

READINGS ON NO-FAULT DIVORCE

Prepared By
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California Research Bureau Staff

March 1998

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DIGEST

This compilation of selected materials relative to no-fault divorce and its impact on children was gathered at the request of Assemblymember Martha Escutia, Chair of the Assembly Judiciary Committee. A brief introduction relates the history of state grounds for divorce and state divorce rates. Other topics include demographic information on divorce rates and family composition, the impact on children, current comparative state legislation, proposals to strengthen marriage and selected articles which present divergent opinions about research findings and reform proposals. The Assembly Judiciary Committee report on *Divorce Reform in California: From Fault to No-Fault...and Back Again?*, offers an excellent summary. Associated topics explicitly not included in the requests include child and spousal support and property division.¹

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Francine Russo and *The Atlantic Monthly* for the article "Can the Government Prevent Divorce?," 1997.

¹ For a useful summary of state divorce law relating to fault, property and alimony see Ira Mark Ellman, "The Place of Fault in Modern Divorce Law," *Arizona Law Journal*, Vol. 28, No. 3, Fall 1996, pp. 773-837

STATE GROUNDS FOR DIVORCE

STATE GROUNDS FOR DIVORCE: A BRIEF HISTORY

by Charlene Wear Simmons, Ph.D.

Laws reflect the attitudes and beliefs of dominant social and political groups and as such are an “...important influence on the incidence of divorce at any given time.”ⁱ Legal standards define which marriages qualify for dissolution, and as those grounds have expanded in Western societies over the last 200 years, divorce has become more accessible and the divorce rate has increased. Nonetheless, there is no clear causal link, as social, economic, demographic, cultural and institutional factors are also key influences. As a practical matter, commentators note that marriage relationships can end whether or not divorce is available, and that divorce allows the possibility of remarriage.²

Many American states enacted divorce legislation soon after Independence, in the 1780s and 1790s. Connecticut was the most liberal, permitting divorce for “...adultery, fraudulent contract, desertion for three years, or prolonged absence with a presumption of death.”ⁱⁱ In 1843, the state added two additional grounds for divorce: habitual drunkenness and intolerable cruelty. The Connecticut state legislature also dissolved marriages on other grounds by legislative action. In 1849, the courts were given sole responsibility for divorce, and grounds were extended to include “life imprisonment, any infamous crime involving a violation of the conjugal duty, and-most important-‘any such misconduct as permanently destroys the happiness of the petitioner and defeats the purpose of the marriage relation.’”ⁱⁱⁱ

Divorce laws were generally more liberal in the West than in the rest of the country. California’s first divorce law, in 1851, contained the following grounds for divorce: impotence, adultery, extreme cruelty, desertion or neglect, habitual intemperance, fraud, and conviction for a felony. In practice, the courts extended the definitions of these terms. Historian Carey McWilliams writes that California’s divorce rate was the highest in the world during the gold rush, and that “divorces were naturally looked upon with favor and were freely granted.”^{iv} The plaintiffs were invariably women, whose relative scarcity afforded them a wide variety of options.

American states broadened the grounds for divorce throughout the 19th century, encompassing more and more matrimonial conditions. By 1900, most states had adopted four major elements of divorce law: “fault-based grounds, one party’s guilt, the continuation of gender-based marital responsibilities after divorce, and the linkage of financial awards to findings of fault.”^v

Divorce rates in the United States and in other Western countries have been climbing steadily since 1860. There was a large jump in the U.S. rate after World War II, a period of stability in the 1950s, an increase from 2.1 per 1000 people in 1958 to 2.9 in 1968, and

² Approximately 75 percent of Americans divorced during the last 25 years remarried.

a peak of 5.3 in 1979, followed by a decline to a recent rate of 4.5 per 1000.^{vi} (See charts detailing U.S. and California³ divorce rates in Section II.)

A wide variety of contributive factors have been studied. One analysis finds that three factors have generally been used to explain the increase: "...easier access to divorce, married women's employment, and changes in social values."^{vii} For example, some researchers suggest that the last decades' decline in the divorce rate may be due in part to "a rise in the median age of first marriages and the aging of the baby boom generation."^{viii} Some commentators assert that legal changes relative to fault had a minimal, short-term impact on divorce rates; others contest this view. (See Section VII.)

Variable residency requirements appear to affect state (although perhaps not national) divorce rates. When Connecticut's residency requirement decreased from three years to one year during the 19th century, the state became a preferred location for quick divorces. Similarly, the immediate increase in California divorce rates after the 1969 enactment of no-fault divorce has been attributed principally to decreases in the state's residency and time-to-final decree requirements, from one year to six months.⁴ These changes lessened Californians' incentives to travel to Nevada for a quick divorce.

In 1969, prior to the enactment of the Family Law Act, California law specified the following seven grounds for divorce or separate maintenance: adultery, extreme cruelty, willful desertion, willful neglect, habitual intemperance, conviction of a felony and incurable insanity. California's enactment of the first no-fault divorce law,⁵ which limited the grounds for divorce to irreconcilable differences and incurable insanity, "...launched a legal revolution."^{ix} The law was the result of several years of debate and analysis, and only partially encompassed the recommendations of the 1966 *Report of the Governor's Commission on the Family*, which envisioned a comprehensive Family Court. (See "Introduction" of the *Report* in this section.)

Nearly every state enacted some form of non-fault divorce in the following decade. A 1985 review found that 18 states had enacted "pure" no-fault divorce laws, of which 14 made marital breakdown the only ground for divorce: Arizona, California, Colorado, Florida, Hawaii, Iowa, Kentucky, Michigan, Minnesota, Montana, Nebraska, Oregon and Washington.^x Three other states (Kansas, New Mexico and Oklahoma) made "incompatibility" the only ground for divorce. Twenty-two states added the no-fault standard of "marital breakdown" to existing fault-based grounds for divorce. (See *National Survey of State Laws*, "Grounds for Divorce," in this Section.)

³ California has not collected divorce statistics for almost 20 years; more recent data is from surveys and the U.S. Census.

⁴ The California Department of Health Services estimated that, "...from 93 to 100 percent of the excess marriage dissolutions in 1970 and 1971 can be accounted for by the shortened minimum waiting period." *Marriage and Marriage Dissolution in California, 1966-1973*, Department of Health Services, p. 21.

⁵ The Family Law Act was effective January 1, 1970.

Divorce rates vary by region: “In 1986, the no-fault West and fault-oriented South had almost indistinguishable divorce rates of 5.6. and 5.5 respectively, while the mixed Midwest had a rate of 4.4 and the more fault-oriented Northeast a rate of 3.6.”^{xi}

Table 1 details the change from a fault-based system of contestable divorce, tied to one party’s guilt and linked to continuing financial obligations, to a no-fault “petition for dissolution” which does not require the consent of both parties and is based on “irreconcilable differences.”

Table 1
Summary of Changes in Divorce Law

| Traditional Divorce | No-Fault Divorce |
|---|---|
| Restrictive Law To protect marriage | Permissive Law To facilitate divorce |
| Specific Grounds Adultery, cruelty, etc. | No grounds Marital breakdown |
| Moral Framework Guilt vs. innocence | Administrative framework Neither responsible |
| Fault One party cause divorce | No fault Cause of divorce irrelevant |
| Consent of Innocent Spouse Needed Innocent spouse has power to prevent or Delay the divorce | No consent needed Unilateral divorce No consent or agreement required |
| Gender-based responsibilities Husband responsible for alimony Wife responsible for custody Husband responsible for child support | Gender-neutral responsibilities Both responsible for self-support Both eligible for custody Both responsible for child support |
| Financial Awards Linked to Fault Alimony for “innocent” spouse Great share of property to “innocent” Spouse | Financial Awards Based on Equality and Need Alimony based on need Property divided equally |
| Adversarial One party guilty, one innocent Financial gain in proving fault | Nonadversarial No guilty or innocent party No financial gain from charges Amicable resolution encouraged |
| Source: Lenore Weitzman, 1985, page 40 | |

ENDNOTES

ⁱ Roderick Phillips, *Putting Asunder; A History of Divorce in Western Society*, Cambridge University Press, 1988, p. 314.

ⁱⁱ Phillips, p. 440.

ⁱⁱⁱ Phillips, p. 442.

^{iv} Carey McWilliams, *California, The Great Exception*, A.A. Wyn, New York, 1940, p. 82.

^v Lenore Weitzman, *The Divorce Revolution*, The Free Press, 1985, p. 7.

^{vi} Ira Mark Ellman and Sharon Lohr, "Marriage as Contract, Opportunistic Violence, And Other Bad Arguments For Fault Divorce," *University of Illinois Law Review*, 1997, 719. Other commentators cite different figures, although the trend is the same. See, for example, Patricia H. Shiono and Linda Sandham Quinn, "Epidemiology of Divorce," *The Future of Children: Children and Divorce*, Vol. 4, Number 1, Spring 1994, The Center for the Future of Children, David and Lucile Packard Foundation, p. 18.

^{vii} Phillips, p. 620.

^{viii} Ellman and Lohr, p. 726.

^{ix} Weitzman, p. x.

^x Doris Freed and Timothy Walker, "Family Law in Fifty States: An Overview," *Family Law Quarterly*, Vol. 18, Winter 1985, as cited in Weitzman, p. 41.

^{xi} Ellman and Lohr, p. 726; data from the National Center for Health Statistics.

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EDMUND G. BROWN
Governor

December 1966
27

Introduction

The Governor's Commission on the Family was established by Governor Edmund G. Brown on May 11, 1966, to begin what he termed a "concerted assault on the high incidence of divorce in our society and its often tragic consequences." Noting that "the time has come to acknowledge that our present social and legal procedures for dealing with divorce are no longer adequate," the Governor charged the Commission with four principal responsibilities: First, to study and suggest revision, where necessary, of the substantive laws of California relating to the family; second, to determine the feasibility of developing significant and meaningful courses in family life education, to be offered in the public schools; third, to consider the possibility and desirability of developing uniform nationwide standards of marriage and divorce jurisdiction; and fourth,--and perhaps most important--to examine into the establishment of Family Courts on a statewide basis, and to recommend the procedures whereby they may function most effectively.

Following the Governor's charge, the Commission recommends, in essence, the creation of a statewide Family Court system as part of the Superior Court, with jurisdiction over all matters relating to the family. The Family Court is to be equipped with a qualified professional staff to provide counseling and evaluative services. We recommend that the existing fault grounds of divorce and the concept of technical fault as a determinant in the division of community property,

support and alimony be eliminated, and that marital dissolution be permitted only upon a finding that the marriage has irreparably failed, after penetrating scrutiny and after the parties have been given by the judicial process every resource in aid of conciliation. We recommend that a neutral petition be substituted for the present adversary pleading by complaint and answer. In short, it has been our goal to establish procedures for the handling of marital breakdown which will permit the Family Court to make a full and proper inquiry into the real problems of the family--procedures which will enable the Court to focus its resources upon the actual difficulties confronting the parties, and will at the same time safeguard their rights and preserve the confidentiality of the information thus acquired.

In responding to the Governor's call for substantial, if tentative, recommendations by the end of the year, the Commission has found it necessary to establish priorities and to focus its efforts upon the first and fourth points above--the revision of the substantive law and the creation of a Family Court--and to reserve for future study the areas of premarital and family life education and the development of uniform standards. The magnitude of our tasks and the severe limitations of time have precluded the working out in fine detail of all facets of the proposed Court's operation and of all the needed changes in the substantive laws. Large areas have had to be excluded from concentrated study: among them, adoption; legitimation; emancipation; abandonment; the conflicts-of-laws aspects of marital dissolution, child custody

and support; a number of points concerning community property; and the working out of the jurisdictional intricacies between the existing Juvenile Court and the proposed Family Court. The problems in these fields must be left to a future commission or other group, but we would emphasize our conviction that attention should be given to them.

In order to meet its responsibilities, the Commission organized subcommittees to develop and report to the full body upon each point of the charge. The complexity of the subject matter demanded the simultaneous development of those areas deemed by the Commission to be most immediately pressing, and for this reason no public interim reports of our progress have been made. The Commission met in full session on ten occasions; the principal subcommittees met on the average of once per week.

The Commission has relied heavily upon preparatory studies made by other groups, particularly the Assembly Interim Committee on Judiciary, whose work spanned more than a year and whose Final Report Relating to Domestic Relations formed our point of departure. Additionally, we have sought the views of interested groups and individuals, both professional and lay, on the issues being considered. We are grateful to, and in the debt of, too many persons to permit their individual mention, but in this connection, we must express our particular thanks to Dr. David Crystal, representing the Greater Bay Area Council of Family Service Agencies, who gave so unstintingly of his time and energy in assisting the Subcommittee on the Family Court.

I. FINDINGS AND RECOMMENDATIONS

The Family Court

In the last fiscal year, 99,827 actions for divorce, separate maintenance, and annulment were filed in California's Superior Courts. ⁽¹⁾ Projected estimates for the present year approach 110,000, and family matters (even excluding actions brought in Juvenile Courts, guardianships and the like) comprise well over fifty percent of all civil litigation.

As Governor Edmund G. Brown said in his charge to the Commission:

"Whatever the cause of the growing divorce rate--the anxieties in our world, a society of rootlessness and increasing mobility, an erosion of the moral absolute--divorce produces not only broken homes but broken lives. It erodes the very foundation of our society, the family...Society is paying an almost intolerable price for this breakdown of family life--in terms both of human misery and of public financial resources."

There is a high correlation between family disruption and the rate of crime and juvenile delinquency, and it has become increasingly apparent that our legal procedures for handling family difficulties are simply not adequate to the vast tasks of dealing with the complexities of family breakdown, which these figures reflect.

The Commission is convinced that if we are to begin to cope with this burgeoning problem, our legal processes must be such as to permit a thorough examination into the real difficulties of the families before the Court. If the goal of the law is--as we believe it must be--to further the

stability of the family, then the process of dissolving a marriage must be carried out in such a setting and in such a manner that the Court can fully inquire into the problems before it, and can bring to bear professional resources to ameliorate them. In short, the law cannot operate blindly; it must be able to act with an eye to the whole family situation, not just that of two parties. It must be able to take account of the total impact of the marital breakdown: upon the spouses, upon their children, and upon society as a whole.

In recent weeks, we have witnessed the spectacle of a sister state and a neighboring country jousting over which can provide the easiest marital dissolution, and we have seen the Bar of that sister state seeking a speed-up of the process of divorce, attempting to make it more expedient by permitting it at the mere behest of one party alone, without so much as a cursory glance at any social implications and for the avowed purpose of increasing its own revenue. (2)

And, it must be said, attacks upon the legal process have not been the end of the matter. A not-insignificant (and growing) body of thought urges that the entire notion of marriage and, especially, of the family is an archaism unsuited to the pace of the present day. Proponents of this view note the transfer of the responsibility for care of the aged to institutions, and urge the same for children, saying that society must encourage the development of alternatives to marriage and the family. (3)

As the disrepute of the law in handling family problems has increased, it has helped, we believe, call into question

the entire institution of marriage and the family.

We are convinced that this is fundamentally wrong and that we must begin--however late--to face realistically the fact that in its present state the legal process represents by its ineptitude an abdication of the public interest in, and responsibility toward, the family as the basic unit of our society. The direction of the law must be, as we have said, toward family stability--toward preventing divorce where it is not warranted, and toward reducing its harmful effects where it is necessary.

Upon this conviction, the Commission has taken as its principal duty the development of a system of judicial procedure which will deal with the troubles of a family in a comprehensive way, and which will insofar as possible reduce the friction and destructive hostility which are engendered by the present adversary process and the concept of fault as a determinant of divorce and its consequences.

To paraphrase a recent study, if a marriage is viable, it is the job of the Court, through any available personnel, to afford the parties what help they need and the Court can give. If the marriage has irretrievably foundered, then it must be the goal of the Court to aid the litigants to respond as maturely as possible to the difficult experience of the divorce. If the procedure, by "relieving tensions, or offering comfort or interpretation," can enable the litigants to respond less hysterically or vindictively and more reasonably to the experience of divorce, the legal issues can be more intelligently and constructively analyzed by the Court and counsel, and the

Court may more easily develop final orders which will operate to the best interests of the parties--and children--involved. (4)

We have concluded that under our existing system for handling domestic relations matters, this sort of treatment is virtually impossible. Family cases are likely to be fragmented among several different divisions and departments of the same Court, and there is not--and cannot be--any unified approach to them. It is not at all unusual that, in a given case, there may be simultaneous actions on the law and motion and domestic relations trial calendars, in the Juvenile Court, and in the Probate Court. All involve related aspects of a single troubled family, yet each is likely to be treated and disposed of as a single separate controversy. One hand does not know what the other is doing. At no point are the scattered pieces brought together and viewed as a whole, and we believe that this is essential if our legal institutions are to be functionally appropriate to the end they seek. As the late Dean Pound said, "The several parts are likely to be distorted in considering them apart from the whole, and the whole may be left undetermined in a series of adjudications of the parts." (5)

This distressing picture, it must be said, is not peculiar to California, and society is becoming increasingly disturbed about the failure of the law to provide adequate and realistic means for the handling of family problems. In a recent Time essay, it was said:

"...The laws that govern marital dissolution in the U.S., however, are not only widely conflicting and confusing...but are based on notions that are out of touch with the changing realities of modern society. Most of them tend to embitter spouses, neglect the welfare of the children, prevent

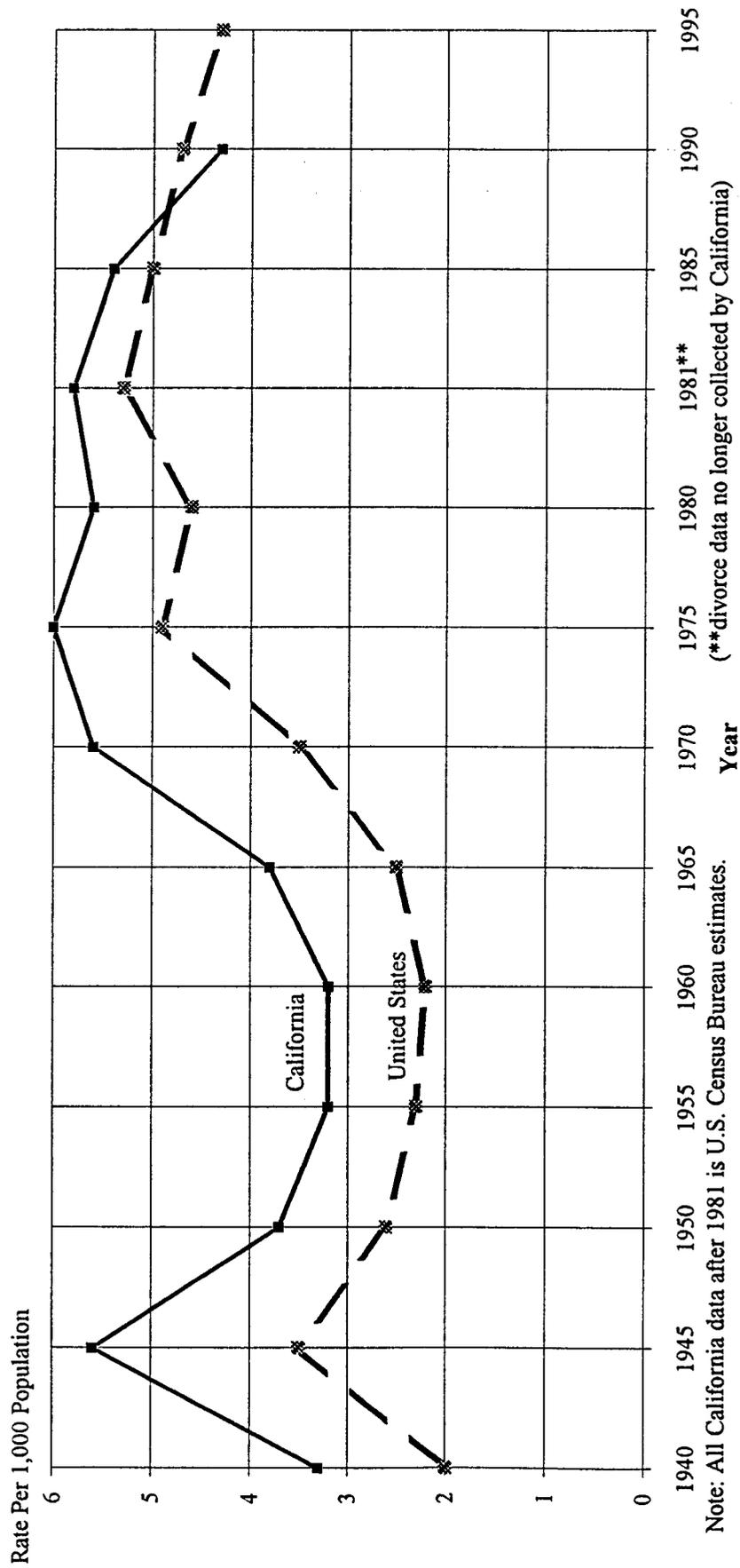
reconciliation and produce a large measure of hypocrisy, double-dealing and perjury..." (6)

The director of the American Association of Marriage Counselors, David R. Mace, is quoted as calling the present divorce laws "an absolutely ghastly, dreadful, deplorably messy situation," and the essay remarks that, nationwide, there is an urgent and increasing cry "to reform and humanize the divorce system." (7)

We recommend, therefore, that the procedures for handling family problems be reconstructed, and that there be created in each county a Family Court, as a part of the existing Superior Court, which would have full jurisdiction over all matters relating to the family. These would include marriage; legal separation, declarations of nullity, and dissolution of marriage; child custody and support; alimony and the division of community property; paternity and legitimation of children; adoptions; emancipation of children; guardianships of the persons of minors and incompetent persons; approval of contracts for minors' services; relations between parent and child; matters now handled in the Juvenile Courts; and any other cases which involve the legal relationships between members of a family unit. Because the time available to the Commission precluded a thorough working out of the jurisdiction of the present Juvenile Court and the proposed Family Court, we recommend that the existing Juvenile Court Law be carried over and that the Juvenile Court function as one division of the Family Court. (See Sections 007 and 007a of the Proposed Draft of the Family Court Act.) Any further revisions of the existing law must await future study.

