

BIA Training  
Guidelines for BIAs  
Representing Children in Contested Custody Cases in Maryland

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# Attachment

## The Developmental Task of Infants

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## Attachment: A Primer

- Often misunderstood/misused term
- Konrad Lorenz (1903 – 1989) - An Austrian Zoologist
  - Studied animal instinctive behavior
  - Rediscovered the principle of imprinting originally noted by Douglas Spalding in the mid 1800's.
- Reformulated by John Bowlby (1973) and studied extensively by Mary Ainsworth (1970+)
- **Attachment Theory has become the dominant perspective on an individual's development as a result of parent-child relationships.**

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## Attachment

- Attachment starts with the biologically driven survival mechanism. The survival of infants depends on their ability to maintain proximity to protective adults. Many other species are mobile at birth. Humans, however are unable to move close or follow adults for months and even unable to cling to adults for **protection** or warmth.

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## Attachment

- Attachment is the developmental task of infants.
- Initially, it is the means by which babies entice adults to approach them, take care of them, and protect them.
  - Use signals such as crying
  - Adults are predisposed to respond to cries by approaching, picking up, soothing the baby.

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## Attachment

- The attachment relationship serves as a template or schema for other relationships
  - ***Variation in the quality of care giving by a parent, such as emotional availability, acceptance, sensitivity, and responsiveness, particularly during times of distress, will predictably lead to different attachment behaviors in the child (sense of security, fundamental feelings of responsiveness by parent, anxiety, tension, helplessness, insecurity...)***

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## Attachment

\*\*\*The attachment relationship may provide the child with a secure base, sense of emotional security and protection against harm *and/or* provide the child with the experience that the world is unsafe, disorganized, chaotic, angry....

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## Attachment

- Attachment and child development are inextricably intertwined. **Attachment is the psychological version of the immune system** and a secure attachment will allow the child to devote their energies to other development achievements such as exploration, learning, social relationships and play
- The quality of care provided to the child, particularly sensitivity and responsiveness, leads to a SECURE (optimal), INSECURE, or DISORGANIZED attachment relationship – these are the child's organized and consistent strategies to deal with the parents' care giving behaviors

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## Attachment

- Our attachment relationships provides us with a system of beliefs, images, and emotions about ourselves and our relationships
- Our primary attachment relationships become an internalized element in our self-representation
  - **We want to promote secure attachments with both parents because the origin of self-image is**
    1. **The perception of self in relationship to others, and**
    2. **The image of others**
- A child's overall well-being is promoted when attachment relationships are protected

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## Attachment

- Secure attachment
  - Allows the child to devote energy to other tasks
  - Leads to successful intimate relationships with others
  - Increases likelihood of successful independent functioning
  - Promotes autonomy and independent functioning
- We develop a mental representation of our primary attachment relationships and that mental image allows for separation and exploration (independent functioning) from the primary caregiver
  - Goal of parenting plans is to develop a plan which promotes the attachment relationship with both parents (all other things being equal)
- Children may develop different forms of attachment relationships with each parent

## Attachment

- Children may develop different forms of attachment relationships with each parent
- Attachment and other components in the parent-child relationship (e.g., teaching, discipline, support, respect and encouragement/discouragement of autonomy) require careful consideration in any custody/access recommendations. Attachment does not encompass the whole of the parent-child relationship
- Parental Separation is a powerful challenge to the child's attachment relationships with mother and father
  - Threats or disruptions in the attachment relationship ( e.g., parental separation) leads to fear/anxiety and may increase attachment behavior (e.g., the need for proximity to attachment figures)

## Attachment

- Parental Separation is a powerful challenge to the child's attachment relationships with mother and father
- Threats or disruptions in the attachment relationship ( e.g., parental separation) leads to distress and specific expression of the distress depends on the quality of the attachment:
  - may increase attachment behavior (e.g., the need for proximity to attachment figures) with secure attachments
  - May increase withdrawal, may see ambivalence..

