

MINIMISATION OF NEGATIVE PSYCHOLOGICAL IMPACT OF DIVORCE ON MINOR CHILDREN DURING HEARING PROCEDURE

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Abstract

The present study aims to investigate the efficiency of involving the psychologist in hearing minor children in front of the notary or of the judge during a divorce. The process of the divorce is a stressing event, in certain cases a traumatic event in a child's life, frequently burdened by negative feelings. From this point of view, the psychologist's involvement may be an opportunity for a short-term meeting where parents are given certain information about how to support their child to better overtake such process. The minor hearing procedure in case of divorce is similar to other hearing procedures involving minor children, for this reason it is similarly influenced by certain distortions at the level of the involved cognitive and affective processes, where the psychologist may intercede to monitor the entire process. The specialty literature debates on the opportunity to hear minor children in case of divorce due to certain negative effects on their accommodation to post-divorce life; in such situation, the psychologist may intercede to counteract the side effects and to make children perceive the hearing as helpful in order to adapt to post-divorce life.

Key Words: *divorce, separation, minor children, hearing, parents, psychology.*

JEL Classification: [K36]

1. Introduction

The divorce is a stressful event, even traumatic in a child's life, often burdened by negative feelings. The efficiency of the psychologist's involvement in hearing minor children during divorce procedure is hereby approached, involvement that may be an opportunity to provide parents, as well as people actually performing the hearing procedure, information on how they can help children to surmount the process.

Child's hearing during divorce process takes place mostly after he or she probably already assisted to the psychological separation of his or her parents, more or less followed by outspoken and noticeable conflicts for him. Moreover, as for the future perspective, the child finds himself in a situation anticipating substantial imminent changes in his or her life.

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Although in present times marriage with children is a rule or norm in our society, the minimisation of marriage and the concurrent increase of divorce rate is more noticeable. There are more and more cases such as: separation of children from one or even both parents, education of children by one of the parents, concubinage, stepfamilies.

A research of the National Statistics Institute on divorce in Romania in 2013 exemplifies the most common reasons for increasing the divorce rate. Among 28504 divorce cases, 65% solved by mutual agreement, 3,3% were due to infidelity, 2,5% to alcoholism, 2,3% to violence. Among 44,7% of the total minor children have been also involved, and 17000 children were decided to live with only one parent.¹

2. National legislation and legal context

Legal amendments also contribute by simplifying the divorce procedure by mutual agreement in all such situations mentioned above. Divorce procedure has been significantly amended by Law no. 202/2010², by allowing to divorce in front of State Registrar of notary public. The aim was to ease the divorce applications and also to relieve Courts' role that were previously the sole competent authority to pronounce divorce sentences.

Starting October 1st 2011, the New Civil Code³ provided a more simplified divorce procedure, by allowing, for the first time, divorce to be stated by public notaries if minor children were also involved. Therefore, in Romania, divorce involving minor children and consequently their hearing is performed both at Courts and public notaries.

According to article 375, par. 2 of the New Civil Code, "*Divorce by mutual agreement may be stated by the notary public also if minor children from marriage, out of marriage or affiliated are involved, if parents agree on every aspect related to surname after divorce, to means to keep the separated parent in touch to each child, as well as to set parents' contribution to elevation, education and formation of children*". We notice that, in case of divorce stated by notary public, the full agreement of parties on all important aspects of their children's life after divorce is necessary, among others.

In case of divorce in front of public notary, there are still two issues to

¹ NSI, (2014). *The National Innovation System: The Conditions of its Making and Factors in its Development*. Life Science Journal, Vol. 11, No. 6.

² Published in the Romanian Official Gazette, Part I, no. 714 from 26.10.2010.

