/files/fm87c>.
- Institute of Marriage and Family Canada. (2013). *Cohabitation*. Retrieved from <http://www.imfcanada.org/fact-sheet/cohabitation>
- Irving, H., & Benjamin, M. (2002). *Therapeutic family mediation: Helping families resolve conflict. [Sage Digital Editions Version]*. Doi: 10.4135/9781452231747
- Jenkins, J., Simpson, A., Dunn, J., Rasbash, J., & O'Connor, T. G. (2005). Mutual influence of marital conflict and children's behavior problems: Shared and nonshared family risks. *Child Development, 76*(1), 24-39. Doi:10.1111/j.1467-8624.2005.00827.x

- Johnson, H., La Voie, C., & Mahoney, M. (2001). Inter-parental conflict and family cohesion: predictors of loneliness, social anxiety and social avoidance in late adolescence. *Journal of Adolescent Research, 16*(3), 304-318. Doi: 10.1177/0743558401163004
- Kaspiew, R., Carson, R., Dunstan, J., De Maio, J., Moore, S., Moloney, L., Smart, D., Qu, L., Coulson, M. & Tayton, S. (2015). *Experiences of Separated Parents Study (Evaluation of the 2012 Family Violence Amendments)*. Melbourne: Australian Institute of Family Studies. Retrieved from <https://aifs.gov.au/sites/default/files/efva-esps.pdf>
- Kaspiew, R., Gray, M., Weston, R., Moloney, L., Hand, K., Qu, L., & the Family Law Evaluation Team. (2009). *Evaluation of the 2006 Family Law Reforms*. Melbourne: Australian Institute of Family Studies. Retrieved from <https://aifs.gov.au/publications/evaluation-2006-family-law-reforms>
- Kaspiew, R., Moloney, L., Dunstan, J., & De Maio, J. (2015). *Family law court filings 2004–05 to 2012–13 (Research Report No. 30)*. Melbourne: Australian Institute of Family Studies. Retrieved from <https://aifs.gov.au/publications/family-law-court-filings-2004-05-2012-13>
- Kelly, J. B. (1996). A decade of divorce mediation research: Some answers and questions. *Family and Conciliation Courts Review, 34*(3), 373-385. Doi:10.1111/j.174-1617.1996.tb00427.x
- Kelly, J. B. (2003). Changing perspectives on children's adjustment following divorce: A view from the United States. *Childhood, 10*(2), 237-254. Doi: 10.1177/0907568203010002008
- Kelly, J. B. (2004). Family mediation research: Is there empirical support for the field? *Conflict Resolution Quarterly, 22*(1-2), 3-35. Doi: 10.1002/crq.90

- Kelly, J. B. (2005). Developing beneficial parenting plan models for children following separation and divorce. *Journal of the American Academy of Matrimonial Lawyer*, 19(2), 237. Retrieved from <http://heinonline.org.ezproxy.library.uq.edu.au/HOL/Page?handle=hein.journals/jaaml19&id=251>
- Kelly, J. B., & Emery, R. E. (2003). Children's adjustment following divorce: Risk and resilience perspectives. *Family Relations*, 52(4), 352-362. Doi:10.1111/j.1741-3729.2003.00352.x
- Kelly, J. B., & Gigy, L. (1988). Measuring client's perceptions and satisfaction. *Mediation Quarterly*, 19, 43-62. Doi: 10.1002/crq.39019881907
- Kourlis, R. L., Taylor, M., Schepard, A., & Pruett, M. K. (2013). Iaals' Honoring Families Initiative: Courts and Communities Helping Families in Transition Arising from Separation or Divorce. *Family Court Review*, 51(3), 351–376. Doi: 10.1111/fcre.12032
- Kposowa, A. J. (2000). Marital status and suicide in the national longitudinal mortality study. *Journal of Epidemiology and Community Health (1979-)*, 54(4), 254-261. doi:10.1136/jech.54.4.254
- Kramrei, E., Coit, C., Martin, S., Fogo, W., & Mahoney, A. (2007). Post- divorce adjustment and social relationships. *Journal of Divorce & Remarriage*, 46(3-4), 145- 166. Doi: 10.1300/J087v46n03_09
- Kruk, E. (1998). Practise issues, strategies, and models. The current state of the art of family mediation. *Family and Conciliation Courts Review*, 36(2), 195-215. Doi: 10.1111/j.174-1617.1998.tb00504.x
- Lebow, J., & Newcomb, K. R. (2007). Integrative family therapy for High-Conflict divorce with disputes over child custody and visitation. *Family Process*, 46(1), 79-91. Doi: 10.1111/j.1545-5300.2006.00193.x

