

**AN EVALUATION OF THE EFFECTIVENESS OF THE TIOGA COUNTY (PA)  
EDUCATION PROGRAM FOR SEPARATED/DIVORCING PARENTS**

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## ABSTRACT

Early in 2007, the Tioga County Court of Common Pleas decided to implement a mandatory parent education program for separated and divorcing parents who have disputed custody issues filed with the Court. Tioga County's Court is a one-judge trial court, which hears all matter of cases, to include criminal, civil, family, orphans, and juvenile cases. The program was implemented in response to a perceived need for another step in the continuum of Tioga County's services, aimed at helping parents make custody decisions in the best interests of their children.

Tioga County contracted with Penn State University's Justice and Safety Institute so that they could provide an already-established, four-hour educational session for its custody litigants. The Court's goal in implementing the program was to improve communication between parents and to reduce contested custody and litigation filings. The Tioga County Court Administrator was tasked with program implementation, oversight, and evaluation.

In terms of program evaluation, The Tioga County Court Administrator compiled and analyzed data from all of the exit surveys from the first six months of classes. The Court Administrator, also, compared custody filings from the six months prior to program implementation to the six months after. Also reviewed was data from a two-year Penn State University follow-up study of its other Pennsylvania programs. Finally, the Court Administrator conducted interviews with key stakeholders from within the Tioga County court system.

Results from these analyses revealed that implementation of the parent education program did not correlate to any change in custody filings in the first six months of programming, nor did it appear to impact litigant's attitudes, in any significant way. Participants did indicate satisfaction in attendance, however, and stakeholders maintained that the program has merit, if only in forcing parents to think about these issues for four hours.

Although the implementation of a parent education program did not meet the program's goals, as defined, it appears that the program merits continuation and further study. The Tioga County Court Administrator intends to conduct a needs assessment, better define the issues, better define what it meant by "success", and explore additional programming options.

## INTRODUCTION

Family court professionals will attest that child custody is one of the most vexing problems that emerge during the divorce process. Because both parents are typically enmeshed in the litigation process and in their own emotional turmoil, they are often incapable of putting the needs of their children first (Strauss, 1998). Divorce influences parents and children both short and long term. Children experience numerous problems caused by significant changes in lifestyle, the loss of familiar and secure family frameworks, exposure to parental conflict, and interruptions in relationships with one or both parents.

Family court professionals will, also, confirm that custody should be determined by parents in the best interest of their children and that courts should be the parents' last resort in solving custody issues. The rigid court structure is not the correct forum for making decisions about parents and children at the time of divorce. Further, judges have little or no training concerning families in crisis. Although they are taught to act in the best interests of the children in custody cases, they must often do so without information on the needs of children at different developmental stages (Wallerstein, Lewis, & Blakeslee, 2000).

Parents have attorneys to represent them in custody proceedings. The children, though, usually have no advocate to speak for them and, therefore, have no voice in the process. Consequently, courts tend to

lock children of divorce cases into inflexible visiting arrangements, which limit their rights, privileges, and opportunities for social relationships and activities that could enrich their lives. An unintended consequence is that children often develop resentment toward the parent(s) who insists on these plans.

Parents who are caught up in the conflict and tension of divorce tend to turn to the courts to make important decisions about their children that are rightfully theirs as parents. It is apparent to both the legal system and mental health and family professionals that families may not be best served by having their problems addressed in court. Education programs for separating/divorcing parents have emerged in response. Decisions affecting the well-being of children after separation and divorce are better made by communicative and cooperative parents. It is hoped that successful educational interventions will foster good parent-child relationships and assist parents in avoiding the pitfall of putting children in the middle of any conflict with their ex-partner or using them for their own emotional support (Blaisure & Geasler, 1996).

The Tioga County Court of Common Pleas has been considering the costs and benefits of implementing an education intervention for separating/divorcing parents for the last ten years. In Pennsylvania, the Court of Common Pleas is the trial court of general jurisdiction for a county, and Tioga County is the Fourth Judicial District of Pennsylvania.

The Courts of Common Pleas hear all major criminal and civil cases; appeals from the lower courts in civil, criminal, and traffic matters; and most matters involving children and families. Although the Tioga County Court conducts very few full-blown custody trials each year (fewer than five per year from 2002 through 2007), custody filings are numerous, and most appear, on the surface, to be centered around issues that informed parents should be able to resolve on their own. Further, the court community feels that the problems that children of separating/divorcing parents experience are not, necessarily, consequences of the separation itself. The resulting parental conflict and parental deficiencies may cause most of the damage. Consequently, the court decided to meet with representatives from the Pennsylvania State University to explore the possibility of developing its own parent education program.

The Pennsylvania State University Justice and Safety Institute conducts parent education programs for separating and divorcing parents in six counties in Pennsylvania (Tioga County is now the seventh). The Institute is one of the many agencies and institutions nationwide working in partnership with local courts to offer these programs. The Institute provides standard four-hour educational programs, although mandated criteria vary slightly by district. Since 1995, more than 7,000 parents have attended these programs, and the feedback from parents has been positive and promising. In 2003, the Institute's programs received

an Award of Excellence from the University Continuing Education Association Mid-Atlantic Region.

The Institute's programming includes:

- The effects of divorce on adults and children
- A videotape of children's views on divorce
- Parenting arrangements to fit children's needs
- The pitfalls of putting children "in the middle"
- Conflict and problem solving
- Readings and resources for parents and children

The programs are taught by trained, masters-level, instructors under the supervision of Dr. Jennifer A. Mastrofski, Associate Professor in the Penn State Justice and Safety Institute at Penn State University. Dr. Mastrofski has studied and worked with family judges and courts on divorce-related issues for almost 20 years.

The Tioga County Court of Common Pleas decided to begin a pilot parent education program on July 1, 2007 for a trial period of six months. The court wanted to evaluate the program after this time period to determine if the program demonstrated benefits to the court, its litigants, and the community it serves. Tioga County is a rural county with a population of approximately 45,000 citizens and a geographic area that is

roughly equal to the state of Rhode Island. The county is relatively impoverished, so the court needs to be watchful that it develops effective programs that do not overly tax the scarce resources of the county and its citizens. Further, the court wants to insure that its parent education program not only reduces litigation, but accomplishes the more important goal of improving parenting by separating/divorcing parents.

The Tioga County Court is dedicated to the proposition that decision making is best supported by the appropriate balance of sound theory and relevant empirical evidence. To that end, this paper will attempt to provide a clear, concise, and insightful analysis of the important issues pertinent to parent education. The paper will describe the implementation and evaluation processes used in the development of Tioga County's Education Program for Separated and Divorcing Parents and will review and analyze the statistics gathered both for the Tioga County Program and those gathered from a Penn State University follow-up survey. Findings, then, will be reviewed, followed by recommendations for continuing, modifying, or cancelling the parent education program.

## LITERATURE REVIEW

A variety of court-involved educational programs for separated and divorcing parents have been developed nationwide over the last few decades. Most are aimed at providing parents with a non-adversarial introduction to issues surrounding the divorce process and child access practices, in the hope of negating the need for more intensive interventions—legal and social—later in the process.<sup>1</sup>

Additionally, the programs are designed to help parents to effectively and appropriately address the difficulties associated with separation and divorce and learn how to improve the experience for their children and themselves.

The first court-affiliated workshops for divorcing parents were implemented in the 1970s. During the 1980s, these programs developed into pre-mediation orientation programs and voluntary and court-mandated parent education programs. The 1990s saw a diverse group of program providers offering court education services: family court service offices, private and public mental health agencies, independent parent education networks, community-based agencies, educational institutions, and others.<sup>2</sup>

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<sup>1</sup> Nancy Thoennes and Jessica Pearson, **Parent Education Programs in Domestic Relations Courts**, State Justice Institute, 1998, page 1.

<sup>2</sup> Peter Salem, Andrew Schepard, and Stephen Schlissel, *Parent Education as a Distinct Field of Practice*, **Family and Conciliation Courts Review**, **34 (1)**, 1996, pages 9 – 10.

## Past Program Evaluations

As the scope and number of these programs grew, so did the need for quality comparative evaluations of their value and effectiveness. Family courts operate with limited financial and human resources, requiring court managers to choose effective, economical programs. Additionally, courts need to be able to justify the use of an intervention program, like mandatory parenting education, as it is a significant intrusion into the life of its litigants. Many researchers in the field, (i.e. Geasler and Blaisure, 1995), have stressed the importance of the identification of outcome measures and documentation of program effectiveness. Further, Braver, Smith, and DeLuse (1997) noted that meaningful assessment needs to encompass more than simple client satisfaction and that both objective archival data and long-term follow-ups to assess true program impact are necessary.

A review of the relevant literature demonstrates that many researchers have attempted to evaluate parent education programs in terms of their effectiveness, both on parental attitudes and litigation frequency. Over the past 15 years, many studies have documented positive attitudinal changes in program participants (Kurkowski , Gordon, & Arbuthnot, 1993; Arbuthnot & Gordon, 1996; Arbuthnot, Poole, & Gordon, 1996; Yankeelov, Bledsoe, Brown, & Cambron, 2003; Bacon & McKenzie, 2004; Zimmerman, Brown, & Portes, 2004; Laufer & Berman,

2006). Stone, Clark, and McKenry (2000) conducted a qualitative evaluation of one divorce education program and concluded that even time-limited divorce education efforts can have a long-lasting impact on program participants. They noted that it was critical that the program challenged attendees on both a cognitive and emotional level. Further, Laufer and Berman (2006) found that, overall, participants were satisfied with the outcomes of the program they evaluated and that the program achieved its goals: participants obtained information about the influence of divorce on their children, developed an awareness of their children's reactions to divorce, and acquired appropriate tools to address their children's needs. Bacon and McKenzie (2004) found a statistically significant change between pretest and six-month follow-up data in reference to reductions in confrontational communication, that is, conflict that puts children in the middle, and conflicts over such issues as time sharing and financial issues.