³ Published in the Romanian Official Gazette, Part I, no. 505 from 15.07.2011.

consider. First, a report on psychosocial inquiry performed by tutelary authority at the child's home, stating that the parents' agreement on performing the authority and on the future domicile of their child fits to his interest. Secondly, in case children are already 10, they are to be heard by notary public concerning the settlement of their domicile after divorce and the means to keep in touch to the separated parent. Such hearing is similar to that related to the judicial divorce, where the judge hears the child. The hearing hereby refers to the hearing process of the child by a competent authority, followed by a decision taken by such authority, according to the legislation in force.⁴

The divorce procedure in front of the notary or of the court may investigate the effects of the psychologist's involvement in hearing minor children. The starting point of this idea is the principle that legally underlies the decisions taken by competent factor concerning the minor, namely *the principle of "protection of the child's best interest"*, that first guides the settlement of the situation in such a way as to observe the child's fundamental rights, so that parents are able to fulfil their obligation to ensure child's integrity and physical development, as well as education and fulfilment of his psychological needs.⁵

Specialty literature approaches the opportunity to hear minor children during divorce due to certain negative effects on children accommodation after the divorce. Therefore, the psychologist is able to intercede in order to counteract such effects and to turn the hearing into an experience that ease children to accommodate after the divorce.

The starting point of this study is the regulations according to which, both when parents decide to divorce by mutual agreement in front of the notary, or when the divorce is stated by the Court, minor children who are already 10 are heard, and "*child's opinion hearing and consideration*" is made "*considering his age and his maturity degree*".⁶ Therefore, the child has the right to express his opinion, points of view, wishes, feelings, his own view on his superior interest. This is optimally accomplished is we consider the particular psychological aspects of the hearing procedure and the organization settlement, paying attention to observe the child's rights and the principle of finding the truth by the magistrate.⁷

⁴ Pivniceru, M.M., Luca, C., (2009), *Guide on hearing the child within judicial procedures*, Hamangiu, Bucharest.

⁵ Motica, A.R., (2014). *Considerații privind aplicarea principiului ocrotirii interesului superior al copilului în caz de divorț al părinților săi*, Analele Universității de Vest Timișoara, Seria Drept, vol. 2.

⁶ (Law no. 272/2004, art. 6, item h).

⁷ Pivniceru, M.M., Luca, C., (2009), *Guide on hearing the child within judicial procedures*, Hamangiu, Bucharest.

3. Surveys and psychological context

Children hearing during divorce procedure displays common features to other ways of children hearing in a judicial context. For example, the hearing as a victim, delinquent or witness, assuming, among other, the communication of certain events relevant from the legal point of view, that children perceived once and in relation to which they share memories, meaning that common attention, speech and language processes are involved.⁸ Besides, the emotional content of the communication during hearing within divorce procedure should also be considered. Thus, depending on his age and personal ability to understand, the child acknowledges to a certain extent that his statement influences the decision with long-term consequences on his wellness and also on his relationship to parents, therefore involving a special emotional charge. Nevertheless, the hearing procedure may reveal certain psychological difficulties unrelated to the hearing process itself, but related to the divorce or to previously family events (for example, fights between parents, different shapes of violence or abuse, significant changes at the economical level, etc.).

All such psychological items affecting the child's ability to accurately present events, the emotional charge and personal relevance of the facts, as well as the possibility to express underlying psychological matters – are reasons to involve the psychologist in minor hearing process, involvement that may resume to the hearing itself or may extend to provide counselling services for minor and his parents, specifically focused on the optimal accommodation of the child to the changes after the divorce.

Speciality surveys converge that short-term effects of divorce are generally painful and unpleasant to children, but on long-term, they fade in a large extent and depend to a greater extent on interindividual differences and on certain predictors of post-divorce adjustment.⁹

Thereby, the separation period, that most often starts before the divorce procedure itself, is extremely demanding from the psychological point of view, both for parents and for children. The feelings are anxiety, depression, anger, guilty or resentments. Guilty feelings are most expressed, due to the fact that children perceive the universe egocentrically, as reported to their own person.¹⁰

⁸ Goodman, G.S., (2006), *Children's eyewitness memory: A modern history and contemporary commentary*. Journal of Social Issues, 62, 811-83.

⁹ Hetherington, E.M., & Elmore, A.M., (2003), *Risk and resilience in children coping with their parents' divorce and remarriage*. In S. S. Luthar (Ed.), *Resilience and vulnerability: Adaptation in the context of childhood adversities* (pp.182-212). New York: Cambridge University.