- Lesthaeghe, R. (2010). The Unfolding Story of the Second Demographic Transition. *Population and Development Review*, 36(2), 211–251. Doi: 10.1111/j.1728-4457.2010.00328.x
- Lorenz, F. O., Wickrama, K. A. S., Conger, R. D., & Elder, G. H. (2006). The short-term and decade long effects of divorce on women's midlife health. *Journal of Health and Social Behavior*, 47(2), 111 – 125. Doi: 10.1177/002214650604700202
- Lovibond, P. F., & Lovibond, S. H. (1995). The structure of negative emotional states: Comparison of the depression anxiety stress scales (DASS) with the Beck depression and anxiety inventories. *Behaviour Research and Therapy*, 33(3), 335-343. Doi: 10.1016/0005-7967(94)00075-U
- Marcum, T. M., Stoner, C. R., & Perry, S. J. (2012). Reframing the mediation lens: The call for a situational style of mediation. *Southern Illinois University Law Journal*, 36(2), 317. Retrieved from, <http://heineonline.org>
- Maldonado, S. (2014). Shared parenting and never-married families. *Family Court Review*, 52(4), 632-638. Doi: 10.1111/fcre.12113
- Mayer, B. (2000). *The dynamics of conflict resolution: A practitioner's guide*. San Francisco: Jossey-Bass.
- Martinez, C. R., & Forgatch, M. S. (2002). Adjusting to change: Linking family structure transitions with parenting and boys' adjustment. *Journal of Family Psychology*, 16(2), 107-117. Doi: 10.1037/0893-3200.16.2.107
- McIntosh, J. E. & Long, C. M. (2006). Children Beyond Dispute; A prospective study of outcomes from child focused and child inclusive post-separation family dispute resolution. Final Report. Australian Government AttorneyGeneral's Department. Canberra. Retrieved from

<https://www.ag.gov.au/Publications/Documents/ArchivedFamilyLawPublications/Report1.pdf>

Melbourne Institute Labour Economics and Social Policy. (2014). *Poverty Lines Australia*.

Retrieved from <https://www.melbourneinstitute.com/miaesr/publications/indicators/poverty-lines-australia.html>

Messer, S. B. & Wampold, B.E. (2002). Let's face facts: Common factors are more potent than specific therapy ingredients. *Clinical Psychology: Science and Practice*, 9, 21–25. DOI: 10.1093/clipsy.9.1.21.

Miller, W., & Rollnick, S. (2013). *Motivational Interviewing: preparing people for change (3rd Ed.)*. New York, New York: Guilford Press.

Miller, W., & Rose, G. (2015). Motivational Interviewing and Decisional Balance: Contrasting Responses to Client Ambivalence. *Journal of Behavioral and Cognitive Psychotherapy*, 43(2), 129-141. Doi: 10.1017/S1352465813000878

Miller, W. R., Sovereign, R. G., & Krege, B. (1988). Motivational interviewing with problem drinkers: II. The Drinker's Check-up as a preventive intervention. *Behavioural Psychotherapy*, 16, 251- 268. Doi: 10.1017/S0141347300014129

Miller, W. R., Yahne, C. E., Moyer, T. B., Martinez, J., & Pirritano, M. (2004). A randomised controlled trial of methods to help clinicians learn motivational interviewing. *Journal of Consulting and Clinical Psychology*, 72(6). Doi: 10.1037/0022-006X.72.6.1050

Moloney, L., Qu, L., Weston, R., & Hand, K. (2013). Evaluating the work of Australia's Family Relationship Centres: Evidence from the first 5 years. *Family Court Review*, 51(2), 234-249. Doi: 10.1111.fcrc.12023

