

Legal Abuse Mediates the Relation Between Intimate Partner Violence and Reported Outcomes for Court-Involved Mothers

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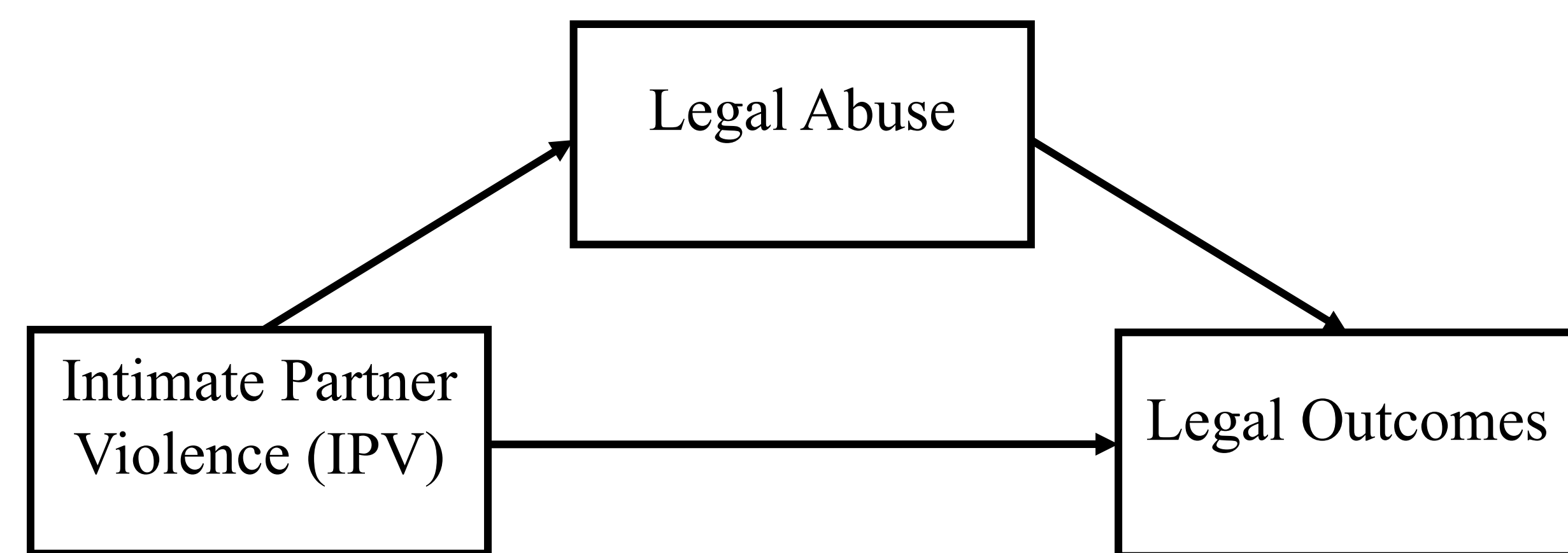


Introduction

Survivors of intimate partner violence (IPV) who are ending abusive relationships often turn to the family law system in pursuit of justice, safety, and accountability for the harms done to them (Gutowski & Goodman, 2020). However, there has been mounting concern that family court responses to IPV are inadequate. Legal actors such as judges, custody evaluators, and attorneys may minimize the relevance of IPV in custody or parenting time arrangements (Saunders et al., 2016) leading to unsafe parenting plans that pose continued risks to survivors and their children (Khaw et al., 2021). Survivors have also indicated that post-separation legal cases are time consuming and costly, compounding the challenges of moving on from abuse (Douglas, 2020; Gutowski & Goodman, 2020).

Negative outcomes may be due to *legal abuse*, or the manifestation of abuse dynamics in family law processes (Gutowski & Goodman, 2022). Legal abuse is characterized by the abusive partner's use of the legal system to stalk, harass, coerce, and control an ex-partner (Douglas, 2018; Gutowski & Goodman, 2022; Miller & Smolter, 2011; Watson & Ancis, 2013). Although survivors' negative experiences in family court are well-documented, there is a dearth of quantitative research exploring 1) the relation between IPV and negative outcomes as well as 2) the potential role of legal abuse in this process.

Hypotheses



Methods

Design: Cross-sectional design using self-report data collected from court-involved mothers.

