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## Sharing Responsibilities for Children After Separation: A European Perspective

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### ABSTRACT

(Policy frameworks in some countries encourage both parents to share responsibility for children after separation, but we know little about whether responsibility for major decision-making or day-to-day living arrangements (placement) are assigned to one parent or shared between them. In this paper we use recently-released data (European Union Statistics on Income and Living Conditions, EU-SILC) to document the extent to which children in 20 countries have responsibilities shared between the parents, assigned to only one, or a mixture. Using an index that combines decision-making and placement, we find substantial differences across countries, confirming research showing great variation in living arrangements and adding variation in decision-making. We explore potential reasons for different levels of shared responsibility across countries. Using simple bivariate statistics, we find higher levels of sharing when the legal context acknowledged sharing longer ago, and when there are higher levels of gender equality, educational attainment, and parental separation.

### KEYWORDS

Joint custody; shared parenting; legal custody; physical custody; physical placement; divorce

Across Europe as well as in the US, the historical legal framework has assigned responsibilities for parenting after separation or divorce solely to one parent. Newer frameworks allow or even encourage both parents to share responsibility, either for major decision-making (religion, medical care, education, etc., often called “legal custody”) or in day-to-day caring (also called “physical placement” or “physical custody”), or both.<sup>1</sup> These two dimensions of responsibility – which we refer to as “decision-making” and “placement” – are conceptually (and, in many countries, legally) distinct. However, most of the research documenting the level of sharing and its effects has focused on shared

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<sup>1</sup>We use “shared responsibility” to encompass both the domain of day-to-day caring/shared residence and the domain of decision-making. We do not use “shared care” as an umbrella term because it has sometimes been used in the literature to refer to shared residence (e.g., Claessens & Mortelmans, 2018; Hakovirta & Eydal, 2020).

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placement, with substantially less (and now dated) work on shared decision-making. There is very little research that examines these two types of sharing together using more recent data, an examination that can provide more robust information on how contemporary families are organizing parenting after they separate. Moreover, the research on shared decision-making has focused on single countries, making it difficult to understand the broad context of a given level of sharing. Examining the level of shared decision-making and shared placement together across a range of countries enables us to explore whether country-level factors (e.g., the level of gender equality or housing costs) are associated with sharing parenting responsibilities post-separation.

A body of research has examined the effects of shared placement and generally found positive impacts on children and parents across many domains (for reviews, see Bauserman, 2012; Braver & Lamb, 2018; Braver & Votruba, 2018; Nielsen, 2018; Steinbach, 2019). The smaller literature on shared decision-making has found it to be related to increased father-child visitation (Gunnoe & Braver, 2001; Seltzer, 1998), fewer child adjustment problems (Gunnoe & Braver, 2001), and more child support (e.g., Chen & Meyer, 2017), although some have found little or no relationship with various outcomes once other characteristics are controlled (e.g., Albiston et al., 1990; de Blasio & Vuri, 2019; Seltzer, 1998). However, the research on shared placement and shared decision-making has not examined these concepts simultaneously. The potential impacts on children and parents make an understanding of current levels of sharing responsibility on both dimensions an important topic in part because it could then feed into further research on the effects of the two types of shared responsibility. Yet we know very little about the basic questions: how are parents organizing responsibility for decision-making and for placement after separation in Europe? In some countries, is the predominant arrangement still decision-making and placement both assigned to one parent (typically the mother), while in others responsibility in one or both domains has shifted to be shared? If countries do differ, what might explain the difference? Potential explanations of the differences across countries have the potential to suggest policies that might support sharing, which could support the well-being of children and families post-separation.

In this paper we use data from a 2021 special module of the European Union Statistics on Income and Living Conditions (EU-SILC) survey to document the extent to which children with separated parents in 20 countries have decision-making and placement responsibilities shared between the parents, assigned to only one, or a mixture. We create a simple index of sharing and then explore potential reasons for different levels of this index across countries, considering legal contexts, the levels of gender equality, housing burdens, educational attainment, and parental separation rates within a country.

## Previous literature and theoretical framework

### *History and policy frameworks for sharing responsibility*

When parents separate or a child is born to parents who did not co-reside, decisions about care for the child need to be made. Because marriage and divorce have legal frameworks, a variety of laws, policies, and practices set the context for decisions about responsibility for children, and the resulting arrangements are formalized. Arrangements in a divorce typically include how joint assets will be distributed, whether there will be ongoing financial transfers (child support/maintenance and alimony) and how responsibility for the child will be handled, both in terms of decision-making and placement. In some countries the same legal contexts apply to separation for couples who were not married who want to formalize their separation, while in others different rules apply, generally granting unmarried fathers fewer automatic rights (Carlo, 2015; Miho & Thévenon, 2020; Perelli-Harris & Gassen, 2012). Moreover, some unmarried couples (and even some married couples) that separate may not formalize their separation legally but instead make informal arrangements on parenting post-separation (Vezzetti, n.d.). But even if parents do not have a legal or formal arrangement, they may make their arrangements in “the shadow of the law” (Mnookin & Kornhauser, 1979). Moreover, even if there was once a formal arrangement, some parents may negotiate a change that is not formally recorded. Finally, parents may not follow the agreement, whether it is formal or informal. Even with these complications, the policies and practices that govern or inform how responsibilities should be assigned post-separation can differ across countries and across time.

Early in English common law and in the colonial period in the US, a child was seen as the property of the father (DiFonzo, 2014), so fathers alone had responsibility for decision-making and placement after divorce or separation. The practice began changing in the late eighteenth century, and it was eventually supplanted with a preference for whichever parent could best provide during the “tender years;” the guiding principle in these countries and other European or Anglo countries was sometimes codified as the “best interest of the child” (Flaquer, 2021). If parents did not agree on the division of responsibilities that would be in the best interest of the child, mediation could be provided, and if agreement was still not reached, a family court could assign responsibilities. Under the “best interest” standard, the parent best suited to care for the child was often thought to be the parent who had provided the most caring when the couple was together, typically the mother (DiFonzo, 2014), reflecting the gendered division of labor within many couples. The overarching principle was a “rule of one” in which responsibilities were seen as indivisible, best assigned to one and only one parent, typically the mother. In part the preference for a single parent to be responsible came from a focus on

placement and an assumption that having multiple residences might confuse a child (DiFonzo, 2014). The preference for parental responsibility to be assigned to one parent (what some have called “mono-parenting”) also describes European countries in this period (Vezzetti, n.d.).

Policy and practice in many countries began changing again in the last half of the twentieth century. Parental roles changed for many couples as more mothers entered the labor force and more fathers took an active role in childrearing. Changing roles, changing parental preferences, and some early research on the detrimental effects of father disengagement led many countries to explicitly recognize the possibility of both parents having responsibilities together post-separation, either for decision-making or placement, or both. Historically, the development of joint decision-making (legal custody) took place prior to joint placement (physical custody). In Europe Nordic countries were forerunners in developing new strategies to encourage this form of shared parenting (Friðriksdóttir, 2014). Shared decision-making became legally favored in Sweden and the Netherlands in 1998 (Schiratzki, 1999; Spruijt & Duindam, 2009) and became the default arrangement in Belgium and Italy in 2006 (de Blasio & Vuri, 2019; Sodermans et al., 2013). In some countries, decision-making and placement can be separated. If they were, an arrangement in which parents shared decision-making but the child resided primarily with one parent became somewhat common (e.g., Braver & Lamb, 2018; Chen, 2015; Seltzer, 1990). In some countries, shared residence is now encouraged. Currently the importance of both parents being involved has been accepted as an aim and promoted in most EU countries (Boele-Woelki, 2021).