Studies that demonstrate a positive programming impact on litigation results are not as prevalent. Arbuthnot, Kramer, and Gordon (1997), in tracking two groups of parents for two years following one group's participation in a parent education program, found that attendees had re-litigated over all issues less than half as often than those who had not attended the class. In 2003, Criddle, Allgood, and Piercy

found that educational program attendees showed a decrease in litigation rates and overall less post-divorce conflict than non-attendees.

Not all program evaluations yield positive results. McClure (2002) found participation in parent education programming to be associated with an increase in adverse litigation. He concluded that such programs may serve to empower parents and make them more inclined to take legal steps to protect their children. He felt that time-limited programs may not provide parents with the opportunity to learn to effectively apply the parenting skills they are exposed to and may only serve to reinforce their motivation to take action. Likewise, Thoennes and Pearson (1998) found that there was no differences between experimental and comparison groups in a four-year follow-up in return-to-court rates, although most of the re-litigation was child-support and not custody related.

### **Limitations of and Suggestions for Research**

In reviewing the research to date, it is clear that there are many limitations in the experimental designs that have been utilized. Few existing studies have employed actual control groups and, instead, used demographically similar comparison groups. Whitworth, Capshew, and Abell (2002) noted that there is significant judicial resistance to withholding or delaying parent education from random individuals for scientific reasons. No true causal relationship between program attendance and

changes in parental functioning can be demonstrated due to this lack of a control group. Specific definitions of parenting course variables are also an issue. A program's content, structure (i.e. knowledge based versus skills based), instructor characteristics, and proximity of class attendance to filing of divorce all tend to be loosely defined in the literature. Most studies rely on self-reports and recall to some extent, making them vulnerable to social conventionality and/or desirability. And, typically, no information is gathered directly from children, relying instead on the reporting of their parents. Salem et al (1996) noted that it is very difficult to isolate the influence of an educational program on the complex process of family organization following separation or divorce. There are many intervening variables which make experimental design very challenging. When generalizing the research findings from one program to another, it presents additional difficulties. Salem and his colleagues noted that,

"We may never be certain of the ability of parent education programs to facilitate psychological adjustment, reduce litigation rates, encourage settlement or teach the skills of cooperative parenting."<sup>3</sup>

Clearly, until these research issues are addressed, the true value and effectiveness of divorce parenting education programs will remain relatively unknown.

In addressing research design flaws, Whitworth et al (2002) suggested that further discussion and conceptualization on what is meant

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<sup>3</sup> See Note 2 **supra**, page 17.

by the “effectiveness” of parent education programs is a necessary first step. Outcome measures such as reduced litigation, reduced conflict, reduced child exposure to conflict, improved parent-child relations, and improved parental and child adjustment are common, but not always clear. McKenry, Clark, and Stone (1999) asserted that face to face interviews and longitudinal designs (those in which the same subjects are interviewed over a period of time) would be most helpful in overcoming the limitations imposed by the self-reporting questionnaires that are frequently used in these studies. They, also, suggested that triangulation of data sources, including reports from children, other family members, and teachers, might enhance the validity of the data. Salem et al (1996) felt that the best way to cope with the complexities of research design in this area is for researchers to focus on more limited, but equally important, measures of effectiveness. Salem explained that,

“Parent education programs are not an antidote for the global problems brought on by separation and divorce. Reasonable expectations must be maintained and measures of effectiveness tailored appropriately, or the initial burst of enthusiasm for programs by court systems will soon fade.”<sup>4</sup>

### **Program Content**

Despite the design flaws and the resulting limitations in any broad use of the findings, the literature on education programs for separating/divorcing parents does offer a great deal of insight for courts

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<sup>4</sup> See Note 2 *supra*, page 17 – 18.

that wish to implement a program. In terms of content, Braver, Salem, Pearson, and DeLuse (1996) conducted a survey on the content of divorce education programs in the United States in 1996 and found that the majority of programs covered the effects of divorce on children and the benefits of parental cooperation. Moderate coverage was given to conflict management and parenting skills and the effects of divorce on parents. Programs paid minimal attention to procedural and legal issues.

In terms of goals, Salem et al (1996) broke common program goals down into the following three categories:

"Parent-focused goals--

- \*Reduce parental conflict
- \*Increase communication
- \*Facilitate divorce adjustment
- \*Teach parenting skills and co-parenting techniques
- \*Increase social competencies critical to children's post-divorce adjustment
- \*Provide some "normalizing" data on the impact of divorce
- \*Make the mediation process more effective for the client
- \*Help parents understand the emotional and behavioral components of divorce"

"Child-focused goals--

- \*Educate divorcing parents about the effect of parental conflict on their children
- \*Create a safe environment for children
- \*Keep children out of the middle
- \*Prevent delinquency
- \*Increase awareness of effects of divorce on children
- \*Increase parents' understanding of the importance of paying child support
- \*Prevent or reduce children's anxiety, aggression, depression, and behavioral problems"

"Court-focused goals--

- \*Reduce complaints to the court

- \*Reduce litigation
- \*Resolve visitation and custody issues
- \*Help parents understand court procedures"

Also, Geasler and Blaisure (1999) conducted an extensive nationwide survey of court-connected divorce education programs and offered the following suggestions:

- " \*programs serve all parents of minor children who are litigating child issues such as support, custody, or parenting time irrespective of their marital status;
- \*program providers adopt more active teaching strategies to assist parents in learning co-parenting and communication skills;
- \*courts offer a children's program or establish a collaboration with a provider or school that can offer a program;
- \*courts adopt written standards to guide the implementation of programs and ensure quality control; and
- \*courts document program effectiveness through various evaluation activities."

In their examination of the effectiveness of these programs, Laufer and Berman (2006) suggested that courts may need to consider developing flexible programs that are tuned to the specific needs, problems, and concerns raised in each group. Heilmann (2000), though, cautioned program providers that flexibility makes it difficult to maintain consistency between classes and that the parents in an action may actually receive different information. Kirby (1998) suggested that parents be screened prior to offering divorce interventions to determine which families and individuals need divorce intervention and which ones do not. Further, screenings would allow providers to assess the individual needs of each family in order to better serve them. She noted that,

“Many families experiencing separation and divorce are moderate to highly functioning and do not necessarily require the same level of intervention as lower functioning families. In fact, not all families will need to change their behaviors.”<sup>5</sup>

Much of the literature to date is focused on the need for courts to provide skills based versus information based programming. Skills based programs have more specific foci. Parents learn—and often practice—specific skills for communicating and interacting with their ex-partners in order to reduce the conflict to which children are exposed. Information based programs are broader focused and tend to assume that parents should learn large amounts of information about how divorce affects their children and themselves, which they should then use to improve interactions with their ex-partners. These programs attempt to impart understanding and create attitude change, rather than develop specific communication or cooperation skills.

Some studies (i.e. Kramer, Arbuthnot, Gordon, Rousis, & Hoza, 1998) indicate that both types of programs reduced child exposure to parental conflict and that both were effective at helping divorcing parents learn about their children’s needs. Many others, though, concluded that skills based programs result in more positive changes in cooperative parenting and decreased conflicts than information based programs. Both Arbuthnot and Gordon (1996) and Kurkowski, Gordon, and Arbuthnot

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<sup>5</sup> Jacqueline Kirby, *Court-related Parenting Education Divorce Interventions*, **Human Development and Family Life Bulletin**, 4 (2), 1998, page 3.

(1997) compared skills based and information based programs and surmised that education programs for divorcing parents should be participatory and skills based. They found that learning and behavior change were more likely to occur when parents were actively engaged and taught specific solutions to specific problems. Further, Arbuthnot et al (1997), in examining patterns of re-litigation following divorce education, found that the rate of re-litigation was directly related to the mastery of skills learned. They felt that programs were more likely to produce change if they taught behavior-oriented solutions to the potential problems that children of divorce face, maintain a narrow focus, allow discussion of material, emphasize changes in specific parenting behaviors, and allow parents to practice. All of these researchers indicated that divorce education programs must do more than just sensitize parents to their children's needs.

### **Program Focus**

The necessity for court connected programs to focus on the long term is a theme that is prevalent in the literature. The central assumption behind many current court policies is that, if parents refrain from conflict, then matters of custody, contact, and child support will be settled quickly and effectively; both parents will resume their parenting roles; and children will resume their normal developmental progress. The literature, however, indicates that this view of the post-divorce family is unrealistic

and that courts need to incorporate the long term effects of divorce into any divorce/separation intervention plan. McKenry et al (1999) noted that most divorce education programs are designed to facilitate the transition to a binuclear family structure and a child-focused co-parenting relationship, but do not aim to impact the parent-child relationship beyond the adjustment period. While discouraging conflict is important, programs must teach parents to think long term, as they will be co-parents for many years. Ackerman (1977) opined that parent education programs must help parents understand that custody/visitation arrangements will need to be revisited/modified as children age because their relationships change, children grow, school placements change, medical issues arise, and the myriad of other changes that occur over time. Wallerstein and Blakeslee (2003) suggested that all court endorsed parenting agreements be required to include a review mechanism to deal with life changes.

Courts, themselves, may need to build in a means by which to follow-up on custody cases, as most have no standard review processes in place. Regular reviews would allow courts to make needed changes that could greatly improve the quality of these children's lives. Court education programs, too, need a follow-up plan. Brandon (2006) found that a four hour class may be sufficient to improve knowledge, attitudes, and behaviors in divorcing parents, but that this learning will not sustain

long-term changes unless it can be extended or reinforced. She suggested that programs incorporate follow-up strategies in order to support the long-term use of appropriate parenting behaviors that can truly lessen the negative impact of divorce on children. Similarly, Laufer and Berman (2006) recommended follow-up as an integrative part of parent education programs. They suggested that courts schedule booster sessions to preserve attendees' achievements and provide ongoing support and information. Contact through mailed information, newsletter, or internet were also suggested as methods for helping parents stay focused on the interests and needs for their children. More global efforts would include education about child and parenting issues in post-divorce families for teachers, school staff, pediatricians, and other professionals. College programs in the social sciences and the law should include courses on how to understand and assist children and parents after separation, divorce, and remarriage.

