

## Where do children live and for how long? The sustainability of the parenting-time schemes in the post-divorce era in Spain

Fernando Ruiz-Vallejo (*Universitat Pompeu Fabra, ([fernando.ruizv@upf.edu](mailto:fernando.ruizv@upf.edu))*)  
Marc Ajenjo, *Centre d'Estudis Demogràfics ([majenjo@ced.uab.es](mailto:majenjo@ced.uab.es))*

### *Abstract*

This study seeks to describe the survival of the children timeshared schemes (regardless of whether or not they passed through the legal system) and to identify which variables could explain the sustainability of the initial agreement. We use the “CUCOPE” survey, which is a cross-sectional survey representative of people resident in 6 regions in Spain, who in the last 8 years have experienced a union dissolution process involving at least 1 child under 16 years old. The questionnaire collected retrospective information in order to investigate the agreements reached at the time of the union dissolution, as well as its changes in previous 8 years at time of survey. We use event history analysis in continuous time (months) to describe the survival time up to the initial “scheme” had changed. Our results suggest that schemes where children live most of the time with the father, change more and faster than other types of agreements.

### *Extended abstract*

In Spain, the increase in joint custody between 2011 and 2016 has occurred solely to the detriment of exclusive custody of the mother since exclusive custody granted to the father remains constant at about 5%. Despite the progressive increase in shared custody, there are considerable differences within the country. A recent study has showed that besides the effect of the legislation changes at subnational level, the most important explanatory factor with regard to joint custody is having had more egalitarian relationship within couple and live in regions with more egalitarian gender structures (Solsona, Spijker and Ajenjo, 2017).

On the other hand, several European countries have specific surveys that allow not only knowing the degree of prevalence of the shared custody modality, but also detailed information about the time that each parent spent with children in the post-divorce arrangements (Martial, 2011; Masardo, 2009; Toulemon & Pennec, 2009). Australia, Belgium and the Netherlands are among the pioneers in conducting specific surveys on this issue (Smyth, 2009, Sodermans et al., 2012, Dykstra et al 2006), but there are few works that analyse the duration of legal and “real” agreements, as well as the factors associated with the type and date of these changes. An interesting exception is the study by David Pelletier and Lardoux (2014) for the case of Canada, which shows that mother-custody is maintained over time, and father or shared custody change in the medium and long term. In the case of Spain there are no studies that analyse and quantify the changes in these types of arrangements or schemes.

Although there is evidence on the increase of the shared custody in some regions of Spain, it has not been documented whether the rise in the legal shared custody implies that, in fact, children live in egalitarian timeshare schemes for long-term periods (mainly residence). Additionally, the available research on this topic is based exclusively on legal sentences from couples who went through the Courts and Tribunals to establish agreements related to their children. Therefore, it is

not known how parents that split-up their unions (both, marriage and cohabitations) without any legal system intermediation, distribute the time with their offspring. In this sense, *our objective is to describe the survival of the children timeshared schemes (regardless of whether or not they passed through the legal system) and to identify which variables could explain the sustainability (or any change) of the initial agreement.* For the first time, we use results from a retrospective survey conducted at the end of 2018, with people who, in last 8 years, had experienced a separation or divorce involving children under 16 years old at time of the union dissolution. This survey was collected in the 6 Spanish States with high levels of legal shared custody (Aragon, Balearic Islands, Catalonia, Navarre, the Basque Country and Valencia)<sup>1</sup>.

## Data and method

The CUCOPE is a cross-sectional survey representative of people resident in 6 Spanish States (Aragon, Balearic Islands, Catalonia, Navarre, the Basque Country and Valencia), who in the last 8 years have experienced a process of breaking a union involving at least 1 child under 16 years old. The questionnaire collected retrospective information in order to investigate the agreements reached at the time of the union dissolution, as well as its changes in last 8 years. In addition, the survey has sociodemographic variables and other relevant characteristics on the union dissolved and related to access to the legal systems after dissolution. The sample size is 739 individuals (see table 1 with the distribution of selected variables). Of these, in 89% there were no changes in the number of nights that children spend with each parent, since the union dissolution up to the youngest children (if had more than one) was underage.

We use event history analysis in continuous time (months) to describe the survival time up to the initial “scheme” had changed. For our understanding, “scheme” is defined as the number of night that children spent with each parent. In order to identify a change in this scheme, we observe (retrospectively) two points in time: once immediately after union dissolution (both marriage and cohabitation), and other at any time after union dissolution if individuals have reported that the “scheme” had changed for first time. Cases with no declared change had been considered right-censored. The main independent variable is the type of “scheme”, which includes 3 categories:

- Equal time: the percentage of nights with each parent is between 45% and 55%.
- More time with mother: the percentage of nights with the mother 55% or more.
- More time with father: the percentage of nights with the father 55% or more.

## Preliminary results and next steps

Descriptive results are included in tables 1. Figure 1 shows the Kaplan-Meier survival function of changes in the children residential scheme, according to the scheme type. It is observed that schemes where children live most of the time with the father, change more and faster than other types<sup>2</sup>. We also found no difference between the “equal time” and the “more time with mother” groups. This finding contradicts the association found in Quebec (Pelletier and Lardoux, 2014), where the “egalitarian parenting-scheme” was the less stable over time. Nevertheless, this result should be controlled for other sociodemographic variable and other characteristic about the union