¹⁰ *Ibidem*.

Most of emotional and behaviour matters acute, powerful, are expressed within the first month after the separation. Most children may express regressive behaviour, anxiety, depression, irritation, opposition, lack of compliance or recurring behaviour. More, there appear school and interpersonal relationship problems.¹¹

A comprehensive review of short-term effects and especially of long-term accommodation with divorce is presented in a synthesis of the speciality literature where authors first mention that due to a more and more increase of divorce rate, they affect a more and more number of teenagers, which makes a significant percentage of teenagers under 18 to spend the most time of childhood in a single-parent family.¹²

When analysing long-term consequences of the divorce, they are different from one situation to another. For example, a survey proves that in case of children whose parents are divorced, there is a higher internal control locus.¹³ Another survey proves that there are no significant differences between children whose parents are divorced or not.¹⁴ On the other hand, most surveys converge that in case of children whose parent are divorced, there are certain accommodation matters, as an example those children whose parents are recently divorced deal with lack of concentration and social relationship at school.¹⁵

In the same time, there are certain moderating variables of the divorce on children, and one is the gender. According to surveys, it seems that accommodation difficulties are stronger in case of boys than of girls and effects manifest for a longer period of time. For example, it is demonstrated that boys from divorced families significantly deal with maladaptive symptoms and inadequate behaviors compared to boys from undivorced families, while as for girls, effects manifest only at control locus level.¹⁶ One of the possible explanations of such pattern is that as most of children were in mother's custody, boys remained after divorce in mother's custody, meaning next to the opposite

¹¹ Hetherington, E.M., Stanley-Hagan, M., & Anderson, E.R., (1989), *Marital transitions: A child's perspective*. American Psychologist, 44, 303-312.

¹² Demo, David H., and Alan C. Acock, (1988), *The impact of divorce on children*. Journal of Marriage and the Family, 50, 619-648.

¹³ Kalter, (1984). *Children's perceptions of the causes and consequences of divorce*.

¹⁴ Parish et al., (1980). *Evaluations of self and parent figures by children from intact, divorced, and reconstituted families*.

¹⁵ Kinard, E. M. and H. Reinherz, (1986), *Effects of marital disruption on children's school aptitude and achievement*. J. of Marriage and the Family.

¹⁶ Guidubaldi and Perry, 1985. *Divorce and Mental Health Sequelae for Children: A Two-Year Follow-up of a Nationwide Sample*, Journal of the American Academy of Child Psychiatry. Volume 24, Issue 5, 531-537.

gender parent.¹⁷ In case the child lived only with the opposite gender parent, there are certain social competencies matters, due to the lack of a model appropriate to gender behaviour, to whom the child may refer.¹⁸

In the same time, recent syntheses state that divorce effects on children are not dramatic in all situations. A relevant analysis in this respect proves that on the average, there are certain differences between children from families affected by divorce and the others, from the point of view of different aspects of wellness; still, most children whose parents are divorced are pretty accommodated from the emotional point of view. Consequences are noticeable up to teenage.¹⁹

As for the accommodation difficulties of children immediately after divorce, the first category is outsourcing issues.²⁰ Also, a great number of surveys proves that there are significant differences between children whose parents are divorced and those from two-parents families, from the point of view of the extent to which children misbehave, namely behavior problems, anti-social behaviour or opposition against authority.²¹ Thus, children from divorced or reorganized families are more aggressive, non-compliant, and disobedient, misbehave at school or are less capable to self-regulate.²²

The second category of behaviour in case of children whose parents are divorced is internalization issue. This kind of issues are soon noticeable for the environment and are seized as they bother especially people around or affect the child's social functioning, while internalization issues may not be noticed for a while, as they manifest more subjectively and cognitively and less by noticeable behaviour or behaviour that draws the others' attention. From this point of view, surveys prove that children whose parents are divorced are more depressed, anxious and prove less self-esteem;²³ still, the results on internalization are not as

¹⁷ Demo, David H., and Alan C. Acock, (1988), *The impact of divorce on children*. Journal of Marriage and the Family, 50, 619-648.