**DIVORCE RATES IN CALIFORNIA
AND THE UNITED STATES**

Annual Divorce Rates In The United States and California



Marriage, Divorce, and Remarriage Rates Stabilize

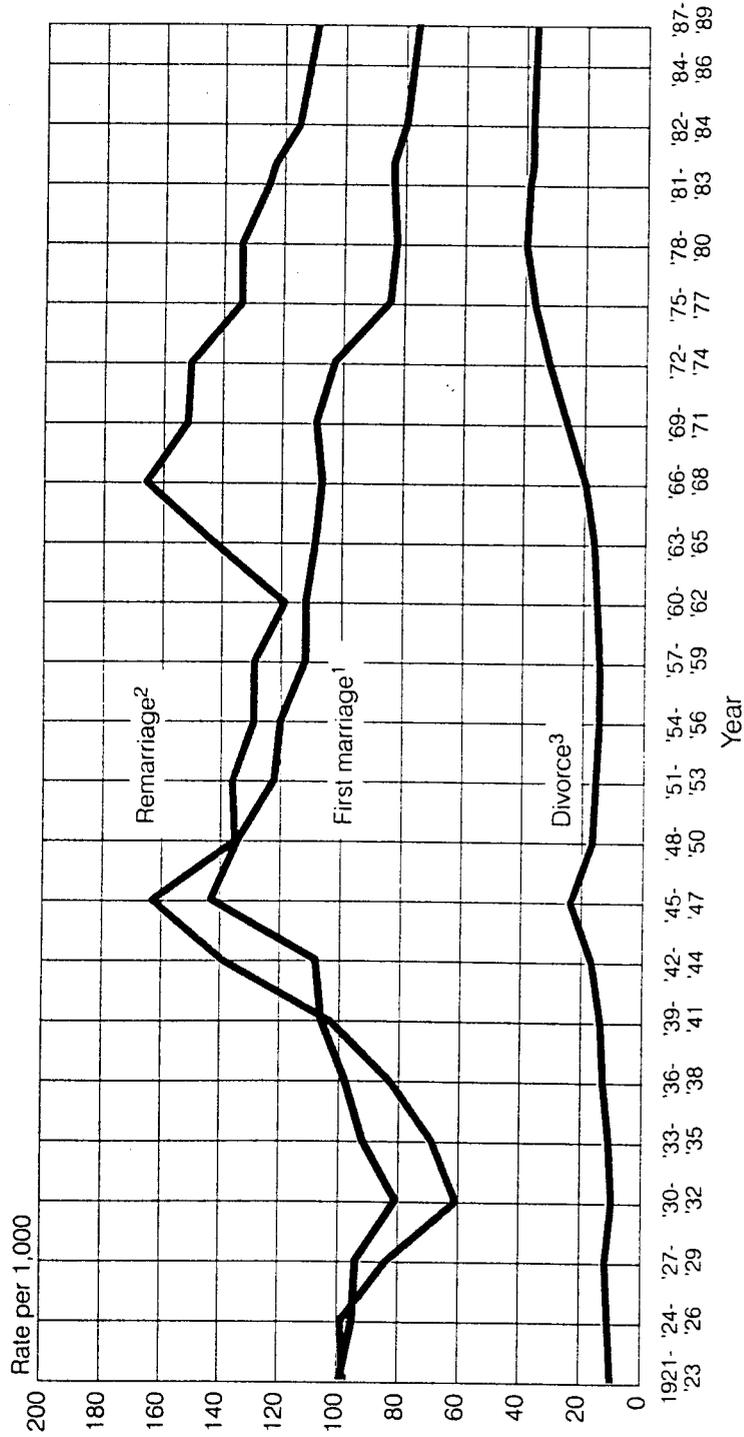
Rates of first marriage, divorce, and remarriage have been fairly stable in recent years following large fluctuations in earlier de-

caades. Rates of first marriage and remarriage declined after the mid 1960's but have remained fairly constant over the last few years. Divorce rates have increased since 1921 with the sharpest increases occurring from the mid 1960's to the late

1970's. These rates have not changed during the last 10 years.

The Census Bureau estimates that half of all marriages occurring since 1970 could end in divorce, with the majority of these divorced persons remarrying.

Figure 4.
Rates of First Marriage, Divorce, and Remarriage for U.S. Women: 1921 to 1989 (3-year averages)

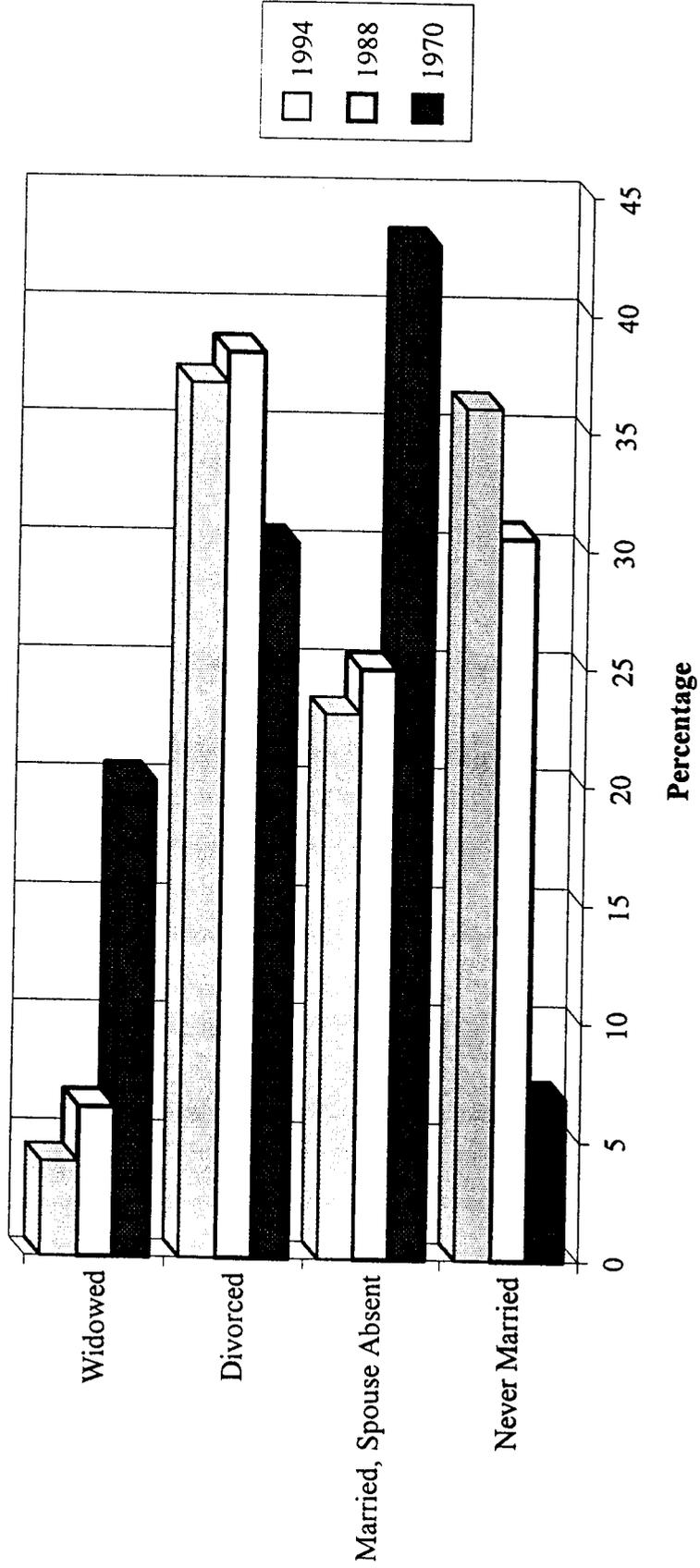


Source: National Center for Health Statistics

¹First marriages per 1,000 single women 14 to 44 years old.
²Remarriages per 1,000 widowed and divorced women 14 to 54 years old.
³Divorces per 1,000 married women 14 to 44 years old.

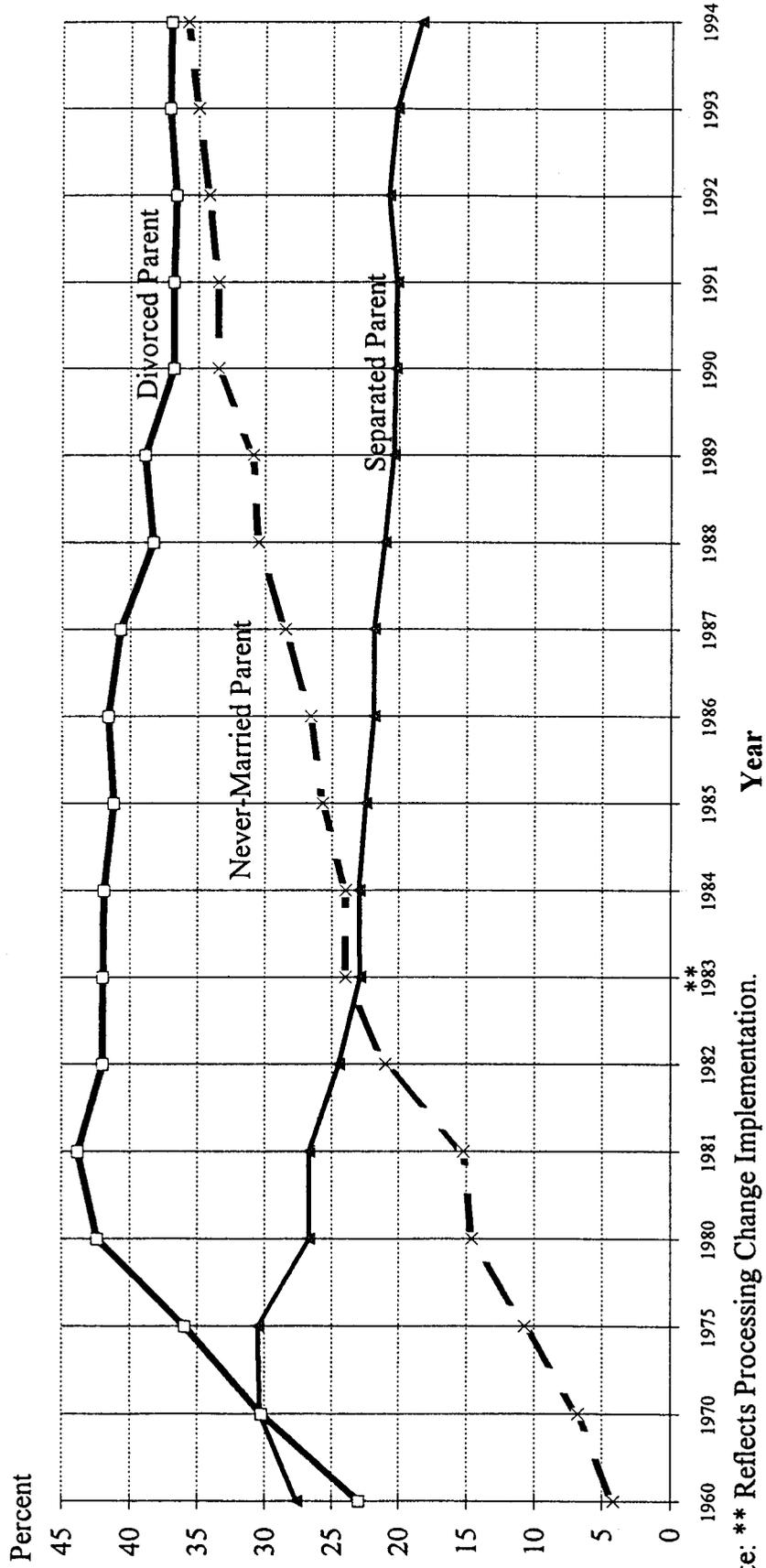
IMPACT ON CHILDREN

Children Living With One Parent, by Marital Status of Parent



Source: U.S. Census Bureau, 1995

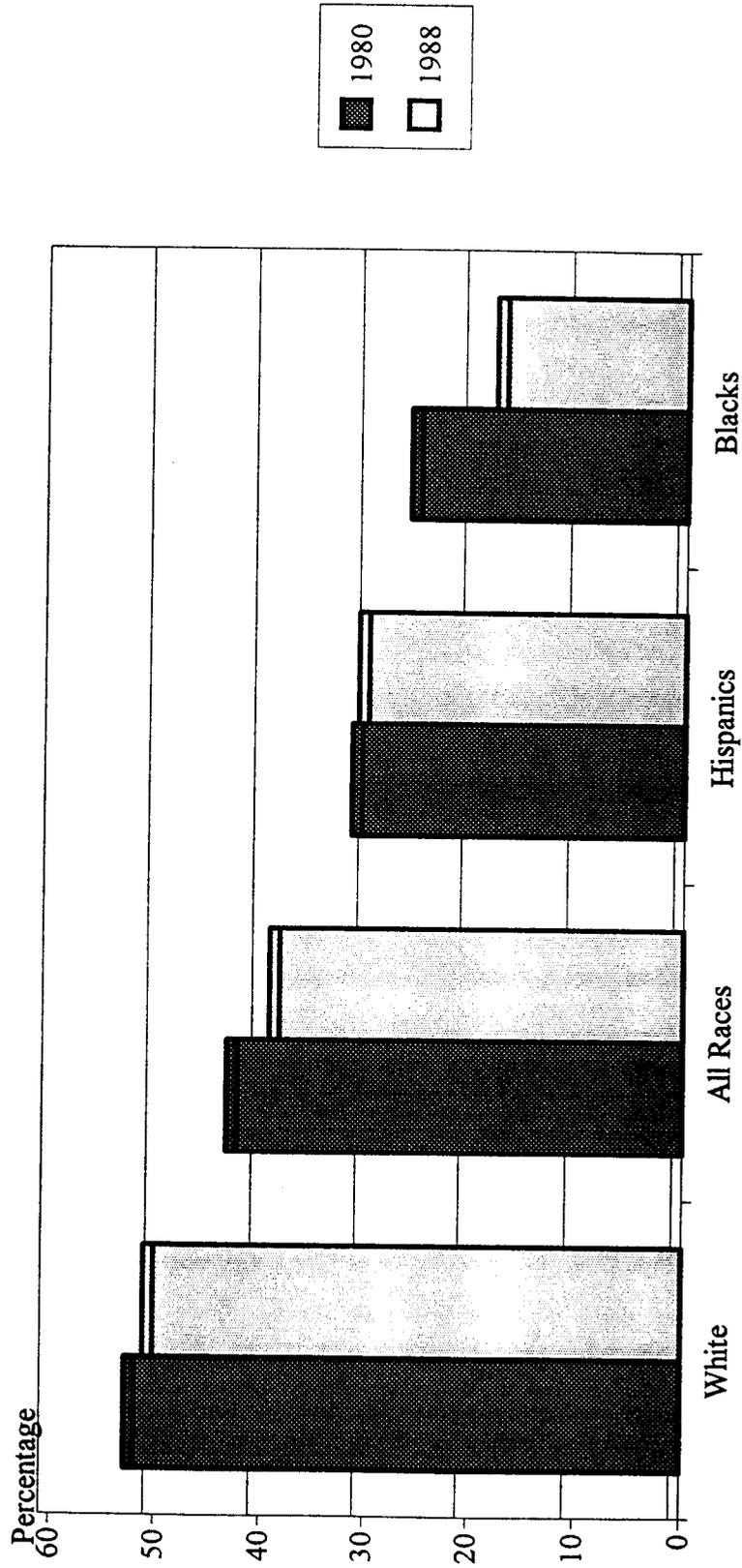
Children Living With a Single Parent, by Marital Status of Parent



Note: ** Reflects Processing Change Implementation.

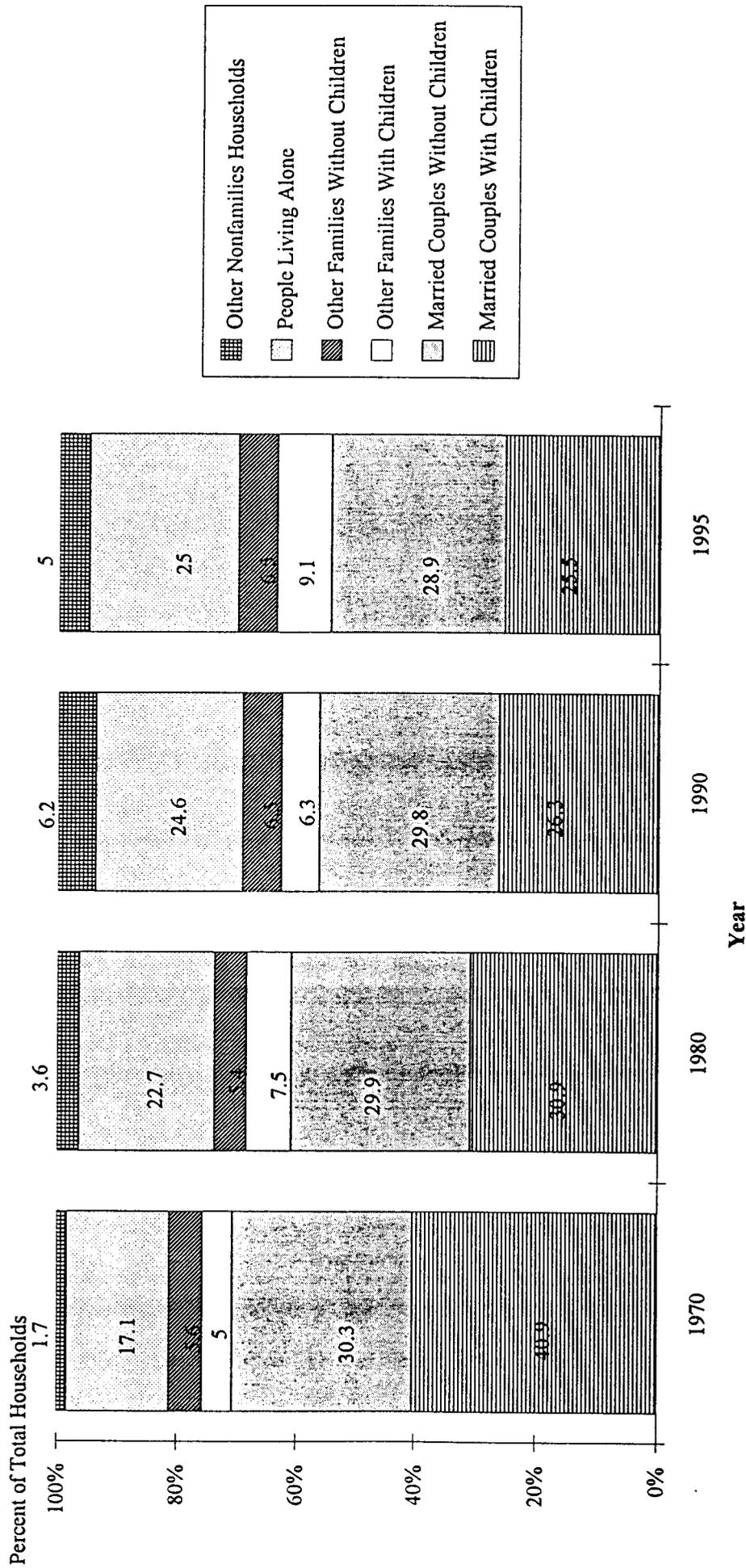
Source: U.S. Census Bureau, 1994

Children Under 18 Years Living With Single Divorced Parent, By Race and Hispanic Origin: 1980 and 1988