### **Early Intervention**

The importance for programming to intervene early in the separation/divorce process was also a prevalent theme in the literature. Arbuthnot and Gordon (1995) conducted a two-year follow-up of one court-ordered program and found that re-litigation rates for parents in the treatment group were 12.5%, if they attended programming within three weeks of their filing dates. Those who attended the parenting program

longer than three weeks following the filing of divorce had a re-litigation rate comparable to the control group that did not attend (60%). Bacon and McKenzie's (2004) findings, too, suggested that parents should attend educational programs soon after separation so as to take advantage of higher levels of motivation and co-parental support.

### **Child Perspective/Programming**

The importance of the children's perspective in the process and the need for programs for children is a recurring theme in the literature. In most cases, children have no means for direct participation in the separation/divorce process. Instead, courts rely on parents, who are often psychologically and emotionally troubled because of the separation, to convey their children's needs to the legal system. Criddle et al (2003) stressed that future research in the field should focus on the perspective of children in divorced families. If the goal of educational programs is to reduce the negative impact of divorce on these children, it is important to know what they think, feel, and experience. In 2005, the New Zealand courts implemented a policy in family court proceedings whereby children are encouraged to participate in proceedings involving them, with the court giving the child a reasonable opportunity to express his or her view, whether through an attorney, therapist, or direct interview by the judge. The premise behind this approach is that involving children in the decision making process is necessary for the rights of the children

involved, adds to their positive development, and that involving children helps courts achieve the best possible outcome for all parties involved in a child care dispute.<sup>6</sup>

Clearly, children become as enmeshed in separation and divorce as parents, and most suffer both short and long term consequences. Early in the 1990s, some courts began to establish educational services to inform and support children throughout the separation/divorce process (Lehner, 1992). Di Bias (1996), in a review of existing programs at that time, found that children's divorce education helped them adjust and comforted them through a difficult transition. Arbuthnot and Gordon (1996) and Laufer and Berman (2006) indicated that it is desirable for parent education programs to conduct parallel group sessions for children in order to normalize their experiences, provide social and emotional support, train them in new skills, and empower them to deal with parental pressures.

### **Group Attendance/Family Violence Issues**

A key consideration in the development of an education program for separating/divorcing parents, according to researchers, is the desirability of parents attending the same versus different class sessions. Both Laufer and Berman (2006) and Heilmann (2000) agreed that, although same group attendance may foster some sense of parental

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<sup>6</sup> Hon. Peter Boshier and Damien Steel-Baker, *Invisible Parties: Listening to Children*, **Family Court Review**, 45 (4), 2007.

cooperation, parents may benefit more from the exposure to the points of view of the opposite-gender group members who are not his or her ex-partner. Further, the practice of having parents attend separate classes serves to address the needs of each without allowing the couples' conflict to influence, or even take over, the group dynamics. Additionally, all programs must include special provisions for cases in which domestic violence has occurred. Bacon and McKenzie (2004) stressed that a program's emphasis on cooperative and supportive interactions between former partners may be inappropriate in cases of extremely high conflict and where family violence has occurred. Programs need to be prepared to provide these special-needs parents with information about a continuum of strategies and low-contact alternatives for dealing with their former partners.

### **Stakeholder Buy-In**

A final, pervasive, and critically essential theme in court-related parent education research is the importance of obtaining key stakeholder buy-in. Cambron, Yankellov, and Brown (2000), in drafting guidelines for communities who wish to develop court-connected parent divorce education programs, stressed that their successful implementation depends on building consensus with local professionals—social service and mental health personnel, judges and court staff, funding agencies, family law attorneys, mediators, custody evaluators, and parent

advocates—who have a major stake in that success. Arbuthnot (2002) found that courts that have not adopted an educational intervention for litigants who are divorcing and have custody issues claim that they have not done so largely due to a lack of financial and technical resources. It appears that population characteristics and case load variables have little to do with the adoption of such interventions. Because resources appear to be a more important factor, a proactive stance by courts with a preventative approach to family crisis would appear to improve the likelihood that parent education programs would be accepted and succeed.

Arbuthnot, Segal, Gordon, and Schneider (1994) found that judges are key proponents of parent education programs. Their interviews revealed that judges viewed their programs positively and found them to be extremely helpful for parents. Over half of the judges believed that programming noticeably reduced litigation in their courts. Other outcomes perceived by judges included more positive parental attitudes, greater parental sensitivity to children's needs, reductions in tension between attorneys and mental health professionals, and an increase in human, versus legal, issues in judicial decisions.

Attorneys, too, play an important role in the success of divorce education programs. They are, typically, the parent's first contact with the system and tend to have a tremendous influence on their clients early

in the process because of the loss of the client's partner as a support or confidant. Because parent education is most helpful if it occurs as early as possible in the separation, attorneys can be the first step in encouraging program participation.<sup>7</sup> Family law attorneys have a responsibility to become familiar with their local programs and should encourage their clients to both attend and actively participate. Family law attorneys should always balance their client's interests with the needs of their children and refrain from putting children in the middle of any dispute.

Aubuthnot and Kramer (1998) conducted a nationwide survey of practitioner-level mediators to ascertain their views of the effectiveness of divorce education programs for parents on both the process and outcome of divorce mediation. These professionals reported significant impacts on the mediation process and outcomes which included greater child focus, more cooperation, better communication, fewer sole custody plans, and a tendency for less time required to reach an agreement. Two-thirds of the mediators surveyed believed divorce education should be mandatory for all divorcing couples with children.

The benefits of divorce education programs go beyond those for the courts or the litigants—the community benefits as well. As Arbuthnot

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<sup>7</sup> Mary Cambron, Pamela Yankeelov, and Joe Brown, *Developing Court-Connected Parent Divorce Education Programs: Guidelines for Communities*, **Juvenile and Family Court Journal**, 2000, page 18.

and Gordon (1996) concluded, appreciable benefits will ensue for families, schools, courts and communities because parents are learning skills that reduce both their stress and the stress placed on their children. Further, Heilmann (2000) noted that the benefits of programming include the integration of a community-wide ethic of looking after the welfare of children and involving various professional disciplines and the public. A community-based approach insures that the program will get immediate and constructive feedback from these sources. As he put it, "The welfare of the children is not only the parents' responsibility, but also the community's."<sup>8</sup>

It is clear from this review of the research that there are many issues to be addressed, both in implementation of a separating/divorcing parent education program and in its subsequent evaluation. The National Center for State Courts maintains a resource list of parent education programs across the country at [ncsconline.org/WC/Publications/KIS\\_CustodParentedStates.pdf](http://ncsconline.org/WC/Publications/KIS_CustodParentedStates.pdf). The site shows that thirty-nine states have some type of parent education intervention associated with their courts. Most are short-term, knowledge-based programs that vary in length between two and six hours. Most require parents to pay for programming. Courts in some states, though, are beginning to expand their programming in an attempt to better meet

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<sup>8</sup> Ronald Heilmann, *A Community-Based Parent Education Program for Separating Parents*, **Family and Conciliation Courts Review**, 38 (4), 2000.

the needs of their citizens. Georgia, for example, offers both a marital workshop for newly married or engaged couples and a voluntary program designed for children whose parents are separating or divorcing.

Although there are a number of commercially available and locally created programs in existence in the United States today<sup>9</sup>, this study will focus on a program currently offered in several counties in Pennsylvania that is offered through the Penn State University Justice and Safety Institute. Despite the evidence from existing research that programs should be skills-based, the Tioga County Court chose to adopt this four-hour, information-based program for several, administrative, reasons:

(1) Penn State University handles all of the administrative and fiscal matters associated with the programming; (2) the program is offered in neighboring counties, allowing litigants to attend elsewhere, if necessary; and (3) Penn State University agreed to share its follow-up data from other counties for use in Tioga County's program evaluation.

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<sup>9</sup>[http://www.ncsconline.org/WC/Publications/KIS\\_CustodParentedStates.pdf](http://www.ncsconline.org/WC/Publications/KIS_CustodParentedStates.pdf), pages 1-14.

## METHODOLOGY

In preparation for parenting education program implementation in Tioga County, the Tioga County Court Administrator conducted an extensive review of the research literature in order to provide the Court with a sound knowledge foundation on which to base its decisions. The literature showed that a variety of court-related parent education programs have been developed to teach parents conflict resolution skills in order to minimize the impact of separation on their children. Many jurisdictions mandate such courses for any party involved in a custody or visitation dispute. Although numerous studies have been conducted to determine the effectiveness of such programs, it is clear from the research literature that it is extremely difficult to ascertain the true impact of any intervention in complicated situations like separation and divorce. Two consistent themes pervade the literature: (1) programs must be clear in their definition of "effectiveness"; and (2) programs must be cognizant of the inherent design limitations of any study that does not allow strict, scientific controls. Clearly, the very nature of this type of court-mandated programming limits research design and, therefore, the assignment of any direct impact of programming.

Because Tioga County has been considering the pros and cons of implementing a mandatory parent education program for many years, most of the court officers have been made aware of the programming

offered by Penn State University and its accomplishments in other counties. Consequently, when the decision was made to go forward, the court already had existing contacts with the Justice and Safety Institute, and an initial programming meeting was held on May 18, 2007 to discuss implementation issues. Dr. Jennifer Mastrofski and one of her instructors traveled from Penn State to the Tioga County Courthouse in Wellsboro, Pennsylvania and met with Robert E. Dalton, Jr., President Judge of Tioga County; Nancy Clemens, District Court Administrator of Tioga County; Mark Spencer, Domestic Relations Director for Tioga County; and Lynn Mader, Esquire, Custody Master for Tioga County. The group decided that all litigants involved in contested custody or visitation actions filed in the county after July 1, 2007 would be required to attend the Penn State program. It was decided that Judge Dalton would issue an administrative order (Appendix C) to that effect which would, also, make the following provisions:

1. Upon the filing of a divorce or custody/visitation action, the parties will be notified by the Court Administrator that their attendance at this seminar is mandatory by Order of the Court. The parties must fulfill this requirement within ninety (90) days of the filing of said action.
2. Attendance at the seminar is mandatory. Required attendance may only be waived for compelling reasons. All requests for waivers must be presented to the Court.