¹⁸ Santrock and Warshak, (1979), *Father Custody and Social Development in Boys and Girls*. Journal of Social Issues.

¹⁹ Kelly & Emery, (2003), *Children's Adjustment Following Divorce: Risk and Resilience Perspectives*, Family Relations Interdisciplinary Journal of Applied Family Studies.

²⁰ Connolly, M., Green, E. (2009), *Evidence-Based Counselling Interventions with Children of Divorce: Implications for Elementary School Counsellors.*, Journal of School Counseling, 7:26, 1-37.

²¹ Hetherington, E.M., & Kelly, J., (2002), *For better or worse: Divorce reconsidered*. New York: Norton.

²² Hetherington, E. M., & Elmore, A. M., (2003), *Risk and resilience in children coping with their parents' divorce and remarriage*. In S. S. Luthar (Ed.), *Resilience and vulnerability: Adaptation in the context of childhood adversities*. New York: Cambridge University. p. 182-212.

²³ Bynum, M.K., & Durm, M.W., (1996), *Children of divorce and its effect on their self-esteem*. Psychological Reports, 79, 447-450.

consistent as those proving the existence of certain external issues.²⁴

Within a meta-analysis comprising 92 surveys, a group of children living with a single parent after divorce was compared to a group of children from not divorced two parents families. The results revealed the general tendency of children whose parents were divorced to express a lower level of wellness, compared to children from the control group.²⁵

Such surveys are pretty consistent in what concerns the short-term effects of divorce, while displaying a higher level of variability when it comes to long-term effects. Thus, during divorce or immediately after, most children feel sad, anxious, angry, guilty, confused.²⁶ Such feelings of loss, guilty or refutation and angry are so strong, that authors compare the period after divorce to a mourning period.²⁷ Still, on long-term, the variability is much higher, which makes some of them accommodate and function as children from integrate families, while some of children experience the divorce as a traumatic event with deep emotional traces. From the statistical point of view, such reality is revealed by surveys stating that, though most of children whose parents are divorced succeed to accommodate after divorce, the average of different dimensions of wellness is lower in case of children with divorced parents.²⁸

The third category of difficulties experienced by children whose parents are divorced are related to school. Thus, surveys systematically reveal that children with divorced parents incline to register lower marks at school.²⁹ Such differences on scholastic results tend to fade, though they do not completely disappear when considering the social-economical status or intellectual abilities. In other words, children from economically and intellectually developed families are less influenced by the effects of divorce. Generally, children whose parents are divorced are appreciated by teachers as being more anxious on scholastic situation, less focused on cognitive tasks and more interested in irrelevant tasks.

²⁴ Connolly, M., Green, E., (2009), *Evidence-Based Counselling Interventions with Children of Divorce: Implications for Elementary School Counsellors.*, Journal of School Counseling, 7:26, 1-37.

²⁵ Amato, P.R., & Keith, B., (1991), *Parental divorce and the well-being of children: A meta-analysis.* Psychological Bulletin, 110, 26-46.

²⁶ Hetherington, E.M., Stanley-Hagan, M., & Anderson, E.R., (1989), *Marital transitions: A child's perspective.* American Psychologist, 44, 303-312.

²⁷ Clulow, C.F., (1990), *Divorce as bereavement: Similarities and differences.* Family & Conciliation Courts Review, 28(1), 19-22.

²⁸ Amato, P.R., & Keith, B., (1991), *Parental divorce and the well-being of children: A meta-analysis.* Psychological Bulletin, 110, 26-46.

²⁹ McLanahan, S., (1999), *Father absence and the welfare of children.* In E. M. Hetherington (Ed.), *Coping with divorce, single parenting, and remarriage* (pp. 117-146). Mahwah, NJ: Erlbaum.

This means that, at least partially, scholastic difficulties of children whose parents are divorced may be assigned to school behaviour interfering to learning (Emery, 1999). Also, children with divorced parents tend to miss classes, to watch more at TV, to miss homework and are less supervised by parents while performing school tasks (McLanahan, 1999).