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## Attachment

- Disruption of an early attachment places the child at increased risk for negative developments
  - One goal of parenting plans is to promote and protect these primary attachment relationships
- Can assess working model of attachment through cognitive and language-based assessments (stories, psychological testing, doll play)
- Can predict with about 75% accuracy the child's attachment schema (secure or insecure) based on assessment of parent's childhood attachment experiences and past and current attachment experiences (Adult Attachment Interview)

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## Attachment

- **The most well-researched attachment measure is the Strange Situation (Mary Ainsworth)**
- **21 minute research-based process**
- **Research used a sample of infants 12 – 20 months**
- **So, research is valid in research settings with 12 – 20 months old children**
  - **Introduce mild stress and assess how well the child uses the parent as a secure base (for comfort, emotional regulation, soothing)**
  - **Uses 8 different scenarios**
  - **The “stress” activates the child’s attachment system**
  - **Assess the schema of the attachment**

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## Attachment

### The Stange Situation:

- **Requires extensive training**
- **May be influenced by family stress (e.g., divorce)**
- **Not likely that custody evaluators have the required training**
- **So, evaluators who talk about attachment really are talking about the relationship and their opinion of the attachment without scientific validation**

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## Attachment

- What do we know?
- Secure attachments do predict positive childhood/adult outcomes
  - Health (physical and mental health), stability & success (e.g., employment, education, relationships)
- Attachment status in infancy is stable through adulthood (and, therefore, predicts positive outcomes) but can be affected negative events (abuse, serious illness, parent's death)

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## Current Controversy: Overnights for Infants/Toddlers

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### Current Controversy: Overnights for Infants/Toddlers

- Discussion in the Literature Regarding Overnights – some in Family Court Review & Family Law Quarterly (Kelly and Lamb; Richard Warshak; Solomon and Biringen; Judith Younger; Marsha Kline Pruett)
- Issue = Does overnight visitation at an early age create some instability in the child that predisposes them to later problems?
- Premise from 1970s through early 2000s:
  - Early stable and secure attachment with a primary caretaker is required for internal stability and strength
    - Promoted by Goldstein, Freud and Solnit beginning in the 1970s

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### Current Controversy: Overnights for Infants/Toddlers

- Goldstein, Freud & Solnit (1973, 1979, 1986) wrote three volumes on “The Best Interests of the Child”
- Postulated that continuity and stability in relationships, environment, and surroundings were critical for positive child development
  - Their Conclusion: Overnights away from primary parent (usually mother) should not occur until the child reaches pre-school age

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### Current Controversy: Overnights for Infants/Toddlers

- Joan Kelly and Michael Lamb (2000)
  - Children can have multiple attachments
  - Relationships with both parents should be primary focus of parenting
  - Focus on ongoing contact with each parent with frequent transitions

Note: Special needs changes weighting of factors

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### Current Controversy: Overnights for Infants/Toddlers

- Richard Warshak (2000)
  - Incorporated research on institutional day care and kibbutzim to show that being away from parents did not lead to more insecure attachments.
  - Found that risks of “separation trauma” as a result of overnights at an early age were **overstated and unsupported**
  - He advocated for frequent and consistent contact with both parents
- Solomon and Biringen (2001)
  - Disagree with Kelly and Lamb as well as Warshak
  - Discuss Solomon and George’s work (1999 and others) which suggested that children 12 to 18 months of age with overnights were more likely to have disorganized or even unclassifiable attachments to their mothers
  - Believe in the primacy of mother-child relationships and that too much emphasis was being placed on the child’s ability to have multiple attachments

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### Current Controversy: Overnights for Infants/Toddlers

- Problem with Solomon and Biringen's interpretation of Solomon and George:
  - Many children in the study never lived with both parents
    - Results cannot be applied to situations where a child lived with both parents
  - Many children in the study often had lengthy separations from their father
    - Results are not generalizable to overnight disputes in divorce cases where child was familiar with (and nurtured by) both parents
    - Results may have to do with other issues such as never having lived with both parents, circumstances which led to parents never having lived together (e.g. confounding variables)

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### Current Controversy: Overnights for Infants/Toddlers

- Attachment research shows that relationships with each parent is independent of the other
- Attachments are strengthened when interactions occur in multiple care giving contexts
- Lamb and Kelly argue that father-child relationships should be given the same weight as mother-child relationships

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### Current Controversy: Overnights for Infants/Toddlers

- Relationship with father provides independent significant benefits for children
  - Greater social, academic, occupational, marital success and satisfaction
  
- Pruett, Ebling, and Insabella (2004) – Their research examined how frequency and structure of overnights related to a child's psychological and behavioral problems as reported by parents extended family, and day care
  - Conclusion:
    - Consistency of schedule is key
    - Relationships with both parents is critical
    - Research does not show that overnights are a problem as long as they are developmentally appropriate.