Source: U.S. Bureau of Census, 1989

U.S. Household Composition: 1970 to 1995



Source: U.S Census Bureau, 1995

Table 6. Living Arrangements of Children Under 18 Years, by Marital Status and Selected Characteristics of Parent: March 1994

Numbers in thousands. Characteristics are shown for householder or reference person in married-couple situations. For meaning of symbols, see text

| Subject | Total, living with one or both parents | Living with both parents | Living with mother only | | | | | Living with father only | | | | | | |
|--|--|--------------------------|-------------------------|--------------------------|------------------------|---------|---------------|-------------------------|--------------------------|------------------------|---------|---------------|--|--|
| | | | Total | Marital status of mother | | | | Total | Marital status of father | | | | | |
| | | | | Divorced | Married, spouse absent | Widowed | Never married | | Divorced | Married, spouse absent | Widowed | Never married | | |
| ALL RACES | | | | | | | | | | | | | | |
| Children under 18 years | 86 674 | 48 794 | 16 334 | 5 799 | 3 838 | 696 | 6 000 | 2 257 | 1 077 | 411 | 113 | 655 | | |
| Number of siblings in household: | | | | | | | | | | | | | | |
| None | 12 874 | 7 544 | 4 423 | 1 537 | 676 | 176 | 2 034 | 907 | 407 | 141 | 39 | 320 | | |
| One | 27 019 | 20 441 | 5 796 | 2 260 | 1 425 | 305 | 1 806 | 782 | 391 | 162 | 47 | 182 | | |
| Two | 16 937 | 12 902 | 3 628 | 1 379 | 994 | 152 | 1 103 | 408 | 233 | 73 | 13 | 88 | | |
| Three | 6 326 | 4 627 | 1 563 | 428 | 459 | 52 | 624 | 136 | 46 | 36 | 11 | 44 | | |
| Four | 1 957 | 1 408 | 527 | 122 | 162 | 7 | 236 | 22 | - | - | 3 | 18 | | |
| Five or more | 1 560 | 1 161 | 397 | 72 | 121 | 4 | 198 | 2 | - | - | - | 2 | | |
| Mean number of siblings | 1.43 | 1.49 | 1.34 | 1.23 | 1.58 | 1.17 | 1.30 | .93 | .92 | 1.01 | 1.05 | .88 | | |
| Age of parent: | | | | | | | | | | | | | | |
| 15 to 19 years | 581 | 76 | 486 | 8 | 34 | - | 444 | 19 | - | 2 | - | 17 | | |
| 20 to 24 years | 3 430 | 1 399 | 1 876 | 167 | 314 | 17 | 1 377 | 155 | 5 | 6 | 2 | 142 | | |
| 25 to 29 years | 8 350 | 4 905 | 3 113 | 712 | 694 | 33 | 1 674 | 333 | 78 | 39 | 4 | 212 | | |
| 30 to 34 years | 14 654 | 10 120 | 4 039 | 1 412 | 1 064 | 124 | 1 439 | 495 | 248 | 87 | 1 | 158 | | |
| 35 to 39 years | 16 925 | 12 854 | 3 542 | 1 849 | 885 | 159 | 649 | 529 | 307 | 108 | 29 | 85 | | |
| 40 to 44 years | 12 514 | 10 130 | 2 020 | 1 068 | 549 | 119 | 283 | 363 | 233 | 76 | 31 | 23 | | |
| 45 to 49 years | 6 448 | 5 373 | 881 | 440 | 221 | 135 | 85 | 195 | 125 | 39 | 19 | 11 | | |
| 50 to 54 years | 2 499 | 2 129 | 274 | 123 | 61 | 52 | 39 | 96 | 48 | 27 | 15 | 6 | | |
| 55 to 59 years | 761 | 645 | 73 | 14 | 14 | 37 | 8 | 43 | 26 | 11 | 6 | - | | |
| 60 to 64 years | 316 | 278 | 17 | 3 | - | 12 | 2 | 21 | 2 | 16 | 4 | - | | |
| 65 years and over | 196 | 174 | 14 | 2 | 3 | 7 | 1 | 8 | 5 | - | 3 | - | | |
| Education of parent: | | | | | | | | | | | | | | |
| Less than 9th grade | 4 117 | 2 932 | 1 015 | 166 | 352 | 111 | 386 | 170 | 32 | 56 | 12 | 70 | | |
| 9th to 12 grade, no diploma | 7 948 | 4 010 | 3 563 | 692 | 818 | 140 | 1 913 | 375 | 128 | 56 | 24 | 167 | | |
| High school graduate (including equivalency) | 21 659 | 14 789 | 5 993 | 2 116 | 1 481 | 193 | 2 203 | 877 | 410 | 160 | 37 | 269 | | |
| Some college, no degree or associate degree | 17 757 | 12 754 | 4 438 | 2 018 | 963 | 152 | 1 305 | 565 | 338 | 85 | 19 | 124 | | |
| Bachelor's degree | 9 832 | 8 714 | 954 | 563 | 151 | 70 | 171 | 164 | 99 | 32 | 10 | 23 | | |
| Graduate or professional degree | 5 362 | 4 886 | 371 | 244 | 74 | 31 | 22 | 105 | 70 | 23 | 10 | 2 | | |
| Percent high school graduates | 81.9 | 85.6 | 72.0 | 85.2 | 69.5 | 64.0 | 61.7 | 75.8 | 85.2 | 72.7 | 67.8 | 63.8 | | |
| Employment status of parent: | | | | | | | | | | | | | | |
| In the labor force | 54 878 | 42 848 | 10 113 | 4 415 | 2 361 | 349 | 2 989 | 1 917 | 939 | 331 | 86 | 560 | | |
| Employed | 51 127 | 40 806 | 8 616 | 3 975 | 2 014 | 303 | 2 324 | 1 705 | 875 | 273 | 83 | 474 | | |
| Both parents employed | 27 284 | 27 284 | (X) | (X) | (X) | (X) | (X) | (X) | (X) | (X) | (X) | (X) | | |
| Full time | 46 353 | 38 141 | 6 687 | 3 286 | 1 496 | 196 | 1 709 | 1 525 | 792 | 257 | 75 | 401 | | |
| Part time | 4 774 | 2 668 | 1 929 | 689 | 518 | 106 | 616 | 180 | 83 | 16 | 8 | 73 | | |
| Unemployed | 3 751 | 2 042 | 1 498 | 440 | 347 | 46 | 665 | 212 | 64 | 58 | 4 | 86 | | |
| Not in the labor force | 10 796 | 4 269 | 6 202 | 1 375 | 1 477 | 348 | 3 002 | 325 | 131 | 76 | 27 | 91 | | |
| Presence of adults other than parent: | | | | | | | | | | | | | | |
| Other relatives present only | 11 862 | 7 438 | 4 032 | 1 127 | 989 | 259 | 1 656 | 392 | 184 | 98 | 37 | 74 | | |
| Nonrelatives present only | 3 549 | 532 | 2 147 | 919 | 333 | 61 | 834 | 870 | 330 | 76 | 15 | 449 | | |
| Other relatives and nonrelatives present | 587 | 211 | 297 | 88 | 70 | 14 | 125 | 79 | 32 | 3 | 1 | 43 | | |
| No adults other than parent | 50 676 | 39 903 | 9 858 | 3 664 | 2 446 | 361 | 3 386 | 916 | 531 | 235 | 60 | 89 | | |
| Family income: | | | | | | | | | | | | | | |
| Under \$2,500 | 1 530 | 359 | 1 030 | 181 | 302 | 28 | 519 | 141 | 30 | 18 | - | 93 | | |
| \$2,500 to \$4,999 | 2 121 | 305 | 1 745 | 356 | 409 | 29 | 950 | 71 | 14 | 13 | 2 | 42 | | |
| \$5,000 to \$7,499 | 3 009 | 640 | 2 263 | 642 | 528 | 65 | 1 028 | 107 | 40 | 25 | 12 | 29 | | |
| \$7,500 to \$9,999 | 2 598 | 775 | 1 717 | 542 | 434 | 60 | 681 | 105 | 42 | 6 | 5 | 52 | | |
| \$10,000 to \$12,499 | 2 582 | 1 012 | 1 408 | 481 | 376 | 53 | 498 | 162 | 63 | 36 | 9 | 53 | | |
| \$12,500 to \$14,999 | 2 288 | 1 249 | 947 | 368 | 245 | 41 | 295 | 91 | 43 | 12 | 8 | 28 | | |
| \$15,000 to \$19,999 | 4 864 | 2 836 | 1 695 | 631 | 421 | 100 | 543 | 333 | 123 | 66 | 16 | 129 | | |
| \$20,000 to \$24,999 | 4 715 | 3 135 | 1 327 | 544 | 298 | 85 | 399 | 253 | 131 | 43 | 14 | 66 | | |
| \$25,000 to \$29,999 | 4 603 | 3 490 | 896 | 423 | 206 | 71 | 196 | 217 | 114 | 41 | 8 | 54 | | |
| \$30,000 to \$39,999 | 8 790 | 6 949 | 1 542 | 759 | 309 | 92 | 382 | 300 | 197 | 53 | 12 | 37 | | |
| \$40,000 to \$49,999 | 7 655 | 6 788 | 846 | 364 | 117 | 18 | 147 | 220 | 120 | 57 | 5 | 38 | | |
| \$50,000 and over | 21 921 | 20 546 | 1 118 | 510 | 192 | 55 | 361 | 257 | 160 | 41 | 23 | 34 | | |
| Mean income | 45 267 | 54 940 | 19 162 | 23 264 | 16 724 | 22 634 | 16 353 | 28 092 | 31 982 | 28 034 | 38 024 | 20 019 | | |
| Median income | 35 414 | 44 427 | 17 510 | 17 951 | 11 637 | 18 411 | 9 348 | 21 942 | 26 604 | 22 989 | 20 931 | 16 180 | | |
| Percent below poverty level | 21.9 | 11.5 | 52.2 | 37.6 | 58.1 | 36.7 | 64.4 | 24.1 | 15.0 | 25.0 | 19.8 | 39.3 | | |
| Percent below 125 percent of poverty level | 27.6 | 16.2 | 60.3 | 46.1 | 65.7 | 47.9 | 72.1 | 33.5 | 23.7 | 29.9 | 44.2 | 50.0 | | |
| Area of residence: | | | | | | | | | | | | | | |
| Inside metropolitan areas | 52 224 | 37 136 | 13 298 | 4 441 | 3 213 | 512 | 5 132 | 1 789 | 821 | 346 | 81 | 542 | | |
| 1,000,000 or more | 28 863 | 20 025 | 7 924 | 2 369 | 1 976 | 306 | 3 272 | 915 | 402 | 190 | 35 | 287 | | |
| Inside central cities | 11 291 | 6 399 | 4 499 | 961 | 1 140 | 163 | 2 235 | 392 | 138 | 87 | 13 | 155 | | |
| Outside central cities | 17 573 | 13 626 | 3 424 | 1 408 | 836 | 143 | 1 037 | 523 | 265 | 103 | 22 | 132 | | |
| Under 1,000,000 | 23 361 | 17 112 | 5 374 | 2 072 | 1 237 | 206 | 1 860 | 874 | 418 | 155 | 46 | 254 | | |
| Inside central cities | 8 636 | 5 478 | 2 758 | 921 | 627 | 69 | 1 141 | 400 | 183 | 77 | 8 | 132 | | |
| Outside central cities | 14 724 | 11 634 | 2 616 | 1 151 | 610 | 137 | 719 | 474 | 235 | 79 | 38 | 122 | | |
| Outside metropolitan areas | 14 451 | 10 948 | 3 036 | 1 358 | 625 | 184 | 868 | 467 | 257 | 65 | 32 | 114 | | |
| Tenure: | | | | | | | | | | | | | | |
| Owned | 41 506 | 35 035 | 5 366 | 2 662 | 1 103 | 393 | 1 206 | 1 105 | 631 | 220 | 73 | 180 | | |
| Rented | 25 168 | 13 049 | 10 968 | 3 137 | 2 735 | 303 | 4 794 | 1 152 | 446 | 191 | 40 | 475 | | |
| Public housing | 5 404 | 1 602 | 3 629 | 856 | 825 | 66 | 1 884 | 172 | 49 | 29 | 7 | 87 | | |
| Private housing | 19 764 | 11 446 | 7 338 | 2 281 | 1 910 | 237 | 2 910 | 980 | 397 | 162 | 32 | 388 | | |

See footnotes at end of table.

Table 6. Living Arrangements of Children Under 18 Years, by Marital Status and Selected Characteristics of Parent: March 1994—Con.

[Numbers in thousands. Characteristics are shown for householder or reference person in married-couple situations. For meaning of symbols, see text]

| Subject | Total, living with one or both parents | Living with both parents | Living with mother only | | | | | Living with father only | | | | |
|--|--|--------------------------|--------------------------|----------|------------------------|---------|---------------|--------------------------|----------|------------------------|---------|---------------|
| | | | Marital status of mother | | | | | Marital status of father | | | | |
| | | | Total | Divorced | Married, spouse absent | Widowed | Never married | Total | Divorced | Married, spouse absent | Widowed | Never married |
| ALL RACES—Con. | | | | | | | | | | | | |
| Children 12 to 17 years | 20 785 | 14 949 | 5 080 | 2 496 | 1 281 | 386 | 917 | 757 | 466 | 182 | 53 | 57 |
| Number of siblings in household: | | | | | | | | | | | | |
| None | 3 779 | 2 203 | 1 253 | 689 | 239 | 103 | 222 | 323 | 205 | 67 | 26 | 25 |
| One | 8 152 | 6 070 | 1 821 | 954 | 435 | 163 | 269 | 261 | 171 | 63 | 11 | 15 |
| Two | 5 503 | 4 169 | 1 217 | 585 | 344 | 88 | 199 | 117 | 73 | 28 | 7 | 8 |
| Three | 2 154 | 1 608 | 494 | 200 | 153 | 26 | 115 | 53 | 16 | 24 | 6 | 7 |
| Four | 657 | 496 | 159 | 45 | 57 | 4 | 53 | 2 | — | — | 2 | — |
| Five or more | 541 | 403 | 136 | 23 | 53 | 1 | 58 | 2 | — | — | — | 2 |
| Mean number of siblings | 1.49 | 1.55 | 1.39 | 1.21 | 1.62 | 1.15 | 1.65 | .89 | .79 | 1.05 | (B) | (B) |
| Age of parent: | | | | | | | | | | | | |
| 15 to 19 years | 4 | 2 | — | — | — | — | — | 2 | — | 2 | — | — |
| 20 to 24 years | 15 | 13 | 1 | — | — | — | 1 | 1 | — | — | — | — |
| 25 to 29 years | 251 | 149 | 101 | 13 | 32 | 2 | 53 | 2 | — | 2 | — | — |
| 30 to 34 years | 2 320 | 1 144 | 1 092 | 412 | 278 | 35 | 367 | 84 | 35 | 28 | — | 21 |
| 35 to 39 years | 5 328 | 3 375 | 1 729 | 953 | 404 | 99 | 273 | 223 | 131 | 51 | 14 | 27 |
| 40 to 44 years | 6 182 | 4 733 | 1 245 | 672 | 348 | 88 | 136 | 204 | 146 | 45 | 9 | 3 |
| 45 to 49 years | 4 094 | 3 336 | 625 | 326 | 153 | 89 | 56 | 133 | 93 | 20 | 14 | 6 |
| 50 to 54 years | 1 697 | 1 428 | 216 | 106 | 49 | 39 | 22 | 53 | 32 | 13 | 8 | — |
| 55 to 59 years | 548 | 457 | 58 | 11 | 12 | 29 | 5 | 33 | 23 | 10 | — | — |
| 60 to 64 years | 225 | 203 | 6 | 3 | — | — | 2 | 16 | 2 | 11 | 4 | — |
| 65 years and over | 122 | 107 | 9 | — | 3 | 4 | 1 | 6 | 3 | — | 3 | — |
| Education of parent: | | | | | | | | | | | | |
| Less than 9th grade | 1 480 | 1 071 | 353 | 66 | 126 | 60 | 101 | 56 | 9 | 34 | 7 | 6 |
| 9th to 12 grade, no diploma | 2 265 | 1 282 | 881 | 278 | 242 | 82 | 278 | 102 | 62 | 17 | 9 | 14 |
| High school graduate (including equivalency) | 6 741 | 4 604 | 1 865 | 919 | 502 | 107 | 337 | 272 | 152 | 67 | 24 | 28 |
| Some college, no degree or associate degree | 5 513 | 3 924 | 1 399 | 836 | 306 | 84 | 174 | 190 | 139 | 38 | 5 | 8 |
| Bachelor's degree | 3 024 | 2 572 | 368 | 245 | 68 | 32 | 24 | 84 | 60 | 20 | 2 | 2 |
| Graduate or professional degree | 1 762 | 1 495 | 214 | 153 | 37 | 20 | 3 | 54 | 43 | 6 | 5 | — |
| Percent high school graduates | 82.0 | 84.3 | 75.7 | 86.2 | 71.2 | 63.3 | 58.6 | 79.1 | 84.8 | 71.5 | (B) | (B) |
| Employment status of parent: | | | | | | | | | | | | |
| In the labor force | 17 676 | 13 384 | 3 656 | 2 070 | 875 | 217 | 493 | 636 | 408 | 147 | 38 | 43 |
| Employed | 16 687 | 12 836 | 3 286 | 1 898 | 793 | 192 | 404 | 565 | 378 | 113 | 37 | 38 |
| Both parents employed | 9 445 | 9 445 | (X) | (X) | (X) | (X) | (X) | (X) | (X) | (X) | (X) | (X) |
| Full time | 15 328 | 12 123 | 2 672 | 1 623 | 616 | 118 | 315 | 533 | 355 | 105 | 36 | 36 |
| Part time | 1 359 | 712 | 615 | 274 | 177 | 74 | 89 | 33 | 22 | 8 | — | 2 |
| Unemployed | 988 | 548 | 369 | 173 | 82 | 25 | 90 | 70 | 30 | 34 | 1 | 5 |
| Not in the labor force | 2 886 | 1 347 | 1 424 | 426 | 406 | 169 | 423 | 115 | 54 | 33 | 15 | 14 |
| Presence of adults other than parent: | | | | | | | | | | | | |
| Other relatives present only | 5 677 | 4 112 | 1 382 | 564 | 381 | 175 | 262 | 183 | 115 | 43 | 16 | 10 |
| Nonrelatives present only | 778 | 140 | 507 | 309 | 88 | 24 | 86 | 131 | 91 | 16 | 6 | 17 |
| Other relatives and nonrelatives present | 208 | 63 | 128 | 55 | 29 | 6 | 38 | 17 | 13 | 1 | — | 2 |
| No adults other than parent | 14 122 | 10 633 | 3 063 | 1 568 | 782 | 182 | 530 | 427 | 247 | 122 | 29 | 28 |
| Family income: | | | | | | | | | | | | |
| Under \$2,500 | 324 | 82 | 216 | 60 | 69 | 4 | 84 | 25 | 12 | 10 | — | 4 |
| \$2,500 to \$4,999 | 373 | 62 | 295 | 79 | 94 | 13 | 109 | 16 | 5 | 5 | 1 | 5 |
| \$5,000 to \$7,499 | 722 | 161 | 535 | 228 | 123 | 31 | 153 | 27 | 12 | 8 | 3 | 2 |
| \$7,500 to \$9,999 | 698 | 159 | 509 | 200 | 173 | 38 | 99 | 30 | 13 | 5 | 3 | 9 |
| \$10,000 to \$12,499 | 724 | 213 | 463 | 171 | 165 | 28 | 99 | 48 | 14 | 32 | 3 | — |
| \$12,500 to \$14,999 | 710 | 381 | 306 | 140 | 75 | 32 | 58 | 23 | 13 | 3 | 3 | 4 |
| \$15,000 to \$19,999 | 1 384 | 688 | 622 | 310 | 152 | 61 | 99 | 74 | 34 | 22 | 11 | 7 |
| \$20,000 to \$24,999 | 1 452 | 846 | 503 | 250 | 122 | 52 | 79 | 102 | 68 | 19 | 7 | 8 |
| \$25,000 to \$29,999 | 1 325 | 897 | 363 | 207 | 72 | 44 | 40 | 65 | 33 | 23 | 1 | 7 |
| \$30,000 to \$39,999 | 2 806 | 2 038 | 627 | 401 | 131 | 42 | 53 | 141 | 106 | 25 | 5 | 5 |
| \$40,000 to \$49,999 | 2 451 | 2 094 | 270 | 184 | 49 | 13 | 23 | 88 | 60 | 22 | 4 | 2 |
| \$50,000 and over | 7 818 | 7 327 | 371 | 265 | 56 | 28 | 22 | 120 | 96 | 9 | 11 | 4 |
| Mean income | 49 209 | 59 389 | 21 656 | 26 043 | 18 071 | 22 669 | 14 294 | 33 065 | 37 742 | 23 914 | (B) | (B) |
| Median income | 39 445 | 49 259 | 16 743 | 21 078 | 13 047 | 18 465 | 10 377 | 27 104 | 32 856 | 21 306 | (B) | (B) |
| Percent below poverty level | 17.5 | 9.2 | 42.1 | 29.6 | 53.6 | 32.8 | 64.3 | 18.3 | 11.0 | 28.9 | (B) | (B) |
| Percent below 125 percent of poverty level | 22.8 | 13.3 | 50.6 | 38.2 | 60.5 | 46.0 | 72.7 | 24.3 | 15.1 | 36.6 | (B) | (B) |
| Area of residence: | | | | | | | | | | | | |
| Inside metropolitan areas | 15 740 | 11 104 | 4 052 | 1 919 | 1 066 | 273 | 793 | 584 | 346 | 153 | 36 | 49 |
| 1,000,000 or more | 8 596 | 5 928 | 2 367 | 1 034 | 665 | 170 | 498 | 301 | 175 | 79 | 15 | 32 |
| Inside central cities | 3 127 | 1 770 | 1 235 | 398 | 399 | 103 | 335 | 122 | 64 | 32 | 5 | 21 |
| Outside central cities | 5 469 | 4 158 | 1 132 | 636 | 267 | 67 | 162 | 179 | 111 | 48 | 10 | 11 |
| Under 1,000,000 | 7 143 | 5 176 | 1 684 | 885 | 401 | 103 | 295 | 283 | 171 | 74 | 22 | 17 |
| Inside central cities | 2 474 | 1 557 | 790 | 368 | 185 | 44 | 193 | 126 | 73 | 35 | 4 | 14 |
| Outside central cities | 4 670 | 3 619 | 894 | 517 | 215 | 60 | 102 | 157 | 98 | 38 | 17 | 3 |
| Outside metropolitan areas | 5 046 | 3 845 | 1 028 | 577 | 215 | 113 | 124 | 173 | 120 | 29 | 17 | 8 |
| Tenure ¹ : | | | | | | | | | | | | |
| Owned | 14 637 | 12 073 | 2 135 | 1 313 | 422 | 228 | 171 | 429 | 287 | 98 | 32 | 11 |
| Rented | 6 149 | 2 875 | 2 945 | 1 183 | 859 | 158 | 745 | 329 | 178 | 84 | 20 | 46 |
| Public housing | 1 297 | 345 | 914 | 290 | 263 | 34 | 327 | 38 | 13 | 9 | — | 9 |
| Private housing | 4 852 | 2 530 | 2 031 | 893 | 596 | 123 | 419 | 290 | 165 | 75 | 13 | 37 |

See footnotes at end of table.

