

## Equal Shared Parenting, Parental Conflict, and Domestic Violence: Kentucky Data on Domestic Cases and Domestic Violence Cases

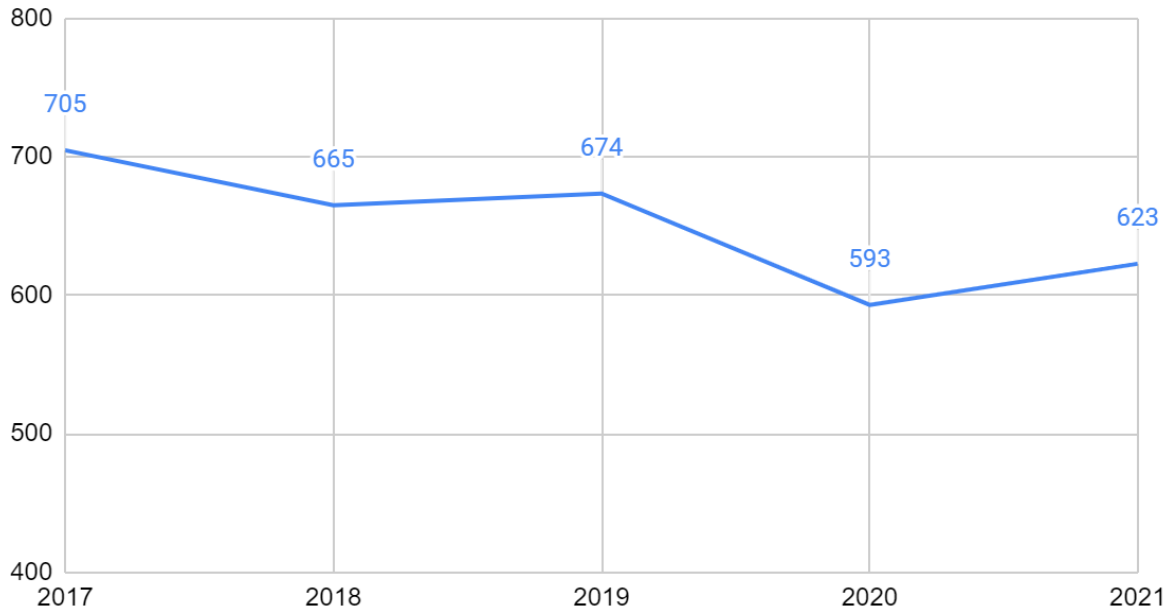
In 2017, Kentucky enacted a legal presumption of equal shared parenting during temporary orders, the period that the case is before the court. The following year, Kentucky was the first state to enact an explicit legal presumption of equal shared parenting for final orders. Both laws passed the legislature by overwhelming margins—no negative votes against the 2017 law and only two against the 2018 law—and have been extremely popular with those in the Bluegrass State.

Since passage of these laws affording children a presumption that they will continue to have a full relationship with both of their fit and loving parents, the number of domestic and family cases have declined and, importantly, the number of domestic violence cases have dropped. Below, we present these results based on data from the [Kentucky Administrative Office of the Courts](#). While the raw numbers have dropped, it is more informative to look at the data on a *per capita* basis and, so, using population data from the [U.S. Census Bureau](#), we present (opposite side) the Kentucky Office of the Courts data on Domestic and Family Cases and Domestic Violence Cases as frequencies per 100,000 people basis.

What the statistics show is that ***both domestic relations cases and domestic violence cases in Kentucky have dropped since the enactment of equal parenting presumptions***. To researchers, this is not surprising. As Dr. Edward Kruk of the University of British Columbia notes:

“Winner-take-all” adversarial processes and sole custody or primary residence orders are strongly associated with exacerbation or creation of parental conflict. Hawthorne and Lennings (2008) found that limiting fathers’ involvement in children’s lives via sole maternal custody judgments was correlated with their reported level of subsequent hostility toward their ex-wives. Inter-parental conflict decreases over time in shared custody arrangements, and increases in sole custody arrangements; inter-parental cooperation increases over time in shared custody arrangements, and decreases in sole custody arrangements (Bauserman, 2002; Melli and Brown, 2008). Fully half of first-time family violence occurs after separation, within the context of the adversarial “winner-take-all” sole custody system (Ellis and Wight-Peasley, 1986; Hotton, 2003; Johnson and Hotton, 2003; Statistics Canada, 2006). This is no surprise, given the high stakes involved; when primary parent-child relationships are threatened, the risk of violence rises dramatically. When neither parent is threatened by the loss of his or her children, conflict diminishes. The culture of animosity created by the sole custody system seems tailor-made to produce the worst possible outcomes when there are two capable parents who wish to continue as primary caregivers, cannot agree on a parenting plan, and are forced to disparage each other within the adversarial system in an effort to simply maintain their role as parents.

### Domestic & Family Cases Per 100000



### Domestic Violence Cases Per 100000