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### Current Controversy: Overnights for Infants/Toddlers

#### Recent studies:

- McIntosh, Smith, and Kelaher (2010) McIntosh (2011), (McIntosh et al. 2011)
  - Group of studies from Australia
  - Results show that three year olds and under with weekly overnights with non-primary parent showed problems with more irritability and other behavioral problems
  - **Problem:** the sample is not a representative sample of divorced parents
    - Majority of parents were never married (90% for infants and 60% for toddlers)
    - 30% of parents never lived with each other

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## Current Controversy: Overnights for Infants/Toddlers

- Tornello, S., Emery, R., Rowen, J., Potter, D., Ocker, B., & Xu, Y. (2013)
- Reported Results:
  - “Frequent overnights were significantly associated with attachment insecurity among infants, but the relationship was less clear for toddlers. Attachment insecurity predicted adjustment problems at ages 3 and 5, but frequent overnights were not directly linked with adjustment problems at older ages.”
  - “The present study is the largest investigation to date of young children’s frequent overnight contact with nonresident parents and its association with attachment security. The reported findings are consistent with our hypothesis that frequent overnights away from the primary attachment figure are associated with greater attachment insecurity among infants.”

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## Current Controversy: Overnights for Infants/Toddlers

- Tornello, S., Emery, R., Rowen, J., Potter, D., Ocker, B., & Xu, Y. (2013)
- Problem\*\*:
  - The sample is not representative so cannot generalize the results
  - 85% of parents were never married
  - 62% of the families were below the poverty level
  - 85% were racial minorities
  - A majority of the families had a parent incarcerated some time before the child was five years old
  - 65% of the parents had nonmarital births from more than one partner in their teenage or young adult years

\*\* from Richard Warshak (2014)

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## Know the research & Know your expert witness

- Research results can be misleading if you are not familiar with the research and are not aware of the sample
- Experts can be misleading if they are not familiar with the research and simply quote study results
- Knowing the sample allows us to know whether the results can be extended to our typical divorcing family

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## Current Controversy: Overnights for Infants/Toddlers

- Old Thinking – Stability and security is defined by place -» child needs consistency in place
- More recently – Stability and security is defined by consistency in relationships and schedule -» child needs consistency in relationships and schedule
- Children, including infants, do best when the schedule remained consistent from week to week
- Children with overnights with inconsistent schedules had more social and emotional problems

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## Recent Research

- Marsha Kline Pruitt and colleagues (1994 and later) have examined effects of overnights with multiple caregivers
- \*\*In and of themselves, overnight periods of placement do ***not*** negatively affect young children's social and emotional adjustment

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## Basic Principles

- The younger the age of the child, the more frequent the visits (high frequency/short duration)
  - Have not achieved object constancy
- In the best of all worlds, with good parenting and co-parenting, routines are the same across households, access is frequent, and visits may be overnight beginning at an early age
- ***Note: These cases do not come to Court. Therefore, issues before the Court will typically not involve excellent parenting/co-parenting***

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## Basic Principles

### Old Model:

- As conflict increases (level of conflict is the single greatest predictor of child's adjustment):
  - The more limited the transitions
  - Visits are shorter

### New Model:

- The parenting plan must be individualized and take the conflict between the parents into account

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## Research-Based Parenting Plan Options

- Assess and consider relevant factors, including, but not limited to:
  - Children's developmental needs, child's personality, and whether they have any "special issues" which need to be considered (e.g., learning issues, mental health issues)
  - Parents' Ability to meet Children's needs
  - Each parent's parenting abilities
  - Parent's Mental Health
  - Parent's ability to make joint decisions
  - Level of conflict between parents
  - Geographic distance between parents ...
- Quality of Parent-Child Relationships Considered
- Options Can be Customized to Family Situation
- Range of Options Assist in Settlement


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## Issues in Developing Parenting Plans

- Continuity in both Relationships (if appropriate)
- Involvement in Child's Work and Play
- Type of Conflict and Presence of Buffers
- What Arrangements Will Contain Conflict?
- Level of Communication Needed
- Opportunities for Sibling Differences
- Flexibility When Needed

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**Conclusion:**  
**One Size Does Not Fit All**

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## For Some Sample Parenting Plans

- [www.supreme.state.az.us/dr/text/modelptplans.htm](http://www.supreme.state.az.us/dr/text/modelptplans.htm)
- [www.mass.gov/courts/courtsandjudges/courts/probateandfamilycourt/afccsharedparenting.pdf](http://www.mass.gov/courts/courtsandjudges/courts/probateandfamilycourt/afccsharedparenting.pdf)

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