

## Screening for Intimate Partner Violence (IPV) and Abuse in Family Law Cases

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## Parental Separation and IPV and Abuse: Prevalence

- 19-57% of marriages end due to IPV  
(Amato & Previti, 2003; Ayoub et al., 1999; Ellis & Stuckless, 1996; Kurtz, 1996; Stolzenberg & D'Alessio, 2007)
- 40-80% of divorcing couples report IPV (Kelly & Johnson, 2008)
  - 44-53% couples in marital therapy
- Children's reports of exposure to IPV US National Sample: "ever saw parents slap, hit, kick, punch or beat each other up" (adjusted for age, sex, race/ethnicity, family income, parents educational level) (Zill, 2005):
 

• Divorced/separated mother:	144 per 1000
• (7 times higher than bio married families)	
• Never married mother:	116 per 1000
• (6 times greater than bio married families)	
• Both married biological parents:	19 per 1000

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## IPV and Abuse in Family Mediation: Prevalence

- 12-98% couples in family mediation report having been a victims of some form of IPV or Abuse (Beck et al., 2001; Ballard et al., 2001; Rossi et al., 2005)
  - 88-98% Psychological abuse
  - 85-98% Coercive/controlling behaviors
  - 54-58% Physical violence
  - 12-56% Sexual forms
  - 34-56% Escalated physical/injury
  - 47% Stalking

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## Parental Separation and IPV and Abuse

- IPV can continue post separation/divorce (Campbell et al., 2003; Messing et al., 2014)
- Separation highest risk time for initiation of or escalation of IPV and Abuse
  - Mini separations (Campbell et al., 2007; Messing et al., 2014)
- Perpetrator can use legal system and courts to continue harassment, IPV and abuse
- Interactions between perpetrator and victim (e.g., on the spot negotiations) can lead to conflict and thus to risk for more IPV and Abuse (Rossi et al., 2015)
- Some perpetrators who remain involved with their children are able to continue intruding in the IPV survivors' lives (e.g., Hardesty & Ganong, 2006; Tubbs & Williams, 2007; Wuest et al., 2003)

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## Consequences of IPV and Abuse

- For victims
- For parenting
- For children
  
- Physical Injury a risk, but also...

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## Effects of IPV and Abuse on Adult Victims and their Parenting

- IPV associated with increased **risk for victims** of various psychological and physical symptoms, such as:
  - Depression (Beydoun, Beydoun, Kaufman, Lo, & Zonderman, 2012)
  - Posttraumatic Stress Disorder (PTSD; Bradley, Schwartz, & Kaslow, 2005)
  - Suicidal Ideation (Meadows, Kaslow, Thompson, & Jurkovic, 2005)
  - Physical Health Problems (Campbell, 2002)
- Mixed evidence regarding impact of IPV victimization on the parenting capacity of **women**:
  - On the one hand, psychological sequelae (see above) may lead to less effective parenting practices and styles (e.g., lack of warmth and control)
    - (Levendosky & Graham-Bermann, 2000; Levendosky et al., 2003; Margolin, Gordis, Medina, & Oliver, 2003)

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## Effects of IPV on Parenting of Victim

- On the other hand:
  - Abused and nonabused women report similar parenting practices and beliefs
    - (Holden & Ritchie, 1991; Holden, Stein, Ritchie, Harris, & Jouriles, 1998; Van Horn & Lieberman, 2002)
  - Abused women may try to compensate for IPV by providing greater responsiveness and attention to the child
    - (Levendosky, Huth-Bocks, Shapiro, & Semel, 2003)
- Mixed findings may be due to various factors, such as chronicity, timing, and severity of IPV, and victim's psychological functioning.
  - In one study: IPV in the past was not significantly associated with current parenting practices, while current IPV was related to poorer parenting practices (Levendosky, et al., 2006)

## Effects of IPV and Abuse on Parenting of Perpetrator

Minimal research on the parenting of IPV with perpetrators:

- Significant association between perpetration of IPV and
  - Child maltreatment, 30-60% overlap (Tjaden & Thoennes, 2000)
  - Negative parenting behaviors, including lack of warmth and rejection of children (Anderson & Cramer-Benjamin, 1999; Stover, Easton, & McMahon, 2013)
- Male batterers may serve as role models for children who learn that violence is acceptable (Jaffe, Johnston, Crooks, & Bala, 2008)
- Caution: Male batterers less likely to participate in research = less data\*\*

