

# **How Children are Being Destroyed by Fatherlessness Caused by the Divorce Industry and Media Stereotyping**

**Profit motives are destroying millions of  
American children every day.**



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**For additional information and resources see:**

[www.BestInterestOfChildren.org](http://www.BestInterestOfChildren.org)

[www.FathersUnite.org](http://www.FathersUnite.org)

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## Executive Summary

Anyone who spends sufficient time to study this issue must conclude that America's children are being destroyed by a higher and higher rate of fatherlessness. The statistics are very clear. It is also clear that the divorce industry, not divorce itself, is a root cause of separating children from their fathers with over 80% of custody awards being sole custody to the mother. This is spite of the fact that this has been proven to be a form of child abuse. It essentially implies over 80% of fathers are “unfit” to take care of their children – or does it? As you will learn the profit incentives for this industry is to drive sole custody higher and higher each year. and prove the following facts:

Children from a fatherless home are (\*see sources later):

- 5 times more likely to commit suicide
- 32 times more likely to run away
- 20 times more likely to have behavioral disorders
- 14 times more likely to commit rape
- 9 times more likely to drop out of school
- 10 times more likely to abuse chemical substances
- 9 times more likely to end up in a state operated institution
- 20 times more likely to end up in prison

**In 1991 there were: 11,268,000 total U.S. custodial mothers and 2,907,000 total U.S. custodial fathers. Today there are over 20 million “non-custodial” parents who are about 85% disenfranchised fathers and 15% disenfranchised mothers. Most of these will fade out of the life of their children and be subject to Parental Alienation 89% according to interviews of children of divorce) which poisons the child against one parent and causes great damage.**

## Here are the facts supported by enormous amount of research:

1. Fatherlessness is the root cause of many of our most serious of our major social problems today including: crime, drugs, runaways, rape, school drop out rates, mental health, teen pregnancy, gang violence and more. Yes this is a fact even when economic factors are eliminated from the analysis. This is not about “poor” homes and children, it is true of all homes and children. The estimated cost of these problems is over \$1 TRILLION per year.
2. Fatherlessness is encouraged, financially supported and people are even bribed financially to drive fathers out of the lives of their children by the divorce and welfare systems.
  - Even though joint-custody has been proven far superior for children judges award sole-custody over 80% of the time.
  - In the past three decades welfare did just that by paying single mothers far more if a father was not in the home, then if one was.
  - After welfare reform by President Clinton's administration the reward for this behavior became ridiculous amounts of “child support” which are often 3 to 5 times the cost of raising a child. This effectively put a bounty on the head of a child to fight for custody for financial gain and revenge against an ex-spouse. Of course divorce lawyers profited handsomely from this legislation written by lawyers.
    - States are paid billions of dollars annual (from our federal taxes) to artificially drive child support amounts higher each year. This (hopefully) unintended consequence of welfare reform is called “Title 4d” and is essentially making criminals out of fathers by driving child support to impossible levels and jailing thousands can not pay. Thousands are jailed daily for job loss, having a heart attack and even economic downturns in their own industry and many other things out of their control. Debtors prisons were outlawed as inhuman and unproductive but brought back for so called “deadbeat dads”. See the book “Taken Into Custody” by Dr. Stephen Baskerville for details on how this is essentially a legal extortion racket run by states who receive billions in funding to create and exacerbate this problem and often even keep the money collected without delivering it to the family or refunding it to the payer.
3. Media stereotypes making fathers look helpless, hapless and stupid for a laugh are common humor tactics. This continues an obsolete stereotype that fathers do not make good parents. The fact is that without near equal exposure to both biological parents statistically children are doomed.
4. Our divorce court awards over 80% sole custody even though scientific research has proven that joint-custody, with near equal time with both parents is far superior for children of divorce.

5. Over 330 people per month commit suicide because of what the divorce system does to them taking away their children, home, income and hope needlessly for the greed of tens of thousands of unethical divorce lawyers who do not create value, but cause destruction of relationships and parent-child bonds, simply to drive up their legal fees.