### ***Prevalence of shared responsibility***

The research on shared decision-making has primarily focused within individual countries, rather than comparative cross-country research. Much of the research is based on the US, and a substantial amount comes from a single state, Wisconsin. Early research from Wisconsin showed that among divorces in the early 1980s, only 2% resulted in parents sharing both decision-making and placement; 19% had shared decision-making but one parent was awarded placement (mothers in more than 70% of these cases), and the remaining 79% had decision-making and placement awarded to one parent (mothers in 93% of these cases) (Seltzer, 1990). Thus, full sharing was quite uncommon, but partial sharing (decision-making without placement) was increasing. Shared decision-making became more likely among divorces in the US as a whole over time, and even became the norm among divorce cases in many locations (Chen, 2015). Parents who were not married lagged behind in this trend, but by the mid-2000s, 70% of nonmarital couples coming to family court in Wisconsin were awarded shared decision-making.

Similar patterns can be seen in some countries in Europe (de Blasio & Vuri, 2019). For example, the rate of awarding sole decision-making to the mother in Italy decreased from 83% for separations in the early 2000s to 22% after 2006 (after a change to family law) (de Blasio & Vuri, 2019). The trend started earlier in some countries: by the early 2000s, around 90% of separated parents agreed to shared decision-making in Finland, Iceland, and Sweden (Hakovirta & Eydal, 2020). While the research by Hakovirta and Eydal (2020) spans several Nordic countries, we found little research on the prevalence of sharing decision-making using multiple countries.

There has been more research on the prevalence of the sharing of placement, though much more work for divorces than for nonmarital separations. The US research shows growth in shared placement after divorce; by 2010–2014, parents in about one-third of divorces in the US had shared placement (Meyer et al., 2022), with rates for nonmarital cases substantially lower (Costanzo & Reilly, 2023). The European research does not show substantial differences between divorce and nonmarital dissolution (Zilincikova, 2021). For example, in four Western European countries 4–14% of divorces had shared placement, compared to 8–21% of cohabitation dissolutions (the range occurs because fathers and mothers report differently) (Zilincikova, 2021).

The levels of shared placement across a larger number of countries has been studied, beginning with Bjarnason and Arnarsson (2011), Steinbach et al. (2021), and Zilincikova (2021), who primarily used data from the early 2000s. The most recent work, by Hakovirta et al. (2023), shows levels of placement in 17 European countries using data from 2021. They find that looking at children in separated families, about four in five live with only one parent, about one in eight spend equal time with both parents, and the remaining 8% spend substantial but not half time with both parents (10–14 or 16–20 out of 30 overnights). The rates vary substantially by country, with Sweden having more children in shared placement than in sole-parent placement, and high rates (though not a majority) in Denmark, Finland, and Belgium. Low rates were found in many countries of Eastern and Southern Europe, with fewer than 1% of the children in separated families having shared placement in Greece and Lithuania.

### ***Factors associated with shared responsibility***

Little recent research has examined factors related to shared decision-making, especially in Europe. In the US, shared decision-making has been found to be more likely when parents have higher incomes and education, are younger, and have younger children (Chen, 2015; Gunnoe & Braver, 2001; Huang et al., 2003). In contrast, Seltzer (1998) finds the only factor related to shared decision-making in a US sample is whether the state favors it, suggesting

that the legal context could be quite important. We found no studies examining factors related to shared decision-making using multiple countries.

There is more research on factors associated with shared placement than with shared decision-making. A framework that has been used within a country highlights shared placement being related to the legal context, factors related to the best interest of the child (e.g., age), pre-separation roles (whether parents shared caring or one primarily specialized in breadwinning and one in caregiving), economic resources, and the relative bargaining power of each parent (Meyer et al., 2017). Consistent findings from the past research on shared placement within individual countries shows that it is more likely for the families with higher education or income and less likely for those with the youngest children (see, for example, the cross-country literature reviews in Berman & Daneback, 2022; Smyth, 2017; Steinbach, 2019). Because there has been little comparative research on this topic, we know less about country-level or contextual factors. We present here a framework in which five country-level factors may be related to differences in the level of sharing of responsibilities across countries.

The legal framework is likely to be important. Research from the United States shows that families in states that had laws favoring shared decision-making had higher levels of shared decision-making (Seltzer, 1998), and that those in states that instituted shared placement laws longer ago had higher levels of shared placement (Halla, 2023). This research is difficult because some laws merely acknowledge shared decision-making or placement as an option while others encourage it or even make it presumptive. Nonetheless, the work suggests that the legal context governing shared decision-making matters not only to the level of shared decision-making, but may also matter to the level of shared placement (Halla, 2023; Salin et al., 2024; Seltzer, 1998), and thus to the level of shared responsibility more broadly.

The research on individual factors related to placement suggests the importance of pre-separation parental roles (caring and breadwinning) and the relative bargaining power of each parent. Translated to the country-level, this suggests that difference in the level of gender equality across countries could be related to different levels of shared responsibility. In countries with less fixed gender roles when parents live together, both fathers and mothers may be highly involved in caring for children. If these couples then separate, sharing placement of their children may be likely, and, indeed, a relationship between country levels of gender equality and shared placement has been found in the previous research (Flaquer, 2021). Separating parents in countries with high levels of gender equality may also be more likely to share decision-making after separation, though we found no comparative research.

Previous work on individuals suggests the importance of economic resources. Shared placement requires more resources, especially for housing, since children need bedroom space in both parents' homes (Hakovirta et al.,

2024). The previous research on shared placement among individuals has emphasized that it is more likely among parents with more resources including higher education, employment, and income (e.g., Berman & Daneback, 2022). At the country level, then, those countries with higher housing costs (as evidenced by the prevalence of paying a high proportion of income for housing) may have less sharing of placement. Although those who want to co-parent may share decision-making even if they have difficulties sharing placement, we expect high housing costs to be related to lower levels of sharing overall.

Another reason those with more resources may have higher levels of sharing is that those with higher education (so have more resources) are often in the vanguard of social change. Some have argued that high levels of education of women can result in a cluster of family changes, moving away from more traditional roles (Esping-Andersen & Billari, 2015). The move away from traditional roles may then include lower levels of mothers having sole responsibility for children post-separation (and, correspondingly, fathers with more responsibility).

A final contextual factor is that countries differ in the extent of separation and divorce. Research has shown a trend toward several interrelated family changes in what has been called the Second Demographic Transition (SDT), including more cohabitation, more union dissolution (whether divorce or dissolving a cohabiting relationship), less childbearing, and more nonmarital childbearing, with the trend occurring at different rates in different countries (e.g., Lesthaeghe, 2010). If family changes tend to occur together, then countries with higher rates of children living apart from one of their parents may also have higher rates of shared parenting (Flaquer, 2021). Related, if divorce is less likely in a country, this may mean that only couples who have high levels of conflict divorce, since it is less common. This may then mean that these couples would have a more difficult time cooperating in sharing responsibilities post-divorce, so the level of post-separation sharing may be lower in countries with lower rates of separation.

In summary, this framework suggests that several interrelated country-level factors may be related to a country's level of sharing responsibility post-separation. We expect the legal context to matter, as well as the level of gender equality, housing costs, higher education, and family separation.

### ***Summary of the previous research and contribution of this study***

The previous research suggests that historical policy assigned decision-making and placement of children to one and only one parent, in the last century this has typically been the mother. Over time policy (and perhaps practice) in some countries has moved toward assigning responsibility to both parents. From very recent work, we know that the prevalence of shared placement varies

substantially across European countries and that this may be related to the legal context of the country and the level of gender equality. But the prior comparative work has focused only on placement, with no comparative research on the sharing of decision-making. This is a potentially important omission, since some couples may share decision-making without substantial sharing of placement.