Participants: 218 mothers were included in this sample. All were at least 18 years of age, had at least one child under the age of 18, were separated from the other parent of that child, were currently or recently (i.e., in the past 1-2 years) involved in a family law case related to this separation, and were survivors of intimate partner violence from the other parent involved in their case. All participants were residents of the United States.

Race/Ethnicity	n (%)	Level of Education	n (%)
Black/African American	27 (12.4%)	Less than high school diploma	8 (3.7%)
Asian/Asian American	11 (5.0%)	High school diploma	23 (10.6%)
American Indian or Alaska Native	8 (3.7%)	Vocational or Trade school	11 (5.0%)
Native Hawaiian or Pacific Islander	2 (0.9%)	Associates	17 (7.8%)
White/Caucasian	127 (78.9%)	Some College	35 (16.1%)
Latinx	20 (9.2%)	4-year Bachelors	67 (30.7%)
Other	8 (3.7%)	Masters	36 (16.5%)
Birthplace	n (%)	Professional Degree (e.g., MD, JD, MBA, Ph.D.)	21 (9.6%)
Born Outside US	48 (22%)		
Born in US	170 (78%)		

Methods Continued...

Measures:

Intimate Partner Violence

- The Composite Abuse Scale (Ford-Gilboe et al., 2016) measures experiences of psychological, sexual, and physical abuse.

Legal Abuse

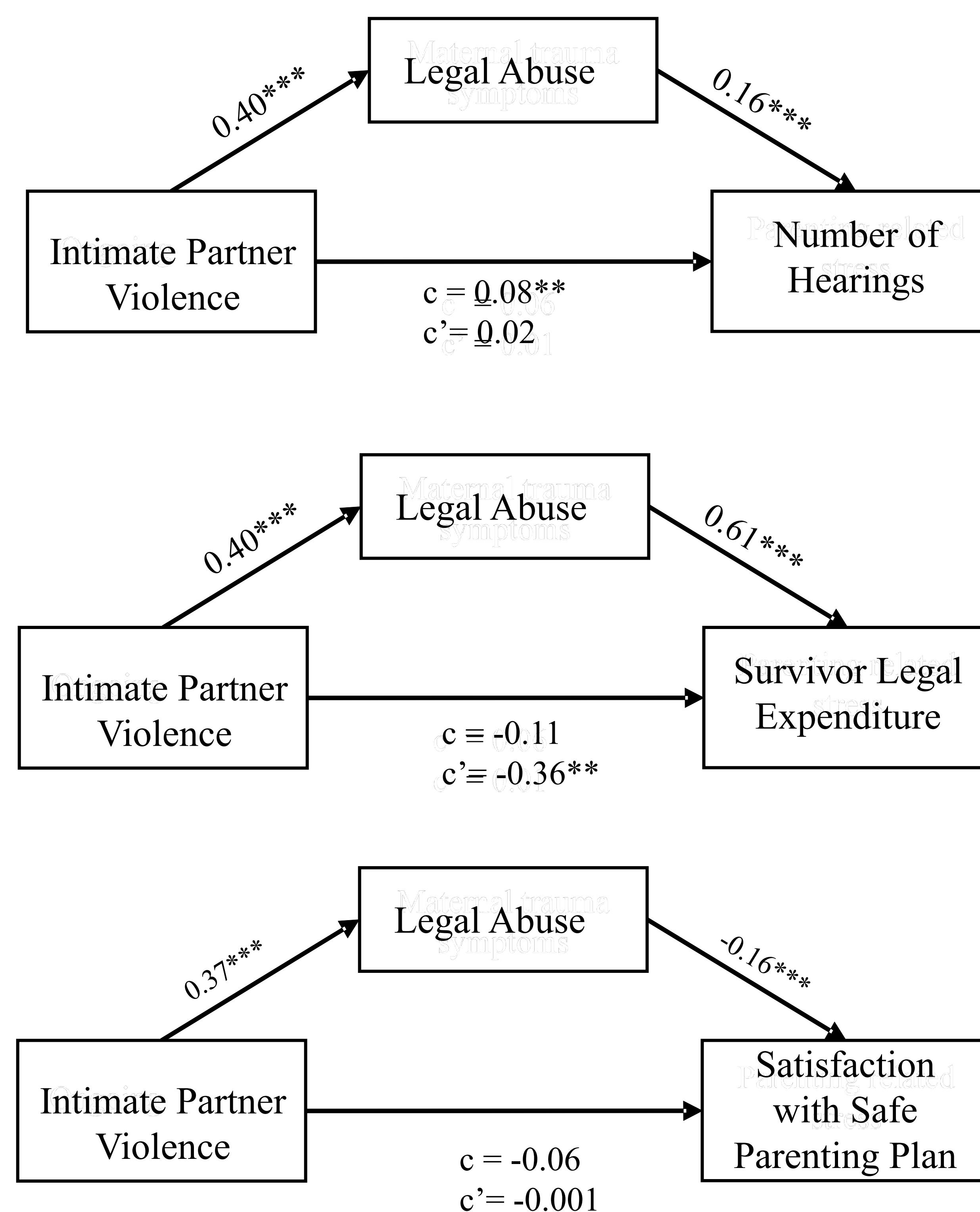
- The Legal Abuse Scale (Gutowski & Goodman, 2022) measures experiences of legal abuse by an ex-partner.