## The Scientific Research:

From Liam's Dad site with federal suit against judges for the usual abuses of justice and prejudices.

Excellent site – Check it out at: [http://www.liamsdad.org/topics/fatherless\\_children.shtml](http://www.liamsdad.org/topics/fatherless_children.shtml)

Note: the point of this page is to combat the false notion that fathers are not needed by their children, not to suggest that having motherless children is the solution, a child should have a right to both parents.

## ***Statistics on Children From Fatherless Homes***

Children from fatherless homes account for:

- 63% of youth suicides <sup>1</sup>
- 70% of juveniles in state-operated institutions come from fatherless homes <sup>3</sup>
- 71% of pregnant teenagers <sup>2</sup>
- 71% of all high school dropouts <sup>6</sup>
- 75% of all adolescent patients in chemical abuse centers <sup>7</sup>
- 80% of rapists motivated with displaced anger <sup>5</sup>
- 85% of all children that exhibit behavioral disorders <sup>4</sup>
- 85% of all youths sitting in prisons <sup>8</sup>
- 90% of all homeless and runaway children

You might think a "loving mother" would want to protect her child and keep him from becoming one of the above statistics, but in most cases you would be wrong.

Mothers are exposing children to the above risks:

- Angry mothers sabotage a father's efforts to visit their children <sup>9</sup>
- Few children are satisfied with the amount of contact with their fathers <sup>10</sup>
- The mother was the greatest obstacle to having more frequent contact with the children <sup>11</sup>
- 37.9% of fathers have no access/visitation rights <sup>12</sup>
- 40% of mothers reported that they had interfered with the non-custodial father's visitation on at least one occasion, to punish the ex-spouse. <sup>13</sup>
- 50% of mothers "see no value in the father's continued contact with his children...." <sup>14</sup>
- 70% of fathers felt that they had too little time with their children <sup>15</sup>

- 77% of non-custodial fathers are NOT able to "visit" their children, as ordered by the court, as a result of visitation interference by the mother. <sup>16</sup>
- 89% of mothers don't value their husband's input when it comes to handling problems with their kids <sup>17</sup>
- Non-compliance with court ordered visitation is 300% more common than non-compliance with court ordered child support and impacts the children of divorce even more. <sup>18</sup>
- 1 US Dept. of Health & Human Services, Bureau of the Census
- 2 US Dept. of Health & Human Services
- 3 U.S. Dept. of Justice, Special Report, Sept 1988
- 4 Center for Disease Control
- 5 Criminal Justice & Behavior, Vol. 14, p. 403-26, 1978
- 6 National Principals Association Report on the State of High Schools
- 7 Rainbows for all God`s Children)
- 8 Fulton Co. Georgia jail populations, Texas Dept. of Corrections 1992
- 9 Ahrons and Miller, Am. Journal of Orthopsychiatry, Vol. 63. p. 442, July 1993
- 10 Visitation and the Noncustodial Father, Koch & Lowery, Journal of Divorce and Remarriage, Vol. 8, No. 2, p. 50, Winter 1984
- 11 Increasing our understanding of fathers who have infrequent contact with their children, James Dudley, Family Relations, Vol. 4, p. 281, July 1991
- 12 p.6, col.II, para. 6, lines 4 & 5, Census Bureau P-60, #173, Sept 1991
- 13 p. 449, col. II, lines 3-6, (citing Fulton) Frequency of visitation by Divorced Fathers; Differences in Reports by Fathers and Mothers. Sanford Braver et al, Am. J. of Orthopsychiatry, 1991
- 14 Surviving the Breakup, Joan Kelly & Judith Wallerstein, p. 125
- 15 Visitation and the Noncustodial Father, Mary Ann Kock & Carol Lowery, Journal of Divorce, Vol. 8, No. 2, p. 54, Winter 1984
- 16 "Visitational Interference - A National Study" by Ms. J Annette Vanini, M.S.W. and Edward Nichols, M.S.W. Originally published Sept. 1992
- 17 EDK Associates survey of 500 women for Redbook Magazine. Redbook, November 1994, p. 36
- 18 "Visitational Interference - A National Study" by Ms. J Annette Vanini, M.S.W. and Edward Nichols, M.S.W. Originally published Sept. 1992