3. Within fifteen (15) days of said notification by the Court, the parties are required to register for the Program by using the preprinted registration form contained in the Education Program for Separated Parents brochure.
4. A fee of \$50.00 will be assessed to each individual attending the seminar. The fee must be paid and mailed in advance of the seminar, along with the completed registration form, to the address listed on the brochure. A request for waiver of the fee with proof of hardship must be presented to the program administrator, as instructed in the brochure.
5. Failure to register and complete the program will be brought to the attention of the court and may result in a finding of contempt and the imposition of sanctions.
6. Upon successful completion of the Program, a certificate will be docketed in each case file to verify participation.

Once the program details were finalized, a second meeting was held on June 28, 2007 to allow family law attorneys, mediators, and other interested parties to become familiar with the program. Again, Dr. Mastrofski and her instructor traveled to Tioga County and presented interested parties with program materials and an overview of the program's administration and content. A Tioga County program brochure can be found in Appendix D. The new program would directly

mirror those that Penn State offers in six other Pennsylvania counties. Classes were scheduled once per month, alternating between Wednesday afternoons and Saturday mornings, in an attempt to accommodate the schedules of attendees. The Tioga County Commissioners agreed to allow use of a classroom and to provide security for class sessions.

In looking at an evaluation design, Tioga County decided to assess success/failure of the program on several levels. First, in accordance with recommendations from other researchers, this project will use exit survey data to assess attitude change and archival court records to assess any change in litigation rates. Secondly, data from a two-year follow-up to education programs in other Pennsylvania counties will be reviewed to assess longer-term attitudinal change. And, finally, noting the importance of stakeholder buy-in, interviews would be conducted with the county judge, custody master, court-appointed mediator, and family law attorneys to ascertain their perceptions of the impact of the programming. In assessing attitudinal change, Tioga County will utilize the existing exit survey which was created by Penn State University (Appendix A). Thoennes and Pearson's (1998) *Open-Ended Interview Guide* (Appendix B) will be utilized in conducting stakeholder interviews.

Program evaluation was to be conducted on four levels:

- (1) Each attendee would be required to complete a standard post-seminar exit survey that was developed and provided by the Justice and Safety Institute (Appendix A). It was anticipated that approximately fifty parents would attend the program in the first six months of implementation. The Tioga County Court Administrator would compile and analyze this data, using descriptive statistics, in order to identify general trends.
- (2) The Tioga County Court Administrator would compile data on custody and visitation litigation filings for six months prior to the program's implementation and for six months immediately following implementation. Again, descriptive statistics would be used in order to identify any correlation between program implementation and the frequency of contested custody filings.
- (3) Stakeholder interviews would be conducted with the county's president judge, custody master, mediator, and family law attorneys to determine their perceptions of the program's impact (Interview Questions at Appendix B).
- (4) Data from a two year follow-up survey conducted by Penn State University would be analyzed to review the impact of programming in other Pennsylvania counties (Survey Instrument can be found in Appendix E). The survey instrument was developed and designed by the Justice and Safety Institute.

## FINDINGS

### Exit Surveys

In the first six months of the Tioga County Education Program for Separated and Divorcing Parents, 56 litigants attended one of the four-hour classes. At the conclusion of each class, participants were required to complete and hand-in a Post Seminar Exit Survey (see Appendix A) that was developed by the Penn State University Justice and Safety Institute in order to receive a Certificate of Completion. Based on answers to these surveys, twenty-nine of the attendees were female, and the other twenty-seven were male. Fifty-three of the respondents reported their race/ethnic backgrounds as "White", two as "Hispanic", and one as "Other" (American Indian). The mean age of attendees was 31.30 years, and all but three reported having had at least a high school education.

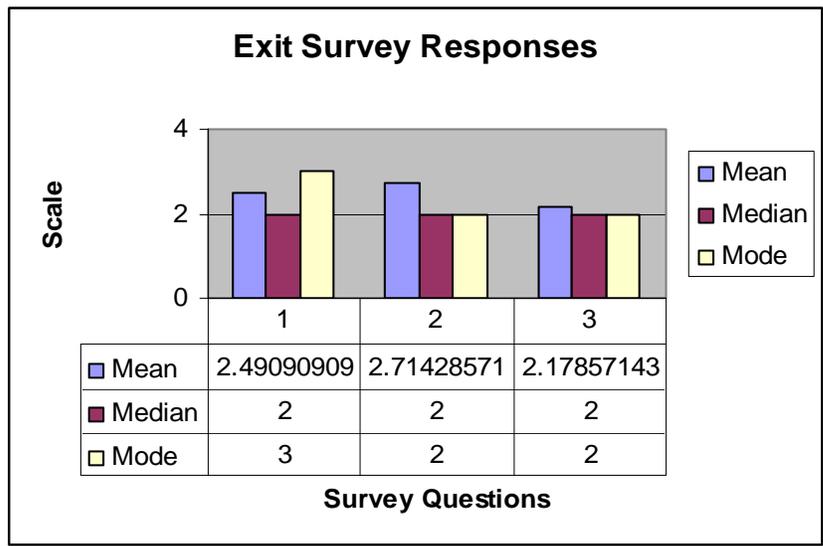
In reviewing the responses to the questions most relevant to this study, the first deals with the likelihood that program attendees would bring their own children to a class for children of separation/divorce, if one were available. The median response was two (Somewhat Likely), and the mode response was three (Not Sure). Five of the fifty-six respondents (8.93%) indicated that they were "not at all likely" to avail themselves of such services if they were made available.

When asked if respondents would like to be able to come to another class at some later time to talk about future questions and

problems that may arise from their separations and divorces, both the median and mode responses were two (Maybe). Thirteen of the program attendees (23.21%) indicated that they would definitely attend a follow-up class, compared to eight respondents (14.29%) who said that they definitely would not.

A third question asked respondents to express their interest in reading more about the effects of divorce on children and parents after taking the seminar. Again, both the median and mode responses were two (Yes, Probably). Sixteen respondents (28.57 %) indicated that they were definitely interested in obtaining more information, compared to three respondents (5.36%) who definitely were not.

**Chart #1: Exit Survey Responses**



When asked for their ideas for improving the seminar or for any other additional comments, the majority (43) of respondents left this

question blank. Eight respondents described the program as “informative” or “interesting” or both. The five suggestions for improvement received included: (1) “resources or support groups”; (2) “equivalent resources/classes that can be taken in another area”; (3) “being in the same class as my ex made her not participate”; (4) “having both parents attend together if it’s not hostile”; and (5) “more information for grandparents who are trying to get custody”.

### **Tioga County Litigation Statistics**

The Tioga County Court Administrator compiled data on custody and visitation litigation filings for six months prior to the parent education program’s implementation and for six-months immediately following implementation. A review of these statistics demonstrated no correlation between program implementation and the frequency of contested custody filings. In fact, in the six months prior to program implementation, there were 34 contested custody actions filed in the Tioga County Court of Common Pleas, compared to 35 contested custody actions filed in the first six months of the program. Further, the Court’s records show 32 custody agreements filed from January 1, 2007 through June 30, 2007 and 33 from July 1, 2007 through December 31, 2007, which is not a significant change. In reviewing the specific cases in which the parents involved were required to take the parenting class, none filed additional contested actions in the six month study period.

## Stakeholder Interviews

Following the final parenting class in the six-month window for this study, the Tioga County Court Administrator conducted stakeholder interviews with the following individuals: (1) President Judge Robert E. Dalton, Jr.; (2) Hearing Master Lynn Mader, Esquire; (3) Court Mediator Johnny Butcher, PhD.; (4) Family Law Attorney Lenore Urbano, Esquire; (5) Family Law Attorney Jeffrey Loomis, Esquire; and (6) Family Law Attorney Rita Alexyn, Esquire. These three attorneys were chosen because they handle the majority of family cases that are processed through the Tioga County Court of Common Pleas. The interview questions can be found in Appendix B.

In responding to the interview questions, Judge Dalton felt that the driving force behind implementation of a parent education program was to attempt to give parents a means to work out custody and visitation issues in a “non-litigation” setting and, more importantly, to educate them on the impact of divorce and separation issues on children. He sensed some skepticism on the part of a few attorneys at the beginning but, overall, felt that most stakeholders supported the implementation of the program. In considering contract versus in-house providers, he noted that he felt it was important to have professionals with years of relevant experience providing this type of education and, further, that litigants might be more responsive to an “outsider” in this type of educational

setting. He thought that it was crucial to mandate attendance because, in his experience, few litigants would take advantage of the programming otherwise.

In establishing the parameters for the parent education program, Judge Dalton recalled that improving communication between separating and divorcing parents and lessening the negative impact of these events on the children involved were his primary goals. The Judge believed that the length, content, and format of the Penn State program are appropriate, but noted that perhaps there should be an option for motivated parents to continue with more sessions. The Judge was of the opinion that non-domestic-violence parents should attend the program together and that, even in domestic violence cases, the focus on cooperation is still appropriate. He added that, despite the nature of the parents' relationship, they still must find a way to work together in the best interests of their child(ren). In evaluating the program's effectiveness to date, he felt that it is too early to tell if the program will impact the nature and number of contested hearings but that, because the program serves to "plant a seed" in the minds of parents, it merits continuation.

