



Research Update

Judicial Council, Administrative Office of the Courts

October 2001

Custody Mediation and Ethnic Diversity in California

“All Californians will have equal access to the courts and equal ability to participate in court proceedings, and will be treated in a fair and just manner. Members of the judicial branch community will reflect the rich diversity of the state’s residents.” (Goal I, Judicial Council’s Long-Range Strategic Plan.)

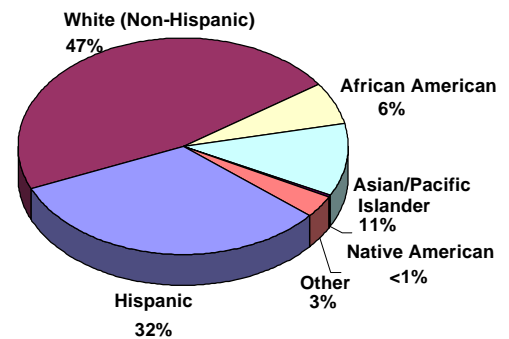
The racial and ethnic profile of parents in court-based child custody mediation changed greatly in the 1990s. How will family and juvenile courts in California respond to the increasing ethnic diversity of the state? Family and juvenile courts around the state are adapting their programs to a client population more likely to be self-represented, foreign born, in need of interpreters, and from a cultural background very different from that of the judicial officer or mediator who works with them.

Hispanic¹ and Asian populations increase, 1990-2000

According to the 2000 U.S. Census:

- Counties experiencing the greatest population growth in Hispanic population were concentrated in the Central Valley; the Inland Empire of San Bernardino, Imperial, and Riverside Counties; and the Sacramento Valley.
- The Hispanic population rose by three million to compose one-third of the state’s population.
- The Asian population rose by one million to compose one-tenth of the state’s population.
- The White (non-Hispanic) population dropped to less than one-half of the state’s population.

**Race and Ethnicity in California
Census 2000**

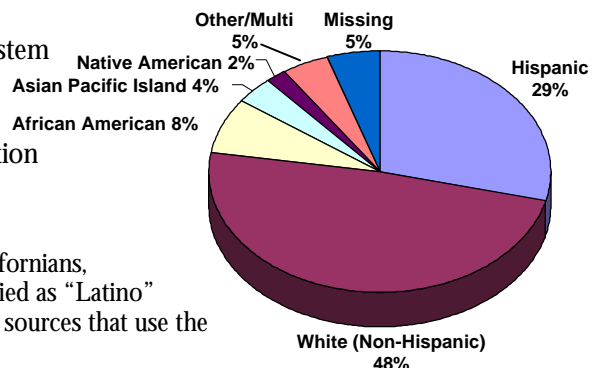


Client population in custody mediation more diverse

According to the Statewide Uniform Statistical Reporting System (SUSRS) studies of court-based child custody mediations in California, from 1991 to 1999:

- The number of Hispanic parents in child custody mediation increased by 67 percent (two-thirds).

**Clients in Custody Mediations
Statewide Uniform Statistical Reporting System**



¹ While recognizing that “Latino” is a term preferred by many Californians, this report uses the term “Hispanic” for the population self-identified as “Latino” or “Hispanic,” in order to be consistent with state and federal data sources that use the term “Hispanic” exclusively.

- The number of Asian parents also increased by 67 percent.
- The number of White (non-Hispanic) parents dropped by 10 percent.
- The number of custody mediations grew faster than the overall population, with the greatest increase occurring in the Central Valley.

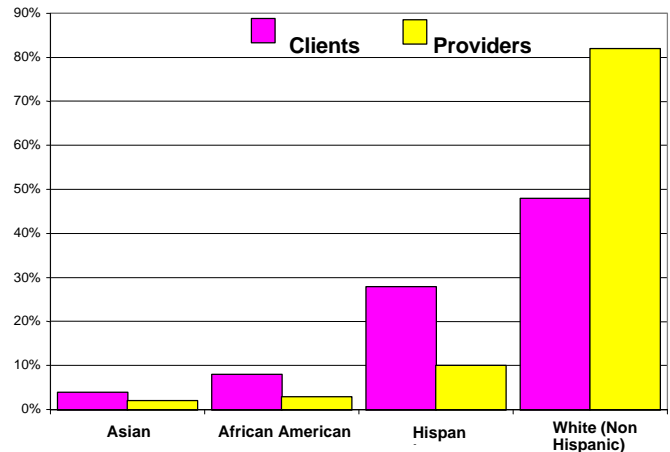
Ethnic diversity increases in California

- Non-Hispanic Whites are still the largest racial/ethnic group in the state, but at 47 percent of the population they no longer constitute a majority.
- Cities and counties are increasing in ethnic *diversity*, that is, in the mixture of racial and ethnic groups living in a given area.
- Six of the 10 most ethnically diverse cities in the nation are in California: Long Beach, Oakland, Los Angeles, Sacramento, Fresno, and San Jose.

Client population more diverse than service providers

- Eighty percent of custody mediators identify themselves as non-Hispanic White, while one-half of mediation clients are people of color.

Mediation Clients and Service Providers



One-quarter of all state residents foreign born

- Two-thirds of Asian residents are foreign born.
- Forty percent of residents of Mexican origin are foreign born.
- Thirty percent of all adults speak a language other than English at home.
- Twenty percent of all adults speak Spanish at home.