Table 6. Living Arrangements of Children Under 18 Years, by Marital Status and Selected Characteristics of Parent: March 1994—Con.

Numbers in thousands. Characteristics are shown for householder or reference person in married-couple situations. For meaning of symbols, see text]

| Subject | Total, living with one or both parents | Living with both parents | Living with mother only | | | | | Living with father only | | | | |
|--|--|--------------------------|--------------------------|----------|------------------------|---------|---------------|--------------------------|----------|------------------------|---------|---------------|
| | | | Marital status of mother | | | | | Marital status of father | | | | |
| | | | Total | Divorced | Married, spouse absent | Widowed | Never married | Total | Divorced | Married, spouse absent | Widowed | Never married |
| ALL RACES—Con. | | | | | | | | | | | | |
| Children 6 to 11 years | 22 349 | 16 252 | 5 393 | 2 136 | 1 329 | 208 | 1 719 | 704 | 340 | 147 | 54 | 163 |
| Number of siblings in household: | | | | | | | | | | | | |
| None | 2 908 | 1 498 | 1 212 | 538 | 159 | 50 | 466 | 198 | 95 | 43 | 8 | 51 |
| One | 9 221 | 6 963 | 1 971 | 895 | 479 | 93 | 505 | 287 | 139 | 63 | 35 | 50 |
| Two | 6 395 | 4 955 | 1 283 | 492 | 398 | 47 | 347 | 158 | 88 | 30 | 5 | 35 |
| Three | 2 462 | 1 822 | 586 | 143 | 187 | 17 | 240 | 53 | 18 | 11 | 5 | 19 |
| Four | 765 | 552 | 204 | 46 | 60 | 2 | 97 | 9 | — | — | 1 | 7 |
| Five or more | 598 | 462 | 136 | 23 | 48 | 1 | 64 | — | — | — | — | — |
| Mean number of siblings | 1.59 | 1.65 | 1.45 | 1.22 | 1.74 | 1.19 | 1.53 | 1.13 | 1.09 | 1.05 | (B) | 1.27 |
| Age of parent: | | | | | | | | | | | | |
| 15 to 19 years | 3 | — | 3 | — | 2 | — | 1 | — | — | — | — | — |
| 20 to 24 years | 247 | 96 | 149 | 21 | 22 | 4 | 101 | 3 | 1 | — | — | 2 |
| 25 to 29 years | 2 561 | 1 162 | 1 307 | 377 | 257 | 17 | 655 | 92 | 25 | 9 | 2 | 55 |
| 30 to 34 years | 5 678 | 3 705 | 1 761 | 627 | 464 | 64 | 606 | 212 | 107 | 43 | 1 | 61 |
| 35 to 39 years | 6 766 | 5 312 | 1 266 | 680 | 331 | 37 | 218 | 189 | 109 | 40 | 12 | 28 |
| 40 to 44 years | 4 357 | 3 620 | 616 | 308 | 174 | 24 | 109 | 121 | 64 | 23 | 22 | 11 |
| 45 to 49 years | 1 840 | 1 559 | 234 | 110 | 65 | 41 | 18 | 47 | 21 | 19 | 5 | 3 |
| 50 to 54 years | 622 | 549 | 45 | 13 | 12 | 13 | 8 | 28 | 9 | 9 | 7 | 3 |
| 55 to 59 years | 159 | 139 | 10 | 1 | 1 | 5 | 3 | 10 | 3 | 1 | 6 | 3 |
| 60 to 64 years | 67 | 64 | 1 | — | — | 1 | — | 2 | — | 2 | — | — |
| 65 years and over | 50 | 47 | 2 | — | — | 2 | — | 1 | 1 | — | — | — |
| Education of parent: | | | | | | | | | | | | |
| Less than 9th grade | 1 292 | 931 | 314 | 61 | 127 | 26 | 101 | 47 | 12 | 13 | 5 | 17 |
| 9th to 12 grade, no diploma | 2 375 | 1 256 | 997 | 227 | 244 | 29 | 498 | 122 | 41 | 24 | 13 | 43 |
| High school graduate (including equivalency) | 7 446 | 5 103 | 2 079 | 783 | 544 | 70 | 683 | 264 | 122 | 62 | 11 | 69 |
| Some college, no degree or associate degree | 6 097 | 4 374 | 1 534 | 754 | 355 | 51 | 374 | 188 | 117 | 29 | 12 | 30 |
| Bachelor's degree | 3 287 | 2 884 | 357 | 234 | 38 | 29 | 55 | 46 | 26 | 8 | 9 | 3 |
| Graduate or professional degree | 1 852 | 1 704 | 111 | 77 | 22 | 3 | 8 | 37 | 21 | 10 | 5 | — |
| Percent high school graduates | 83.6 | 86.5 | 75.7 | 86.6 | 72.1 | 73.7 | 65.2 | 76.0 | 84.2 | 74.7 | (B) | 63.1 |
| Employment status of parent: | | | | | | | | | | | | |
| In the labor force | 18 585 | 14 555 | 3 424 | 1 613 | 793 | 102 | 917 | 606 | 303 | 124 | 42 | 137 |
| Employed | 17 378 | 13 889 | 2 936 | 1 440 | 669 | 86 | 741 | 553 | 288 | 108 | 42 | 116 |
| Both parents employed | 9 391 | 9 391 | 2 (X) | (X) | (X) | (X) | (X) | 553 | 288 | 108 | 42 | 116 |
| Full time | 15 699 | 12 936 | 2 270 | 1 165 | 484 | 62 | 558 | 493 | 258 | 106 | 34 | 95 |
| Part time | 1 680 | 953 | 667 | 275 | 185 | 24 | 183 | 60 | 30 | 2 | 7 | 21 |
| Unemployed | 1 207 | 665 | 488 | 173 | 123 | 16 | 176 | 53 | 15 | 16 | — | 22 |
| Not in the labor force | 3 460 | 1 406 | 1 960 | 515 | 537 | 107 | 801 | 95 | 34 | 23 | 12 | 26 |
| Presence of adults other than parent: | | | | | | | | | | | | |
| Other relatives present only | 3 099 | 1 861 | 1 118 | 337 | 283 | 62 | 436 | 120 | 42 | 24 | 21 | 34 |
| Nonrelatives present only | 1 133 | 169 | 738 | 391 | 116 | 15 | 216 | 225 | 92 | 35 | 5 | 94 |
| Other relatives and nonrelatives present | 140 | 60 | 65 | 20 | 19 | 5 | 20 | 15 | 5 | 1 | — | 9 |
| No adults other than parent | 17 977 | 14 162 | 3 471 | 1 388 | 911 | 127 | 1 046 | 343 | 201 | 87 | 29 | 26 |
| Family income: | | | | | | | | | | | | |
| Under \$2,500 | 473 | 126 | 312 | 62 | 102 | 10 | 137 | 35 | 6 | 3 | — | 26 |
| \$2,500 to \$4,999 | 700 | 96 | 582 | 169 | 152 | 7 | 254 | 22 | 2 | 7 | 1 | 13 |
| \$5,000 to \$7,499 | 1 034 | 213 | 786 | 220 | 214 | 21 | 332 | 34 | 15 | 7 | 6 | 6 |
| \$7,500 to \$9,999 | 820 | 223 | 575 | 204 | 164 | 19 | 188 | 23 | 11 | 2 | 1 | 8 |
| \$10,000 to \$12,499 | 849 | 320 | 461 | 193 | 125 | 15 | 149 | 49 | 25 | 4 | 4 | 15 |
| \$12,500 to \$14,999 | 733 | 385 | 317 | 140 | 76 | 6 | 95 | 31 | 13 | 7 | 5 | 7 |
| \$15,000 to \$19,999 | 1 580 | 923 | 550 | 210 | 136 | 27 | 176 | 107 | 53 | 23 | 5 | 26 |
| \$20,000 to \$24,999 | 1 588 | 1 040 | 476 | 211 | 115 | 29 | 122 | 73 | 31 | 21 | 7 | 14 |
| \$25,000 to \$29,999 | 1 589 | 1 214 | 290 | 144 | 89 | 15 | 42 | 85 | 50 | 11 | 7 | 17 |
| \$30,000 to \$39,999 | 3 017 | 2 434 | 500 | 277 | 72 | 35 | 115 | 83 | 52 | 18 | 5 | 8 |
| \$40,000 to \$49,999 | 2 665 | 2 364 | 206 | 137 | 24 | 4 | 42 | 95 | 49 | 29 | 1 | 16 |
| \$50,000 and over | 7 301 | 6 915 | 318 | 169 | 61 | 21 | 67 | 68 | 33 | 16 | 11 | 7 |
| Mean income | 45 696 | 55 347 | 18 904 | 22 539 | 15 491 | 24 392 | 16 360 | 28 136 | 28 927 | 29 323 | (B) | 20 117 |
| Median income | 35 595 | 44 351 | 12 293 | 17 251 | 10 646 | 20 051 | 9 313 | 23 388 | 26 041 | 25 227 | (B) | 15 853 |
| Percent below poverty level | 21.8 | 11.6 | 52.6 | 38.6 | 62.2 | 36.0 | 64.5 | 21.4 | 13.4 | 17.1 | (B) | 43.8 |
| Percent below 125 percent of poverty level | 27.3 | 16.0 | 60.7 | 46.7 | 70.1 | 43.1 | 73.0 | 33.0 | 24.6 | 21.3 | (B) | 57.2 |
| Area of residence: | | | | | | | | | | | | |
| Inside metropolitan areas | 17 486 | 12 533 | 4 396 | 1 637 | 1 126 | 166 | 1 467 | 556 | 260 | 117 | 41 | 139 |
| 1,000,000 or more | 9 644 | 6 724 | 2 629 | 878 | 696 | 98 | 956 | 291 | 128 | 71 | 21 | 72 |
| Inside central cities | 3 757 | 2 184 | 1 467 | 355 | 392 | 42 | 678 | 106 | 41 | 26 | 8 | 31 |
| Outside central cities | 5 887 | 4 539 | 1 162 | 523 | 305 | 56 | 279 | 185 | 87 | 44 | 12 | 41 |
| Under 1,000,000 | 7 842 | 5 810 | 1 767 | 758 | 430 | 68 | 511 | 265 | 132 | 46 | 20 | 68 |
| Inside central cities | 2 805 | 1 781 | 908 | 338 | 236 | 18 | 315 | 116 | 51 | 24 | 3 | 37 |
| Outside central cities | 5 038 | 4 029 | 859 | 420 | 194 | 49 | 196 | 149 | 80 | 21 | 16 | 31 |
| Outside metropolitan areas | 4 663 | 3 719 | 997 | 500 | 203 | 43 | 251 | 148 | 81 | 30 | 14 | 24 |
| Tenure: | | | | | | | | | | | | |
| Owned | 14 208 | 12 023 | 1 795 | 953 | 392 | 118 | 332 | 389 | 218 | 81 | 39 | 51 |
| Rented | 8 141 | 4 229 | 3 598 | 1 183 | 937 | 90 | 1 387 | 315 | 122 | 66 | 15 | 112 |
| Public housing | 1 763 | 489 | 1 212 | 341 | 296 | 24 | 550 | 62 | 21 | 11 | — | 30 |
| Private housing | 6 378 | 3 740 | 2 386 | 842 | 641 | 66 | 837 | 252 | 101 | 55 | 15 | 82 |

See footnotes at end of table.

Table 6. Living Arrangements of Children Under 18 Years, by Marital Status and Selected Characteristics of Parent: March 1994—Con.

Numbers in thousands. Characteristics are shown for householder or reference person in married-couple situations. For meaning of symbols, see text]

| Subject | Total, living with one or both parents | Living with both parents | Living with mother only | | | | | Living with father only | | | | |
|--|--|--------------------------|-------------------------|--------------------------|------------------------|---------|---------------|-------------------------|--------------------------|------------------------|---------|---------------|
| | | | Total | Marital status of mother | | | | Total | Marital status of father | | | |
| | | | | Divorced | Married, spouse absent | Widowed | Never married | | Divorced | Married, spouse absent | Widowed | Never married |
| ALL RACES—Con. | | | | | | | | | | | | |
| Children 6 to 11 years | 22 349 | 16 252 | 5 393 | 2 136 | 1 329 | 208 | 1 719 | 704 | 340 | 147 | 54 | 163 |
| Number of siblings in household: | | | | | | | | | | | | |
| None | 2 908 | 1 498 | 1 212 | 538 | 159 | 50 | 466 | 198 | 95 | 43 | 8 | 51 |
| One | 9 221 | 6 963 | 1 971 | 895 | 479 | 93 | 505 | 287 | 139 | 63 | 35 | 50 |
| Two | 6 395 | 4 955 | 1 283 | 492 | 398 | 47 | 347 | 158 | 88 | 30 | 5 | 35 |
| Three | 2 462 | 1 822 | 586 | 143 | 187 | 17 | 240 | 53 | 18 | 11 | 5 | 19 |
| Four | 765 | 552 | 204 | 46 | 60 | 2 | 97 | 9 | — | — | 1 | 7 |
| Five or more | 598 | 462 | 136 | 23 | 48 | 1 | 64 | — | — | — | — | — |
| Mean number of siblings | 1.59 | 1.65 | 1.45 | 1.22 | 1.74 | 1.19 | 1.53 | 1.13 | 1.09 | 1.05 | (B) | 1.27 |
| Age of parent: | | | | | | | | | | | | |
| 15 to 19 years | 3 | — | 3 | — | 2 | — | 1 | — | — | — | — | — |
| 20 to 24 years | 247 | 96 | 149 | 21 | 22 | 4 | 101 | 3 | 1 | — | — | 2 |
| 25 to 29 years | 2 561 | 1 162 | 1 307 | 377 | 257 | 17 | 655 | 92 | 25 | 9 | 2 | 55 |
| 30 to 34 years | 5 678 | 3 705 | 1 761 | 627 | 464 | 64 | 606 | 212 | 107 | 43 | 1 | 61 |
| 35 to 39 years | 6 766 | 5 312 | 1 266 | 680 | 331 | 37 | 218 | 189 | 109 | 40 | 12 | 28 |
| 40 to 44 years | 4 357 | 3 620 | 616 | 308 | 174 | 24 | 109 | 121 | 64 | 23 | 22 | 11 |
| 45 to 49 years | 1 840 | 1 559 | 234 | 110 | 65 | 41 | 18 | 47 | 21 | 19 | 5 | 3 |
| 50 to 54 years | 622 | 549 | 45 | 13 | 12 | 13 | 8 | 28 | 9 | 9 | 7 | 3 |
| 55 to 59 years | 159 | 139 | 10 | 1 | 1 | 5 | 3 | 10 | 3 | 1 | 6 | — |
| 60 to 64 years | 67 | 64 | 1 | — | — | 1 | — | 2 | — | 2 | — | — |
| 65 years and over | 50 | 47 | 2 | — | — | 2 | — | 1 | 1 | — | — | — |
| Education of parent: | | | | | | | | | | | | |
| Less than 9th grade | 1 292 | 931 | 314 | 61 | 127 | 26 | 101 | 47 | 12 | 13 | 5 | 17 |
| 9th to 12 grade, no diploma | 2 375 | 1 256 | 997 | 227 | 244 | 29 | 498 | 122 | 41 | 24 | 13 | 43 |
| High school graduate (including equivalency) | 7 446 | 5 103 | 2 079 | 783 | 544 | 70 | 683 | 264 | 122 | 62 | 11 | 69 |
| Some college, no degree or associate degree | 6 097 | 4 374 | 1 534 | 754 | 355 | 51 | 374 | 188 | 117 | 29 | 12 | 30 |
| Bachelor's degree | 3 287 | 2 884 | 357 | 234 | 38 | 29 | 55 | 46 | 26 | 8 | 9 | 3 |
| Graduate or professional degree | 1 852 | 1 704 | 111 | 77 | 22 | 3 | 8 | 37 | 21 | 10 | 5 | — |
| Percent high school graduates | 83.6 | 86.5 | 75.7 | 86.6 | 72.1 | 73.7 | 65.2 | 76.0 | 84.2 | 74.7 | (B) | 63.1 |
| Employment status of parent: | | | | | | | | | | | | |
| In the labor force | 18 585 | 14 555 | 3 424 | 1 613 | 793 | 102 | 917 | 606 | 303 | 124 | 42 | 137 |
| Employed | 17 378 | 13 889 | 2 936 | 1 440 | 669 | 86 | 741 | 553 | 288 | 108 | 42 | 116 |
| Both parents employed | 9 391 | 9 391 | (X) | (X) | (X) | (X) | (X) | (X) | (X) | (X) | (X) | (X) |
| Full time | 15 699 | 12 936 | 2 270 | 1 165 | 484 | 62 | 558 | 493 | 258 | 106 | 34 | 95 |
| Part time | 1 680 | 953 | 677 | 185 | 24 | 183 | 60 | 30 | 2 | 2 | 7 | 21 |
| Unemployed | 1 207 | 665 | 488 | 173 | 123 | 16 | 176 | 53 | 15 | 16 | — | 22 |
| Not in the labor force | 3 460 | 1 406 | 1 960 | 515 | 537 | 107 | 801 | 95 | 34 | 23 | 12 | 26 |
| Presence of adults other than parent: | | | | | | | | | | | | |
| Other relatives present only | 3 099 | 1 861 | 1 118 | 337 | 283 | 62 | 436 | 120 | 42 | 24 | 21 | 34 |
| Nonrelatives present only | 1 133 | 169 | 738 | 391 | 116 | 15 | 216 | 225 | 92 | 35 | 5 | 94 |
| Other relatives and nonrelatives present | 140 | 60 | 65 | 20 | 19 | 5 | 20 | 15 | 5 | 1 | — | 9 |
| No adults other than parent | 17 977 | 14 162 | 3 471 | 1 388 | 911 | 127 | 1 046 | 343 | 201 | 87 | 29 | 26 |
| Family income: | | | | | | | | | | | | |
| Under \$2,500 | 473 | 126 | 312 | 62 | 102 | 10 | 137 | 35 | 6 | 3 | — | 26 |
| \$2,500 to \$4,999 | 700 | 96 | 582 | 169 | 152 | 7 | 254 | 22 | 2 | 7 | 1 | 13 |
| \$5,000 to \$7,499 | 1 034 | 213 | 786 | 220 | 214 | 21 | 332 | 34 | 15 | 7 | 6 | 6 |
| \$7,500 to \$9,999 | 820 | 223 | 575 | 204 | 164 | 19 | 188 | 23 | 11 | 2 | 1 | 8 |
| \$10,000 to \$12,499 | 849 | 320 | 481 | 193 | 125 | 15 | 149 | 49 | 25 | 4 | 4 | 15 |
| \$12,500 to \$14,999 | 733 | 385 | 317 | 140 | 76 | 6 | 95 | 31 | 13 | 7 | 5 | 7 |
| \$15,000 to \$19,999 | 1 580 | 923 | 550 | 210 | 136 | 27 | 176 | 107 | 53 | 23 | 5 | 26 |
| \$20,000 to \$24,999 | 1 588 | 1 040 | 476 | 211 | 115 | 29 | 122 | 73 | 31 | 21 | 7 | 14 |
| \$25,000 to \$29,999 | 1 589 | 1 214 | 290 | 144 | 89 | 15 | 42 | 85 | 50 | 11 | 7 | 17 |
| \$30,000 to \$39,999 | 3 017 | 2 434 | 500 | 277 | 72 | 35 | 115 | 83 | 52 | 18 | 5 | 8 |
| \$40,000 to \$49,999 | 2 665 | 2 364 | 206 | 137 | 24 | 4 | 42 | 95 | 49 | 29 | 1 | 16 |
| \$50,000 and over | 7 301 | 6 915 | 318 | 169 | 61 | 21 | 67 | 68 | 33 | 16 | 11 | 7 |
| Mean income | 45 696 | 55 347 | 18 904 | 22 539 | 15 491 | 24 392 | 16 360 | 28 136 | 28 927 | 29 323 | (B) | 20 117 |
| Median income | 35 695 | 44 351 | 12 293 | 17 251 | 10 646 | 20 051 | 9 313 | 23 388 | 26 041 | 25 227 | (B) | 15 853 |
| Percent below poverty level | 21.8 | 11.6 | 52.6 | 38.6 | 62.2 | 36.0 | 64.5 | 21.4 | 13.4 | 17.1 | (B) | 43.8 |
| Percent below 125 percent of poverty level | 27.3 | 16.0 | 60.7 | 46.7 | 70.1 | 43.1 | 73.0 | 33.0 | 24.6 | 21.3 | (B) | 57.2 |
| Area of residence: | | | | | | | | | | | | |
| Inside metropolitan areas | 17 486 | 12 533 | 4 396 | 1 637 | 1 126 | 166 | 1 467 | 556 | 260 | 117 | 41 | 139 |
| 1,000,000 or more | 9 644 | 6 724 | 2 629 | 878 | 696 | 98 | 956 | 291 | 128 | 71 | 21 | 72 |
| Inside central cities | 3 757 | 2 184 | 1 467 | 355 | 392 | 42 | 678 | 106 | 41 | 28 | 8 | 31 |
| Outside central cities | 5 887 | 4 539 | 1 162 | 523 | 305 | 56 | 279 | 185 | 87 | 44 | 12 | 41 |
| Under 1,000,000 | 7 842 | 5 810 | 1 767 | 758 | 430 | 68 | 511 | 265 | 132 | 46 | 20 | 68 |
| Inside central cities | 2 805 | 1 781 | 908 | 338 | 236 | 18 | 315 | 116 | 51 | 24 | 3 | 37 |
| Outside central cities | 5 038 | 4 029 | 859 | 420 | 194 | 49 | 196 | 149 | 80 | 21 | 16 | 31 |
| Outside metropolitan areas | 4 863 | 3 719 | 997 | 500 | 203 | 43 | 251 | 148 | 81 | 30 | 14 | 24 |
| Tenure: | | | | | | | | | | | | |
| Owned | 14 208 | 12 023 | 1 795 | 953 | 392 | 118 | 332 | 389 | 218 | 81 | 39 | 51 |
| Rented | 8 141 | 4 229 | 3 598 | 1 183 | 937 | 90 | 1 387 | 315 | 122 | 66 | 15 | 112 |
| Public housing | 1 763 | 489 | 1 212 | 341 | 296 | 24 | 550 | 62 | 21 | 11 | — | 30 |
| Private housing | 6 378 | 3 740 | 2 386 | 842 | 641 | 66 | 837 | 252 | 101 | 55 | 15 | 82 |