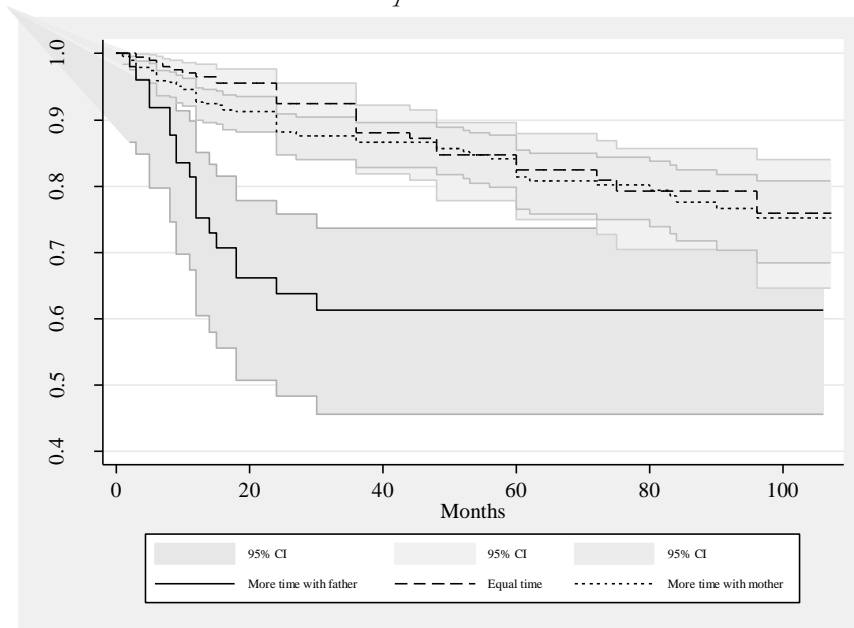
---

<sup>1</sup> This Survey is part of the project *Joint custody after union breakup. Which contexts favour this emerging paradigm? (CUCOPE)*, that has received funding from the Ministerio de Economía, Industria y Competitividad. Plan Estatal I+D (Ref.: CSO2016-78715-R). The Principal Investigators are Dr. Montserrat Solsona and Dr. Marc Ajenjo, of the Centre for Demographic Studies (CED) from Autonomous University of Barcelona.

<sup>2</sup> The log-rank test for equality of survivor functions shows statistically significant results between three groups. However, there are no differences between the “equal time” and “more time with mother”.

dissolved, which are the next steps of our analysis, including models to explain properly the reason behind this change.

Figure 1. Kaplan-Meier survival function of initial parenting-time following separation (n=739).  
Spain 2018



Source: CUCOPE, CED-UAB 2018

**Table 1. Descriptive statistics**

Variables	Obs.	Groups by changes in the scheme of time shared with children	
		No changes (n=620)	Changes (n=119)
<b>Sex and region</b>			
<i>Sex</i>			
Male	369	48,9%	55,5%
Female	370	51,1%	44,5%
<i>Region</i>			
Aragon	64	9,0%	6,7%
Balearic Islands	38	5,3%	4,2%
Catalonia	334	46,0%	41,2%
Valencia	182	23,2%	31,9%
Navarra	22	3,2%	1,7%
Basque Country	99	13,2%	14,3%
<b>Characteristic of ex-partners</b>			
<i>Current mean age of ex-partners</i>			
Of males		45,98	46,26
Of females		43,93	44,38
<i>Origin</i>			
Both from Spain	625	84,7%	84,0%
Native and foreign	86	11,8%	10,9%
Both foreigners	28	3,5%	5,0%
<i>Educational attainment of males</i>			
Secondary or less	185	25,3%	23,5%
High School	252	34,4%	32,8%
College	302	40,3%	43,7%
<i>Educational attainment of females</i>			
Secondary or less	136	17,7%	21,8%
High School	270	38,4%	26,9%
College	333	43,9%	51,3%
<i>Occupational status at dissolution time</i>			
Only he had a job	134	17,9%	19,3%
Only she had a job	67	9,0%	9,2%
Both had a job	524	71,1%	69,7%
None had a job	14	1,9%	1,7%
<b>Characteristic of the split-up union</b>			
<i>Type of union</i>			
Marriage	511	69,4%	68,1%
Cohabitation	228	30,6%	31,9%
<i>Number of children</i>			
One	406	53,7%	61,3%
Two	299	42,1%	31,9%
Three+	34	4,2%	6,7%
<i>Mean current age of the youngest child</i>			
Mean		5,87	6,03

## References

- Dykstra, P.A., Kalmijn, M., Knijn, M., Komter, A., Liefbroer, A., and Mulder, C.H. (2006). Family solidarity in the Netherlands. Amsterdam: Dutch University Press.
- Martial, A. (2011). "Paternités contemporaines et nouvelles trajectoires familiales" *Ethnologie française*, 42(1), 105-116.
- Pelletier, D, Lardoux, S. (2014) Ententes de garde des enfants après une séparation: durées et déterminants, AIDEF, Bari.
- Masardo, A. 2009, "Managing shared residence in Britain and France: questioning a default 'primary carer' model" en Rummery K., Greener I. and Holden C. (eds.), Social Policy Review 21: Analysis and debate in social policy, Bristol, Policy Press, pp. 197-214.
- Smyth,,B. 2009, A 5-year retrospective of post-separation shared care research in Australia, *Journal of Family Studies* 15: 36-59
- Sodermans, A.K., Vanassche, S., Matthijs, K., and Swicegood, G. (2012). Measuring post-divorce living arrangements: Theoretical and empirical validation of the residential calendar. *Journal of Family Issues*. doi:10.1177/ 0192513X12464947
- Solsona, M; Spijker, J and Ajenjo, M (2017) "Calidoscopio de la custodia compartida en España" in Becerril, D and Venegas, M (eds.) *La custodia compartida en España*. Madrid: Dykinson, 45-72.
- Toulemon & Pennec, 2009, Two-home adults and children : long-lasting and transitory family situation ? The case of France, IUSSP, Marrakech-