During his interview, Hearing Master Lynn Mader, Esquire, stressed that, in his experience, children are used as a bargaining tool in a large number of divorce cases. He felt the driving need behind the implementation of a parent education program was to make parents

think about what they were doing. The primary goal, in his opinion, was to make parents aware of the impact of putting their children “in the middle”. He agreed that programming would have to be mandatory in order to be effective and that the didactic approach adopted by the Penn State program is appropriate. Like Judge Dalton, Mr. Mader felt that it is too early to tell what the program’s true impact is.

Dr. Johnny Butcher, the Court’s primary mediator, admitted that he was skeptical of the program at first. He felt that it might be an attempt by the Court to move away from mediation. He feels now, though, that the program is worthwhile and sees that his clients are coming to mediation less angry and more willing to compromise in the best interests of their children. He noted that the biggest obstacle he faces is not unworkable parents but, instead, clients who have attorneys who instruct them to settle for nothing less than primary physical custody of their children. In his opinion, this advice completely undermines the mediation process, and he suggested that the Court consider conducting an educational session with its’ family law attorneys to stress the underlying theme of cooperation.

All three of the family law attorneys interviewed agreed that the parent education program emerged in response to ongoing concerns about negative parental behaviors in divorce and custody proceedings. All recalled being introduced to the program though both an educational

meeting and an informational packet provided by Penn State University. Jeffrey Loomis, Esquire, articulated the programs goals as, "It is designed to inform and educate parents and to provide them with a variety of tools to better deal with both the other parent and children in divorce and custody situations." All three attorneys agreed that the program's goals and content were appropriate but, in contrast to Judge Dalton and Master Mader, felt that programming should not be mandatory. Rita Alexyn, Esquire, felt that, "There are situations which do not require parent education. Many parents are able to resolve matters successfully without such services."

All three attorney expressed that, in cases involving domestic violence, parents should attend separately. They agreed, though, that the focus on cooperation is still essential, in that most Protection from Abuse Orders provide for parental contact with respect to the minor children in a case. All agreed that didactic programming was best, expressing concern that, in participatory programs, negative viewpoints might be expressed and unrelated matters raised that might pose the potential for problems. Lenore Urbano, Esquire, commented that, "It is probably best to present this information and respond to questions without the direct involvement of the parties in either role-playing or other types of participatory interaction." None of the attorneys noted any reluctance on the part of their clients to attend the program and all stated that they

encourage their clients to actively participate. Attorney Jeff Loomis felt that some of his clients have actually filed custody/visitation agreements at the outset of their cases in order to avoid the requirement to attend the program. None of the attorneys interviewed have noticed a difference in the attitude of those clients who have attended the program, nor do they note any changes in the type of issues they are asked to help resolve or in the amount of time spent informing their clients about the divorce process. None have had any of their clients seek information or referrals to any community resources following attendance of the parent education program.

### **Penn State University Follow-Up Survey**

In January of 2007, the Penn State University Justice and Safety Institute decided to conduct a follow-up survey of its program participants from the four active programs in Pennsylvania (two of the programs serve two counties each). A copy of the survey instrument can be found in Appendix E. The Institute mailed 2000 surveys to participants who had attended the program in the time frame spanning from July 1, 2005 through December 31, 2006. Of the 2000 surveys mailed, 176 were returned (an 8.8% return rate). The Institute had estimated a 10% return rate, based on their limited ability to access current addresses for former program participants.

Of the surveys returned, 65% were from female respondents, and 35% from males. The mean age of the respondents was 37.77 years, and their educational backgrounds varied in a manner similar to the rest of the United States population. Thirty-Five percent of the respondents were from the Franklin/Fulton Counties program, twenty-nine percent were from the Centre County program, twenty-two percent from the Mifflin County program, and fourteen percent were from the Juniata/Perry Counties program. These percentages closely resemble the breakdown of the percentage of total participants by county program.

For the purposes of this inquiry, Question numbers 1, 8, and 9 from the Penn State Survey were most relevant. Question number 1 asked respondents to choose which topics covered in the parenting program were of the most help to them, personally. Chart number 2 demonstrates that the majority of respondents found the Effects of Separation/Divorce on children (67.61%) and the Video of Children Expressing Their Own Views About Separation/Divorce (45.45%) to be most helpful.

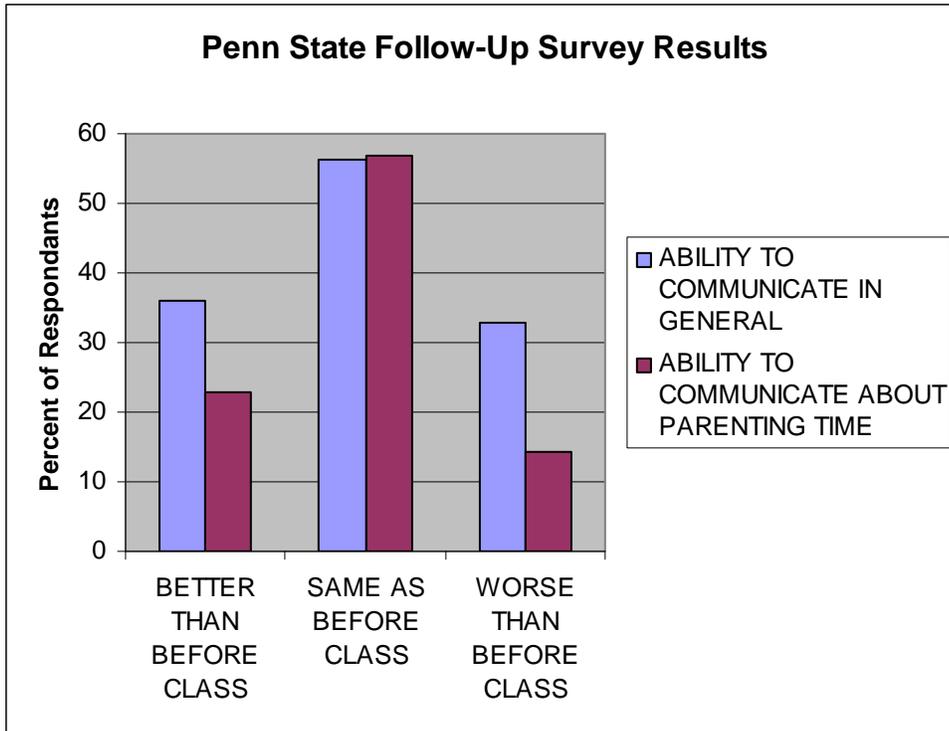
**Chart #2: Most Helpful Class Topics**

<b>Class Topics</b>	<b>Frequency</b>	<b>Percent</b>
Effects of separation/divorce on children	119	67.61
Effects of separation/divorce on adults	42	23.86
Stages of loss and grief	48	27.27
Legal issues associated with separation/ Divorce	56	31.82
Economic impact of separation/divorce	33	18.75
Parenting plans and custody	64	36.36
Conflict resolution	41	23.30
Video of children expressing their own views about separation/divorce	80	45.45
Other	13	7.39

Question number 8 asked respondents to rate their ability to communicate with their ex-partners since taking the parent education program. Over fifty six percent (56.25%) rated their communication as “About the same as before taking the class”; 36% rated it as “Better than before taking the class”; and 33% rated their communication as “Worse than before taking the class”. Question number 9 asked respondents to describe their ability to communicate with their ex-partners specifically related to parenting time since taking the program. Of those responding, 56.82% rated their communication as “About the same as before taking the class”; 22.73% rated it as “Better than before taking the class; and

14.20 % rated their parenting time communications as “Worse than before taking the class” .

**Chart #3: Penn State Follow-Up Survey Results**



## CONCLUSIONS AND RECOMMENDATIONS

In attempting to evaluate the effectiveness of its Education Program for Separated and Divorcing Parents, the Tioga County Court of Common Pleas found that, despite the use of multiple measures, a thorough assessment was difficult to achieve. The project was designed to assess whether the implementation of a new educational program resulted in improved communication between the parties involved in custody disputes and reduced the amount of litigation filed. To that end, the Tioga County Court of Common Pleas implemented the use of a mandatory educational program offered by the Penn State University Justice and Safety Institute. The goal was to demonstrate that such programming is beneficial to the courts (in terms of reduced litigation), parents (in terms of working cooperatively with the other party), and, most importantly, children (in terms of reducing the negative impact of parental separation/divorce). The results were to be used to “sell” the pilot project to the Court, the county, and their customers so that the educational program could be continued and, perhaps, expanded.

In reviewing the first performance measure in this study, the parenting class exit survey, it is clear that the questions in Penn State’s Class Exit Survey do not accurately measure parents’ perceptions of the impact of the program on their ability to communicate with their ex-partners—a key aspect of the program’s defined goal. Originally, it was

the intent of this study to add two extra questions to the survey tool to determine participants' perceptions of the impact of the class on their ability to cooperate with their ex-partners, but Penn State's Justice and Safety Institute was hesitant to alter their tool, as it is a standard form used throughout the state. In looking at the attendees responses to the questions that do have some relevance, it appears that the overall response to taking the class was positive or, at the very least, neutral. The majority of the parents who took the class indicated that they were open to the possibility of obtaining more information and/or services, whether from future classes for them or their children or future reading materials. Further, the few subjective comments that were received were positive and indicated a desire on the behalf of attendees to obtain more information. A major limitation of this—and all—surveys is that it relies on self-reported information in which respondents may not always be willing to accurately describe how they feel. Responses to the exit survey questions were likely influenced by intentional deception or a desire to please the evaluator. It can be assumed in this study that, because custody and visitation issues are so emotionally charged and because the program is court related, respondents may have attempted to paint themselves in the best possible light.

The study's second performance measure—the Tioga County litigation statistics—demonstrated no program impact whatsoever. There

were no discernable, significant changes in any of the county's custody filings between the six months before the education program and the six months after. In a small county such as Tioga, six months is a short window, given the relatively low number of custody filings overall. Clearly, a more realistic assessment of the program's impact on litigation would require compiling statistics for a longer period of time. It might, also, be useful to randomly select cases in which parents were not required to take the class and compare their rate of subsequent custody and child support filings to cases in which the parents' attendance was required, again over a longer period of time.

