



APPENDIX B

Family Harms Research Appendix

Delay, Instability, and Adverse Outcomes

Public-facing research appendix for press, policy, and institutional review

Justice For All

Purpose of this appendix

This appendix is designed for public release. It summarizes the research case that prolonged family-court delay can magnify instability, conflict, uncertainty, and adverse outcomes for children and families. It also preserves an important research caution: the strongest evidence often concerns prolonged adversity, conflict, and disruption broadly, while direct measurement of court-delay length itself is thinner and more uneven.

The point is not to claim that every delayed case produces the same level of harm. The point is to show that when delay extends uncertainty, conflict, deprivation, coercive dynamics, or family instability, the risk profile becomes measurably worse. That is the public-interest basis for treating family-court delay as more than an administrative inconvenience.

Exhibit B-1 — Scope of the Research Claim

The attached family harms brief frames the issue carefully. It does not say every family-court delay produces identical outcomes. It says the literature supports a narrower but important proposition: prolonged instability, prolonged conflict, prolonged uncertainty, and prolonged deprivation are associated with worse child and family outcomes, and court delay can extend each of those conditions.

The same brief also makes a credibility-preserving point that should remain explicit in public use: direct evidence linking calendar length of litigation itself to later child outcomes is thinner than the broader evidence on parental separation, adversity, toxic stress, permanency delay, and chronic conflict. In other words, the strongest public claim is a risk-magnification claim, not an overbroad claim of universal or perfectly quantified causation.

What this shows

This appendix supports a disciplined public claim: delay matters because it can prolong the very conditions that the research most consistently associates with harm.

Exhibit B-2 — Developmental Pathways Across Childhood

The attached brief organizes the developmental concern by age band. The summary below keeps that structure while presenting it in a more public-facing format.

Age band	Likely exposure	Why it matters publicly
0–5	Attachment disruption, unstable routines, separation stress, toxic stress exposure	Early childhood is the period in which trust, safety, and basic regulation are being built. Prolonged instability during this stage can leave deeper and longer-lasting marks.
6–12	Ongoing uncertainty, school disruption, executive-function strain, repeated conflict exposure	Middle childhood depends heavily on consistency for learning, self-regulation, and social development. Delayed resolution can turn court conflict into a continuing developmental stressor.
13–18	Identity disruption, divided loyalties, chronic uncertainty, delayed permanency and planning	Adolescents need stability to plan, identify, and launch into adulthood. Prolonged conflict and unresolved placement decisions can intensify anxiety, hopelessness, and risk-taking.

Plain-language reading

The developmental concern changes by age, but the common pattern is the same: when instability is prolonged, the burden is carried by the child during a critical stage of development rather than by the calendar alone.

Exhibit B-3 — Structural Pathways From Delay to Harm

The attached brief identifies several pathways by which delay can harden a harmful situation instead of merely postponing a neutral decision. One is status-quo entrenchment: the longer an unstable or one-sided arrangement remains in place, the more likely it is to become the default environment against which later decisions are judged.

Another pathway is parental attrition and gatekeeping. Prolonged litigation can exhaust one parent financially or emotionally, while repeated conflict can make the other parent more restrictive or defensive. That combination can narrow the child’s world even before any final judicial determination is made.

A third pathway is economic depletion. The brief notes that prolonged litigation can coincide with income loss, unstable support, rising fees, and declining household resilience. When the family system becomes poorer, more stressed, and less able to access stabilizing services, the child absorbs that pressure in daily life.

The brief also addresses coercive control. In some cases, delay itself can be weaponized through endless motions, relitigation, or procedural aggression. In that setting, the delay is not passive. It becomes part of the harm mechanism.

What this shows

The research case is not only about time passing. It is about what that time allows to persist, deepen, or become normalized inside the family system.

Exhibit B-4 — Quantified Signals From the Literature

The attached brief includes several numerical findings that are useful in public discussion because they illustrate scale, even where they do not isolate court delay as a stand-alone variable.