In this paper we integrate shared decision-making into what is known about post-separation sharing of placement. We present the level of shared decision-making alongside the recent work on the level of shared placement across countries, examining whether partial sharing (primarily sharing of decision-making without sharing of placement) is moderately common, using a simple index of sharing that considers both decision-making and placement. We examine whether countries vary substantially on this index and explore country-level factors that may be related to it. We examine five hypotheses, using this sharing index:

- (1) The sharing index in a country will be higher the longer the legal context has acknowledged shared decision-making.
- (2) The sharing index in a country will be higher when gender equality is higher.
- (3) The sharing index in a country will be higher when housing burdens are lower.
- (4) The sharing index in a country will be higher when educational attainment is higher.
- (5) The sharing index in a country will be higher when the rate of parental separation is higher.

## **Data and methods**

### ***Data and sample***

We use data from the European Union Statistics on Income and Living Conditions (EU-SILC) survey. EU-SILC is a large-scale survey that collects data on living conditions using comparable questions across countries in the European Union. The use of commonly accepted questionnaires, primary target variables and concepts promote data comparability across countries. A special module “*Living arrangements and conditions of children in separated and blended families*” was collected in 2021. The module includes information on family structure and arrangements for children in separated families. This unique data source provides valuable insights into the lives of parents and children in separated families across countries in the EU.

We use data from the second release of this module, which contains information from 28 countries. We excluded eight countries due to large

amounts of missing or discrepant information.<sup>2</sup> Our analysis sample includes children aged 0–17 from 20 European countries: Austria (AT), Belgium (BE), Croatia (HR), Cyprus (CY), Czech Republic (CZ), Denmark (DK), Estonia (EE), Finland (FI), France (FR), Greece (EL), Hungary (HU), Italy (IT), Lithuania (LT), Poland (PL), Romania (RO), Serbia (RS), Slovenia (SI), Spain (ES), Sweden (SE), and Switzerland (CH).

The analysis sample begins with the 10,124 children of separated or divorced parents who have another parent residing outside of the household.<sup>3</sup> We then exclude 367 children who did not have information on both decision-making and overnights, leaving a final sample of 9,757. Weights provided by Eurostat to account for the probability of units being selected, for non-response, and for the distribution of different household characteristics are used.

## **Variables**

### **Key variables**

Our main interest is whether parents are sharing responsibility for each child, considering both physical placement and decision-making. We measure physical placement by the parent’s report of the number of nights the child stayed in the household during a typical month.<sup>4</sup> We construct a 2-category variable separating children who are in: 1) shared placement (10 to 20 nights per month with the parent residing in the household) versus 2) sole placement (0 to 9 or 21 to 30<sup>5</sup> nights per month with the parent residing in the household). Thus, the criterion for shared physical placement is set to 33% of nights, which is similar to several prior studies (e.g., Hakovirta et al., 2023; Smyth, 2017; Steinbach, 2019) and consistent with the “about 35%” threshold seen as important for meaningful relationships (Braver & Lamb, 2018). This variable represents the actual placement relationship, which may not match a formal agreement.

Shared decision-making was based on a variable titled “legal child custody situation” (RK080) (Eurostat, 2022b). The codebook states “The question’s [sic] aims to get information on the legal child custody arrangement, even if in practice it could be different. The question does not collect information on the child’s usual place of residence or who takes care of the child.” Response

<sup>2</sup>Information on children’s overnight locations is required to differentiate shared placement from placement with one parent. Germany, Luxembourg, and Latvia do not have information on overnights in the data, and Bulgaria, Ireland, Malta, the Netherlands, and Portugal have inconsistencies in the information on overnights.

<sup>3</sup>In some countries household relationships were not reported with enough detail to confirm the biological or adoptive relationship between parents and household children. In these cases, we used the “Mother ID”-variable to link women to children; in some cases this could be a non-relative who is a guardian for a child.

<sup>4</sup>The number of overnights is considered to be a common threshold in determining child support obligations. Nevertheless, some countries use alternative measures such as the number of days with each parent or the percent of time (Claessens & Mortelmans, 2018; Hakovirta & Skinner, 2021; Oldham & Venohr, 2020).

<sup>5</sup>A small number of respondents reported 31 overnights; for simplicity we consider these the same as 30 overnights.

options are “exclusively the mother,” “exclusively the father” or “both parents together.” We combine the “exclusive” categories to create a variable that differentiates shared versus sole decision-making. Note that even if a country had a legal context in which sharing was the presumption, parents may not share decision-making; this could occur if the parents agreed that one parent would not share, or this was the arrangement selected by an official (de Blasio & Vuri, 2019), or if the arrangement was informal.

In addition to the separate variables for placement and decision-making, we construct a combined variable. Because the prior literature suggests that those with shared physical placement nearly always have shared decision-making (e.g., Braver & Lamb, 2018), we create a single type of “partial sharing,” combining both the few children who live with both parents (shared placement) but only one parent has formal decision-making with the much larger group of children whose parents share decision-making but are placed primarily with one parent. (Indeed, in these data, more than 85% of those with partial sharing have shared decision-making without shared placement.<sup>6</sup>) Our combined variable has three levels. First, “fully shared” means those children whose parents share placement (based on overnights) and share decision-making. Second, “partially shared” includes children whose parents share one of the two dimensions. The third category is “fully sole” (no sharing), and it includes those instances in which the child is placed primarily with one parent and decision-making also belongs exclusively to one parent. For our main analyses we create a simple index of sharing, in which full sharing counts as 2, partial sharing as 1, and no sharing as 0; each child’s score is then averaged to produce a country-level score.

Note that we are focused on whether responsibilities for children are shared or taken solely by one parent, rather than a focus on which parent has which rights. Primarily this is to sharpen and focus the analysis on differentiating exclusive responsibility versus parents who share.<sup>7</sup> We also show selected information in which we differentiate whether exclusive responsibility is given to the father versus the mother.

### *Country-level variables*

We assess whether country-specific factors are related to the level of sharing within countries. We chose five macro-level variables: the legal context, the level of gender equality, housing cost burdens, educational attainment and parental separation. The variable concerning the legal

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<sup>6</sup>In all countries those with shared placement and sole decision making comprised a small proportion of children. The highest shares were in Belgium (12%) and Slovenia (8%), whereas in all other countries the share was 5% or less. These cases may reflect parents who practice shared placement but have never had a formal agreement on decision-making (the survey’s question on decision-making highlights having a legal arrangement).

<sup>7</sup>For example, if we were to separate fathers from mothers, the combined categories arrayed as physical/legal would include 9 categories mother/mother; mother/shared; mother/father; shared/shared; shared/mother; shared/father; father/father; father/mother; father/shared, and several of these categories would have very few cases.

context is operationalized as the year shared decision-making was acknowledged by the legal system. The information for the variable was collected via a literature search and is based on the following sources: Boheim et al. (2012), de Blasio and Vuri (2019), Escobedo et al. (2012), Fučík and Mortelmans (2020), Hakovirta and Eydal (2020), Kraljic (2008), Kullerkupp (2001), Maslauskaitė and Tereškinas (2017), Nicolaou (1996), Resetar and Berdica (2013), Slabu (2019), St Stylianidis (2021), Vanassche et al. (2017), and Weiss (2000).