The stakeholder interviews—the study's third performance measure—yielded a considerable amount of subjective data for use in program evaluation. Undoubtedly, all of the stakeholders interviewed felt that the parent education program has merit and that the length, content, and format of the programming offered by Penn State is appropriate to Tioga County's needs. Further, all agreed that, even in domestic violence-related cases, a focus on parental cooperation is crucial to success. Contrary to the opinions of the Judge and Master, local family law attorneys felt that the parent education program should not be a mandatory requirement in all cases. And, contrary to the results of the exit survey questionnaires, none of their clients have asked them for information or referrals to any community resources following attendance

of the program. More importantly, none noted any attitudinal changes in their clients that might indicate program impact.

The county's mediator, Dr. Butcher, did note a change in the attitudes of the litigants that he encountered during court-ordered mediation, however. Further, he stated that, in his opinion, the attitude of some of the local attorneys needs to be adjusted to a more cooperative orientation. It is feasible that the local attorneys may not be noticing attitudinal changes in their clients if their orientation remains adversarial.

The final performance measure in this study—the Penn State University Follow-Up Survey—did not lend a great deal of support to the program's desired impact on improved parental communication. In the two years following program attendance, the majority of the attendees from the other Pennsylvania counties reported no change in their ability to effectively communicate with their ex-partners, both in general and specifically related to parenting time issues. Plainly, if program success is to be defined by improved communication among parties and reduced litigation, this study did not demonstrate achievement of those goals.

Parent education programs for separated/divorcing parents were developed in an attempt to assist parents to respond to their children's needs during a difficult time for both of them. The ultimate goal, then, is to contribute to the children's long-term adjustment to what can be a very traumatic life event. Parent education is one of the initial steps on a

continuum of alternative dispute resolution measures. Bacon (2004) noted that the success of such programs rests on the quality of content and delivery, but that getting parents to attend and actively participate is, also, crucial. Clearly, motivating parents who are undergoing a dramatic life change is a daunting task. The task of measuring the impact of their efforts is even more challenging.

Blumberg (1993) emphasized the need for thorough research on parent education programs, stressing that courts should not implement these programs just because they are “better than nothing”. She felt that courts cannot justify programming by touting that it cannot do any harm. Obviously, any intervention has the potential for harm and should not be put into action just for the appearance of satisfying an unmet need. Further, the issue of inter-parental conflict is extremely complex. The majority of separating parents manage to work through their anger, disappointment, and loss in a timely manner and establish healthy interpersonal relationships with their children and ex-partners.

In reviewing the implications of this particular study, it is clear that Tioga County’s Education Program for Separated and Divorcing Parents did not meet its defined goals, at least during the short pilot period. In hindsight, program implementation should have been preceded by a thorough needs assessment—a process that would not only have served to identify specific needs, but may have assisted in a more appropriate

definition of “success”. Further, a longer evaluation period and a more targeted survey tool are warranted. A more realistic approach would include a comparison on contested custody filings for two years, both pre and post program implementation. Also, a comparison in the rate of custody/visitation and child support re-filings between a random selection of cases in which parents were not required to take the class and cases in which the parents’ attendance was required, again over a period of two years, would prove useful. This, and all of the previous parenting program evaluations, is limited by their inability to establish baseline data regarding parent effectiveness and psychological functioning prior to divorce/separation—making a true assessment of program impact virtually impossible. The consensus of the key stakeholders in this study, though, is that “it is too early to tell.”

Following this initial program review, the Tioga County Court of Common Pleas intends to move forward with its parent education efforts, but will approach the project from a new perspective. The key players will be reassembled to conduct a needs assessment and develop more realistic goals and timeframes for their accomplishment. Additionally, the Court will explore expanding its programming to include: (1) mechanisms for follow-up by posting parenting resources on the Court’s website and exploring the implementation of “booster” sessions for motivated parents; (2) investigating the possibility of establishing parallel education groups for

children of divorce, perhaps in cooperation with local schools or children's services agencies; (3) developing an in-service program for local family law attorneys to coach them to balance the needs of the children with the needs of their clients; and (4) delve into system changes that would: (a) allow children to somehow be heard in the majority of custody cases, and (b) incorporate a review mechanism whereby the court could revisit custody orders to meet the changing needs of children.

Despite the seemingly disappointing outcome of this study, the Tioga County Court of Common Pleas does not intend to abandon its parent education efforts at this time and will, instead, approach the project with more reasonable expectations. The contract with Penn State University is an open arrangement with no time limitations, which will allow the Court to continue its evaluation for a more extended period of time. All of the key stakeholders feel that the program is viable and worthwhile, and the response from participants has been marginally positive. Moreover, the Tioga County Court Administrator intends to encourage the evaluation of the other county programs in Pennsylvania through a coordinated effort with Penn State University in the hope that a state-wide, standardized evaluation might yield more positive results.

A summary of the program recommendations that resulted from this study include:

1. The Tioga County Court of Common Pleas should conduct a thorough needs assessment. This assessment can be conducted as a part of the county's Criminal Justice Advisory Board's strategic planning initiatives.

2. The Tioga County Court Administrator should compile statistics for a period of two years, both pre and post program implementation, for the next program evaluation.

3. The Tioga County Court Administrator should explore expanded programming options to include: (a) the posting of follow-up materials on the Court's website; (b) booster sessions for motivated parents; (c) groups for children of separated/divorcing parents; (d) educational sessions for local family law attorneys; and (e) a systems change that will give children a voice in the custody process and allow for review.

4. The Tioga County Court Administrator should coordinate with Penn State University to encourage a state-wide system for program evaluation.

In any disputed custody situation, it is unrealistic to expect that a parent education program will revolutionize relationships between divorcing/separating parents. The relevant literature and this study demonstrate that such programming may not reduce litigation and probably will not resolve serious disputes. Parent education programs

cannot replace other court services, like mediation, and will not eliminate the need for more serious interventions for high-conflict couples. Parent education programs may, however, help parents focus on the needs of their children and may decrease the amount of fighting between parents as they make important decisions about their lives. Realistically, these should be the goals of parent education programs and do justify their implementation, especially because they are relatively inexpensive and seem to result in satisfaction for participants. A review of the literature confirms that parent education helps parents understand, in a realistic way, the effect of the separation and divorce on themselves and their children. These programs offer parents the opportunity to learn skills and modify their behavior to benefit their children. Slezak and Swift (1996) stressed that, when conflict between parents is reduced, the children's involvement with both parents usually increases.

Court-related parent education programs for separated/divorcing parents probably do possess the potential to change negative parenting behaviors and facilitate the adjustment of children. Program participants report satisfaction and perceived benefits. Because these programs are meeting a need on some level, the next step is to use better research methodologies to better understand these perceived benefits. Further, it is clear, both from the research and the self-reporting of attendees, that courts need to move away from the idea of one standard intervention

and towards a variety of approaches to determine which might be most beneficial. Courts have an obligation to their customers to not only take heed of the important issues related to this programming, but also to develop the capacity to stay abreast of these issues over time. Courts need to develop forward thinking perspectives that will allow them to look ahead and actively shape the key issues of the future through creative efforts. To that end, courts must make a concentrated effort to developing a full awareness of the relevant, existing research and knowledge. Time and money can be saved by assuming that serious issues have been addressed before, and courts need to harvest the best of these prior works. Courts need to use this sound knowledge base to structure the problem correctly and determine what evidence is needed, what analyses should be performed, and what products are required.

It seems clear that courts should support parent education programs because both research and common sense suggest that, in most cases, courtrooms should be a last resort in seeking resolution of family disputes. The resolution of custody and visitation issues is a complex process, peppered with incidents of irrational behavior by, otherwise, good parents. The problems that children experience in association with separation and divorce are generally exacerbated by court involvement—they are much better being addressed by informed parents. Courts cannot mandate quality parenting—parents must willingly

provide it. Further, courts make a significant social statement by supporting such programs. They tell the community that the function of the courts extends beyond issuing and enforcing orders. Programs like parent education are a symbol that courts are integral parts of their communities with a responsibility to help families address problems before they become severe. In implementing such programs, though, courts must make every effort to take into consideration recent findings in the research literature. Divorce-court parenting educational programs must be geared to address identified issues with proven approaches so as to directly impact the quality of life of parents and their children.

## APPENDIX A

### EDUCATION FOR DIVORCING PARENTS POST-SEMINAR EXIT SURVEY

*It is very important for us to receive feedback on this seminar. Please complete all questions honestly. You can choose whether to put your name on this form..*

Of all the topics that were discussed today, which one or ones were most helpful to you personally?  
\_\_\_\_\_

Are there any topics that you wish you had more information on? If so, please describe:  
\_\_\_\_\_

Of all the challenges facing you at this time of change, which one is the most difficult for you?  
\_\_\_\_\_

Some courts also have programs for children and parents after parents separate. Please indicate how likely you would be to bring your own children to a class if one is started in the future. (Circle one)

1. Very likely
2. Somewhat likely
3. Not sure
4. Not likely
5. Not at all likely
6. It depends> explain: \_\_\_\_\_

Would you like to be able to come to another class at some later time to talk about future questions and problems that may arise from your separation and divorce? (Circle one)

1. Yes, definitely
2. Maybe
3. Not sure
4. Probably not
5. Definitely not
6. It depends> explain: \_\_\_\_\_

After taking this seminar, are you interested in reading more about the effects of divorce on children and parents? (Circle one)

1. Yes, definitely
2. Yes, probably
3. Not sure
4. Probably not
5. Definitely not

Which of the following best describes you? (Circle one)

1. Married to the other parent but not living together now  
>>>how long were you married before separating? \_\_\_\_years \_\_\_\_months  
>>>how long have you been living apart? \_\_\_\_years \_\_\_\_months
2. Married to the other parent and still living together  
>>>how long have you been married? \_\_\_\_years \_\_\_\_months
3. Divorced from the other parent  
>>>how long were you married before separating? \_\_\_\_years \_\_\_\_months  
>>>how long have you been living apart? \_\_\_\_years \_\_\_\_months
4. Never married to the other parent, lived together, but now separated  
>>>how long were you living together before separating? \_\_\_\_years  
\_\_\_\_months  
>>>how long have you been living apart? \_\_\_\_years \_\_\_\_months
5. Never married to the other parent and living together now  
>>>how long have you been living together? \_\_\_\_years \_\_\_\_months
6. Never married to the other parent and never lived together \_\_\_\_ (check here)
7. Other>>>describe\_\_\_\_\_

Please list the children involved by age and sex (name is optional):

Age	Sex
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

How many years of education have you had? (Circle one)

1. Less than 8 years
2. Some high school
3. High school graduate
4. Technical training or some college or an Associate's degree
5. Bachelor's degree
6. Graduate education or degree

What is your present occupation? (Indicate if you are presently not employed)

---

What is your age? \_\_\_\_\_years

What is your sex? (Circle one)

1. Female
2. Male

What is your race/ethnic background? (Circle one)

1. White/Caucasian
2. African American
3. Asian
4. Hispanic
5. Describe> \_\_\_\_\_

Is there anything about you or your current situation that you think would be important for us to know?