See footnotes at end of table.

Table 6. Living Arrangements of Children Under 18 Years, by Marital Status and Selected Characteristics of Parent: March 1994—Con.

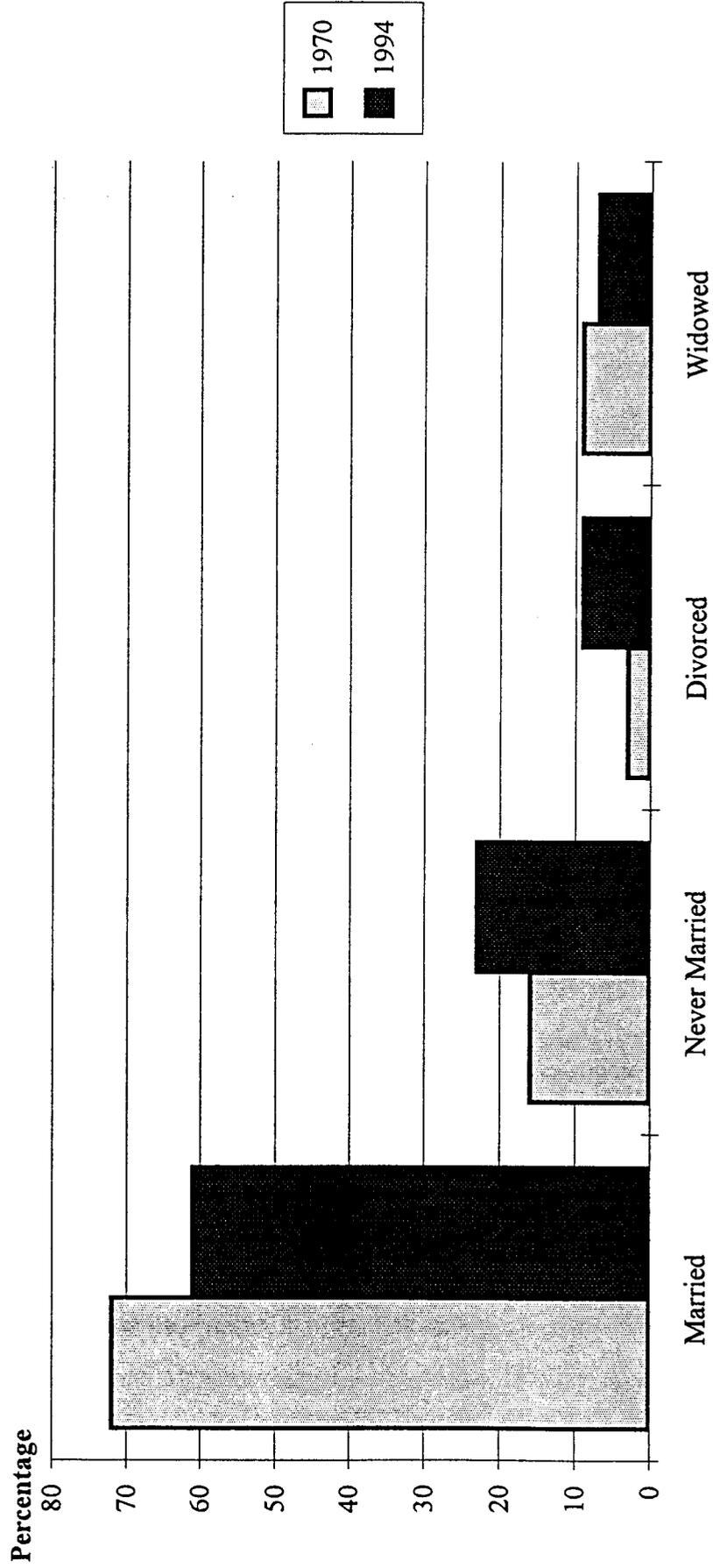
(Numbers in thousands. Characteristics are shown for householder or reference person in married-couple situations. For meaning of symbols, see text)

| Subject | Total, living with one or both parents | Living with both parents | Living with mother only | | | | | Living with father only | | | | |
|---|--|--------------------------|--------------------------|----------|------------------------|---------|---------------|--------------------------|----------|------------------------|---------|---------------|
| | | | Marital status of mother | | | | | Marital status of father | | | | |
| | | | Total | Divorced | Married, spouse absent | Widowed | Never married | Total | Divorced | Married, spouse absent | Widowed | Never married |
| ALL RACES—Con. | | | | | | | | | | | | |
| Children under 6 years..... | 23 540 | 16 883 | 5 861 | 1 186 | 1 228 | 102 | 3 365 | 795 | 271 | 82 | 6 | 435 |
| Number of siblings in household: | | | | | | | | | | | | |
| None..... | 6 188 | 3 843 | 1 958 | 310 | 278 | 23 | 1 346 | 386 | 107 | 31 | 4 | 244 |
| One..... | 9 647 | 7 408 | 2 004 | 412 | 511 | 49 | 1 032 | 234 | 81 | 35 | 2 | 116 |
| Two..... | 5 039 | 3 778 | 1 128 | 302 | 252 | 17 | 556 | 133 | 73 | 15 | — | 45 |
| Three..... | 1 710 | 1 197 | 482 | 85 | 120 | 9 | 269 | 31 | 11 | 2 | — | 18 |
| Four..... | 535 | 360 | 164 | 31 | 46 | 1 | 86 | 11 | — | — | — | 11 |
| Five or more..... | 421 | 296 | 125 | 26 | 21 | 2 | 76 | — | — | — | — | — |
| Mean number of siblings..... | 1.24 | 1.27 | 1.19 | 1.31 | 1.35 | 1.21 | 1.09 | .80 | .95 | .84 | (B) | .71 |
| Age of parent: | | | | | | | | | | | | |
| 15 to 19 years..... | 574 | 75 | 483 | 8 | 32 | — | 443 | 17 | — | — | — | 17 |
| 20 to 24 years..... | 3 167 | 1 290 | 1 726 | 146 | 292 | 13 | 1 275 | 151 | 4 | 6 | 2 | 139 |
| 25 to 29 years..... | 5 539 | 3 594 | 1 705 | 322 | 405 | 13 | 965 | 240 | 52 | 28 | 2 | 157 |
| 30 to 34 years..... | 6 656 | 5 271 | 1 186 | 373 | 321 | 25 | 466 | 199 | 106 | 16 | — | 77 |
| 35 to 39 years..... | 4 832 | 4 167 | 547 | 217 | 149 | 24 | 157 | 117 | 68 | 17 | 2 | 30 |
| 40 to 44 years..... | 1 975 | 1 776 | 160 | 88 | 27 | 7 | 38 | 39 | 22 | 8 | — | 9 |
| 45 to 49 years..... | 514 | 477 | 22 | 5 | 3 | 4 | 11 | 14 | 12 | — | — | 3 |
| 50 to 54 years..... | 180 | 152 | 13 | 4 | — | — | 9 | 15 | 7 | 6 | — | 2 |
| 55 to 59 years..... | 54 | 49 | 5 | 2 | — | — | 3 | — | — | — | — | — |
| 60 to 64 years..... | 24 | 11 | 11 | — | — | 11 | — | 2 | — | 2 | — | — |
| 65 years and over..... | 25 | 20 | 4 | 2 | — | 2 | — | 1 | 1 | — | — | — |
| Education of parent: | | | | | | | | | | | | |
| Less than 9th grade..... | 1 345 | 930 | 348 | 39 | 99 | 25 | 185 | 67 | 11 | 9 | — | 47 |
| 9th to 12 grade, no diploma..... | 3 308 | 1 471 | 1 685 | 188 | 332 | 28 | 1 137 | 152 | 25 | 14 | 2 | 111 |
| High school graduate (including equivalency)..... | 7 471 | 5 082 | 2 049 | 413 | 436 | 16 | 1 183 | 341 | 135 | 31 | 2 | 172 |
| Some college, no degree or associate degree..... | 6 147 | 4 456 | 1 504 | 428 | 302 | 16 | 757 | 187 | 82 | 18 | 2 | 86 |
| Bachelor's degree..... | 3 521 | 3 257 | 229 | 84 | 45 | 9 | 92 | 34 | 13 | 4 | — | 17 |
| Graduate or professional degree..... | 1 748 | 1 687 | 46 | 14 | 14 | 7 | 11 | 14 | 6 | 7 | — | 2 |
| Percent high school graduates..... | 80.2 | 85.8 | 85.3 | 80.5 | 85.0 | 47.1 | 60.7 | 72.5 | 86.8 | 71.8 | (B) | 63.8 |
| Employment status of parent: | | | | | | | | | | | | |
| In the labor force..... | 18 618 | 14 909 | 3 034 | 732 | 693 | 30 | 1 578 | 675 | 228 | 61 | 6 | 380 |
| Employed..... | 17 061 | 14 081 | 2 393 | 637 | 552 | 25 | 1 179 | 587 | 210 | 52 | 4 | 320 |
| Both parents employed..... | 8 449 | 8 449 | (X) | (X) | (X) | (X) | (X) | (X) | (X) | (X) | (X) | (X) |
| Full time..... | 15 327 | 13 081 | 1 746 | 497 | 397 | 16 | 836 | 500 | 179 | 47 | 4 | 270 |
| Part time..... | 1 734 | 1 000 | 647 | 140 | 155 | 9 | 344 | 87 | 31 | 6 | — | 50 |
| Unemployed..... | 1 556 | 828 | 640 | 95 | 142 | 5 | 399 | 88 | 18 | 9 | 2 | 59 |
| Not in the labor force..... | 4 450 | 1 516 | 2 818 | 434 | 535 | 72 | 1 777 | 116 | 43 | 20 | — | 52 |
| Presence of adults other than parent: | | | | | | | | | | | | |
| Other relatives present only..... | 3 086 | 1 465 | 1 532 | 227 | 325 | 23 | 957 | 88 | 28 | 30 | — | 31 |
| Nonrelatives present only..... | 1 638 | 223 | 901 | 219 | 128 | 22 | 532 | 514 | 147 | 26 | 4 | 337 |
| Other relatives and nonrelatives present..... | 239 | 88 | 104 | 13 | 22 | 3 | 66 | 47 | 14 | 1 | — | 32 |
| No adults other than parent..... | 18 577 | 15 107 | 3 323 | 708 | 753 | 53 | 1 809 | 146 | 83 | 26 | 2 | 35 |
| Family income: | | | | | | | | | | | | |
| Under \$2,500..... | 733 | 151 | 502 | 59 | 131 | 14 | 298 | 81 | 12 | 5 | — | 64 |
| \$2,500 to \$4,999..... | 1 048 | 146 | 868 | 107 | 163 | 9 | 588 | 33 | 7 | 2 | — | 24 |
| \$5,000 to \$7,499..... | 1 253 | 268 | 942 | 195 | 190 | 13 | 543 | 46 | 13 | 10 | 2 | 21 |
| \$7,500 to \$9,999..... | 1 080 | 394 | 633 | 139 | 97 | 3 | 394 | 53 | 18 | — | — | 35 |
| \$10,000 to \$12,499..... | 1 009 | 480 | 465 | 117 | 87 | 10 | 250 | 65 | 25 | 1 | 2 | 38 |
| \$12,500 to \$14,999..... | 845 | 483 | 325 | 85 | 94 | 4 | 142 | 37 | 17 | 2 | — | 18 |
| \$15,000 to \$19,999..... | 1 900 | 1 225 | 523 | 110 | 134 | 12 | 268 | 153 | 35 | 21 | — | 96 |
| \$20,000 to \$24,999..... | 1 675 | 1 248 | 348 | 83 | 62 | 4 | 199 | 79 | 32 | 3 | — | 44 |
| \$25,000 to \$29,999..... | 1 688 | 1 379 | 242 | 71 | 45 | 11 | 114 | 67 | 31 | 6 | — | 29 |
| \$30,000 to \$39,999..... | 2 968 | 2 476 | 416 | 81 | 106 | 15 | 215 | 75 | 39 | 11 | 2 | 23 |
| \$40,000 to \$49,999..... | 2 539 | 2 331 | 170 | 43 | 44 | — | 82 | 38 | 12 | 6 | — | 20 |
| \$50,000 and over..... | 6 802 | 6 304 | 429 | 76 | 75 | 7 | 272 | 69 | 30 | 15 | — | 23 |
| Mean income..... | 41 378 | 50 610 | 17 237 | 18 644 | 16 655 | 18 907 | 16 911 | 23 316 | 25 932 | 34 841 | (B) | 19 597 |
| Median income..... | 31 648 | 40 640 | 9 946 | 11 775 | 10 946 | 13 053 | 9 108 | 17 830 | 21 532 | 19 944 | (B) | 16 196 |
| Percent below poverty level..... | 25.9 | 13.5 | 60.6 | 52.7 | 58.4 | 52.5 | 64.4 | 32.1 | 23.8 | 30.2 | (B) | 37.5 |
| Percent below 125 percent of poverty level..... | 32.0 | 18.9 | 68.5 | 62.1 | 66.3 | 64.7 | 71.6 | 42.7 | 37.5 | 30.2 | (B) | 48.0 |
| Area of residence: | | | | | | | | | | | | |
| Inside metropolitan areas..... | 18 998 | 13 499 | 4 850 | 885 | 1 021 | 73 | 2 872 | 649 | 215 | 77 | 4 | 353 |
| 1,000,000 or more..... | 10 623 | 7 373 | 2 928 | 456 | 615 | 38 | 1 818 | 323 | 100 | 40 | — | 184 |
| Inside central cities..... | 4 406 | 2 445 | 1 798 | 208 | 350 | 18 | 1 222 | 164 | 33 | 28 | — | 103 |
| Outside central cities..... | 6 217 | 4 928 | 1 130 | 248 | 265 | 20 | 596 | 159 | 67 | 11 | — | 81 |
| Under 1,000,000..... | 8 375 | 6 126 | 1 923 | 428 | 408 | 35 | 1 054 | 326 | 115 | 37 | 4 | 170 |
| Inside central cities..... | 3 358 | 2 140 | 1 060 | 215 | 205 | 7 | 633 | 158 | 58 | 17 | — | 82 |
| Outside central cities..... | 5 017 | 3 986 | 863 | 214 | 200 | 28 | 421 | 168 | 57 | 20 | 4 | 87 |
| Outside metropolitan areas..... | 4 541 | 3 384 | 1 011 | 282 | 207 | 29 | 493 | 146 | 56 | 6 | 2 | 82 |
| Tenure ¹ : | | | | | | | | | | | | |
| Owned..... | 12 661 | 10 939 | 1 436 | 396 | 290 | 47 | 704 | 287 | 128 | 41 | 2 | 118 |
| Rented..... | 10 878 | 5 945 | 4 425 | 771 | 938 | 55 | 2 661 | 508 | 146 | 41 | 4 | 317 |
| Public housing..... | 2 343 | 769 | 1 504 | 225 | 266 | 7 | 1 007 | 71 | 15 | 8 | — | 48 |
| Private housing..... | 8 535 | 5 176 | 2 922 | 546 | 673 | 48 | 1 655 | 437 | 131 | 33 | 4 | 269 |

See footnotes at end of table.