The level of gender equality within countries is measured by the Gender Equality Index provided by the European Institute for Gender Equality (2023). The measure has multiple dimensions and is intended to provide a single score based on many areas of equality. It is constructed from 31 separate indicators that cover gender (in)equality within the domains of work, money, knowledge, time, power and health. The Gender Equality index is scored from 1 to 100, where the higher value represents a more gender equal society. The index data included in the paper refers mostly to the year 2020; more information is available at the European Institute for Gender Equality (2023).

To capture the extent to which families would have difficulty providing bedroom space in both dwellings, we use a measure of the extent of housing cost burdens within a county. This measure, provided by Eurostat (2022a), represents the share of the population in households that spend more than 40% of their disposable income on housing costs. The data refers to the year 2020.

The variable representing the level of educational attainment was measured as the proportion of adults aged 25–74 years old who are highly educated within a country. High education refers to tertiary-level education that is provided by universities and other higher education institutions. The data was provided by Eurostat and refers to the year 2022 (Eurostat, 2023).

Finally, the level of parental separation within countries was constructed through the information within EU-SILC on the proportion of children who have one of their parents living outside the household. The measure was provided by Eurostat (2024). The measure considers all children whose parents do not live together and takes into account children whose parents were married and have divorced or separated, those whose parents were not married but co-resided, and those whose parents were not married and never co-resided.

Information on these country-level variables in the 20 countries is provided in Table 1. The first column shows our estimate of when shared decision-making was recognized in a country's laws. The first country to introduce this type of law was Sweden, in 1976. Finland and Denmark followed in the 1980s; Greece's recognition in 2021 means that all countries have some recognition of shared responsibility.

**Table 1.** Characteristics of countries.

Country	Legal recognition of shared decision-making	Gender equality index 2021 (EIGE)	% of Population with housing cost overburden	% of Adults with high education 2022	% of Children in separated families 2021
AT (Austria)	2001	71.2	6.1	33.4	12.1
BE (Belgium)	1995	76	7.5	42.8	19.2
CH (Switzerland)	2000	na	14.8	42.4	11
CY (Cyprus)	1990	60.7	2.5	44.9	9.7
CZ (Czech Republic)	1998	57.9	6.2	24.1	na
DK (Denmark)	1986	77.8	15.5	39.9	20
EE (Estonia)	1995	60.2	4.4	41.1	14.8
EL (Greece)	2021	58	28.8	32.4	4.8
ES (Spain)	2005	76.4	9.9	38	13.4
FI (Finland)	1983	74.4	4.3	40.2	19.8
FR (France)	2002	75.7	5.6	38.2	15.3
HR (Croatia)	2003	60.7	4.5	23.8	3.3
HU (Hungary)	1995	57.3	2.4	27.8	12.1
IT (Italy)	2006	68.2	7.2	18.5	11.7
LT (Lithuania)	2000	64.1	4.9	44	17.1
PL (Poland)	2008	61.9	5.7	30.3	8.5
RO (Romania)	2004	56.1	7.5	17.4	5.5
RS (Serbia)	2005	na	15.1	23.4	6.3
SE (Sweden)	1976	82.2	8.5	46	12.3
SI (Slovenia)	2004	69.4	4.1	36.6	7.7

Notes: Legal recognition of shared decision-making derived from literature search (see text, p. 14).

Gender equality index provided by European Institute for Gender Equality (2023)

Housing cost overburden is the proportion whose total housing costs are more than 40% of income, provided by Eurostat.

Educational attainment is the proportion of adults (age 25–74) who have high educational attainment in 2022; provided by Eurostat

Proportion of children in separated families is the proportion of children having one of their parents living outside the household in 2021; provided by Eurostat.

On the multi-dimensional gender equality index, shown in the second column, four countries have the lowest scores, less than 60, including Romania (56.1), Hungary (57.3), Czech Republic (57.9), and Greece (58.0). The most equal countries (scores over 75) are Sweden (82.2), Denmark (77.8), Spain (76.4), Belgium (76), and France (75.7). Two countries (Switzerland and Serbia) do not have comparable data to the other countries, so they are excluded from analyses using this variable.

The housing cost overburden rate is shown in the third column. The highest rates are in Greece (28.8%), followed by Denmark (15.5%), Serbia (15.1%) and Switzerland (14.8%); seven countries are below 5%.

The third column provides information on the population level of higher educational attainment; it shows substantial cross-country variation. Sweden has the highest percentage, 46%, and six other countries have more than 40%. The countries with the lowest levels (less than 25%) are Romania (17%), Italy (18.5%), Serbia (23%), Czech Republic (24%), and Croatia (24%).

Finally, we show the percentage of children living apart from one parent, which also shows considerable variation. Four countries have at least 15% of

children who have a parent outside the household, Finland (20%), Belgium (19%), Lithuania (17%) and France (15%). In contrast, four countries have fewer than 7% of children who live apart from a parent, Croatia (3%), Greece (5%), Romania (6%) and Serbia (6%). (We do not have data for the Czech Republic).

### **Methods and analysis**

We use straightforward descriptive analyses. We present the frequency with which children's parents share placement and decision-making within each country. We then combine the variables and show the extent of full sharing, partial sharing, and no sharing, showing both the proportion of families with each level and the overall score on our index. Finally, we compare our index with the five country context variables using simple bivariate regressions, showing the scatter plot and the regression line for each case. Multivariate analyses are not conducted, as the number of observations is small (20) and the correlations among the context variables (except for the housing cost burden rate) are fairly high (correlations among the other four variables vary between .49 and .62, whereas for housing cost burden rates, they vary between .03 and .42).

We then conduct three additional analyses to assess the robustness of our findings. First, we differentiate between whether mothers or fathers have sole responsibilities, dividing the shared decision-making construct into three levels: shared, sole mother, and sole father; similarly, we divide placement into shared, sole mother, and sole father. Our second set of analyses changes the threshold for shared placement from 33% of the overnights with each parent to exactly equal (15 of the 30 overnights). In a third set of analyses, we provide some separate results for those parents who have not been married from those who have.

## **Results**

### **Shared placement**

The first column of [Table 2](#) shows the proportion of children in separated families whose parents share placement (combining equal and unequal sharing). These results are slightly different from the results reported by Hakovirta et al. (2023).<sup>8</sup> Across all 20 countries, the rate of sharing placement is 21%. More of the children whose parents share placement

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<sup>8</sup>Differences between this table and the results reported in Hakovirta et al. (2023) are primarily because a more recent release of the data was used here, and there are small differences in the analytic sample. In every country, the percentage of children in separated families who have shared placement in this analysis is with 1.5% points of the percentage of children with "equal or unequal shared custody" (the terms used by Hakovirta et al. (2023)).

**Table 2.** Sharing of placement and decision-making among children in separated families.

Country	% with Shared Placement	% with Shared Decision-Making	Unweighted N
AT (Austria)	9.6	50.1	335
BE (Belgium)	30.0	24.8	843
CH (Switzerland)	25.2	75.6	388
CY (Cyprus)	10.3	29.2	249
CZ (Czech Republic)	14.4	12.7	516
DK (Denmark)	41.3	87.8	403
EE (Estonia)	18.9	56.0	365
EL (Greece)	1.7	32.5	324
ES (Spain)	22.6	37.3	1418
FI (Finland)	32.9	72.0	614
FR (France)	24.5	27.4	1325
HR (Croatia)	4.6	33.1	77
HU (Hungary)	4.6	28.7	391
IT (Italy)	5.9	56.3	613
LT (Lithuania)	0.7	31.8	190
PL (Poland)	3.6	47.8	520
RO (Romania)	4.8	21.2	100
RS (Serbia)	5.4	20.9	158
SE (Sweden)	54.3	80.8	650
SI (Slovenia)	21.9	28.4	278
TOTAL	20.8	40.3	

Notes: Authors' calculations from EU-SILC. Weighted percentages are shown.

had equal placement (12%) than unequal (9%) (not shown on table). Rates of shared placement vary substantially across countries. These rates are highest in Sweden, (54%), followed by Denmark (41%), Finland (33%), and Belgium (30%). In contrast, nine countries have less than 10%, (Austria, Greece, Croatia, Hungary, Italy, Lithuania, Poland, Romania, and Serbia).