---

---

Please describe any ideas you have about improving this seminar or give any additional comments.

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Thank you for completing this survey. Signing your name below is optional.

---

\*Survey developed by Penn State Justice and Safety Institute, 305 Lubert Building, Innovation Park, University Park, PA 16802-7009

**APPENDIX B**  
**Open-Ended Interview Questions**

From Thoennes and Pearson's (1998) *Open-Ended Interview Guide*  
(Appendix C, pages 1-7)

**Origins**

When and why did the need for the program emerge?  
Who were the key actors in getting it organized?  
Were there organized sources of opposition or support?  
Why contract vs. in-house providers?  
Why was it mandated?  
What discussion was there about having parents attend together or apart?

**Exposure**

How were you introduced to the parent Education Program?  
Were you involved in the planning?  
What do you know of the program?

**Goals**

What do you think the goals of the program are? Do you think that they are appropriate?  
Should there be other goals?

**Content**

What would you have parent education providers spend time on?  
What, if anything, do you think they spend too much time on?

**Reactions and Recommendations**

Should parent education be mandatory?  
Should all parents have to attend? Should any be exempted?  
What are the special issues in providing parent education to families with domestic violence? Do these parents always need to attend separately? Is the content still appropriate? Is the focus on cooperation inappropriate?  
Should parents attend together or separately?  
Is the length right? What do you think would be the appropriate number of sessions?  
Are the format and content appropriate?  
Should programming be didactic or more participatory?

**Attorney Questions**

Do you know whether clients have been through the parent education program?  
Who is reluctant to attend?  
Do you encourage attendance?  
Are more or different types of people settling on their own as a result of the program?

Do you notice changes in the amount of time you spend on cases?  
Do you notice changes in the types of issues you are asked to help resolve?  
Do you notice changes in the amount of time you spend informing clients about the divorce process? Do you notice changes in "hand-holding" time?  
Are attendees more sympathetic to the ideas of visitation and post-divorce parent cooperation?  
Are attendees more likely to use community resources, once they have been through the parent education program?

### **Judge/Hearing Officer Questions**

Are more or different types of people settling on their own or with attorneys as a result of the program?  
Have you noticed changes in numbers of contested hearings?  
Have you noticed changes in length of contested hearings?  
Have you noticed changes in the nature of issues in dispute?  
Are parents coming to court more informed about the divorce process?  
Are parents more sympathetic to the ideas of visitation and post-divorce parent cooperation?  
Are you noting differences in pro se versus attorney represented custody litigants?

### **Mediator Questions**

Are more or different types of people settling on their own or with attorneys as a result of the program?  
Have you noticed changes in numbers of mediation?  
Have you noticed changes in agreement rates?  
Have you noticed changes in length of mediation?  
Have you noticed changes in nature of agreements?  
Are parents coming to you more informed about the divorce process?  
Are parents more knowledgeable about mediation?  
Are parents more sympathetic to the ideas of visitation and post-divorce parent cooperation?  
Are parents more inclined to resolve their problems?  
Are you noting differences for pro se versus attorney represented custody litigants?

**APPENDIX C**  
**Administrative Program Court Order**

IN RE: MANDATORY EDUCATION : IN THE COURT OF COMMON PLEAS  
PROGRAM FOR SEPARATED : OF TIOGA COUNTY, PENNSYLVANIA  
AND DIVORCING PARENTS : NO. 92 MS 2007

**ORDER**

AND NOW, this 27th day of June, 2007, it is hereby ORDERED that, beginning with cases filed July 1, 2007, parties to contested divorce and/or custody/visitation actions, who are the parents of a child/children under the age of eighteen (18) years, shall attend the Education Program for Separated Parents. The Program is a four-hour educational seminar which has been established by the Court to provide guidance to parents in helping their children adjust to the consequences of separation/divorce. The procedures of the program are as follows:

7. Upon the filing of a divorce or custody/visitation action, the parties will be notified by the Court Administrator that their attendance at this seminar is mandatory by Order of the Court. The parties must fulfill this requirement within ninety (90) days of the filing of said action.
8. Attendance at the seminar is mandatory. Required attendance may only be waived for compelling reasons. All requests for waivers must be presented to the Court.

9. Within fifteen (15) days of said notification by the Court, the parties are required to register for the Program by using the preprinted registration form contained in the Education Program for Separated Parents brochure.
10. A fee of \$50.00 will be assessed each individual attending the seminar. The fee must be paid and mailed in advance of the seminar, along with the completed registration form, to the address listed on the brochure. A request for waiver of the fee with proof of hardship must be presented to the program administrator, as instructed in the brochure.
11. FAILURE TO REGISTER AND COMPLETE THE PROGRAM WILL BE BROUGHT TO THE ATTENTION OF THE COURT AND MAY RESULT IN A FINDING OF CONTEMPT AND THE IMPOSITION OF SANCTIONS.
12. Upon successful completion of the Program, a certificate will be docketed in each case file to verify participation.

By the Court,

---

Robert E. Dalton, Jr., President Judge

CC: Tioga County Court Administrator

*n/c*

## APPENDIX D Parenting Program Brochure

### University Policies

**Access**—Penn State encourages persons with disabilities to participate in its programs and activities. If you anticipate needing special accommodations or have questions about the physical access provided, please call 814-863-0079 before your visit.

**Cancellation**—The University may cancel or postpone any course or activity because of insufficient enrollment or other unforeseen circumstances. If a program is canceled or postponed, the University will refund registration fees but cannot be held responsible for any other related costs, charges, or expenses, including cancellation/change charges assessed by airlines or travel agencies.



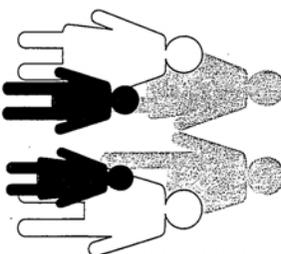
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Education Program for Separated/Divorcing Parents  
 Penn State Justice and Safety Institute  
 306 Lubert Building  
 Innovation Park at Penn State  
 University Park PA 16802

**PENN STATE** Making Life Better®



EDUCATION PROGRAM  
 FOR SEPARATED/DIVORCING PARENTS



### *Meeting the Needs of Children*

- a mandated program for divorcing parents with children under 18 years of age, or litigants in custody/visitation actions
- administered by
  - Penn State Justice and Safety Institute
  - The Pennsylvania State University
- for the Tioga County Court of Common Pleas, 4th Judicial District, Commonwealth of Pennsylvania



**Education  
 Program for  
 Separated/Divorcing  
 Parents**

## Program Content

The *Education Program for Separated/Divorcing Parents* is a four-hour seminar to help parents understand a child's needs in relation to divorce and separation. The program is mandated by order of the Tioga County Court of Common Pleas for all parents filing for divorce in Tioga County who have children under 18 years of age, and all litigants in custody/visitation actions. It will also benefit any persons related to or working with children of divorce. This includes mental health professionals, domestic relations officers, adult children of divorced parents, grandparents, stepparents, foster parents, extended families, remarried individuals, educators, and family service providers.

The program will examine:

- the effects of divorce and separation on adults and children
- a videotape of children's views on divorce
- parenting arrangements to fit children's needs
- the pitfalls of putting children "in the middle"
- conflict and problem solving
- reunings and resources for parents and children

Parents mandated to attend this seminar must attend within sixty days of their divorce or custody/visitation filing.

## Program Faculty

The program is a collaborative effort between Penn State and the courts. Dr. Jennifer Adams Mastrotski, an associate professor in the Penn State Justice and Safety Institute, directs the program. She has studied and worked with family judges and courts on divorce-related issues for the past two decades. To meet a growing need, Dr. Mastrotski worked with Tioga County Judge and court administrator to develop this education program.

## Fee and Registration

The fee for the program is \$50 per participant and must be paid in advance. If you are paying with a check or money order, make the check payable to The Pennsylvania State University. **IN ORDER FOR YOU TO BE ADMITTED TO THE CLASS, THE FORM AND FEE MUST BE RECEIVED AT LEAST TEN DAYS BEFORE THE SELECTED PROGRAM DATE.** Rescheduling must be made within thirty days of the selected program date to avoid loss of the registration fee (see phone number listed below). **No refunds will be given for no-shows.**

## Financial Hardship

In instances of financial hardship, please call 888-737-2299 (in Pennsylvania) and 814-863-0079 (outside Pennsylvania) for further information. Evidence of inability to pay must be provided prior to program attendance.