The aspects of minor child during hearing, namely delinquent, victim, witness or heard child in divorce procedure, have different notes, but in the same time, psychical processes involved are similar. It is about cognitive and affective functions, whose functioning develops with age, reason for which young children deal with higher difficulties in performing tasks.³⁰

Most of surveys on psychological aspects of minor hearing regard aspects influencing the children ability to memorise, to store and remind certain particular events witnessed or experienced³¹, because in most of procedures, children must present relevant judicial facts directly perceived and reminded of. This applies especially when the child is a victim, witness or defendant, and the hearing focuses on real facts. Still, the aspects are not ignored when hearing the child in divorce context, as the child may be asked to present certain particular events from his family life.

As for the attention, surveys state that, though there are certain differences from the point of view of information to which children and adults pay attention, there are also similarities. For example, when watching a crime, both children and adults tend to focus especially on the weapon of the delinquent.³² False memories appear to a less extent on children than on adults, as proven, for example, by surveys within Deese-Rodiger-McDermott paradigm.³³

Considering the features approached in speciality surveys, it is hereby stated that minor children are able to take part as witnesses in trials, but sometimes, during hearings, their development features should be considered, and questions should be asked in such a way as to compensate certain difficulties related to the development of psychical processes.³⁴

³⁰ Goodman, G.S., (2006), *Children's eyewitness memory: A modern history and contemporary commentary*. Journal of Social Issues, 62, 811-83.

³¹ *Ibidem*.

³² Davies, G.M., Smith, S., & Blincoe, C., (2008), *A 'weapon focus' effect in children*. Psychology, Crime & Law, 14(1), 19-28.

³³ Otgaar, H., Peters, M., & Howe, M.L., (2012), *Dividing attention lowers children's but increases adults' false memories*. Journal of Experimental Psychology: Learning, Memory, and Cognition, 38, 204-210.

³⁴ Segovia and Crossman, (2012), *Cognition and the Child Witness: Understanding the Impact of Cognitive Development in Forensic Contexts*. Current Topics in Children's Learning and Cognition.

As they get old, children succeed more and more to develop scenarios of certain categories of activities that develop, but such ability may interfere to their ability to present and make the difference between more distinct incidents in time, for example, in abuse events. For this reason, they may get confused when asked punctual questions on a certain specific incident.³⁵

Most of the times, children get confused when being asked about a certain specific abuse event similar to other events of the same type. Children's ability to ask open questions, as "What happened?" is developed with age.³⁶ In this respect, the psychologist may structure the questions in such a way as to provide enough specific contextual clues that help the child remind a certain event. Also, the psychologist may help to update information by suggesting questions related to certain contextual clues of the event and that the child reminds of.³⁷

The reporting capacity of the event depends on the capacity to remind of and on the child's communication and linguistic abilities that develop in time; young children are bases on adults support as questions; the least directive questions are those leading to the most accurate answers.³⁸

The psychologist may help build certain hearing/interview strategies that provide an additional structure and clues for children in order to maximize the event remembrance, while minimizing false memories. The psychologist also help to use specific interview techniques, as for example the context reinstatement³⁹ or cognitive interview.⁴⁰ I will not focus on describing such interview types, as they are less relevant from this survey's perspective.

All issues have been approached especially in cases when the child is witness in a trial, are relevant to his hearing in case of divorce procedure. Surveys previously mentioned refer especially to mechanisms involved in the process of updating specific events previously attended by the minor child, while the hearing in divorce process is focused especially on certain affective events, on his wishes,

³⁵ Roberts, K.P., & Powell, M.B., (2001), *Describing individual incidents of sexual abuse: A review of research on the effects of multiple sources of information on children's reports*. *Child Abuse & Neglect*, 25, 1643-1659.

³⁶ Goodman, G.S., (2006), *Children's eyewitness memory: A modern history and contemporary commentary*. *Journal of Social Issues*, 62, 811-83.

³⁷ *Ibidem*.

³⁸ Bjoerklund et al., (2000), *Child Development and Evolutionary Psychology*. *Child Development*, Volume 71, Issue 6.