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## Effects of IPV and Abuse on Parenting of Perpetrator

- Abused mothers, compared to nonabused mothers, report male batterers as having:
  - Decreased participation in childrearing
  - Greater frequency of use of physical punishment
  - Fewer demonstrations of affection
  - More power-assertive responses toward the child (Holden and Ritchie, 1991)

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## Effects of IPV and Abuse on Children

Children exposed to IPV and Abuse are at increased risk for:

- Physical abuse and neglect: 15 times more likely (Ososky, 1999)
- Emotional problems, such as:
  - Depression
  - Anxiety
  - Withdrawal (Lichter & McCloskey, 2004; Litrownik, Newton, Hunter, English, & Everson, 2003; McCloskey, Figueredo, & Koss, 1995; McCloskey & Lichter, 2003; Moffitt & Caspi, 2003; Vega, Osa, Granero, & (p. 348) Ezpeleta, 2013)

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## Effects of IPV and Abuse on Children

- Behavioral problems, such as:
  - Aggression
  - Delinquency (Ehrensaft et al., 2003; Herrenkohl, Sousa, Tajima, Herrenkohl, & Moylan, 2008; Herrera & McCloskey, 2000; Lichter & McCloskey, 2004; Litrownik et al., 2003; McCloskey & Lichter, 2003; Sudermann & Jaffe, 1997).
- Problems with academic performance and cognitive development, such as:
  - Lower verbal abilities (Graham-Bermann et al., 2010)
  - More suspensions from school (Kernic et al., 2002)
- Problems with peers relationships
- Violence in the child's own eventual adult intimate relationships

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## Moderators of Child IPV and Abuse Exposure and Negative Outcomes

Not all children who are exposed to IPV and Abuse experience negative consequences

- Some example factors associated with resilience:
  - Easy temperament (Daniel & Wassell, 2002)
  - High IQ (Daniel & Wassell, 2002)
  - Mothers' better mental health (Graham-Bermann, Gruber, Howell, & Girz, 2009)
  - Effective maternal parenting (Levendosky & Graham-Bermann, 1998, 2001)
  - Secure attachment or supportive relationship with a non-violent adult (Cox, Kotch, & Everson, 2003)
  - Fewer stressful life events (Levendosky & Graham-Bermann, 2001)
  - Higher Socioeconomic Status (Jouriles, Bourg, & Farris, 1991)

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## Given all of these possible consequences of IPV and Abuse...

- Need to consider how to handle it in family law cases
- To do so...
- Must first detect IPV and Abuse if it is there, so...
- Need to Screen for IPV and Abuse

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## Need to Assess IPV and Abuse

- But still it is not always done... Why?
- Some:
  - ...do not believe that IPV and Abuse are frequent client problems
  - ...believe the clients will, during sessions, reveal IPV and Abuse if present
  - ...believe they are already adequately screening for violence
  - ...are more concerned about false allegations of IPV and Abuse
  - ...limited time, so believe it's not a good use of their time to screen

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## Need to Assess IPV and Abuse

- Others screen for IPV and Abuse, but only informally
- Common informal IPV and Abuse assessment method:
  - No set method
  - Use judgement to detect possible IPV and Abuse and then ask about it in those cases
  - Ask indirect questions ("Are you uncomfortable sitting together in mediation?")
  - Check legal and court records for evidence (Orders of Protection)
  - Use semi-structured interview:
    - General questions that are not well defined ("Has there been violence?")
- But how well do these informal methods work compared to systematic, standardized, behaviorally specific screens?
- We conducted two studies to examine this issue...

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## Our 1<sup>st</sup> study of IPV Screening Methods (Ballard et al.)

- Detecting intimate partner violence in family and divorce mediation:  
A randomized trial of intimate partner violence screening
- Ballard, Holtzworth-Munroe, Applegate, & Beck (2011)  
Psychology, Public Policy, and Law, 17(2), 241-263.
- Study Goal: Compare a standardized, behaviorally specific screening instrument to a more informal, non-behaviorally specific clinic method of detecting IPV

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## Our 1<sup>st</sup> study of IPV Screening Methods (Ballard et al.)