## Locations and Times

Classes will be held at the Armory Building, at the corner of Water Street and Central Avenue, behind the Court House in Wellsboro, Pennsylvania. Please use the entrance on Central Avenue by the flag pole (across the street from the Native Beagle).

Saturday classes will be held from 9:00 a.m. to 1:00 p.m.

Wednesday classes will be held from 3:30 p.m. to 7:30 p.m.

### Schedule for 2007

Wednesday,	July 25
Saturday,	August 18
Wednesday,	September 12
Saturday,	October 13
Wednesday,	November 7
Saturday,	December 8

Note:

- Parents may attend the program separately or together.
- Separate attendance is recommended when FFAs are in effect.
- Child care is not provided.
- Children may not attend the program.

### Attendance

Certificates will be presented to participants at the end of the program. Certificates will not be granted to those who miss more than fifteen minutes of the program.

### PROGRAM RESOURCES

- *Children in the Middle*, copyrighted by the Center for Divorce Education, PO Box 5800, Athens OH 45701
- two films, *Listen to the Children: Divorce Education for Parents* and *You're Still Mom and Dad* (Australia)

## For More Information

Education Program for Separated/Divorcing Parents  
Penn State Justice and Safety Institute  
306 Libbert Building  
Innovation Park at Penn State  
University Park, PA 16802  
Phone: 888-737-2299 (Pennsylvania only)  
814-863-0079 (outside Pennsylvania)  
Fax: 814-863-3108

## Registration Form

### EDUCATION PROGRAM FOR SEPARATED/DIVORCING PARENTS

This form may be duplicated for additional registrations. Please print in ink or type and return with payment to Penn State.

**Note:** The fee must be enclosed for registrations to be processed, unless financial hardship adjustment has been approved.

- Voluntary Participation    FFA in effect:  Yes  
 Mandatory Participation     No

Name (print as it appears on court record)

Divorce-filing case no.

Home address (no. and street or box no.)

City

State

ZIP code

Home phone

Work phone

Please indicate date.

### Schedule for 2007

- Wednesday, July 25  
 Saturday, August 18  
 Wednesday, September 12  
 Saturday, October 13  
 Wednesday, November 7  
 Saturday, December 8

Send registration form and payment to the address at left.

\*The Social Security number (SSN) you provide for enrollment purposes, or when requesting specific services, will be used by the University to verify your identity for official record keeping and reporting. If you choose not to supply your SSN, certain services—such as transcript, enrollment verification, tax refund, and financial aid—may not be available to you, and Penn State cannot guarantee a complete academic record for you. Your SSN will be stored in a central system and used only as a primary source to identify you within the Penn State system; the Penn State ID will be used as the primary identifier.

Social Security no. \* or Penn State Identification no.

### Method of Payment

- ( ) Enclosed is a check or money order for \$50, payable to The Pennsylvania State University.

- ( ) Charge my:  American Express  Discover  MasterCard  VISA

Cardholder's signature

Cardholder's e-mail (for acknowledgment and receipt)

Card no.

Expiration date (month/year)

(credit card changes cannot be processed without signature and expiration date)

- ( ) Financial hardship adjustment approved through program office.

A \$10 fee will be assessed for all returned checks.

**APPENDIX E**  
**Penn State University Survey Instrument**  
**Education Program for Separated/Divorcing Parents Follow-up Survey**

*The first set of questions relates to information and materials you were given at the Education Program.*

1. When you think back on all the topics covered in the class, which topics have been most helpful to you personally? (circle all responses that apply)

- a) effects of separation/divorce on children
- b) effects of separation/divorce on adults
- c) stages of loss and grief
- d) legal issues associated with separation/divorce
- e) economic impact of separation/divorce
- f) parenting plans and custody
- g) conflict resolution
- h) video of children expressing their own views about separation/divorce
- i) other; please describe: \_\_\_\_\_

2. *Since taking the Education Program*, are there topics related to separation/divorce and custody that you feel you need **more** education or help with? (circle one response)

- a) no
- b) yes; describe topics: \_\_\_\_\_

3. *Since attending the Education Program*, have you shared information and/or discussed topics covered in the class with anyone? (circle one response)

- a) no
- b) yes (circle all that apply):

<u>Person you shared information with</u>	<u>Topics shared</u>
children; ages?: _____	_____
family; who?: _____	_____
attorney _____	_____
separated spouse/partner _____	_____
friends _____	_____
new partner/spouse _____	_____
clergy _____	_____
other; who?: _____	_____

4. *Since taking the Education Program*, have you read any of the materials handed out in the class packet? (circle one response)

- a) yes; please describe which ones were most useful for your situation: \_\_\_\_\_
- b) no
- c) not sure/don't remember

5. Have you read more materials or books on separation, divorce, or custody, as a result of taking the **Education Program**? (circle one response)

- a) no
- b) yes; please describe some of the topics you have read more about: \_\_\_\_\_

*The next set of questions asks about your situation before and after taking the Education Program.*

6. Please indicate which statement best fits your situation, in terms of why you were required to take the **Education Program**. (circle one response)

- a) separated/divorcing parent of minor child/children
- b) person (other than parent) involved in custody litigation with parent(s) of minor child/children
- c) other; please describe: \_\_\_\_\_

7. If you had filed for custody litigation *before the Education Program*, what is the current status of that filing? (circle one response or indicate if there wasn't a filing)

- a) not applicable—had not filed for custody litigation
- b) filing for custody litigation was withdrawn after the program
- c) custody litigation has occurred
- d) custody litigation is pending
- e) other; please describe: \_\_\_\_\_

Feel free to add any other comments about the custody filing, if applicable: \_\_\_\_\_

8. *In general*, how would you describe communication with your divorcing/separated spouse/partner, or other person(s) involved in custody litigation, *since taking the Education Program*? (circle one response)

- a) better than before taking the class
- b) about the same as before taking the class
- c) worse than before taking the class

Please describe how communication has **EITHER** improved or worsened since the program:

9. *Related to parenting time* specifically, how would you describe communication with your divorcing/separated spouse/partner, or other person involved in custody litigation, *since taking the Education Program*? (circle one response)

- a) better than before taking the class
- b) about the same as before taking the class
- c) worse than before taking the class

Please describe how communication has **EITHER** improved or gotten worse since the program:

---

10. *As a result of taking the Education Program*, have you and your divorcing/separated spouse/partner, or the other person(s) involved in custody litigation, used mediation to resolve differences associated with separation/divorce, parenting, or other related conflicts? (circle all responses that apply)

- a) No.
  - b) No, but we have used *other methods* to resolve conflicts *not associated* with parenting.
  - c) No, but we have used *other methods* to resolve conflicts associated with parenting.
  - d) Yes, we have used mediation for separation/divorce-related conflicts *not associated* with parenting.
  - e) Yes, we have used mediation to resolve parenting conflicts.
  - f) Yes, we have used mediation for other related reasons. Feel free to describe: \_\_\_\_\_
- 

11. *As a result of taking the Education Program*, have you and/or your divorcing/separated spouse/partner, or the other person(s) involved in custody litigation, started professional counseling for help associated with separation/divorce, parenting, or other related issues? (circle all responses that apply)

- a) no
- b) yes, with the other person, for separation/divorce-related issues *not associated* with parenting
- c) yes, with the other person, for parenting issues
- d) yes, for myself only
- e) yes, with the other person and child(ren)
- f) yes, with child(ren), but without the other person
- g) yes, but only the child(ren) took part in the counseling
- h) yes, for other related reasons. Feel free to describe: \_\_\_\_\_

12. Please describe other ways, if any, that the **Education Program** has affected the way you are handling your separation, divorce, parenting, or other issues: \_\_\_\_\_

---

13. At this time, how interested would you be in attending a voluntary program on specific topics associated with separation, divorce, or parenting, if it were offered? (circle one response)

- a) not at all interested
- b) somewhat interested; describe topic(s) of interest: \_\_\_\_\_
- c) interested; describe topic(s) of interest: \_\_\_\_\_
- d) it depends; please explain: \_\_\_\_\_

*The next set of questions relates to communication you had about the Education Program.*

14. Please rate the helpfulness of staff at Penn State when you called with questions about the program. Use a scale from 1 (not helpful) to 10 (very helpful), or select "not sure/don't remember." (circle one response)

1      2      3      4      5      6      7      8      9      10      not sure/don't  
remember

Please feel free to add comments about the service you received when contacting Penn State staff with questions about the **Education Program**: \_\_\_\_\_

---

15. Please rate the helpfulness of staff at your county court when you called with questions about the program. Use a scale from 1 (not helpful) to 10 (very helpful), or select "not sure/don't remember." (circle one response)

1      2      3      4      5      6      7      8      9      10      not sure/don't  
remember

Please feel free to add comments about the service you received when contacting your county court staff with questions about the **Education Program**: \_\_\_\_\_  
\_\_\_\_\_

16. Please add any thoughts or comments you have about the **Education Program** you attended, and/or suggestions on how we might improve the program: \_\_\_\_\_  
\_\_\_\_\_

*Finally, it will be helpful to have a little background information so that we can analyze our findings in reference to persons with different characteristics.*

17. What is your sex? (circle one response)

- a) female
- b) male

18. What is your age? \_\_\_\_\_ years

19. What is your highest level of education? (circle one response)

- a) less than high school
- b) some high school
- c) high school diploma
- d) technical training, some college, or an associate's degree
- e) bachelor's degree
- f) graduate education or degree

20. Please indicate the approximate time frame during which you took the **Education Program**. (circle one, or indicate if you are not sure/don't remember)

- a) July 1, 2005, through December 31, 2005
- b) January 1, 2006, through June 30, 2006
- c) July 1, 2006, through December 31, 2006
- d) not sure/don't remember

*Thank you so much for providing us with valuable feedback about our Education Program.*

*If you would like to receive a copy of our report, you may either send mailing information on the separate sheet, and return it with your survey, or call our office (888-737-2299 toll-free within PA, or 814-863-0079 outside of PA) and give mailing information to our staff.*

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