### ***Shared decision-making***

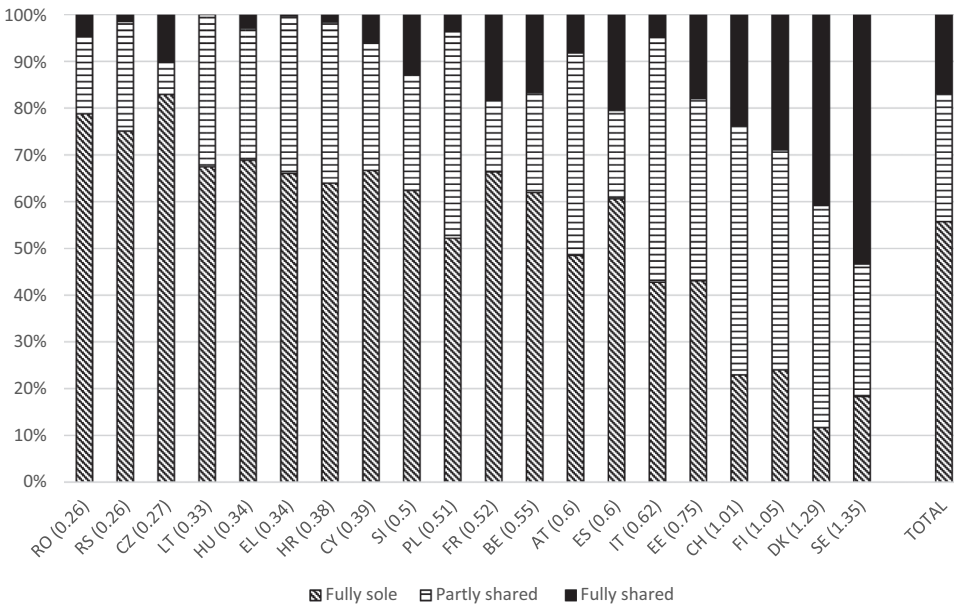
The next column shows the proportion of children in separated families whose parents share decision-making, information that has not previously been available. The average over all 20 countries is 40%, so substantially higher than the 21% for shared placement. Again, rates vary substantially across countries. In no country did all separated parents report shared decision-making, even though this is the legal presumption in some countries. This could be because some parents separated before the presumption, had sole decision-making despite the presumption (perhaps domestic violence cases), had informal separations, or because parents are reporting actual practice (even though the question asks about the legal arrangement). A large majority of children have parents who share decision-making in Denmark (88%), Sweden (81%) and Switzerland (76%), so in these three countries assigning decision-making to one parent only would be uncommon. In four additional countries more than half the children in separated families have parents who share decision-making, including Finland (72%), Estonia (56%), Italy (56%), and Austria (50%). On the other hand, three countries have rates less than one

quarter, including the Czech Republic (13%), Romania (21%), and Serbia (21%), so in these countries decision-making is typically assigned to one and only one parent. There is some geographical grouping, with the Scandinavian countries all in the highest group, while the countries in the lowest group are all in Eastern Europe. Still, some of the differences between adjoining countries are substantial: the rate in Switzerland, 75%, differs substantially from the rate in its neighbors with data: 27% in France, 50% in Austria, and 56% in Italy.

Rates for shared decision-making are generally higher than the rates of shared placement. In only two of the 20 countries, Czech Republic and Belgium, is there more sharing of placement than decision-making, and in both of these countries the rates are similar (14% and 13% in the Czech Republic and 30% and 25% in Belgium). In several countries the difference is substantial: In Austria, Switzerland, Denmark, Italy, and Poland, the difference in rates is more than 40 percentage-points. Some of these countries, including Austria, Italy, and Poland, had relatively low rates of shared placement, so ignoring the extent to which parents are sharing in decision-making provides an incomplete picture of post-separation responsibilities.

**Levels of sharing considering both dimensions**

Considering both dimensions together, the rate of full sharing (both decision-making and placement) is 17%, or one in six children. Another 27% (more than one in four) have parents with partial sharing (one dimension only), and



**Figure 1.** Percentage with various levels of sharing and index for 20 countries.

the remaining 56% have no sharing (defined as one parent having sole responsibility for decision-making and placement). The overall index is 0.61.

Consistent with Table 2, there is substantial variation across countries. Figure 1 orders the countries by the index of sharing. The first three countries have the lowest scores on the sharing index: Romania (0.26), Serbia (0.26), and the Czech Republic (0.27). While these three countries have the highest proportions of children whose parents are not sharing responsibilities for either decision-making or placement (all over 75%), they have somewhat different patterns. Serbia has a very low of full sharing (1.5%), but more partial sharing (23%) than in Romania or the Czech Republic. The Czech Republic has the highest level of no sharing (fully sole, 83%) and a moderate rate of full sharing (10%, ranking 10<sup>th</sup>).

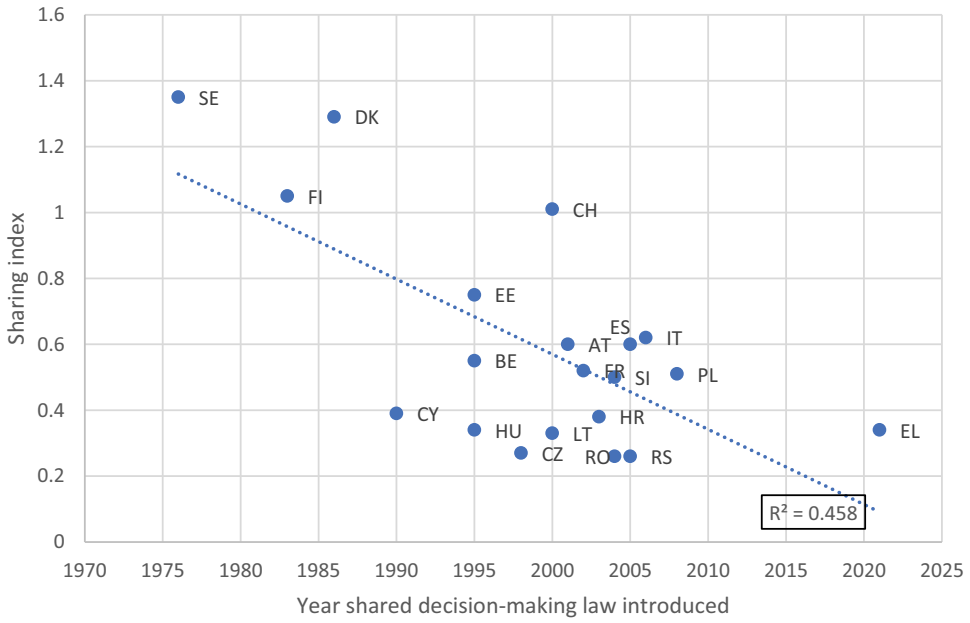
The next five countries have an index score between 0.33 and 0.39. In all of these countries, more than 60% of children in separated families experience no sharing. Among these countries, only Cyprus has a rate of full sharing above 3%. The next group of four countries (Slovenia, Poland, France, and Belgium) has index scores between 0.5 and 0.55. There are some differences within the group. Poland has a higher level of partial sharing (44%) than the other countries in this group, while its rate of full sharing is the lowest (4%). France has a relatively high rate of full sharing (18%, ranking 6<sup>th</sup>), alongside a relatively low rate of partial sharing (15%, ranking 19<sup>th</sup>).

