

Joint custody: three families that tried it

Does joint custody work? The answer depends on the divorcing parents who enter into the arrangement. In the following, staff writer Glenna Whitley tells the stories of three families that chose joint custody.

Though Marie Abercrombie and Owen Arnold had enough differences to cause their divorce, they still agree on one thing: the love they have for their 13-year-old daughter, Marcy.

Marcy was 6 when her parents separated in 1976 and Texas courts did not offer joint custody at the time. So, the couple informally agreed on the joint arrangement, even though Mrs. Abercrombie officially has sole custody.

"Marcy has a really nice, nice father," says Mrs. Abercrombie, an interior designer. "It didn't seem very fair to take a child from her father, just because he and I had differences."

"I spend about one-third of my life with my father," says Marcy. "I think it's fair, but then, I never planned on them getting divorced."

The Plano teen-ager has two rooms, two stereos, two toothbrushes. "But most of my clothes stay at Mom's house. It's aggravating when something's over there when you need it."

In the seven years since the divorce, Marcy's parents have evolved a flexible timetable that allows Marcy to see her dad on weekends, in the summer, and during the week.

"In the last year, she's spent more time there than here because I work so much," Mrs. Abercrombie says.

Arnold, an accountant, has turned down

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four job offers in other cities to stay in Dallas near his daughter. And he recently bought a house in the Plano school district to make it easier for her to spend weeknights with him.

"It's making the best out of a situation that could cause a child some problems," Arnold says.

Both parents have remarried, which took some adjustment, Marcy says. But in general, the arrangement works out well, say all three.

MRS. ABERCROMBIE handles direct contact with Marcy's school. The two parents frequently talk on the phone about grades, Marcy's

friends and other interests. The families exchange Christmas presents and both parents and step-parents attend Marcy's school events, such as gymnastics meets.

"Her father and I are very united on discipline," says Mrs. Abercrombie. "If she's grounded from the telephone or TV here, she's grounded there." Marcy says her mother is a more strict disciplinarian than her father, but that each parent sticks by the other's decisions.

Mrs. Abercrombie says one aspect that makes the arrangement work is an agreement that Marcy cannot use one house or the other to escape disagreements.

"**SHE CAN'T GET UPSET** with one or the other and then threaten to go live with the other family," Mrs. Abercrombie says.

Arnold pays child support to Mrs. Abercrombie, except when Marcy is spending long periods of time with him. Then, although Mrs. Abercrombie does not pay him support, she buys Marcy's clothes and other major items.

"We do use each other for convenience," says Mrs. Abercrombie, pointing out that Marcy will be spending half of an upcoming week with her father when her mother goes out of town on business.

One reason the joint arrangement works so well, Arnold says, is that the divorce, which Mrs. Abercrombie initiated, was not bitter.

"**THERE WASN'T** a lot of anger," he says. "It was more hurt than anything else. We talked about (Marcy) logically. I didn't feel at the time there would be any physical separation from my daughter."

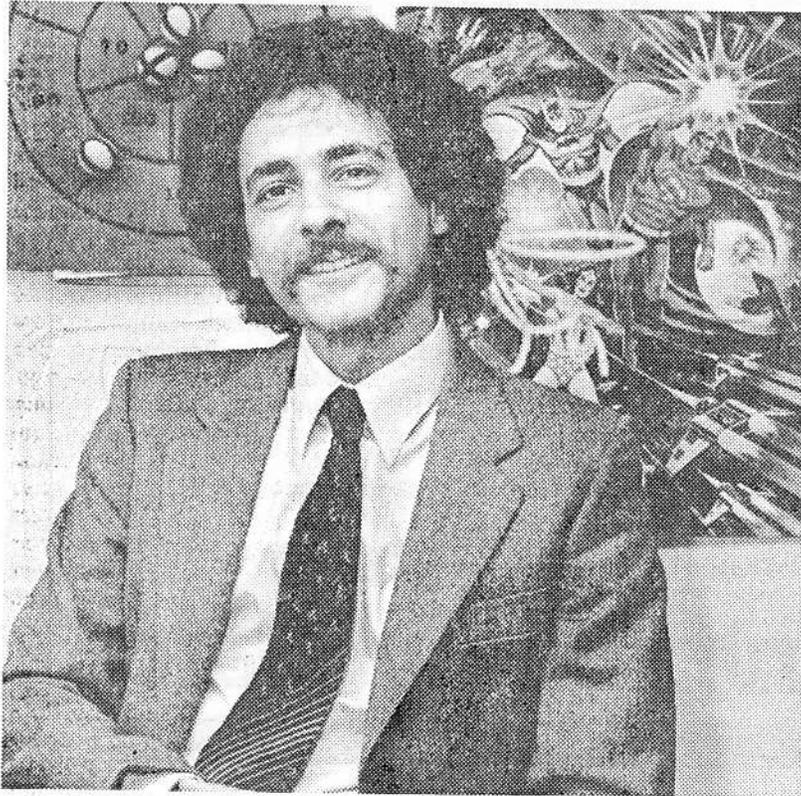
The two parents say it would be nice if the joint custody was officially legal, but they probably won't go to the expense of changing the arrangement.