- Study site: Indiana University (IU) Family and Child Mediation Clinic
- Before study: Mediators trained to detect IPV in various ways but no standardized IPV screen
  - Separate parties for intake
  - e.g., Look at court records (Orders of Protection); ask about comfort sitting together in mediation; use clinical judgement throughout the process
- We hypothesized that the clinic procedure was under-detecting violence
  - Recommended a behaviorally specific screening instrument
- Relationship Behavior Rating Scale (RBRS; Beck et al.)
  - Behaviorally specific questions, such as: "Has the other parent ever hit you?"

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## Our 1<sup>st</sup> study of IPV Screening Methods (Ballard et al.)

- Randomized Controlled Trial
- Random assignment to:
  - Standard Indiana University Mediation Clinic screen (n = 31 cases)

OR

  - Standard Screen and RBRS (n = 30)

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## Our 1<sup>st</sup> study of IPV Screening Methods (Ballard et al.)

- RBRS results not shared with mediators
  - Mediating parties knew this
  - At end of mediation, mediators reported whether or not they thought the case involved violence
- Mediators' detection of IPV did not differ between cases who did or did not complete RBRS:
  - Screen did not appear to lead parties to tell mediators about IPV
    - Suggests no major concerns about false allegations with Self-Report

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### Our 1<sup>st</sup> study of IPV Screening Methods (Ballard et al.)

- Mediators:
  - Violence in Case: 37% Yes or Unsure
    - Yes: 20%
    - Unsure: 17%
- However, from the RBRS screen:
  - 67% of cases reported physical violence
  - 59% reported moderate/severe physical violence
  - 47% reported fear of partner
- Mediators reported IPV in < 1/2 of the cases in which at least one party reported partner violence on the RBRS

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### Our 1<sup>st</sup> study of IPV Screening Methods (Ballard et al.)

- Consistent with other research areas, behaviorally specific questions led to more reports of IPV
- Findings led the mediation clinic staff to agree to IPV screening of all mediation parties using behaviorally specific questions

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### Our 2<sup>nd</sup> Study of IPV Screening Methods (Rossi et al.)

- Detection of intimate partner violence and recommendation for joint family mediation: A randomized controlled trial of two screening measures

Rossi, Holtzworth-Munroe, Applegate, Beck, Adams, & Hale (2015), *Psychology, Public Policy, and Law*, 21(3), 239-251.

- Study Goal: Compare a standardized, behaviorally specific screening instrument to a standardized non-behaviorally specific set of clinic screening questions

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### Our 2<sup>nd</sup> Study of IPV Screening Methods (Rossi et al.)

- New study for generalizability of Study 1 findings:
  - Different Behaviorally Specific Screen (not RBRS):
    - Mediator's Assessment of Safety Issues and Concerns (MASIC)
  - Different existing clinic method for detecting IPV (not IU Clinic procedures):
    - Standardized set of questions but not behaviorally specific questions
  - Different Mediation Program
    - Location, mediators,
  - Different clients, and Larger Sample

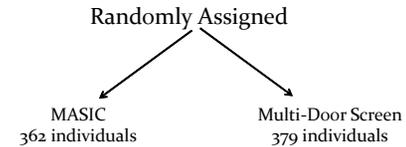
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### Our 2<sup>nd</sup> Study of IPV Screening Methods (Rossi et al.)

- Study Site: Multi-Door Dispute Resolution Division of the District of Columbia Superior Court
  - All separation/divorce cases in DC go through this court
  - Mostly court-referred cases
- Intake process:
  - Parties separately interviewed by intake workers

### Our 2<sup>nd</sup> Study of IPV Screening Methods (Rossi et al.)

#### Randomized Controlled Trial (RCT)



Both parties in a case assigned to same IPV screen  
741 participants completing intake and IPV screen

### Our 2<sup>nd</sup> Study of IPV Screening Methods (Rossi et al.)

Multi-Door Domestic Violence Questionnaire	MASIC
<b>IPV</b>	
1. Has there been violence in your relationship?	23. Hold you down, pinning you in place? 24. Push, shove, shake or grab you? 25. Scratch you, or pull your hair, or twist your arm, or bite you? 26. Slap you? 27. Hit or punch you? 28. Kick or stomp on you? 29. Choke or strangle you? 30. Burn you with something? 31. Use a weapon or something like a weapon against you? 33. Physically force you to engage in sexual activities against your will?
<b>Injury</b>	
2. Have you been seriously injured by the other person?	40. Scratch, small bruise, swelling, or other mild injury? 41. Fracture, small burn, cut, large bruise, or other moderate injury? 42. Major wound, severe bleeding or burn, being knocked out, or other severe injury? 43. Blindness, loss of hearing, disfigurement, chronic pain, or other permanent damage?