Index scores between 0.60 and 0.75 describe the next four countries (Austria, Spain, Italy, and Estonia). There are different patterns within the group: Spain, like France in the last grouping, has a high level of full sharing (20%, ranking 5<sup>th</sup>) but a low level of partial sharing (19%, ranking 17<sup>th</sup>). In contrast, Italy has a low level of full sharing (5%) and a very high level of partial sharing (52%, ranking 2<sup>nd</sup>).

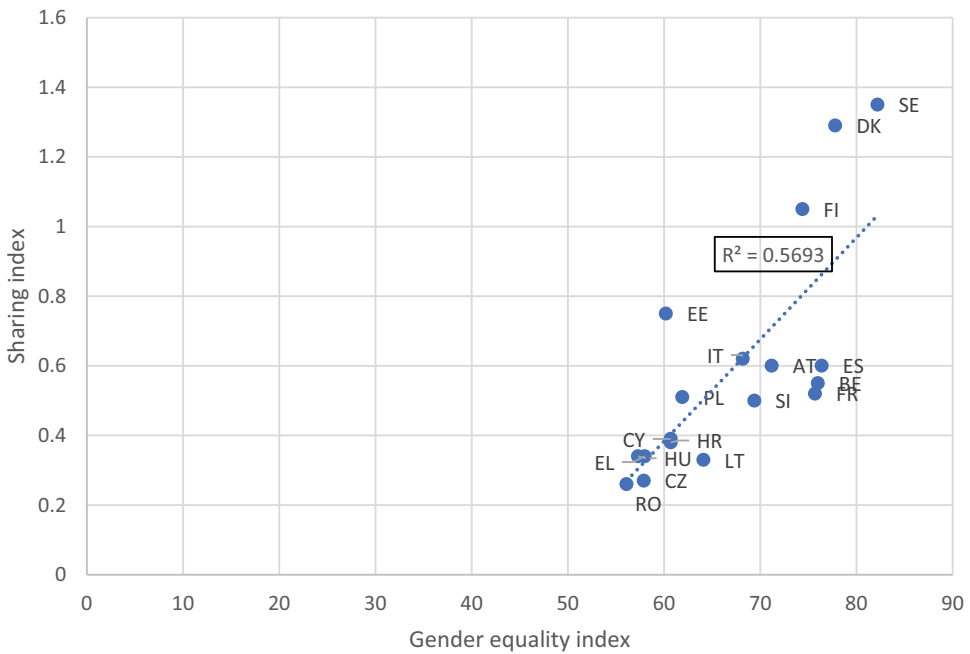
The four countries with the highest scores on the index are Switzerland, Finland, Denmark, and Sweden. The countries in this group have the four lowest percentages of children whose parents do not share decision-making or placement (fully sole). They also have the four highest percentages of full sharing (24%-53%). The patterns in Denmark and Sweden differ somewhat, with Denmark having very high levels of partial sharing and Sweden having the highest level of full sharing.

### ***Exploring factors related to the index of sharing***

Figure 1 demonstrates large cross-country differences in the level of sharing decision-making and placement post-separation. What might account for this variation? In Figure 2 we show the relationship between our index of sharing and the year that shared decision-making was recognized in policy. The earlier a country instituted a policy, the more sharing there is. The relationship is strong and statistically significant ( $p < .01$ ); every year earlier is associated with



**Figure 2.** Shared responsibility index and year shared decision-making was acknowledged.



**Figure 3.** Shared responsibility index and gender equality Index.

a .023 increase in the sharing index. A significant relationship is not surprising: the three countries that recognized sharing first, Sweden, Denmark and Finland, have the highest scores on the sharing index, and the latest country to recognize sharing, Greece, has one of the lowest rates.

As expected, countries with higher levels of gender equality have higher rates of sharing of responsibilities, as shown in Figure 3. The relationship is strong and statistically significant ( $p < .001$ ); each point on the scale is associated with a .03 increase in the sharing index. The countries with the lowest scores on gender equality have the lowest levels of sharing (Romania and the Czech Republic). While the overall relationship is strong, four of the seven countries with the highest levels of gender equality (Austria, Belgium, Spain, and France) have only moderate levels of sharing.

We expected that countries in which more people had high housing burdens there would be less sharing of responsibilities for children. Contrary to expectation, Figure 4 shows that there is no statistical relationship ( $p > .65$ ). Although two countries with high costs, Greece and Serbia, did have a low level of sharing, this is offset by countries like Denmark and Switzerland that have both higher costs and high rates of sharing.

Individuals with high educational attainment may be particularly likely to try emerging patterns and they may also be more likely to have more flexible gender roles after separation. Figure 5 shows that indeed there is a strong and

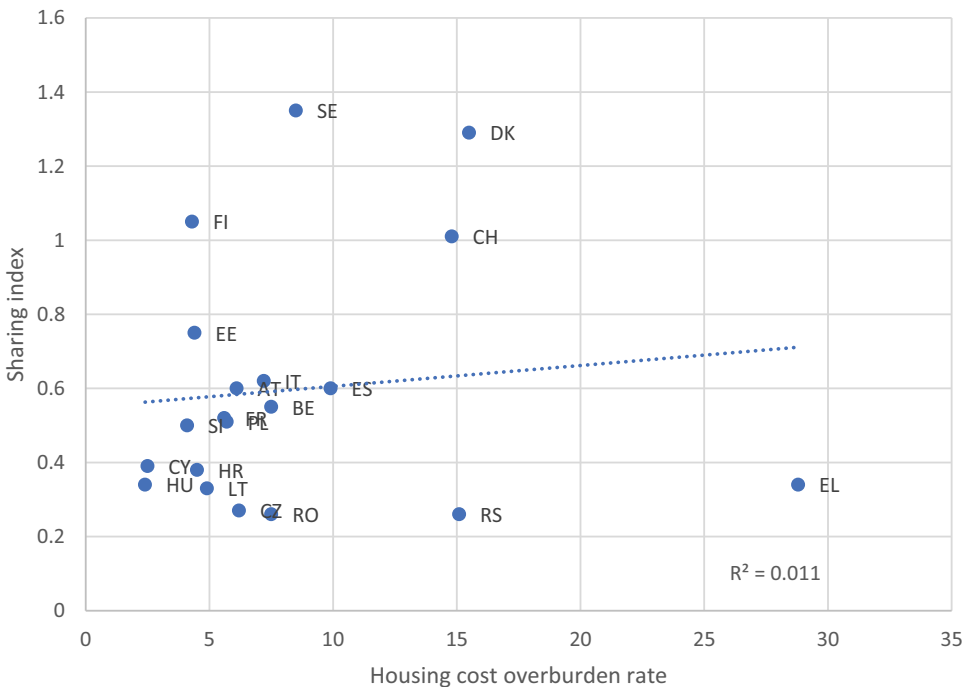
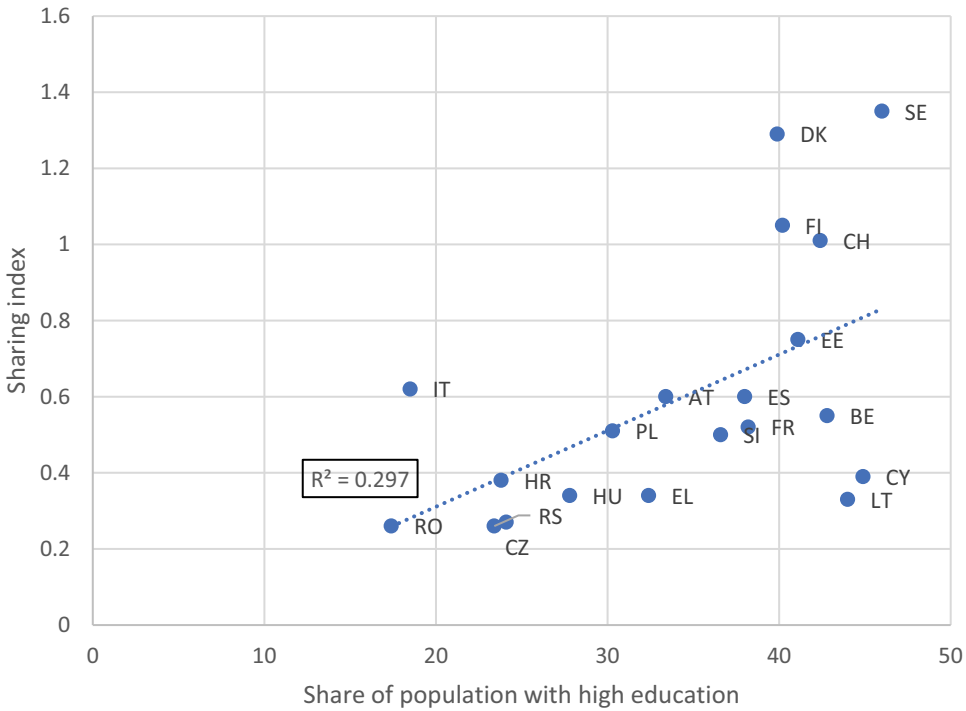