- Morris, M., & Halford, W. K. (2014). Family mediation: A guide for family therapists. *Australian and New Zealand Journal of Family Therapy*, 35(4), 479–492. Doi: 10.1002/anzf.1078
- Morris, M., Halford, W.K., Petch, J., & Hardwick, D. (2015). Predictors of Engaging with Family Mediation and the Outcomes for those Families who Fail to Engage. Manuscript submitted for publication.
- Moyers, T., Martin, T., Manuel, B. A., Hendrickson, S., & Miller, W. (2005). Assessing competence in the use of motivational interviewing. *Journal of Substance Abuse Treatment*, 28(1), 19-26. Doi 10.1016/j.jsat.2004.11.001
- National Center for Health Statistics, (2007). *Marriage and cohabitation in the United States: A statistical portrait based on cycle 6 of the National Survey of Family Growth*. Vital Health Statistics (Series 23). Retrieved from http://www.cdc.gov/nchs/data/series/sr_23/.
- National Center for Court Statistics. (2012). Examining the Work of State Courts: an Analysis of 2010 State Court Caseloads. Retrieved from http://www.courtstatistics.org/other-pages/~/_media/microsites/files/csp/data%20pdf/csp_dec.ashx
- Noller, P., Feeney, J., Sheehan, G., Darlington, Y., & Rogers, C. (2008). Conflict in Divorcing and Continuously Married Families: A Study of Marital, Parent–Child and Sibling Relationships. *Journal of Divorce & Remarriage*, 49(1), 1-24, Doi: 10.1080/10502550801971223
- Office of National Statistics. (2014). *Families and Households*. Retrieved from <http://www.ons.gov.uk/ons/rel/family-demography/families-and-households/2014/families-and-households-in-the-uk--2014.html>

- Osborne, C., & McLanahan, S. (2007). Partnership Instability and Child Well-Being. *Journal of Marriage and Family*, *69*, 1065–1083. Doi: 10.1111/j.1741-3737.2007.00431.x
- Overbeek, G., Vollebergh, W., Graaf, R. D., Scholte, R., Kemp, R. D., & Engels, R. (2006). Longitudinal associations of marital quality and marital dissolution with the incidence of DSM-III-R disorders. *Journal of Family Psychology*, *20*(2), 284-291.
Doi:10.1037/0893-3200.20.2.284
- Parkinson, P. (2013). The idea of family relationship centres in Australia. *Family Court Review*, *51*(2), 195-213. Doi: 10.1111/fcre.12020
- Pollet, S. L., & Lombreglia, M. (2008). A nationwide survey of mandatory parent education. *Family Court Review*, *46*(2), 375–394. Doi: 10.1111/j.1744-1617.2008.00207.x
- Pruett, M., Williams, T., Insabella, G., & Little, T. (2003). Family and legal indicators of child adjustment to divorce among families with young children. *Journal of Family Psychology*, *17*(2), 169–180. Doi:10.1037/0893-3200.17.2.169
- Qu, L., & Weston, R. (2010). Parenting dynamics after separation; A follow-up study of parents who separated after the 2006 family law reforms. Canberra. Australian Institute of Family Studies. Retrieved from
<https://www.ag.gov.au/Publications/Documents/ArchivedFamilyLawPublications/Parenting%20dynamics%20after%20separation-%20A%20follow-up%20study%20of%20parents%20who%20separated%20after%20the%202006%20family%20law%20reforms.pdf>
- Qu, L., & Weston, R. (2015). Children's views about parental separation in *LSAC Annual Statistical Report 2014*. Australian Institute of Family Studies, Melbourne.
Retrieved from
<http://www.growingupinaustralia.gov.au/pubs/asr/2014/asr2014b.html>

- Qu, L., R. Weston., & de Vaus, D. (2009). Cohabitation and Beyond: The Contribution of Each Partner's Relationship Satisfaction and Fertility Aspirations to Pathways of Cohabiting Couples. *Journal of Comparative Family Studies*, 40(4), 587-601.
Retrieved from [www.https://soci.ucalgary.ca/jfs](http://www.soci.ucalgary.ca/jfs)
- Qu, L., Weston, R., Moloney, L., Kaspiew, R., & Dunstan, J. (2014). Post separation parenting, property and relationship dynamics after five years. Melbourne: Australian Institute of Family Studies (webpage). Retrieved from <https://www.ag.gov.au/Publications/Documents/Post-SeparationParentingPropertyAndRelationshipDynamicsAfterFiveYears/post-separation-parenting-property-and-relationship-dynamics-after-five-years-full-document.PDF>
- Rasbash, J., Charlton, C., Browne, W. J., Healy, M., & Cameron, B. (2005). *MLwiN Version 2.02*. Centre for Multilevel Modelling, University of Bristol.
- Raz-Yurovich, L. (2013). Divorce penalty or divorce premium? A longitudinal analysis of the consequences of divorce for men's and women's economic activity. *European Sociological Review*, 29(2). Doi: 10.1093/esr/jcr073
- Relationships Australia Queensland (2014). *Annual Report*. Retrieved from http://www.raq.org.au/sites/default/files/pages/ra_qld_annual_report_2014_19267.pdf
- Rhoades, G.K., Dush, C.M.K., Atkins, D.C., Stanley, S.M., & Markman, H.J. (2011). Breaking up is hard to do: The impact of unmarried relationship dissolution on mental health and life satisfaction. *Journal of Family Psychology*, 25(3), 366–374.
Doi: 10.1037/a0022627
- Roberts, M., & Ebooks Corporation. (2014). *Mediation in family disputes: Principles of practice* (Fourth edition). Burlington, VT, USA; Farnham, Surrey, England.
- Rogers, C. (1980). *A Way of Being*. Boston: Houghton Mifflin.