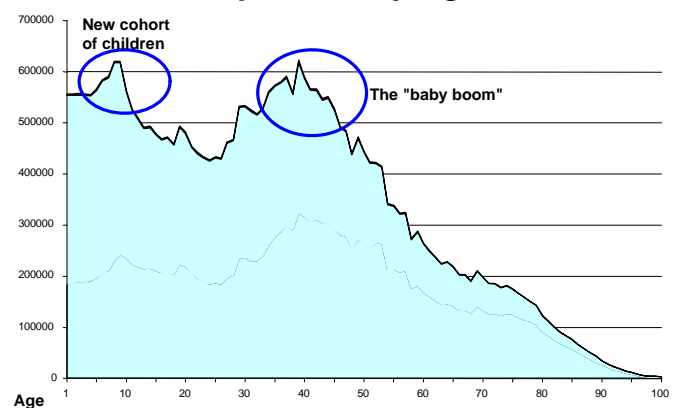
Barriers to serving foreign-born parents in custody mediation

- Many custody mediation programs do not have access to interpreters.
- Programs have difficulty recruiting bilingual/bicultural mediators.
- Research is needed to determine whether foreign-born parents are using court-based custody mediation and other family court services.

Non-Hispanic White population older than Asian, African-American, or Hispanic populations

- Non-Hispanic Whites make up 47 percent of the total population, but only 35 percent of children under 18 years of age.

Total Population by Age, 1999

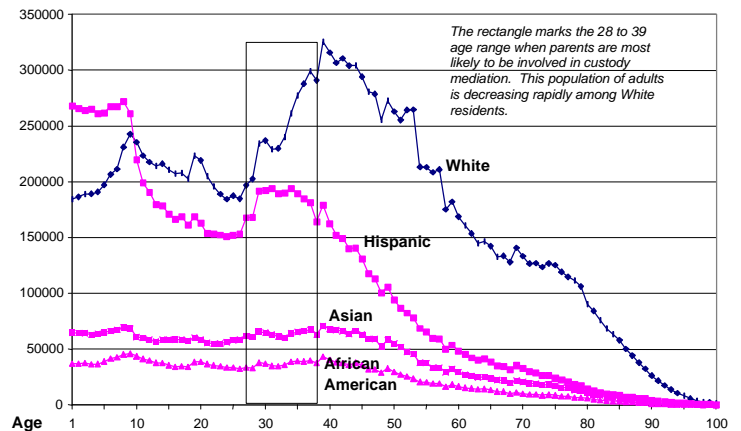


- Forty-four percent of children under 18 years of age are Hispanic.
- The total population of young adults (18 to 29 years of age) dropped in the 1990s, but will begin to rise in the current decade.

Age of population affects custody mediation caseloads

- Most parents in custody mediation are between the ages of 28 and 39. The number of White (non-Hispanic) adults in this age group dropped during the 1990s, while the number of Hispanic, Asian, and African-American adults in this age group rose and remains relatively constant.
- The total number of adults in the key age range of 28 to 39 years old is projected to decrease during the first half of the current decade. However, the number is projected to level off and begin rising in the second half of the decade, when a large cohort moves into their late 20s.

Population by Race/Ethnicity, California 1999



Conclusion: Serving the ethnically diverse population

Family and juvenile courts face a number of challenges in serving California's ethnically diverse population. The number of adults in their late 20s is projected to begin rising by the middle of this decade, bringing more parents into custody mediation. These parents will be increasingly diverse, more likely to be self-represented, and more likely to need assistance with language. The Center for Families, Children & the Courts (CFCC) invited family court professionals to name some of the challenges posed by an increasingly diverse population:

- Recruiting child custody mediators and other court professionals who are bilingual and bicultural;
- Finding ways to do outreach to many different ethnic communities;
- Providing interpreters in custody mediation;
- Providing orientation and other materials that are in the clients' language, and that address specific cultural concerns; and
- Understanding issues that immigrants face in coming to court.

Additional research planned

Very little research on serving the ethnically diverse population in California's family and juvenile courts is available. "Responding to Cultural Diversity in California's Family and Juvenile Courts: Literature Review and Needs Assessment" is a research grant recently awarded by CFCC to Fernando I. Soriano, Ph.D., Associate Professor of Human Development and Director of the National Latino Research Center at the California State University at San Marcos. The literature review and needs assessment are designed to help court professionals and judicial officers understand the family and juvenile court experiences and needs of the ethnically diverse population.

Sources

The Statewide Uniform Statistical Reporting System (SUSRS) is the first large-scale statewide survey of all court-based mediation sessions in the State of California. Conducted by CFCC, the SUSRS consists of a network of discrete but interlocking studies that provide a statistical database consisting of representative and longitudinal data from nine data collections involving over 18,000 child custody cases. Information is collected on the services family courts provide, the issues and outcomes of court-based child custody and visitation mediation, and the demographics of families and children who use custody mediation. We also ask how parents feel about the mediation sessions and the decisions that are made. The statewide approach and the use of a two week time period allows a representative sample of all California mediation sessions taking place in each survey year: 1991, 1993, 1996, and 1999. Reports based on the SUSRS are available at www.courtinfo.ca.gov/programs/cfcc/resources/research_articles.html.

Census 2000 data is available at www.census.gov. This report uses Table DP-1, Profile of General Demographic Characteristics: 2000 and 1990; Census 2000 PHC-T-1, Population by Race and Hispanic or Latino Origin for the United States, 1990 and 2000; and 1990 Public Use Microdata Sample, U.S. Bureau of the Census. Detailed age population data was taken from State of California, Department of Finance, Race/Ethnic Population with Age and Sex Detail, 1970-2040, December 1998. This is available at www.dof.ca.gov/html/demograp/race.htm.

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The Center for Families, Children and the Courts generates and distributes research-based information that has promise for informing the work of family court services in California and nationwide. To learn more about the work of our office visit our Web site:

www.courtinfo.ca.gov/courtadmin/

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