FAMILY COMPOSITION

Marital Status of Americans 18 Years and Over: 1970 and 1994



Source: U.S. Census Bureau, 1996

Current Population Reports
Population Characteristics
P23-181

Households, Families, and Children: A 30-Year Perspective

by Terry Lugaia

Issued November 1992



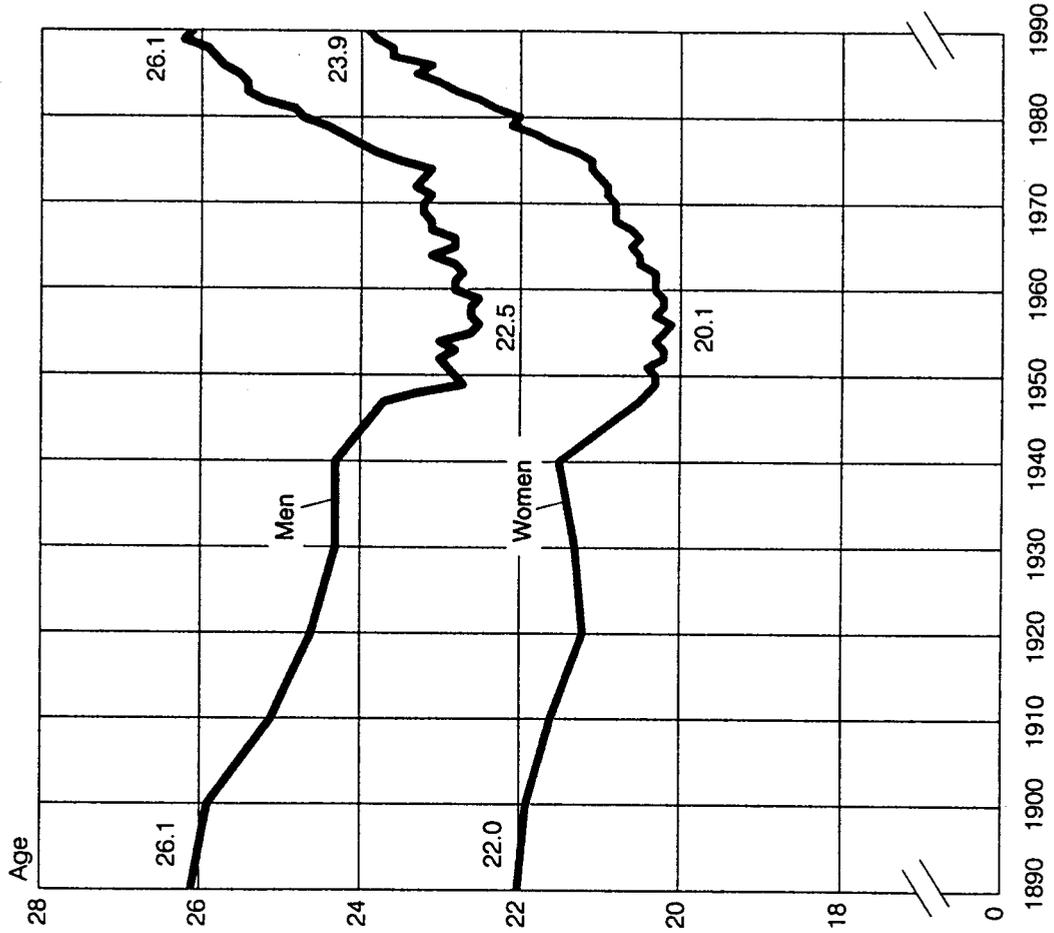
U.S. Department of Commerce
Barbara Hackman Franklin, Secretary
Rockwell A. Schnabel, Deputy Secretary
Economics and Statistics Administration
J. Antonio Villamil, Under Secretary
for Economic Affairs

BUREAU OF THE CENSUS
Barbara Everitt Bryant, Director

Age at First Marriage Increases

In the last several years, women have had the highest median age at first marriage (23.9) since data were first collected on this subject in 1890. For men the median age of first marriage in 1890 (26.1) equaled that in 1990. For both men and women, the median ages at first marriage were lowest in the mid-1950's and have been rising since. The median has increased 3 full years for both men and women in the past two decades.

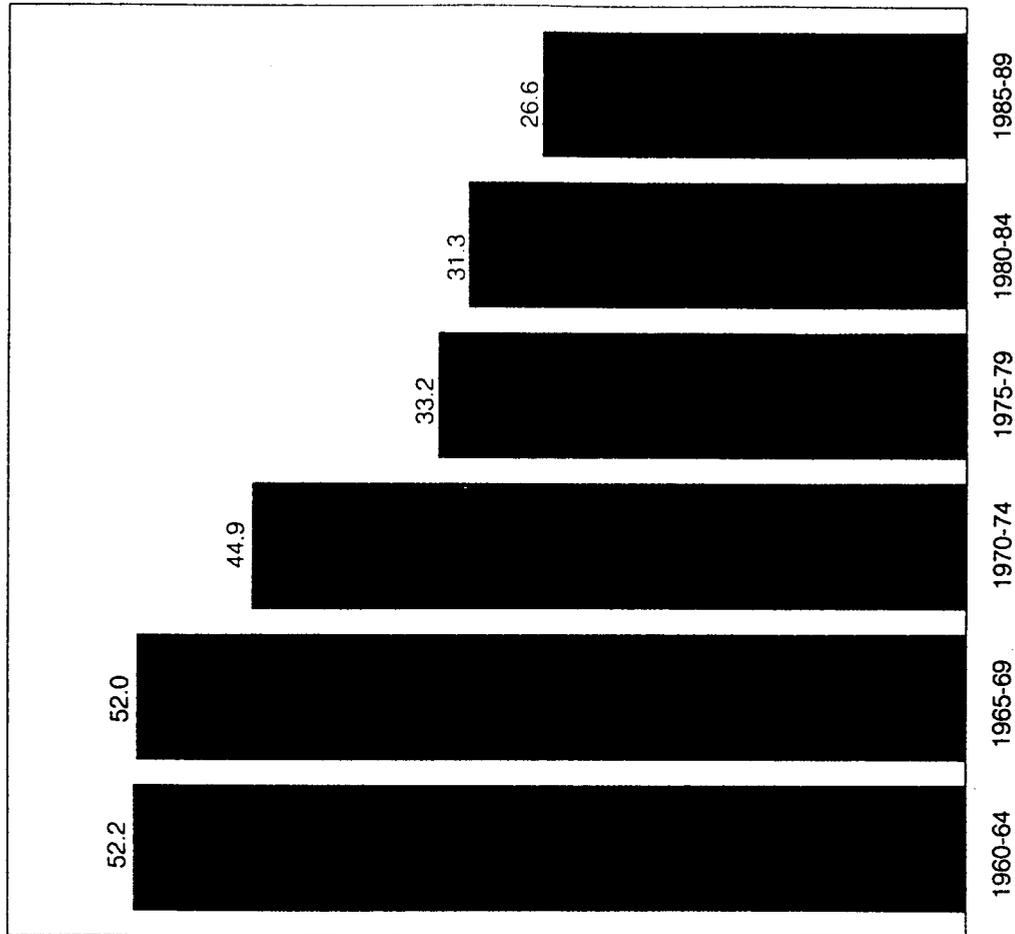
Figure 2.
Median Age at First Marriage, by Sex: 1890 to 1990



Likelihood of First Marriage Before a Premaritally Conceived First Birth Declines

For women with a premarital pregnancy that results in their first birth, the likelihood that their first marriage will occur before the birth has decreased greatly during the last 20 years. In the 1960-64 and 1965-69 periods, of all women whose first birth was conceived premaritally, 52 percent married for the first time before the birth. This percentage has decreased by one-half to 27 percent for the 1985-89 period. The increasing social acceptance of never-married mothers and the desire to avoid an unstable marriage may be involved in the decline of women marrying before the birth of their first child.

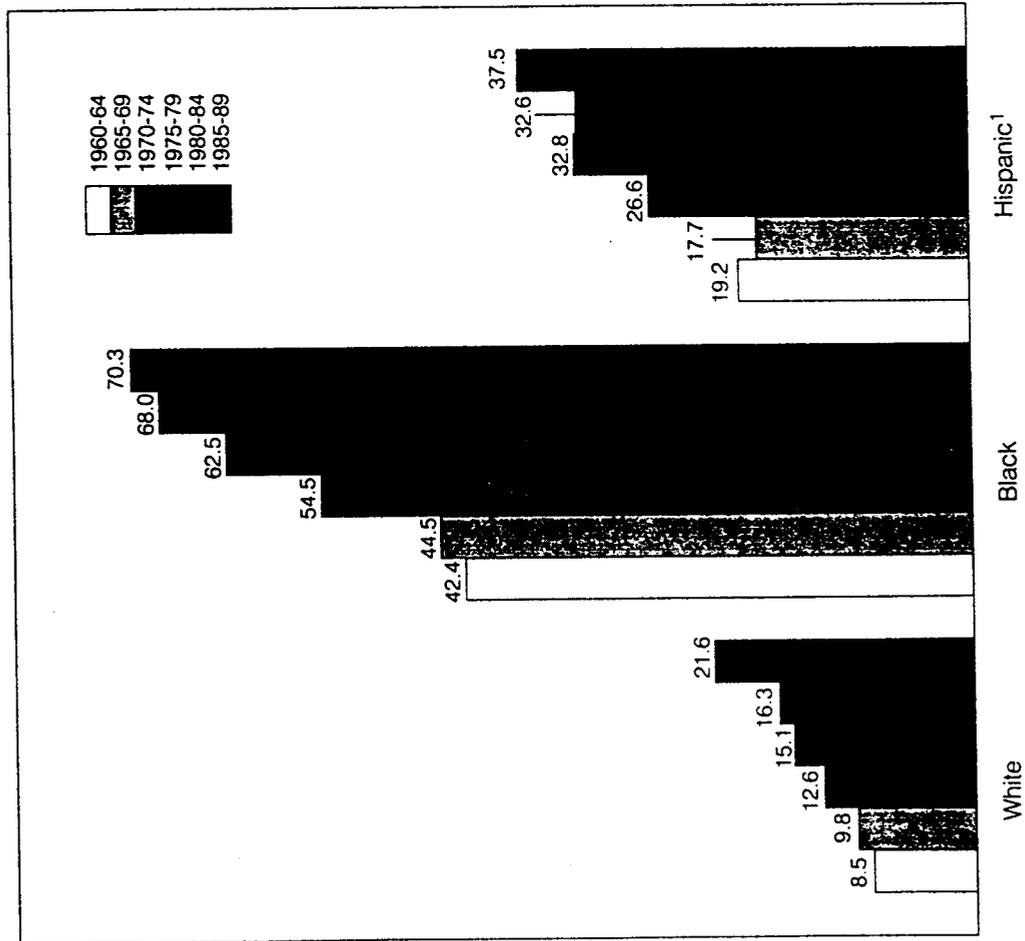
Figure 6.
Women 15 to 34 Years With a Premaritally Conceived First Child — Percent Marrying Before the Birth of Child: 1960-64 to 1985-89



Premarital Births Increase

Because of the growing percentage of women deciding not to marry before their first birth, the number of premarital births is on the rise. In the 1985-89 period, there were about 2.2 million premarital births compared to about 700,000 premarital births for the 1960-64 period. Premarital births have been more common among Black women than among Whites or persons of Hispanic origin (who may be of any race) since at least the early 1960's. However, the percentage of White women age 15 to 34 with their first birth occurring premaritally more than doubled between the 1960-64 period and the 1985-89 period, from 9 to 22 percent. The proportion also doubled for Hispanics from 19 to 38 percent. The proportion for Blacks increased from 42 to 70 percent.

Figure 7.
Women 15 to 34 Years With a First Birth — Percent With First Birth Occurring Before First Marriage, by Race and Hispanic Origin: 1960-64 to 1985-89



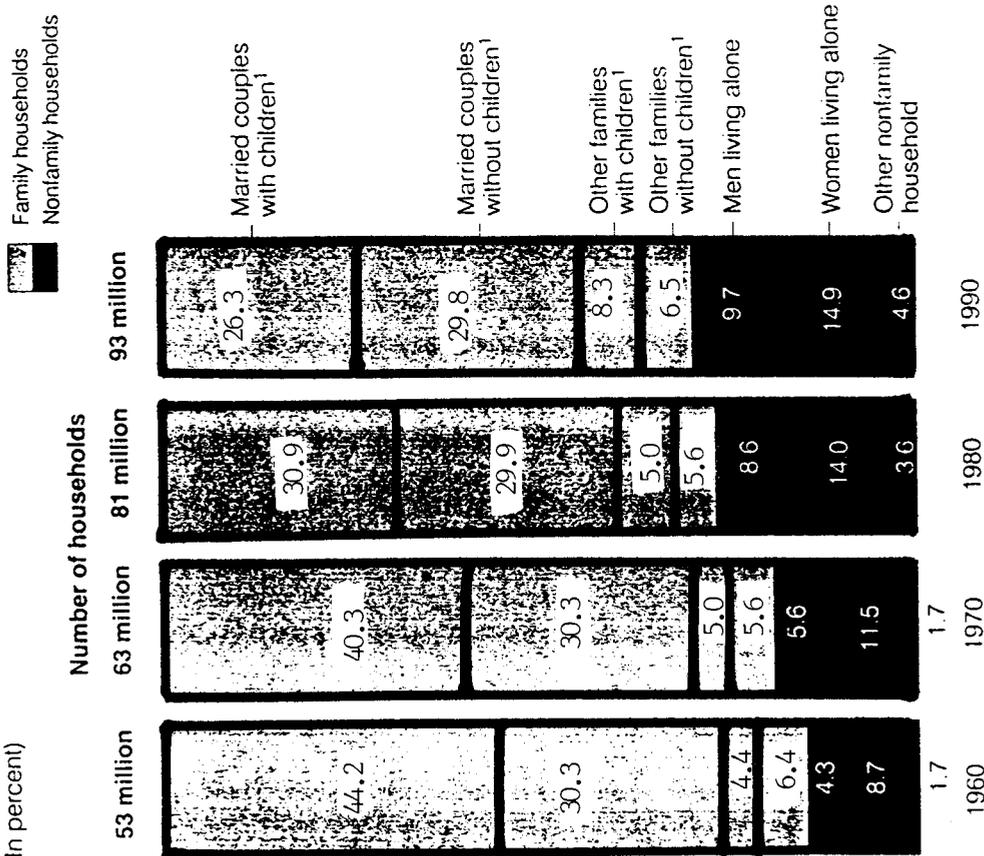
¹May be of any race.

Household Composition Changes

A household can be either a family household or nonfamily household. A family household consists of the householder and at least one additional person related to the householder through marriage, birth, or adoption. A nonfamily household is composed of a householder who either lives alone or exclusively with persons unrelated to the householder.

Married-couple households dropped from 75 percent of all households in 1960 to 56 percent in 1990. This decline is due to the drop in the proportion of married couples with children under 18 (largely accounted for by delayed childbearing), to increased one-parent family households, and to increased nonfamily households with 1 or more persons. One-parent family households rose from 4 to 8 percent of all households during the three decades. Nonfamily households with one or more persons made up 29 percent of all households in 1990, almost double compared with the 15 percent in 1960.

Figure 9.
Household Composition: 1960 to 1990
(In percent)



¹Own children under 18

Family Income Increases and Then Stabilizes

Median family income increased by 104 percent during the 26 years between 1947 and 1973. The median income of married-couple families increased by 115 percent.

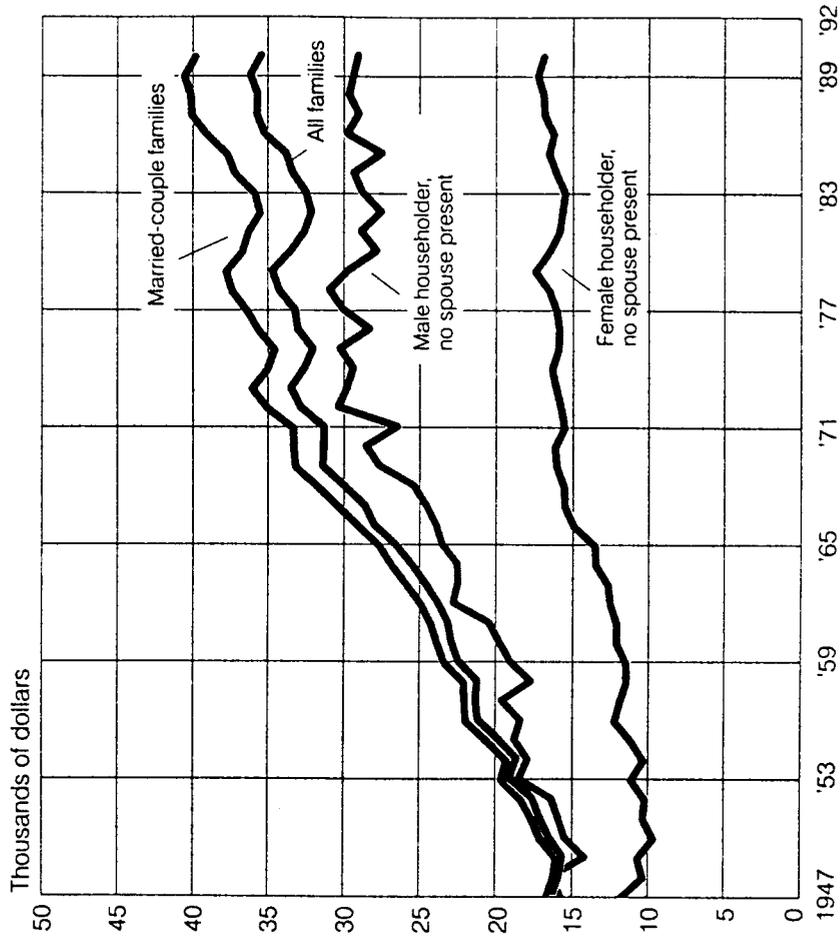
During the subsequent 17 years between 1973 and 1990, the median incomes for all families and for married-couple families experienced three periods of decline and two periods of increase. Despite these fluctuations and the increase in wives' labor force participation, by 1990 the median income for all families was only 6 percent more in 1990 than in 1973 and the median income for married-couple families was only 11 percent greater than in 1973.

For families with male householders, no spouse present, median family income grew by 88 percent between 1947 and 1973, but it declined by 2.3 percent between 1973 and 1990. Hence, male householder families had median incomes 6 percent smaller than married-couple families in 1947, but 27 percent smaller in 1990.

Among families with female householders, no spouse present, median family income grew by 37 percent between 1947 and 1973, and increased by 5 percent between 1973 and 1990. Hence,

female householder families had median incomes 56 percent smaller than married-couple families in 1973 and 58 percent smaller in 1990.

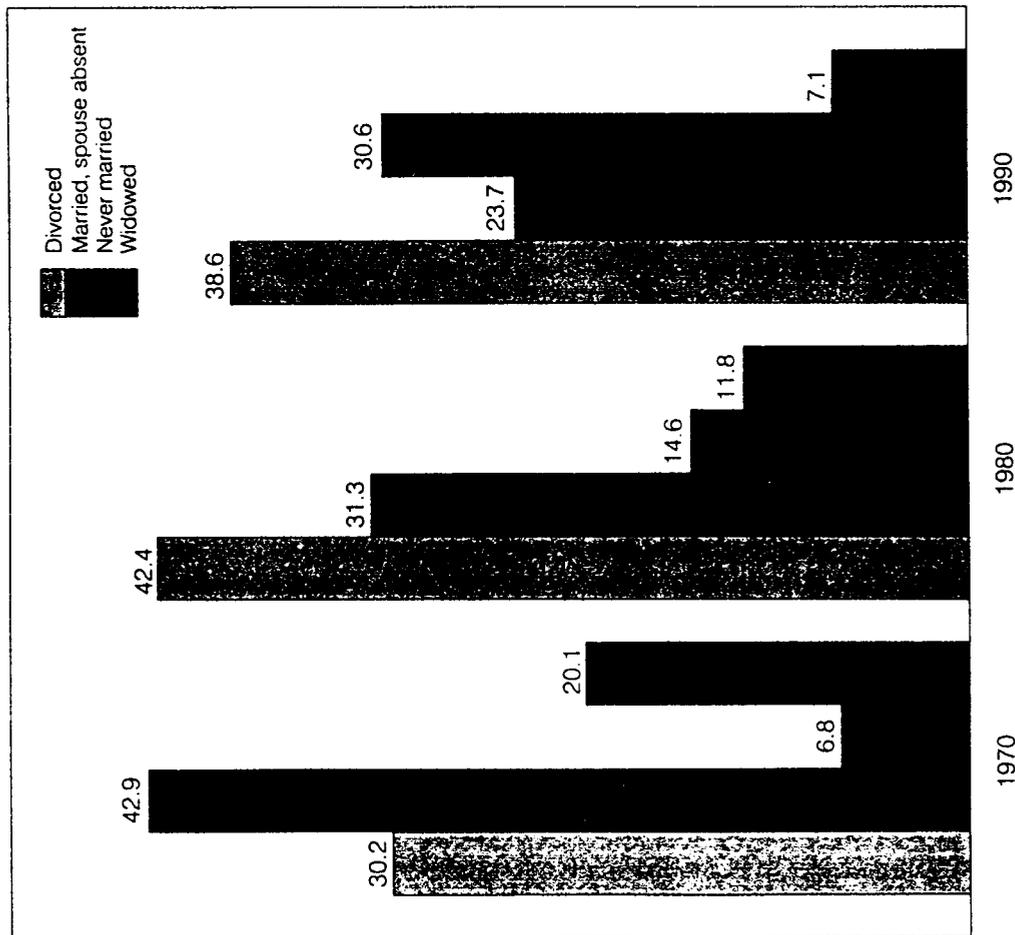
Figure 23.
Median Family Income, by Type of Family: 1947 to 1990
(In 1990 dollars)



Increasing Proportions of Children Living With One Parent Live With a Never-Married Parent

In 1990 the majority of children living with one parent were living with a parent who was divorced or whose spouse was absent (either separated or living elsewhere). This proportion declined from 73 percent in 1970 to 62 percent in 1990. The proportion living with a widowed parent also declined during the past 20 years from 20 percent to 7 percent. The proportion of children in one-parent families who lived with a never-married mother increased from 7 percent in 1970 to 31 percent in 1990.