Figure 4. Shared responsibility index and housing cost overburden rate.



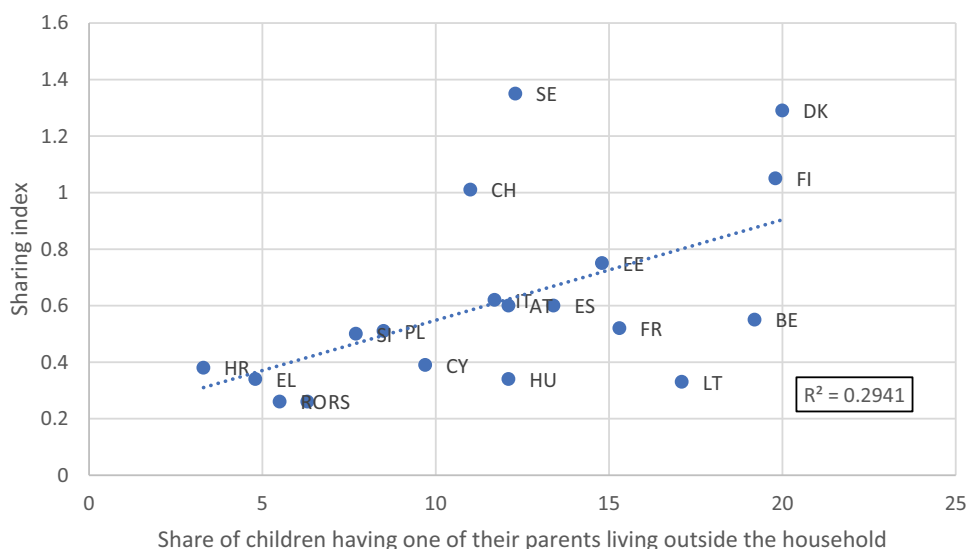
**Figure 5.** Shared responsibility index and proportion of adults with high education.

statistically significant relationship ( $p < .02$ ), with countries in which more of the population is highly educated having the most sharing of responsibility for children. The relationship is not as strong as shown in Figures 2 and 3; while the general relationship holds, there are some countries that do not fit the pattern, with Cyprus and Lithuania having high levels of education but only moderate or low rates of sharing and Italy having low levels of education but a moderate rate of sharing.

Our last indicator is the proportion of children who have a parent who lives outside the household. Figure 6 shows that countries with higher levels of separation have higher levels of sharing, as expected, and the relationship is statistically significant ( $p < .02$ ), though not quite as strong as the relationships in Figures 2 and 3. Again there are countries that do not fit the general pattern: Sweden, with the highest rate of sharing, has a moderate rate of separation; Finland has high rates for both.

### **Additional analyses**

Thus far, we have focused only on whether one parent has exclusive responsibility or there is sharing, we have not differentiated between mothers and fathers. In our base results, for 60% of children one parent has exclusive decision-making responsibilities. For nearly all of these children (91%), the



**Figure 6.** Shared responsibility index and parental separation rate.

parent with sole decision-making responsibility is the mother, rather than the father. Similarly, our base result for placement is that 79% of children are primarily in the care of one parent. Again, most (84%) of these are with their mother, rather than their father. These patterns are common across countries: in no country is the proportion of sole mother decision-making less than 75% of the total with sole decision-making. Similarly, in no country is the proportion of mother sole placement less than 70% of the total with sole placement. We conclude that our base analysis, which differentiates those who share from those who do not, is a useful starting point. A full analysis differentiating mothers versus fathers within the category of those not sharing could be useful but is outside the scope of the first cross-country comparative analysis of shared responsibility for children.

In the main analyses we differentiated shared placement using a 33% threshold. An alternate perspective would be to count only those with exactly half the overnights as sharing placement. In our base analysis, 20.8% of the children have shared placement; if we limit shared placement to only those with exactly 15 overnights, the percentage declines to 12.3%. While the overall rate of sharing changes, the ranking of countries does not change substantially, as the countries with high levels of shared placement when defined narrowly are generally the same countries with high levels of shared placement when defined more broadly. For example, Sweden has the highest level of shared placement when defined broadly (54% of children), and the highest when defined using the narrower 50% threshold (43%). The exception is Switzerland, which a relatively low rate of equal shared placement (9%) but a relatively high rate of shared placement using a broader definition (25%).

Redoing the index of sharing with this narrower definition of sharing placement yields an overall average across all countries of 0.53, compared to 0.61 with the broader definition. Similar to our base results, countries still differ substantially on the sharing index using the narrow definition of shared placement, ranging from 0.18 in Czech Republic to 1.23 in Sweden. Similar to our base results, this narrower index of sharing is related to the year of the joint custody law ( $p < .001$ ), the gender equality index ( $p < .001$ ), the proportion with higher education ( $p < .05$ ), and the proportion of children in separated families ( $p < .02$ ). It is not statistically related to housing burdens. Thus, our main results are the same whether we define sharing in placement with a 50% or a 33% threshold.

Finally, our base analyses consider all children of parents not living together. The patterns of sharing among those who have formal arrangements through a court process may differ from those who made informal arrangements. These data do not differentiate between parents who had cohabited from those who never co-resided, but we are able to differentiate those parents who report never being married from those reporting another marital status (e.g., divorced, currently married), who may have been more likely to have been through a court process. The overall levels of sharing are similar. More specifically, among the children of those never married, 57% have both decision-making and placement assigned to one parent only; the comparable rate for the children of those ever married is 54%. Full-sharing rates are also similar: 15% for the children of those never married and 18% for the children of those who were married. In some countries there are differences between the children of the never-married and the ever-married. For example, the largest difference in percentage points is in Poland, where 62% of the children of those never married have no sharing, compared to 49% of the children of those ever married. However, the pattern does not hold in all countries; in Lithuania, for example, 61% of the children of those never married have no sharing, but 71% of the children of those ever married. These results are similar to those of Zilincikova (2021), who found little difference in the rate of shared placement among children whose parents who had been married and those whose parents who had cohabited. We conclude that in these data explicitly differentiating by marital status does not provide different conclusions. A more focused analysis differentiating those who have formalized arrangements from those whose arrangements are informal would be useful but would require different data.