"There's never been any need to," Arnold says.

A joint custody arrangement doesn't guarantee harmony. Charles Cooper asked his wife, Betty, for a divorce in 1980. Though she was against joint custody, the two hammered out an agreement for their son Jimmy, now 13.

Cooper agreed to talk about their arrangement, but his former wife declined, saying the topic was still too painful to discuss. (All of their names have been changed for publication.)

"She had two sons from a previous marriage," says Cooper, a novelist. "So I can talk from a certain amount of experience on custody



The Dallas Morning News: Jan Sonnenmair

Psychologist Richard Warshak says preliminary research indicates joint custody may be best for the child of divorce.

the spouse who is not the pri- Jim Cook, president of the Joint the realm of battle."

tell how it works for them

— seeing firsthand what it did to her ex-husband. He didn't spend very much time with his kids."

COOPER SAYS he spent a lot of time doing the nitty-gritty of parenting while his son was young — washing clothes, fixing breakfast, giving baths, helping with homework.

"That was on a practical level, but there was also an emotional level," Cooper says. "I was also close to my kid and I didn't want to lose that. If I was going to divorce, I wanted to make it as untraumatic as possible. And I didn't want to put myself in the position of the outsider, a 'goody-goody' dad."

Jimmy now spends one school semester with his mother, who lives in a Dallas suburb, and the next with his father, who lives nearby. On alternate weekends, the boy visits whichever parent he isn't living with at the time. Summers are split, and holidays alternated.

WHILE COOPERATION may be desirable, Cooper says, it's not necessary to make joint custody work.

"My wife did not want joint custody. It was forced on her. She was ultimately convinced that sole custody (with her) was the best thing for our son. But the father brings certain bargaining chips going into a divorce, unless he's just been a heinous person. And I was prepared to go to court for sole custody."

Attorneys' fees and the emotional trauma of going through a court fight finally persuaded Betty to agree to joint custody.

COOPER PAYS child support, as well as alimony, to his former wife. The alimony, which is legal in Texas only when both parties agree to it, was more financially feasible for Cooper than a lump settlement.

"In a sense, that was a bargain-

ing chip," he says, "but in this case, it was just a fair way of working out a settlement because I'm self-employed."

After a tough first year, Jimmy seems to be adjusting to the situation, Cooper says. The parents only rarely communicate, he says. "It's finally gotten to where she'll step inside my door when she brings him over."

ONE OF THE continuing sore points is religion, he says. During their marriage, Betty became a member of a fundamentalist church; Cooper describes himself as a "humanist." Though he would rather his child weren't raised in the beliefs of his wife's church, he believes Jimmy will make up his own mind someday about religion.

Joint custody isn't for all parents, Cooper says. "But most men aren't really aware that it is an option. Probably a lot of men aren't ready to give up whatever it takes to be a housewife, because that's what you end up being."

Jo Ann doesn't remember much about the process of her divorce from Larry Stogner in 1980. "I didn't want a divorce," says Jo Ann, who has since remarried and asked that her last name not be published. "All I remember is I was so hurt, I would have agreed to anything if it meant we may be able to work things out."

She and her former husband agreed to a joint custody arrangement for their sons Steven and Kevin, now 7 and 4 respectively.

Stogner, an electrical engineer, is wholeheartedly in favor of the situation, so much so that he has gotten involved in Texas Fathers for Equal Rights, which lobbies the Legislature for laws more favorable to joint custody. Jo Ann, a secretary, is less enthusiastic.

"IF I HAD KNOWN what it was going to be like, I would have said no," she says. "I feel like the less they are toted around, the better. But I like that they see their father a lot. And they enjoy seeing their father a lot, too. When we were married, he didn't have much to do with them. But now, he spends more time with them."

The two boys spend weeks with their mother in her Plano home; one night a week, on weekends and five weeks during the summer, they go to their dad's Richardson house.

"IT'S HAD ITS UPS and downs," says Stogner. "It's a case of trust. If two people can accept the fact that they don't like each other personally but these two children belong to both of them, then everything can work out. We've had our disagreements. That's not unusual, but for one parent or the other to be left out of the child's upbringing is a disservice to the child."

Some of the most basic problems resulted from the remarriage of both parents. "There is always a fear of the new spouse assuming your role with your children," Stogner says. "For example, my youngest boy started right away calling my new wife 'Momma.' He called his mother 'Mommy.' There was severe resentment over that."

BUT DISCIPLINE is one issue on which Stogner says he and his former wife have reached a solid agreement. "That's hard to do," he says, "because children will pick up on what they can get away with at each house."

Jo Ann recognizes that joint custody isn't a solution for all divorcing parents, and she says anyone considering the arrangement should attempt it on a trial basis. "We had a lot of problems at first," she says, "but we're working it out."