Figure 30. Children Under Age 18 Living With One Parent, By Marital Status of Parent: 1970, 1980, and 1990 (In percent)



Conclusion

Family Life in the Early 1990's

American family life has changed dramatically during the past three decades, but especially since the mid-1970's. Some trends continue, and others have reached a plateau, but no major reversals have occurred since the mid-1970's.

Small families with one or two children increased sharply as a proportion of all families with children during the 1970's and more slowly during the 1980's. The total number of births per year rose sharply between the mid-1970's and 1990, as the large baby-boom cohorts reached the main childbearing ages.

Both median age at first marriage and the proportion of young adults who had never married increased rapidly during the 1970's and 1980's. With these changes in marriage, a sharp increase occurred in the proportion of women having their first birth before marriage. Divorce, however, had reached a plateau by the late 1970's, following a decade of especially rapid increase.

With continuing high levels of divorce and increasing premarital childbearing, the proportion of children living with a lone parent doubled between 1970 and 1990, reaching 25 percent.

The proportion of parents who had completed at least some college increased rapidly during the 1970's but more slowly during the 1980's. Families with higher educational attainments had much higher median incomes and much lower poverty rates than families with lower educational attainments.

The steady increase since 1960 in labor force participation among married women was especially large among wives with young children during the 1970's and 1980's. Even among mothers with infants under age 1, labor force participation rose from 31 percent in 1976 to 53 percent in 1990. These increases in mothers' work involved corresponding increases in the need for child care, especially for preschool-age children.

Along with rising labor force participation for wives, 28 percent of married-couple families with children by 1990 had both

spouses working year-round full-time, and 30 percent had a husband working year-round full-time and a wife working part-time. Since another 21 percent had a husband working part-time or not at all, this left only 21 percent as "traditional" families with a husband working year-round full-time and a wife not working.

Median family incomes and poverty rates varied greatly among married-couple families with children according to work input. Female householder families with children whose householders worked had comparatively low incomes, with poverty rates similar to married-couple families with children where the wife worked but the husband did not work.

In the 26 years from 1947 to 1973, median family income doubled. Despite rising educational attainments and married women's increasing labor force participation during the subsequent 17 years, however, median family income in 1990 was only 6 percent higher than in 1973. The large increase in one-parent families after 1970 tended to hold down the increase in overall

median family income. But even among married-couple families with related children, median income in 1990 was only 11 percent higher than in 1973.

With median family income changing little, the poverty rate for children varied from 19.5 to 22.3 percent between 1981 and 1990, with a level of 20.6 percent in 1990, compared to the historically low range of 14.0 to 15.6 percent between 1968 and 1974. In the 20 years between 1969 and 1989, inequality in the

distribution of income increased, as the proportion of children with relative incomes in the middle range declined from 75 percent to 63 percent, and the proportion with incomes below the middle range rose from 19 to 29 percent.

The higher proportion of children living in one-parent families, especially among Blacks, is often noted as contributing to childhood poverty. But this is only part of the story, since Blacks also have much lower median family incomes and much higher poverty

rates than Whites with similar educational attainments and with similar family composition and patterns of adult work.

Finally, lack of health insurance coverage is often noted as a problem for poor children living in mother-only families, but even among children living in married-couple families, the proportion not covered by health insurance anytime during 1990 was 9 percent for the non-poor, and 33 percent for poor.

CURRENT STATE LEGISLATION OF INTEREST

“DIVORCE REFORM IN CALIFORNIA:

*From Fault to No-Fault...
and Back Again?”*



An Informational Hearing

THURSDAY

NOVEMBER 6, 1997

1:00 P.M. - 3:30 P.M.

RONALD REAGAN STATE BUILDING

AUDITORIUM

LOS ANGELES

MARTHA M. ESCUTIA
Chair

BILL MORROW
Vice Chair

BARBARA ALBY

DION ARONER

SCOTT BAUGH

LIZ FIGUEROA

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AL HERNANDEZ
Consultant

CAROL MACDONNELL
Committee Secretary

CINDY KIMBELL
Asst. Committee Secretary

THE DIRECTION OF DIVORCE REFORM IN CALIFORNIA: FROM FAULT TO NO-FAULT . . . AND BACK AGAIN?

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“The time has come to acknowledge that our present social and legal procedures for dealing with divorce are no longer adequate.”

-- Governor Edmund G. Brown, Sr., 1966, explaining his support of no-fault divorce reforms.

INTRODUCTION

Three years after Governor Brown urged reforming California’s fault-based divorce law, Governor Ronald Reagan signed the Family Law Act of 1969 into law, making California the first no-fault divorce state in the nation. Or, looked at by some in another way, “On September 5, 1969, with a stroke of his pen, California governor Ronald Reagan wiped out the moral basis for marriage in America.”¹ Since California's historic divorce reform, every state has enacted some form of no-fault divorce.

Nationally, there has been some movement in recent years to return to fault-based divorce, or to at least impose additional obstacles to getting a divorce or to getting married. This movement was spurred by what has been seen as increasingly high divorce rates, the high rate of poverty in single-parent homes, and perceptions that the real “victims” of no-fault have been the children of divorce. The movement to restore fault divorce, or move in that direction, is guided by the hope that the imposition of obstacles to getting divorced will remove the “easy out” reformers say no-fault has provided. In the absence of no-fault, reformers continue, couples will be forced to work through their problems and the end result will be increased numbers of families remaining intact, and healthier more stable children.

Others disagree, however, contending that the return to fault-based divorce will bring with it greater numbers of families who are physically separated without being legally divorced, fewer marriages, and an increased number of women and children living in violence and living with high levels of conflict.

One judge in Australia posed an interesting solution to what he saw as the growing

divorce problem. According to one tabloid newspaper, an Australian judge ordered a couple who went to court seeking a divorce “after four long years of bickering and battering . . . to forget about the divorce, to go home arm in arm, and to make mad, passionate love every day for the next six months.” The judge told the couple that if they followed his advice to the letter, and still wanted the divorce in six months, he would grant it. According to the caption on the picture accompanying the story, “Loving couple Dustin and Angela Womack may call off their divorce after months of making whoopee.”²

But that unusual “solution” aside, critics have blamed no-fault divorce laws for many of the serious ills of society, including: increased child poverty, high school drop-out rates, teenage pregnancy, low birthweights, greater welfare dependence, and juvenile crime. Studies have indeed shown that such ills are more prevalent in single-parent homes, and the rise of no-fault divorce has led to an increase in the number of single-parent homes.

But is no-fault divorce really to blame, or are other larger forces at the root of these challenging societal ills? Some place the blame squarely on no-fault. But others point to studies which show that single-parent homes are substantially poorer than two parent homes, and poverty, rather than divorce law, is what can be blamed for these problems.

This paper, prepared for a hearing by the Assembly Judiciary Committee of the State of California, will examine these perplexing questions.

SECTION ONE: BRIEF HISTORY OF GROUNDS FOR DIVORCE IN BOTH THE FAULT AND NO-FAULT ERAS³

Before turning to a review of the goals of the “no-fault” revolution in the United States started by California, a brief history of the development of divorce and divorce laws is helpful to understanding the context of today’s arguments over no-fault divorce.

Many American states enacted divorce legislation soon after Independence, in the 1780s and 1790s. Connecticut was the most liberal, permitting divorce for “...adultery, fraudulent contract, desertion for three years, or prolonged absence with a presumption of death.”⁴ In 1843, the state added two additional grounds for divorce: habitual drunkenness and intolerable cruelty. The Connecticut state legislature also dissolved marriages on other grounds by legislative action. In 1849, the courts were given sole responsibility for divorce, and grounds were extended to include “life imprisonment, any infamous crime involving a violation of the conjugal duty, and -- most important -- ‘any such misconduct as permanently destroys the happiness of the petitioner and defeats the purpose of the marriage relation.’”⁵

Divorce laws were generally more liberal in the West than in the rest of the country. California's first divorce law, in 1851, contained the following grounds for divorce: impotence, adultery, extreme cruelty, desertion or neglect, habitual intemperance, fraud, and conviction for a felony. In practice, the courts extended the definitions of these terms.

Most American states broadened the grounds for divorce throughout the 19th century, encompassing more and more matrimonial conditions. By 1900, most states had adopted four major elements of divorce law: "fault-based grounds, one party's guilt, the continuation of gender-based marital responsibilities after divorce, and the linkage of financial awards to findings of fault."⁶

The divorce rate in the United States increased from 1.2 per 1,000 existing marriages in 1860 to 4.5 in 1910. These rates were significantly higher than in Europe, as remains the case today. Nonetheless, divorce rates have risen steadily over the last 100 years in all Western countries where divorce is permitted, accelerating in the 1960s and early 1970s. A wide variety of contributive factors have been studied. One analysis finds that three factors have generally been used to explain the increase: "...easier access to divorce, married women's employment, and changes in social values."⁷

California's enactment of the first no-fault divorce law in 1969 "...launched a legal revolution."⁸ Nearly every state enacted some form of no-fault divorce in the following decade. A 1985 review of family law in the United States found that 18 states had enacted "pure" no-fault divorce laws, of which 14 made marital breakdown the only ground for divorce: Arizona, California,⁹ Colorado, Florida, Hawaii, Iowa, Kentucky, Michigan, Minnesota, Montana, Nebraska, Oregon and Washington.¹⁰ Three other states (Kansas, New Mexico and Oklahoma) made "incompatibility" the only ground for divorce. Twenty-two states added the no-fault standard of "marital breakdown" to existing fault-based grounds for divorce.

California's No-Fault Divorce Law

The current grounds for divorce in California:

- (a) Irreconcilable differences, which have caused the irremediable breakdown of the marriage.
- (b) Incurable insanity.

California Family Code §2310.

Table 1 details the change from a fault-based system of contestable divorce, tied to one party's guilt and linked to continuing financial obligations, to a no-fault "petition for dissolution" which does not require the consent of both parties and is based on

“irreconcilable differences.”

As the grounds for marital dissolution have expanded in Western societies over the last 200 years, divorce has become more accessible and the divorce rate has increased. Nonetheless, there appears to be no clear causal link, as social, economic, demographic, cultural and institutional factors all appear to be key influences. *As a practical matter, commentators note that marriage relationships can end whether or not divorce is available, and that divorce allows the possibility of remarriage.*¹¹

Table 1
Summary of Changes in Divorce Law

| Traditional Divorce | No-Fault Divorce |
|--|--|
| <i>Restrictive Law</i> To protect marriage | <i>Permissive Law</i> To facilitate divorce |
| <i>Specific Grounds</i> Adultery, cruelty, etc. | <i>No grounds</i> Marital breakdown |
| <i>Moral Framework</i> Guilt vs. innocence | <i>Administrative framework</i> Neither responsible |
| <i>Fault</i> One party cause divorce | <i>No fault</i> Cause of divorce irrelevant |
| <i>Consent of Innocent Spouse Needed</i> Innocent spouse has power to prevent or Delay the divorce | <i>No consent needed</i> Unilateral divorce No consent or agreement required |
| <i>Gender-based responsibilities</i> Husband responsible for alimony Wife responsible for custody Husband responsible for child support | <i>Gender-neutral responsibilities</i> Both responsible for self-support Both eligible for custody Both responsible for child support |
| <i>Financial Awards Linked to Fault</i> Alimony for “innocent” spouse Great share of property to “innocent” Spouse | <i>Financial Awards Based on Equality and Need</i> Alimony based on need Property divided equally |
| <i>Adversarial</i> One party guilty, one innocent Financial gain in proving fault | <i>Nonadversarial</i> No guilty or innocent party No financial gain from charges Amicable resolution encouraged |
| Source: Lenore Weitzman, <i>The Divorce Revolution</i> , The Free Press, 1985, at page 40. | |

SECTION TWO: THE BI-PARTISAN DECISION TO END FAULT-BASED DIVORCE

The impetus for the nation's no-fault divorce revolution started by a Democratic California governor, but it became a reality by the stroke of a Republican governor's pen. On May 11, 1966, Governor Edmund G. Brown established the Governor's Commission on the Family. The Commission was created to begin a "concerted assault on the high incidence of divorce in our society and its often tragic consequences."¹² Governor Brown charged the Commission with the task of addressing ways the family law system, substantively and procedurally, could function more effectively.

The Commission came up with a series of recommendations, including a unified statewide Family Court system with jurisdiction over all matters relating to the family, and an elimination of fault grounds for divorce, division of property, and support matters. The Commission believed these recommendation would "establish procedures for the handling of marital breakdown which will permit the Family Court to make a full and proper inquiry into the real problems of the family[,] . . . which will enable the Court to focus its resources upon the actual difficulties confronting the parties."¹³ According to one member of the Governor's Commission, the motivations of the members of the Commission and those who participated in the effort to reform California's divorce laws were far from uniform. However, one common viewpoint shared by most was that divorce based on fault no longer served the public interest. The Commission therefore undertook to design and implement a divorce law that would take account of the realities of married life, the economic needs of divorced dependent spouses, and the best interest of children.¹⁴

On September 5, 1969, Governor Ronald Reagan signed California's new and revolutionary Family Law Act into law. Although not achieving the Family Court envisioned by the Commission, the Family Law Act made the Commission's no-fault divorce concept a reality. "At the time, such legislation seemed humane and enlightened. It was hailed as an overdue reform of a wink-wink, nudge-nudge system rife with hypocrisy and lurid accusations. Under the fault-based system, the suing partner had to prove the fault of the other and show themselves to be blameless; otherwise their respective culpability canceled each other's claims. . . . Even when both partners desired the divorce, they were often reduced to perjury and collusion, sometimes staging adulterous liaisons to be captured in grainy photographs by lurking private eyes."¹⁵

The California reform effort that produced the Family Law Act ended in 1969. One of its major goals, and its most enduring achievement, was "to free the administration of justice in divorce cases from the hypocrisy and perjury that had resulted from the use of marital fault as a controlling consideration in divorce proceedings."¹⁶

SECTION THREE: KEY ISSUES SURROUNDING THREE DECADES OF NO-FAULT DIVORCE

In the almost three decades since California's no-fault divorce "revolution" began, society, and its trends, have changed immensely. Many claims have been made about the effects of no-fault divorce in California and across the country. Following is a summary of some of the key issues that have been raised.

I. The Growing Divorce Rate

Opponents of no-fault believe that, in many cases, no-fault makes divorce too easy to resist for couples on the rocks. Without no-fault, the argument goes, many of those couples would find ways to stay together, and the divorce rate would not be nearly as high as it is. The commonly quoted statistic is that nearly 50 percent of all marriages will end in divorce.¹⁷

Critics of no-fault often focus on this statistic in questioning no-fault. According to the Sacramento based Capitol Resource Institute, "despite its prevalence, and despite its now undeniable impact upon the individuals involved, there remains a strong reluctance to do anything to reverse or even slow its spread. . . . 'If a disease were to afflict the majority of a populace, spreading pain and dysfunction throughout all age groups, we would be frantically searching for reasonable solutions. Yet this particular scourge has become so endemic that it is virtually ignored. The scourge is divorce, an oddly neglected topic in a nation that has the worst record of broken marriages in the entire world.'" ¹⁸

However, the assertion that one-half of all marriages end in divorce, despite its popular usage and apparent influence on the literature on the subject, may be extremely misleading. According to pollster Lou Harris, "The idea that half of American marriages are doomed is one of the most specious pieces of statistical nonsense ever perpetuated in modern times. It all began when the Census Bureau noted that during one year, there were 2.4 million marriages and 1.2 million divorces. Someone did the math without calculating the 54 million marriages already in existence, and presto, a ridiculous but quotable statistic was born." ¹⁹

Of course, the fact that divorce rates have increased substantially in the past 40 years is without question. Divorce rates began a steep increase in the mid-1960s, the tail end of the pre-no-fault era. Through the 1950s and 1960s, divorce rates remained fairly steady at fewer than 400,000 per year, or 9 to 10 divorces per 1,000 married women. But by 1965, the number of divorces jumped to 479,000 per year, or 10.6 for every 1,000

married women. By 1975, the number of divorces had topped 1 million per year, and the national divorce rate peaked in 1980, when there were 1,189,000 divorces, or 22.6 for every 1,000 married women.²⁰

II. Possible Causes of High Divorce Rates

Not surprisingly, many commentators associate the jump in divorce rates nationally with the advent of widespread no-fault divorce. “In 1960 16% of first marriages ended in divorce; today, the figure is closer to 50 percent. In the five years following the enactment of no-fault in California, the national divorce rate increased almost 40%.”²¹

However, there may be causal factors other than no-fault laws for divorce rate increases. Data from the U.S. Census Bureau show a sharp increase in divorce rates during and at the end of World War II. *Moreover, it is a little known but powerful fact that divorce rates across the country have been declining for the past decade.* The divorce rate per 1,000 population was 4.7 in 1989 and 1990, and is 11 percent lower than the peak rate of 5.3 in 1979 and 1981.²² And neither of these trends occurred at a time when there were any substantial changes in the nation’s divorce laws.

Perhaps the increase in the divorce rate that occurred shortly after the start of no-fault may really be attributed to the Vietnam War, or to the “Generation of Love” for which the 1970s has become so famous. On the other hand, one sociologist has posited that, “[t]he institution of marriage underwent a particularly rebellious and dramatic shift when women entered the work force. ‘People don’t have to stay married because of economic forces now,’ explains Frank Furstenberg, Jr., co-author of the 1991 Divided Families.²³ In short, any of these events may just as easily be responsible for the rising divorce rate as the advent of no-fault divorce.

Key for the consideration of various no-fault reforms, the data simply does not support attributing the rise in divorce rates solely to no-fault divorce. Even some of those who decry no-fault divorce concede that “[t]he causal connection between the unraveling of divorce laws and the unraveling of marriages is admittedly debatable.”²⁴ At any rate, policymakers considering the pros and cons of no-fault reform proposals must be wary of popular assertions that no-fault laws have been the cause of increasing divorce rates. But what about the effects of no-fault?

III. The Effects of Divorce on Children

The harm, many critics of no-fault divorce argue, is not that spouses divorce, but that

more and more children are being raised in single-parent families, which may be harmful to their health and development. The fact is, from 1960 to 1994, the number of children living in married-couple families dropped from 88% to 69%. “Much of the rise in single-parent families results from the sharp increase in nonmarital childbearing. The proportion of births occurring out of wedlock jumped from 5 percent in 1960 to 31 percent in 1993.”²⁵

That children are affected by divorce and by being raised by one, rather than two, parents is undeniable. The extent to which they are affected, however, has been the subject of much debate. Among the most startling facts and statistics:

- ✓ Children of divorce are 70 percent more likely to have been expelled or suspended from school, and are twice as likely to drop out of school.²⁶
- ✓ Children from single-parent families score somewhat lower on intelligence tests, even after adjusting for socio-economic variables, and have much poorer records on measures of attendance, cooperation and effort at school. Father-absent children require more discipline, have considerably higher suspension rates, have lower GPA's, and repeat grades more often.²⁷
- ✓ Living in a mother-only family decreases a child's chances of completing high school by over 40 percent for whites, and 70 percent for blacks.²⁸
- ✓ Of juveniles and young adults serving time in long-term correctional facilities, 70 percent came from broken homes.²⁹
- ✓ Three out of four teen suicides are committed by children from broken homes.³⁰
- ✓ The Capitol Resource Institute reports that children from divorced families are two to three times as likely to have emotional or behavior problems compared to those who have both their father and mother present.³¹
- ✓ The Capitol Resource Institute also notes that children of divorce undergo greater incidence of depression, hostility, and loneliness than children from intact families.³² They assert that “[c]hildren of divorced suffer greatly in more ways than financially. They do poorer in school, exhibit depression and lower self-esteem, have behavior problems, and are plagued by earlier sexual and criminal activity. . . . [T]hese problems may increase and persist into later life.”³³

However, the bases for these statistical horror stories are not without contention. *Some*

argue that the cause of these and other worrying social statistics is not divorce at all, but rather the increasing impoverishment of single-parent homes. The rate of child poverty is five times higher for children living with single mothers than for children in intact families. In 1992, 53.4% of female-headed households with children subsisted below the poverty line, compared with only 10.7% of all other families with children.³⁴

The economic hardship suffered as a result of the divorce “increases the risk of psychological and behavioral problems among children and may negatively affect their nutrition and health. Economic hardship also makes it difficult for custodial mothers to provide books, educational toys, home computers, and other resources that can facilitate children’s academic attainment.”³⁵

Additionally, economic conditions as a result of divorce may require parents and children to relocate to neighborhoods where schools are poorly financed, crime rates are high, and services are inadequate. *According to this view, divorce affects children negatively to the extent that it results in economic hardship, but divorce itself cannot be blamed for the downfall.*³⁶

Others note that divorce is not the precursor for a child’s poor performance. A study by Cherlin and Furstenberg shows that many, but not all, of the difficulties exhibited by children of divorce, such as behavioral problems and low academic test scores, are present prior to parental separation.³⁷ Rather than the divorce itself, it might be the *conflict* present in divorcing families that is responsible for the onset of such problems for children of divorced parents. Numerous studies show that children living in high-conflict two-parent families are at increased risk for a variety of problems. It seems likely, therefore, that many of the problems observed among children of divorce are actually caused by the conflict between parents that precedes and accompanies marital dissolution, not the legal act of formally ending what has already informally collapsed.³⁸

Other critics of the recent movement to end no-fault suggest that the differences between children of divorce and children of intact families are really not significant. One researcher found that, while divorce has a negative impact on children, it is not nearly as devastating as researchers like Judith Wallerstein contend. “Compared to never-divorced children, children of divorce exhibit more aggressive, impulsive and antisocial behaviors, have more difficulties in their peer relationships, are less compliant with authority figures and show more problem behaviors at school. Studies have also found that divorced children fare more poorly on IQ scores, on math and reading achievement scores and in grades than do their nondivorced counterparts. *But the magnitude of the differences between the two groups is consistently quite small. In short, there is no one-to-one relationship between divorce and psychological adjustment problems in children.*”³⁹

IV. The Effects of Divorce on Adults

Children, of course, are not the only ones who suffer after divorce. Reformers of no-fault divorce argue that divorce causes significant problems for adults as well as children, and the return to fault would improve the health and well-being of all parties involved.