Legal Outcomes

- Number of hearings:** Survivors provided an estimate of the number of hearings they attended in person during their family court case.
- Satisfaction with safe parenting plan:** Satisfaction with a safe parenting plan was assessed with a 5-point scale from 1, "Very dissatisfied," to 5, "Very satisfied."
- Legal expenditure:** Participants provided a global estimate of costs associated with their legal processes (e.g., cost of lawyers, evaluators, court-appointed therapists, mediators, court fees). This excluded work missed and transportation costs.

Results

Mediation Model Regression Coefficients



**p < 0.01
***p < 0.001

Mediation Results: Regression Coefficients, Standard Error, and p-values Reported

Outcome variable (sample size)	Effect of IPV severity on mediator (legal abuse) (a)	Effect of legal abuse on legal outcomes measures (b)	Total Effect of IPV severity on legal outcomes measures (c)	Direct effect of IPV severity on legal outcomes measures (c')	Indirect effect of IPV severity on legal outcomes measures through legal abuse (c'')
Number of hearings (215)	b = 0.40 (0.07) p < .0001 CI [0.27, 0.53]	b = 0.16 (0.03) p < .0001 CI [0.10, 0.21]	b = 0.08 (0.03) p = 0.0064 CI [0.02, 0.13]	b = 0.02 (0.03) p = 0.58 CI [-0.04, 0.07]	b = 0.06 (0.01) CI [0.04, 0.10]
Survivor legal expenditure (215)	b = 0.40 (0.07) p < .0001 CI [0.27, 0.53]	b = 0.61 (0.10) p < .0001 CI [0.40, 0.81]	b = -0.11 (0.11) p = 0.30 CI [-0.33, 0.10]	b = -0.36 (0.11) p = 0.0012 CI [-0.57, -0.14]	b = 0.24 (0.06) CI [0.14, 0.34]
Satisfaction with safe parenting plan (183)	b = 0.37 (0.07) p < .0001 CI [0.22, 0.51]	b = -0.16 (0.03) p < .0001 CI [-.22, -0.10]	b = -0.06 (0.03) p = 0.08 CI [-0.12, 0.01]	b = -0.001 (0.03) p = 0.96 CI [-0.06, 0.07]	b = -0.06 (0.02) CI [-0.09, -0.03]

Mothers who participated in this study and reported more experiences with psychological, physical, and sexual IPV reported attending a higher number of court hearings and experiencing less satisfaction with safe parenting plans. These associations were mediated by legal abuse (i.e., an abusive partner's use of the legal process to exercise coercive control). Additionally, having more IPV experiences was associated with reduced legal expenses. However, legal abuse competed with this effect, as it tended to increase spending. Having more experiences with legal abuse was associated with all three of these adverse outcomes (i.e., attending a higher number of hearings, spending more money, and expressing less satisfaction with safe parenting plans). An indirect effect of legal abuse was supported for each of the three models.

Conclusions

These results are among the first to demonstrate the important role that legal abuse plays in the reported outcomes of family legal processes for IPV-exposed mothers. Study findings highlight the urgent need to identify and prevent this perpetuation of abuse dynamics in family court.

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