³⁹ LaRooy, Pipe & Murray, (2007), *Enhancing children's event recall after long delays*. *Applied Cognitive Psychology*. Volume 21, Issue 1.

⁴⁰ Fisher and Gieselman, (1992), *Memory-Enhancing Techniques for Investigative Interviewing*. *The Cognitive Interview*.

opinion and behaviour. On the other hand, in all cases the judge or the notary should focus on as much real information as possible regarding the situation of the concerned family and the effects of different post-divorce settlements on the minor child and on his wellness, so that to decide what agreement serves best the superior interest of the child. In this way, even if the child expresses a certain wish, the judge and notary's decision may be different, as certain aspects presented by the minor regarding his family situation places the entire situation in a different light.

Considering such general psychological inferences of the hearing process as well as the features of minor hearing, a series of recommendations for the judge or another competent authority are given regarding the performance of the hearing process, in a comprehensive approach, where authors make the difference between the general principle of listening to the child and the effective value of his opinion in taking a decision. The last aspect is related to age and maturity degree of the child, subject to the principle of the best interest of the child.⁴¹

Such approaches are based on the trust between the child and the auditor, and in this way, the child is less anxious and ready for what is next. Also, the child must be informed on the purpose of the hearing. The way of asking questions should also be considered, taking into account the need to suggest certain answers. For example, it is not recommended to keep asking the same question, as children may change their answer, considering that the answer is not accepted by the magistrate.

There are more recommendations such as using a simple language, in a rate that allows the child to understand every word.⁴²

Conclusion

All aspects above show how important is for the judge or notary to consider details of events provided by the child regarding his family situation, while being aware of possible distortions that may affect the reporting manner.

In conclusion, the situation of hearing the child in context of a divorce process is similar to other situations of hearing where the child may be a victim, a witness or even aggressor. In all such situations, the child must, among others, describe events or express feelings and ideas, and this is underlined by cognitive and emotional processes developing at that moment and that may lead to distortion and misunderstanding.

⁴¹ Pivniceru, M.M., Luca, C., (2009), *Guide on hearing the child within judicial procedures*, Hamangiu Publishing.

⁴² *Ibidem*.

Given more significant approaches and conclusions of psychology surveys within hearing process on minor children, the essential role of the psychologist during the entire process is noticeable. Such role may significantly help to minimize the negative aspects of the procedure on heard minor children.

Without searching the reasons for which the Romanian legislation does not provide psychological counselling of minor children especially during divorce, leaving this to the free will of parents, in contrast to other states that provide this option or even compulsoriness by presenting psychological aspects on a minor child within a judicial procedure, I intended to underline the importance of the psychological aspect, which most of the times should overtake the procedural one.

Bibliography

1. Amato, P.R., & Keith, B., (1991), *Parental divorce and the well-being of children: A meta-analysis*. Psychological Bulletin.
2. Amato, P.R., (2001), *Children of divorce in the 1990s: An update of the Amato and Keith (1991) meta-analysis*. Journal of Family Psychology.
3. Bjoerklund et al., (2000), *Child Development and Evolutionary Psychology*. *Child Development*, Volume 71, Issue 6.
4. Bynum, M.K., & Durm, M.W., (1996), *Children of divorce and its effect on their self-esteem*. Psychological Reports.
5. Clulow, C.F., (1990), *Divorce as bereavement: Similarities and differences*. Family & Conciliation Courts Review.
6. Connolly, M., Green, E., (2009), *Evidence-Based Counselling Interventions With Children of Divorce: Implications for Elementary School Counsellors.*, Journal of School Counseling.
7. Davies, G.M., Smith, S., & Blincoe, C., (2008), *A 'weapon focus' effect in children*. Psychology, Crime & Law.
8. Demo, David H., and Alan C. Acock., (1988), *The impact of divorce on children*. Journal of Marriage and the Family.
9. Emery, R.E., (1999), *Marriage, divorce, and children's adjustment* (2nd ed.). Thousand Oaks, CA: Sage.
10. Fisher and Gieselmann, (1992), *Memory-Enhancing Techniques for Investigative Interviewing. The Cognitive Interview*.
11. Guidubaldi and Perry, (1985), *Divorce and Mental Health Sequelae for Children: A Two-Year Follow-up of a Nationwide Sample*. Journal of the American Academy of Child Psychiatry. Volume 24, Issue 5.
12. Goodman, G.S., (2006), *Children's eyewitness memory: A modern history and contemporary commentary*. Journal of Social Issues.
13. Goodman, G.S., (2008), *Responding to Children's Needs: Amplifying the Caring Ethic*. Journal of Philosophy of Education of Great Britain.
14. Hetherington, E.M., & Kelly, J., (2002), *For better or worse: Divorce reconsidered*. New York: Norton.
15. Hetherington, E.M., & Elmore, A.M., (2003), *Risk and resilience in children coping with their parents' divorce and remarriage*. In S. S. Luthar (Ed.), *Resilience and vulnerability: Adaptation in the context of childhood adversities*. New York: Cambridge University.
16. Hetherington, E.M., Stanley-Hagan, M., & Anderson, E.R., (1989), *Marital transitions: A child's perspective*. American Psychologist,