“Women who want to stay alive and well ought to stay married. Divorced women die prematurely at higher rates than married women, and are more prone to acute conditions such as infectious and parasitic diseases, respiratory illnesses, digestive-system illnesses and severe injuries and accidents.”⁴⁰

And for men, the statistics are worse. The premature death rate from cardiovascular disease for divorced men is twice that of married men. The premature death rates due to pneumonia and suicide for white divorced men are four and seven times, respectively, those of their married counterparts. Data shows that married men and women have lower incidences of alcohol-related problems and other health risks than do divorced and widowed people. And the Capitol Resource Institutes notes that a study by the National Institute for Healthcare Research in Maryland found that divorced people are more likely to contract terminal cancer and commit suicide.⁴¹

However, the causal relationship between divorce and adult health problems remains, as with children of divorce, unclear. Some experts believe that the health benefits men enjoy from marriage are attributable to the fact that wives often monitor their husband’s health behavior, and because marriage provides incentives for men to avoid high-risk behaviors.⁴² Others believe the asserted health benefits of marriage for men go too far, and that associating the contracting of terminal cancer with divorce seems a tenuous argument not yet supported by the data.

SECTION FOUR: PROPOSALS TO MODIFY NO-FAULT DIVORCE

In response to what is perceived as the high rate of divorce and the problems associated with no-fault, many states have proposed legislation in the past year to impose substantial obstacles to divorce and to marriage. Only Louisiana’s proposal, known as Covenant Marriage, successfully survived the legislative process and became law. Following is a brief summary of some of the proposals that have been debated or will soon be debated around the nation:

California: AB 913 (Runner), as proposed to be amended, creates the Family and Children Preservation Act. The bill requires parties filing for dissolution, legal separation or nullity, and who have minor children to file a “joint parenting plan,” or if the parents cannot agree on a

parenting plan, to file a pre-mediation parenting questionnaire. The bill allows dissolution based on irreconcilable differences only upon the mutual consent of the parties and only upon completion of an education or counseling program, either separately or together. If the parties do not consent to the dissolution, a party must prove fault by a preponderance of the evidence in order for the court to grant the dissolution.

California: Proposed statutory initiative 97RF0053 adds traditional fault-based grounds for dissolution and eliminates “irreconcilable differences” as a ground for divorce when there is a minor child of the marriage or either of the parties has sole or joint physical custody of a child from a different relationship. The proposed initiative provides defenses to claims of fault which, if found to be true, prohibit the court from granting a dissolution.⁴³

Florida: SB 1178 requires all applicants for a marriage license to complete a course of premarital orientation, of not less than four hours, as condition precedent to obtaining a marriage license.

Georgia: HB 434 authorizes couples to seek divorce on the ground that the marriage is irretrievably broken (the no-fault ground) only if the parties consent and there are no minor children, or a party has been convicted of domestic abuse or a protective order has been granted.

Hawaii: HB 1172 requires couples with children to obtain pre-divorce counseling to ensure the children’s welfare after the divorce, and imposes an additional one-year waiting period onto the time already required to get a divorce.

Indiana: HB 1049 establishes two classifications of marriage licenses – contract marriage licenses and covenant marriage licenses. The bill provides that only a marriage based upon a contract license may be dissolved without providing fault.

Kansas: SB 312 allows divorce based on irretrievable breakdown of the marriage only if both parties voluntarily consent to the divorce, the parties do not have any minor children, and neither party is the physical custodian of a minor child from another relationship.

Louisiana: HB 756, Louisiana’s covenant marriage law, defines covenant marriage as one in which the parties understand and agree that the marriage is a lifelong relationship. Parties to a covenant marriage must receive pre-marital counseling. A covenant marriage may only be dissolved for fault, and only after parties receive pre-divorce counseling. Parties married prior to the effective date of this law may execute a declaration of intent to designate their marriage as a covenant marriage.

Massachusetts: HB 1168 prohibits unilateral no-fault divorce for irretrievable breakdown of the marriage.

Michigan: A package of proposals abolish unilateral no-fault divorce, whether or not children are involved and require pre-marital counseling.

New Jersey: AB 2547 eliminates the no-fault provision as a ground for divorce.

Pennsylvania: SB 442 prohibits the court from granting a marital dissolution when the parties have any minor children between the ages of six and sixteen unless the parties demonstrate that the children have attended at least three counseling sessions between the time of separation and the granting of the divorce decree.

CONCLUSION

In considering the effects of various proposals to reform California's no-fault divorce laws, it is evident no clear consensus yet exists about the causes of divorce, let alone the effects on parents and children. Yet there does appear to be a growing trend nationwide to fault state no-fault laws with undermining the strength of marriage in our society.

For example, the Family Research Council questions what message no-fault divorce laws provide about the sanctity and permanence of marriage. "What are we communicating when it is easier to divorce your wife of 25 years than it is to let go that employee you hired two weeks ago?" We have undergone a significant shift, they contend, from a culture of marriage to a culture of divorce.⁴⁴ And Hillary Clinton has been quoted showing support for some form of divorce reform: "I think getting a divorce should be much harder where children are involved. . . . Divorce has become too easy because of our permissive laws and attitudes."⁴⁵ However, it remains to be seen if divorce reform is the answer to protecting children from the problems associated with being raised in single-parent homes, the answer to the high divorce rate, or even the answer to re-instilling in people's mind the sanctity and permanence of marriage. In addition, key issues about the likely results of the no-fault reform movement remain unanswered, including:

Issue #1: The Need for More Study

Is there sufficient data supporting the proposition that making it harder to get divorced will not return the state to the old "wink-wink, nudge-nudge" grounds for divorce so common in the fault-era? Review of the data and available literature on divorce leads to one inevitable conclusion: *the information is confusing and inconclusive*. There simply may not be sufficiently reliable data on the effects of divorce to justify movement away from the no-fault system at this time.

According to Herma Hill Kay, Dean of Boalt Hall School of Law and a well-known expert on California divorce laws, "[t]he California Family Law Act of 1970, which embodied the no-fault divorce law, was the concrete result of seven years of work by

legislative committees, citizens' advisory groups, a governor's commission, and family law committees of state and local bar associations.”⁴⁶ Before quickly jumping on the divorce reform bandwagon, policymakers may wish to consider whether sufficient study has been done at this time to warrant a return to fault, or even a substantial move in its direction.

The American Bar Association and the American Psychological Association, believing that there currently is insufficient information available to make a well informed decision on how divorce laws should be reformed, if at all, strongly follow this view. The two organizations jointly propose a co-sponsored Institute on Families, Marriage and Divorce to gather, review, analyze and disseminate information from a wide array of sources and disciplines related to families, marriage, and divorce. Though these organizations currently lack the necessary funding to undertake this joint venture, the Legislature may wish to consider formal study of this important social issue, especially given the state's recent trend in the opposite direction.⁴⁷

Issue #2: Can Divorce Reform Pass Constitutional Muster?

The question has also been raised whether some of the no-fault reform proposals suggested by the various states would pass constitutional muster. According to one legal commentator, “The Supreme Court has repeatedly recognized that individuals have a fundamental right to make personal, intimate decisions concerning marriage and family life. Because the decision to divorce . . . is one of those personal and intimate decisions, the state may not completely restrict the right to divorce and . . . cannot pass any law that would place a significant burden on an individual's decision to leave the marriage. Although some of the proposals, such as short waiting periods and counseling, would pass this test, others, such as mandatory consent requirements and long waiting periods, would place an undue burden on the right to divorce, and might therefore violate the constitution.”⁴⁸ Thus any such divorce reform proposals must be analyzed in light of these constitutional constraints.

Issue #3: Will Divorce Reform Work?

Finally, any divorce reform proposals must be analyzed as to their possible unintended effects. In spite of increasing divorce rates, in 1990, the vast majority (71%) of the 64 million American children lived in two-parent households, and most (58%) lived with their biological parents. Today, 7.3% (or 4.7 million) of children live with an unmarried parent, 9.1% (5.9 million) live with a divorced parent, and 7.4% (4.8 million) live with a separated or widowed parent.”⁴⁹

What will a move back in the direction of fault-based divorce accomplish? Some assert that it will mean more families remaining intact, which, whether because of the divorce itself or the better financial condition often present in a two-parent family, will mean fewer problems for children. Others worry that fault-based divorce laws would negatively impact spouses seeking to get out of abusive relationships. “It is possible that such victims would be tempted to simply flee these relationships rather than hazard the difficulties of proving grounds. In taking that step, they would be risking severe financial hardships. . .”⁵⁰ Lawyers also warn that returning to a fault-based system would bring with it another layer of litigation to many divorce proceedings, resulting in more emotional frustrations and higher legal bills.⁵¹

Critics of the return to fault-based divorce caution that:

“Those who advocate returning moral judgments to the divorce arena have a short memory. By the late 1960s, even some church leaders had recognized that the fault system was out of step with modern family life. . . . [T]he advent of no-fault did not change access to divorce so much as it legitimated practices that already were occurring.” Should some of the mutual consent or other proposals “become law, couples would once again be forced to stage elaborate theatrics to achieve a quick divorce. Alternatively, couples could simply drive over state lines to a jurisdiction that provides no-fault divorces.”⁵²

Moreover, if the goal of bringing fault back to divorce is improving the health and welfare of California’s children, others argue that the return to fault may not be the answer and may in fact lead to unintended consequences:

“If the legal system were changed to make divorce more difficult, it would most likely increase the proportion of children living in separated but nondivorced families. It would also increase the proportion of people who spend their childhood in high-conflict two-parent families. . . . Given that the legal system cannot stop married couples from living apart or fighting, changing the legal system to decrease the frequency of divorce is unlikely to improve the well-being of children.”⁵³

On the other hand, the Capitol Resource Institute and other critics of no-fault argue that “no-fault divorce reduces the protections for spouses wanting to continue marriages.”⁵⁴

“Despite the changes in the law, many couples still marry under the guise of ‘til death do us part.’ These couples approach the altar under the belief that

they are consummating a lifelong arrangement, solemnizing vows of lifelong fidelity. . . . Before no-fault divorce, the state backed up the couple's vows, requiring a serious breach of conduct for the union to be broken.”⁵⁵

Additionally, the Capitol Resource Institute and other divorce reformers argue that “no-fault divorce reduces the negotiating power of spouses who do not want to end their marriages, especially women. Under the fault-based divorce system, the spouse who did not want to absolve the marriage received leverage from the more stringent divorce laws. Such parties were unlikely to agree to a divorce suit unless the financial settlement was to their liking.”⁵⁶ By removing fault from the equation used to determine the division of property and the amount of any support award, the argument suggests, no-fault enables the spouse who wants the divorce to leave the marriage without suffering any real consequences.

The only thing that may be indisputable in the growing debate about no-fault reform is that there are still many questions that need to be answered. The statistics about the divorce rate are confusing. The available data about the impact of divorce on children and adults is insufficient. It has not been proven that no-fault divorce is the true cause of the many problems associated with being raised in single-parent homes. Maybe those problems could be better addressed by focusing on how to lift single-parent families out of poverty. Maybe no-fault divorce isn't the problem at all. And then again, maybe it is.

¹ Elizabeth Schoenfeld, *Drumbeats for Divorce Reform*, 77 POLICY REVIEW: THE JOURNAL OF AMERICAN CITIZENSHIP (May-June 1996).

² Joe Berger, *Divorce Judge Orders Couple to Have Sex Every Day – For Six Months*, WEEKLY WORLD NEWS, Sept. 2, 1997 at 19.

³ This helpful section of the background paper was prepared by Charlene Wear Simmons, Ph.D. of the California Research Bureau.

⁴ Roderick Phillips, *Putting Asunder: A History of Divorce in Western Society*, Cambridge University Press (1988) at 440.

⁵ *Id.* at 442.

⁶ Lenore Weitzman, *The Divorce Revolution*, The Free Press, 1985, at 7.

⁷ Phillips, *supra* note 2, at 620.

⁸ Weitzman, *supra* note 5, at x.

⁹ California also includes “incurable insanity” as grounds for divorce, although it is rarely used.

¹⁰ Doris Freed and Timothy Walker, *Family Law in Fifty States: An Overview*, FAMILY LAW QUARTERLY, Vol. 18, Winter 1985, as cited in Weitzman, *supra* note 5, at 41.

¹¹ Approximately 75 percent of Americans divorced during the last 25 years remarried.

¹² Report of the Governor's Commission on the Family 1 (1966).

¹³ *Id.* at 2.

¹⁴ Herma Hill Kay, *An Appraisal of California's No-Fault Divorce Law*, 75 CALIF. L. REV. 291, 299 (January 1987).

¹⁵ Elizabeth Schoenfeld, *Drumbeats for Divorce Reform*, 77 POLICY REVIEW: THE JOURNAL OF AMERICAN CITIZENSHIP (May-June 1996).

¹⁶ Herma Hill Kay, *An Appraisal of California's No-Fault Divorce Law*, 75 CALIF. L. REV. 291, 299 (January 1987).

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- ¹⁷ See, e.g., FAMILY RESEARCH COUNCIL, FAQ SHEET, WHAT IS FRC'S STAND ON DIVORCE REFORM; Elizabeth Schoenfeld, *Drumbeats for Divorce Reform*, 77 POLICY REVIEW: THE JOURNAL OF AMERICAN CITIZENSHIP (May-June 1996).
- ¹⁸ CAPITOL RESOURCE INSTITUTE, BREAKING UP IS EASY TO DO (1996), at 2, quoting pollster George Gallup, Jr.
- ¹⁹ J. Allan Petersen, *Better Families*, quoted on the Christianity.Net home page, "Preaching Resources," (1996).
- ²⁰ Laura Gatland, *Putting the Blame on No-Fault*, 83 ABA JOURNAL 50 (April 1997).
- ²¹ Elizabeth Schoenfeld, *Drumbeats for Divorce Reform*, 77 POLICY REVIEW: THE JOURNAL OF AMERICAN CITIZENSHIP (May-June 1996). See also, CAPITOL RESOURCE INSTITUTE, BREAKING UP IS EASY TO DO (1996), at 1.
- ²² NATIONAL CENTER FOR HEALTH STATISTICS, ADVANCE REPORT OF FINAL DIVORCE STATISTICS, 1989 and 1990.
- ²³ Elizabeth Gleick, *Should This Marriage Be Saved*, TIME, Feb. 27, 1995, at 48.
- ²⁴ Elizabeth Schoenfeld, *Drumbeats for Divorce Reform*, 77 POLICY REVIEW: THE JOURNAL OF AMERICAN CITIZENSHIP (May-June 1996).
- ²⁵ Frank F. Furstenberg, Jr., *The Future of Marriage*, AMERICAN DEMOGRAPHICS, June 1996, at 34.
- ²⁶ FAMILY RESEARCH COUNCIL, FAQ SHEET, WHAT IS FRC'S STAND ON DIVORCE REFORM.
- ²⁷ Karl Zinsmeister, *Fathers: Who Needs Them?*, INSIGHT, FAMILY RESEARCH COUNCIL.
- ²⁸ *Id.*
- ²⁹ FAMILY RESEARCH COUNCIL, FAQ SHEET, WHAT IS FRC'S STAND ON DIVORCE REFORM.
- ³⁰ *Id.*
- ³¹ CAPITOL RESOURCE INSTITUTE, BREAKING UP IS EASY TO DO (1996), at 10.
- ³² *Id.*
- ³³ *Id.* at 6.
- ³⁴ ROCKY MOUNTAIN FAMILY COUNCIL, FACT SHEET NO. 571, THE FAILURE OF NO-FAULT DIVORCE.
- ³⁵ Paul R. Amato, *Life-Span Adjustment of Children to Their Parents' Divorce*, in *The Future of Children: Children and Divorce*, Volume 4, No. 1, 143, 151 (Spring 1994).
- ³⁶ Paul R. Amato, *Life-Span Adjustment of Children to Their Parents' Divorce*, in *The Future of Children: Children and Divorce*, Volume 4, No. 1, 143, 151 (Spring 1994).
- ³⁷ *Id.*
- ³⁸ *Id.*
- ³⁹ Barbara Fitzsimmons, *Broken Families and Broken Dreams*, SAN DIEGO UNION TRIBUNE, Oct. 6, 1997 (emphasis added).
- ⁴⁰ John J. DiIulio, Jr., *Divorce is Deadly, Especially for Kids*, SACRAMENTO BEE, April 20, 1997, Forum, page 1.
- ⁴¹ John J. DiIulio, Jr., *Divorce is Deadly, Especially for Kids*, SACRAMENTO BEE, April 20, 1997, Forum, page 1; Frank F. Furstenberg, Jr., *The Future of Marriage*, AMERICAN DEMOGRAPHICS, June 1996, at 34; CAPITOL RESOURCE INSTITUTE, BREAKING UP IS EASY TO DO (1996), at 7.
- ⁴² Frank F. Furstenberg, Jr., *The Future of Marriage*, AMERICAN DEMOGRAPHICS, June 1996, at 34.
- ⁴³ This initiative has not begun the process of getting the signatures to qualify for the November ballot.
- ⁴⁴ FAMILY RESEARCH COUNCIL, FAQ SHEET, WHAT IS FRC'S STAND ON DIVORCE REFORM.
- ⁴⁵ Elizabeth Schoenfeld, *Drumbeats for Divorce Reform*, 77 POLICY REVIEW: THE JOURNAL OF AMERICAN CITIZENSHIP (May-June 1996), quoting Hillary Rodham Clinton's syndicated newspaper column.
- ⁴⁶ Herma Hill Kay, *An Appraisal of California's No-Fault Divorce Law*, 75 CALIF. L. REV. 291, 292 (January 1987).
- ⁴⁷ As of 1981, the state of California stopped collecting divorce statistics. A review of statewide divorce data shows that only two other states (Louisiana and Indiana) fail to gather this critical information. Family Research Council, *State-By-State Divorce Rates*, IN FOCUS.
- ⁴⁸ Laura Bradford, *The Counterrevolution: A Critique of Recent Proposals to Reform No-Fault Divorce Laws*, 49 STAN. L. REV. 607 621-622 (February 1997).
- ⁴⁹ *Epidemiology of Divorce*, in *The Future of Children: Children and Divorce*, Volume 4, No. 1, 26 (Spring 1994).
- ⁵⁰ Laura Gatland, *Putting the Blame on No-Fault*, 83 ABA JOURNAL 50, 54 (April 1997).
- ⁵¹ *Id.*
- ⁵² *Id.* at 632 (February 1997).
- ⁵³ Paul R. Amato, *Life-Span Adjustment of Children to Their Parents' Divorce*, in *The Future of Children: Children and Divorce*, Volume 4, No. 1, 143, 152-153 (Spring 1994).
- ⁵⁴ CAPITOL RESOURCE INSTITUTE, BREAKING UP IS EASY TO DO (1996), at 7.
- ⁵⁵ *Id.*

⁵⁶ *Id.* at 8.