## **Discussion, limitations, and implications**

Using new data on separated families across the EU, we provide the first estimates of the extent to which children have responsibilities for decision-making and placement given to one parent versus shared between both

parents. While there has been some comparative research on shared placement, one of our contributions is the first cross-country information on shared decision-making, together with information on whether shared placement and shared decision-making are related to each other. We find that shared decision-making is about twice as common as shared placement; about 40% of the children in separated families experience shared parental decision-making, compared to 21% with shared placement. Perhaps this should not be surprising, as sharing placement requires substantial coordination and logistical details that are less often required in shared decision-making.

Like the previous work on shared placement, the level of shared decision-making varies substantially across countries. The dimensions are related, but somewhat different. For example, in both Austria and Italy more than half the children in separated families have parents who share decision-making, but fewer than 10% have parents with whom they share residence. Ignoring shared decision-making thus provides an incomplete picture of the level of sharing of responsibilities, both in general across Europe, and in different countries.

Our theoretical framework informed by the previous literature suggests several factors that may be related to a country's level of sharing, including the legal context, the demographic context (separation rates), the level of gender equality and power, the availability of economic resources (reflected in housing costs and higher education levels). Drawing on this framework, five hypotheses were tested and four of them were supported. First, there is more sharing when shared decision-making was legally recognized earlier; this highlights the importance of the legal context. This relationship may be because there are couples who want to share responsibilities but can only do so if supported by the legal framework or because they are encouraged (or even required) to share by decision-makers. Others may be encouraged to try sharing by individuals in their personal network once it is acknowledged. The findings suggest that the longer shared decision-making has been institutionalized, the more common it becomes, but with these data we cannot assess the precise mechanism by which this occurs.

Sharing is also more likely when levels of gender equality are higher. More egalitarian roles during a union can lead to sharing responsibilities if the romantic relationship ends. Similarly, countries in which it is still common for parents to split roles, typically with a breadwinning father and an at-home mother, may be more likely to assign responsibilities for a child only to the mother after separation. Related, we find that sharing is higher when the population is more highly educated, perhaps because those with higher education are more likely to pursue newer approaches to family responsibilities. Moreover, those who are highly educated generally have more income, so they can more easily manage the extra costs associated with sharing. Rates of sharing are also higher when rates of parental separation are higher, perhaps

because shared responsibilities are a part of a package of family changes. Although the original writings on the Second Demographic Transition did not explicitly incorporate shared responsibility for children, Flaquer (2021) has suggested that countries that have been through this transition are more likely to have families experimenting with newer forms, like shared responsibilities; our results are consistent with this perspective.

Although we expected rates of sharing to be lower when more people had burdensome housing costs, we did not find a statistical relationship. This may be due to the relatively small sample size (20 countries) or to limitations of this measure; for example, those paying a higher proportion of their income for housing may be paying for amenities that they prefer, but they would accept a larger unit without those amenities if needed to accommodate their children. Moreover, housing burdens may not be distributed evenly across a country, so the country level may not reflect the situations of those within certain geographical areas. Finally, we expect housing costs to primarily affect shared residence; if those in areas with high housing costs were had similar levels of shared decision-making, this would weaken the relationship between housing costs and our sharing index.

These results should be seen in the context of four main limitations. First, not all countries in the EU have usable data, and not all European countries are in the EU, so the extent to which our results can be generalized to all children in separated families in Europe is unknown. Second, there are measurement limitations in our key variables. The two dimensions of sharing are not parallel: our measure of shared decision-making refers to the legal arrangement, rather than actual practice, while the measure of shared placement refers to actual practice, which may or may not be the legal arrangement. Future work exploring the extent to which legal agreements are actually experienced in practice would be useful, as would more detailed work on shared decision-making, as the concept may be understood differently across countries. Third, the information on the policy context that is available is limited in that shared placement is not incorporated nor are we able to make a distinction between whether shared responsibility was recognized, encouraged, or made the presumption. Finally, we have only cross-sectional data, the number of countries with data is fairly small, and the country-level measures suggested by our framework are fairly highly correlated with each other. These limitations constrain the kinds of analysis that can be done and therefore limit the extent to which we have confidence that country-level factors are causal.

As the first study comparing the level of sharing on both dimensions across multiple countries, there are many avenues for future research. Our exploration of potential reasons for country-level differences in the level of sharing was based on simple bivariate statistics, and future work could build on this with more extensive modeling that incorporates both individual-level and country-level characteristics. This would help differentiate

the cross-country differences that were the result of different population characteristics versus parents in different countries having different outcomes even with the same characteristics. Our analysis of housing costs found no relationship between the burdensome costs and sharing, but this was merely an initial look. Further work examining the extent to which parents highlight housing costs as limiting their ability to co-parent would be useful; more broadly the extent to which parents report wanting to share either decision-making or placement but that they face barriers to their doing so could help policy-makers know how best to support separated families. Cross-country qualitative research on how parents make decisions on responsibility for children, and the constraints they face in co-parenting, would be difficult but could be illuminating. More broadly, some have argued that for some couples “shared” decision-making and shared placement do not necessarily further gender equality, but may leave mothers with increased burdens and fathers with more power over their ex-partners and their children (Delorey, 1989; for related arguments see; Cook, 2022). Careful qualitative research could inform policy-makers on how shared responsibility works in practice.

Much prior work has found shared placement is related to improved child or parent well-being and some older work has found shared decision-making is related to a variety of positive outcomes. Research could explore the potential outcomes of the combination of shared placement and shared decision-making, considering a variety of measures of parental or child well-being. More work on the prevalence of shared placement, differentiating between equal and unequal placement and even differentiating parents with regular time that does not come to the level of shared placement (visitation) from parents without any time or with very low levels of time, following Recksiedler and Bernardi (2021) or Morbeck et al. (2023), would further our understanding.

Implications for policy depend to some extent on research that takes this work a step further and examines the effects of sharing on parents’ and children’s well-being. If research continues to show that sharing decision-making and placement is indeed generally beneficial for children, this would have implications for policies surrounding how (and when) decisions about placement and decision-making are made. Encouraging sharing, either of placement or decision-making, or both, could be considered in countries that do not do so now. Another implication flows from whether parents report economic barriers to sharing; to the extent that separated parents want to share responsibility but are limited in doing so, a review of the way other family policies treat parents is warranted. In fact, this review may be warranted even if relatively few parents report economic barriers: the extent to which parents who share responsibility post-separation are acknowledged and treated with fairness in the rest of the social security system is important as an issue of social justice (see, e.g., Hakovirta et al., 2024).

## Conclusions

This novel analysis provides new information on the levels of sharing responsibility for children after parental separation across 20 European countries. We show that shared decision-making is more common than shared placement, and ignoring it leads to an inaccurate picture of how separated families operate. These countries do vary substantially in the level of sharing. While our analysis cannot lead to causal conclusions, we have shown that a country's legal context and the level of gender equality in a country are both highly related to the level of sharing responsibilities.

## Disclosure statement

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## Data availability statement

The data are available through Eurostat but require a special application process. See [https://ec.europa.eu/eurostat/documents/203647/771732/How\\_to\\_apply\\_for\\_microdata\\_access.pdf](https://ec.europa.eu/eurostat/documents/203647/771732/How_to_apply_for_microdata_access.pdf)

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