17. Hetherington, (1999), *The Adjustment of Children with Divorced Parents: A Risk and Resiliency Perspective*. The Journal of Child Psychology and Psychiatry and Allied Disciplines.
18. Kalter, (1984), *Children's perceptions of the causes and consequences of divorce*.
19. Kelly & Emery, (2003), *Children's Adjustment Following Divorce: Risk and Resilience Perspectives*, Family Relations Interdisciplinary Journal of Applied Family Studies.
20. Kinard, E.M. and H. Reinherz, (1986), *Effects of marital disruption on children's school aptitude and achievement*. J. of Marriage and the Family.
21. LaRooy, Pipe & Murray, (2007), *Enhancing children's event recall after long delays*. Applied Cognitive Psychology. Volume 21, Issue 1.
22. McLanahan, S. (1999), *Father absence and the welfare of children*. In E.M. Hetherington (Ed.), *Coping with divorce, single parenting, and remarriage*. Mahwah, NJ: Erlbaum.
23. Motica, A.R., (2014), *Considerații privind aplicarea principiului ocrotirii interesului superior al copilului în caz de divorț al părinților săi*, Analele Universității de Vest Timișoara, Seria Drept, vol. 2.
24. Mulholland, D.J., Watt, N.F., Philpott, A., & Sarlin, N., (1994), *Academic performance in children of divorce: Psychological resilience and vulnerability*. Psychiatry.
25. NSI, (2014), *The National Innovation System: The Conditions of its Making and Factors in its Development*. Life Science Journal, Vol. 11.
26. Otgaar, H., Peters, M., & Howe, M.L., (2012), *Dividing attention lowers children's but increases adults' false memories*. Journal of Experimental Psychology: Learning, Memory, and Cognition.
27. Parish et al., (1980), *Evaluations of self and parent figures by children from intact, divorced, and reconstituted families*.
28. Pivniceru, M.M., Luca, C., (2009), *Ghid de audiere a copilului în proceduri judiciare*, Hamangiu, Bucharest.
29. Pedro-Carroll, J.L., Cowen, E.L., Hightower, A.D., & Guare, J.C., (1986), *Preventive intervention with latency-aged children of divorce: A replication study*. American Journal of Community Psychology.
30. Roberts, K.P., & Powell, M.B., (2001), *Describing individual incidents of sexual abuse: A review of research on the effects of multiple sources of information on children's reports*. Child Abuse & Neglect.
31. Santrock and Warshak, (1979), *Father Custody and Social Development in Boys and Girls*. Journal of Social Issues.
32. Segovia and Crossman, (2012), *Cognition and the Child Witness: Understanding the Impact of Cognitive Development in Forensic Contexts*. Current Topics in Children's Learning and Cognition.

Legislation

1. Law no. 202/2010, published in the Romanian Official Gazette, Part I, no. 714 from 26.10.2010.
2. Civil Code of 17 July 2009, published in the Romanian Official Gazette, Part I, no. 505 from 15.07.2011.