Research signal	Public figure	Why it matters
ACE burden	4+ ACEs: ~30x attempted-suicide odds; 5+ ACEs: ~15x opioid-misuse odds	These CDC-linked findings show how cumulative childhood adversity can produce sharply elevated downstream risk. They help explain why prolonged family instability should not be treated casually.
Divorce timing	Age-1 parental divorce: about 6 percentile points lower adult income than age-25 divorce	The NBER finding underscores that earlier and more prolonged disruption can have larger long-run socioeconomic effects.
Economic channels	25–60% of divorce effects explained by income, neighborhood, and parental-cohabitation changes	This shows that instability is not abstract. It changes the material conditions in which children grow up.
Permanency timing	12-month first-permanency target exists in some settings; many jurisdictions have run beyond it	This reinforces the point that long delays in child-centered cases have long been treated as a substantive risk, not just a scheduling issue.
Systemic litigation duration	Some child-welfare litigation has averaged about 11 years	This illustrates how institutional delay can outlast entire stages of childhood when reform and resolution are not treated as urgent.

Plain-language reading

These numbers do not prove that every family-court case will produce the same result. They do show that prolonged adversity, instability, and unresolved conflict are not small-risk conditions.

Exhibit B-5 — Moderators and Compounding Risk

The attached brief also explains that delay does not operate in a vacuum. Its effects are compounded by conflict level, abuse allegations, poverty, and access to stabilizing services. In

plain terms, the same six months or two years can carry radically different human consequences depending on what the child is living through during that period.

High-conflict and abuse-allegation cases are particularly important because they can place children in a prolonged stress environment while adults continue procedural combat. The brief notes that when abuse claims are mishandled or discredited, litigation can itself become part of a coercive-control pattern rather than a route out of harm.

Poverty and service access also matter. Families with fewer resources have less ability to buy time safely through counseling, tutoring, stable housing, transportation, or legal support. That means delay often falls hardest on the families least able to absorb it.

What this shows

The public claim should therefore be framed in risk terms: delay becomes more dangerous as conflict, deprivation, coercion, and service scarcity increase.

Exhibit B-6 — Methodological Limits and Public-Facing Conclusion

A public-facing research appendix is stronger when it states its limits plainly. The literature summarized in the attached brief does not provide a single nationwide causal dataset mapping every month of family-court delay to a uniform child-outcome measure. State-by-state timelines are unevenly reported, and many studies observe separation, conflict, or adversity more readily than they observe judicial calendar length itself.

Even with that limitation, the record supports a serious public conclusion: prolonged family-court delay can extend instability, conflict, uncertainty, and deprivation during consequential stages of childhood; those conditions are consistently associated with worse developmental, mental-health, educational, and socioeconomic outcomes; and the risk is greatest where conflict, abuse, poverty, or coercive dynamics are already present.

That is enough to support a strong public statement that delay in family matters is not merely an administrative inconvenience. It is a human-harm issue, a child-wellbeing issue, and a public-interest issue.

What this shows

The most credible public conclusion is not exaggerated certainty. It is disciplined seriousness: the harm risk is real, the mechanisms are plausible, the supporting literature is substantial, and the cost of treating delay as routine is borne by families and children.

Selected Source Basis

- CDC adverse childhood experiences findings and youth risk summaries
- NBER research on parental divorce and long-term adult outcomes
- Stanford reporting on early-life stress and parental separation

- National Association of Women Judges developmental-science briefing on stress and child wellbeing
- Oregon permanency-hearing guidance and court performance measures for child abuse and neglect cases
- NIJ/DOJ family-court outcomes study addressing abuse allegations and procedural risk
- Bipartisan Policy Center reporting on child-welfare litigation duration and accountability
- Additional family-court backlog and child-wellbeing materials summarized in the attached family harms brief

Prepared as a public-ready research appendix for press, policy, and institutional review.