### Our 2<sup>nd</sup> Study of IPV Screening Methods (Rossi et al.)

Multi-Door Domestic Violence Questionnaire	MASIC
<b>Fear</b>	
5. Are you afraid of the other person?	39. As a result of the other parent's behaviors, did you ever feel fearful, scared or afraid of physical harm to yourself or to others? 3. Are you afraid that the other parent will harm you during the mediation or after you leave because of what you say or do in mediation? 5. Do you believe that you are in danger at this time?
<b>Use of Weapon</b>	
4. Has either of you displayed a weapon during the relationship?	31. Use a weapon or something like a weapon against you?

## Our 2<sup>nd</sup> Study of IPV Screening Methods (Rossi et al.)

- **MASIC (compared to Multi-Door Screen) resulted in:**
  - Greater odds of reporting:
    - IPV (OR = 1.52)
    - Fear (OR = 2.27)
    - Injury (OR = 2.03)
    - No difference on use of weapon
  - Greater percentage of cases considered high risk:
    - MASIC = 53%
    - Multi-Door Screen = 26%
  - More high risk cases NOT being recommended for traditional joint mediation:
    - MASIC = 21%
    - Multi-Door Screen = 11%

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## IPV and Abuse Screening Suggestions from our two studies:

- Need to give systematic screening to all parties, in all cases
- Need to use a standardized, behaviorally specific screen

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## What Screening Instruments are Available?

- Conflict Tactics Scale (CTS; CTS<sub>2</sub>)
- Relationship Behavior Rating Scale (RBRS)
- Domestic Violence Evaluation (DOVE)
- Detection of Overall Risk Screen (DOORS)
- SAFeR
- Mediators Assessment of Safety Issues and Concerns (MASIC)

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## Conflict Tactics Scale (CTS and CTS<sub>2</sub>)

- Oldest systematic IPV screen (designed for research, not family law):
  - Original CTS: 1970s
- Assesses:
  - Perpetration (“I did X to partner”) and Victimization (“Partner did X to me”)
- Timeframes: Ever and Past 12 months
- 5 subscales:
  - Negotiation
  - Psychological aggression
  - Physical assault
  - Injury
  - Sexual coercion

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## Conflict Tactics Scale (CTS; CTS2)

- Behaviorally Specific Questions
  - Example IPV Questions:
    - Grabbed partner
    - Used a knife or gun on partner
    - Choked my partner
- Most frequently used IPV screen in family research, but
- Not designed for, or used much in, family law contexts
- Have to pay to use it
- Controversy concerning gender parity in findings

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## Mediator's Assessment of Safety Issues and Concerns (MASIC)

- Holtzworth-Munroe, Beck, & Applegate (2010)
- Behaviorally-specific IPV screen (saw example questions earlier)
- Victimization (no self-incrimination; may not be necessary in other settings)
- Time Frames: Ever and Past Year
- Conducted as interview during intake with parties separately

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## Mediator's Assessment of Safety Issues and Concerns (MASIC)

39 questions

Multi-dimensional and it assesses:

- Psychological abuse
- Coercive controlling behaviors
- Threats of severe violence
- Physical violence, Severe physical violence, Injury (severe injury)
- Sexual violence
- Stalking
- Fear
- Additional questions
  - For example: Lethality Risk Indicators (Campbell et al)
  - Context questions concerning resolving conflict, decision-making,

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## Mediator's Assessment of Safety Issues and Concerns (MASIC)

- Designed for use in family law (mediation) setting
- Initial evidence of reliability and validity and structure
  - Pokman, V., Rossi, F.S., Holtzworth-Munroe, A., Beck, C.J.A., Applegate, A.G., & D'Onofrio, B.M. (2014). MASIC: Reliability and validity of a new intimate partner violence screen. [Assessment](#)
- In the public domain, no extensive training needed, etc.

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## Summary

- IPV and Abuse is likely to have occurred in many family law involved cases and can have serious consequences that could impact the family law process.
- You strongly urge professionals to be aware of the IPV and Abuse, to understand how to screen for it and to understand its impact on the family.
- We recommend IPV and Abuse screening for every family law involved case, using a standardized and behaviorally specific IPV and Abuse screening instrument.
- There are several such screens available, each with strengths/weaknesses.