- Rudd, B. N., Ogle, R. K., Holtzworth-Munroe, A., Applegate, A. G., & D'Onofrio, B. M. (2015). Child-informed mediation study follow up: Comparing the frequency of re-litigation following different types of mediation. *Psychology, Public Policy, and Law*. Advance online publication. Doi: 10.1037/law0000046
- Salem, P., Sandler, I., & Wolchik, S. (2013). Taking stock of parent education in the family courts: envisioning a public health model. *Family Court Review*, 51(1), 131-148. Doi: 10.1111/fcre.12104
- Sandler, L., Miles, J., Cookston, J., & Braver, S. (2008). Effects of father and mother parenting on children's mental health in high-and-low-conflict divorces. *Family Court Review*, 46(2), 282-296. Doi: 10.1111/j.1744-1617.2008.00201.x
- Sarigiani, P. A., Heath, P. A., & Camarena, P. M. (2003). The significance of parental depressed mood for young adolescents' emotional and family experiences. *The Journal of Early Adolescence*, 23(3), 241-267. Doi: 10.1177/0272431603254292
- Sbarra, D. A., & Emery, R. E. (2005). Coparenting, nonacceptance, and depression among divorced adults: Results from a 12-year follow-up study of child custody mediation using multiple imputation. *American Journal of Orthopsychiatry*, 75(1), 63-75. Doi: 10.1037/0002-9432.75.1.63
- Sbarra, D. A., & Emery, R. E. (2008). Deeper into divorce: Using actor-partner analyses to explore systemic differences in coparenting conflict following custody dispute resolution. *Journal of Family Psychology*, 22(1), 144. Doi: 10.1037/0893-3200.22.1.144
- Shepard, R. (2010). The Self-Represented Litigant: Implications for the Bench and Bar. *Family Court Review*, 48(4), 607-618. Doi: 10.1111/j.1744-1617.2010.01336.x
- Shaw, L. A. (2010). Divorce mediation outcome research: A meta-analysis. *Conflict Resolution Quarterly*, 27(4), 447-467. Doi: 10.1002/crq.20006

- Schwalbe, C., Oh, H., & Zweben, A. (2014). Sustaining motivational interviewing: a meta-analysis of training studies. *Addiction, 109*(8), 1287-1294. Doi: 10.1111/add.12558
- Sigal, A., Sandler, I., Wolchik, S., & Braver, S. (2011). Do parent education programs promote healthy post-divorce parenting? Critical distinctions and a review of the evidence. *Family Court Review, 49*(1), 120-139. Doi:10.1111/j.1744-1617.2010.01357.x2011
- Slaikeu, K., Culler, R., Pearson, J., & Thoennes, N. (1985). Process and outcome in divorce mediation. *Mediation Quarterly, 10*(55), 55-74. Doi: 10.1002/crq.39019851005
- Smyth, B. (2005). Parent-child contact in Australia: Exploring five different patterns of post separation parenting. *International Journal of Law, Policy and the Family, 19*(1), 1-22. Doi: 10.1093/lawfam/ebi001
- Smyth B. (2005). Time to rethink *time*? The experience of time with children after divorce. *Family Matters, 71*, 4–10. Retrieved from, <https://aifs.gov.au/publications/family-matters/issue-71>
- Smyth, B., & Moloney, L. (2003). Therapeutic divorce mediation: Strengths, limitations, and future directions. *Journal of Family Studies, 9*(2), 161-186. Doi:10.5172/jfs.9.2.161
- Statistics Norway. (2015). *Births 2004-2014*. Retrieved from <https://www.ssb.no/en/befolkning/statistikker/fodte/aar/2015-03-26>
- Stefano, G., & Cyr, F. (2014). Child Adjustment Following Parental Separation: The Role of Maternal Well-Being, Parenting Quality, and Household Income. *Journal of Child Custody, 11*(1), 5-24. Doi: 10.1080/15379418.2014.892802
- Stone, L., Otten, R., Engels, R.C.M.E., Vermulst, A., & Janssens, J. (2010). Psychometric properties of the parent and teacher versions of the Strengths and Difficulties Questionnaire for 4- to 12-year-olds: A review. *Clinical Child Family Psychology Review, 13*(3), 254–274. Doi: 10.1007/s10567-010-0071-2.

- Sullivan, K. T., Pasch, L. A., Cornelius, T., & Cirigliano, E. (2004). Predicting participation in premarital prevention programs: The health belief model and social norms. *Family Process, 43*(2), 175-193. Doi: 10.1111/j.1545-5300.2004.04302004.x
- Sweeper, S., & Halford, W. K. (2006). Assessing adult adjustment to relationship separation: The Psychological Adjustment to Separation Test (PAST). *Journal of Family Psychology, 20*(4), 632-640. Doi: 10.1037/0893-3200.20.4.632
- Swift, J. K., & Greenberg, (2012). Premature discontinuation in adult psychotherapy: A meta-analysis. *Journal of Consulting and Clinical Psychology, 80*(4), 547-559. Doi: 10.1037/a0028226.
- Tai, T., Baxter, J., & Hewitt, B. (2014). Do co-residence and intentions make a difference? Relationship satisfaction in married, co-habiting and living apart together couples in four countries. *Demographic Research, 31*, 71-104. Doi: 10.4054/DemRes.2014.31.3
- The Parliament of the Commonwealth of Australia, (2003). *Every picture tells a story; Report into the inquiry into child custody arrangements in the event of separation. House of Representatives Standing Committee on Family and Community Affairs.*
Retrieved from
file:///C:/Users/s4253088/Downloads/every%20picture%20tells%20a%20story.pdf
- Toll, B. A., Martino, S., O'Malley, S. S., Fucito, L. M., McKee, S. A., Kahler,....., Cummings, K. M. (2015). A randomized trial for hazardous drinking and smoking cessation for callers to a quitline. *Journal of Consulting and Clinical Psychology, 83*(3), 445-454. Doi: 10.1037/a0038183
- Tondo, C., Coronel, R., & Drucker, B. (2001). Mediation Trends. *Family Court Review, 39*(4), 431-453. Doi: 10.1111/j.174-1617.2001.tb00624.x
- Tucker, J. S., Schwartz, J. E., Tomlinson-Keasey, C., Friedman, H. S., Criqui, M., Wingard, D. L., & Martin, L. (1997). Parental divorce- effects on individual behavior and

- longevity. *Journal of Personality and Social Psychology*, 73(2), 381-391. Doi: 10.1037/0022-3514.73.2.381
- Wade, T., & Pevalin, D. (2004). Marital Transitions and Mental Health. *Journal of Health and Social Behavior*, 45(2), 155-170. Doi: 10.1177/002214650404500203
- Whiteman, S. D., McHale, S. M., & Crouter, C. (2007). Longitudinal changes in marital relationships: The role of offspring's pubertal development. *Journal of Marriage and Family*, 69(4), 1005-1020. Doi:10.1111/j.1741-3737.2007.00427.x
- Wood, J. J., Repetti, R. L., & Roesch, S. C. (2004). Divorce and children's adjustment problems at home and school: The role of depressive/withdrawn parenting. *Child Psychiatry and Human Development*, 35(2), 121–142. Doi: 10.1007/s10578-004-1881-6
- Woodin, E. M., & O'Leary, K. D. (2010). A brief motivational intervention for physically aggressive dating couples. *Prevention Science*, 11(3), 371-83. Doi: 10.1007/s11121-010-0176-3.
- Zubek, J., Pruitt, D., Peirce, R., McGillicuddy, N., & Syna, H. (1992). Disputant and mediator behaviors affecting short-term success in mediation. *Journal of Conflict resolution*, 36(3), 546-572. Doi: 10.1177/0022002792036003006