## **Custody and the for Profit Divorce Industry**

### **A warning for people subject to our broken “family” court system.**

The research is very clear. Joint physical custody with near equal time with both parents is by far the best thing for children of divorce. Anyone claiming anything else is spreading propaganda and lies, not science and research. Ask them for their sources – there are no reputable sources that have concluded sole-custody is better when both parents are fit. Radical feminists want all choice for women and no responsibilities. They have distorted the law, courts and training since the 1970’s with false information and make everything about alleged domestic violence. They take the worst case scenario of a child abuser, batterer and drunk and set up every man as an abuser and every woman as a victim. Sorry ladies but most of you would not associate with these radicals if you knew what they were doing.

This file contains many of the references and facts. The legal system does not want to acknowledge or publicize because most custody battles would go away if parents knew this information and the damage being done by our “family” courts. The \$50 billion in U.S. legal fees created by lawyers CAUSING custody and asset battles and problems are destroying children, families and estates daily. In fact a fit parent is removed from a child’s life in the U.S. every two seconds. They drive people out of their homes and into bankruptcy. Don’t be taken in by this scam. Don’t trust your lawyer to know or care about this and do what is best for you or your children. They are in business for one reason: to generate as much in legal fees as they can.

More than half of lawyers will cut off communications between the couple to drive up legal fees. This violates the first and most important rule in any negotiations – “maintain open communications”. It puts them in charge of the flow of information and now two lawyers bill for each interaction. They then can stoke the fire of fear and paranoia until both parties believe the other is the devil. Then they will bleed your estate until it is gone, or milk it for many years to come by not killing the golden goose if you have good ongoing income. According to some good lawyers most divorce lawyers are unethical and do not care about your children. They rationalize their behavior by saying they “got another day of parenting time” when it cost \$100,000 in legal fees that could have paid for your child’s college.

Please keep up the fight and get as close to equal time with your children as possible. You will see and understand from this data they are doomed in life without two parents. Do not let lawyers use your children and assets as bait to create legal battles that destroy all involved.

# Child Custody Policies and Divorce Rates in the US

From: <http://www.deltabravo.net/custody/divrates.php>

Evidence that sole-custody drives up divorce rates is clear when tracking rates in many states with joint physical custody versus sole-custody bias.

## Child Custody Policies and Divorce Rates in the US

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#### Abstract

This paper compares divorce rate trends in the United States in states that encourage joint physical custody (shared parenting) with those in states that favor sole custody. States with high levels of joint physical custody awards (over 30%) in 1989 and 1990 have shown significantly greater declines in divorce rates in following years through 1995, compared with other states. Divorce rates declined nearly four times faster in high joint custody states, compared with states where joint physical custody is rare. As a result, the states with high levels of joint custody now have significantly lower divorce rates on average than other states. States that favored sole custody also had more divorces involving children. These findings indicate that public policies promoting sole custody may be contributing to the high divorce rate. Both social and economic factors are considered to explain these results.

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## Introduction

Empirical evidence shows that children raised by a divorced single parent are significantly more likely than average to have problems in school, run away from home, develop drug dependency, or experience other serious problems (e.g., Amato and Keith, 1991; Guidubaldi, Cleminshaw, Perry, and McLoughlin, 1983; Hetherington and Cox, 1982). Although many single parent families are created as a result of unwed motherhood, far more are the result of divorce. Of 18.6 million children in the United States living with only one parent, approximately two thirds are with divorced or separated parents (Census, 1994). This paper investigates the relationship between child custody policies and changes in the U.S. divorce rate, using data from a 19 state sample collected by the National Center for Health Statistics of the Centers for Disease Control.

## Custody Policies

States differ widely in their policies toward joint custody. Many states routinely grant joint legal custody, which gives the non-residential parent the right to participate in major decisions about the children's upbringing and to view certain records. Joint legal custody does not affect the child's living arrangements. Often it is granted with the traditional residence arrangement, in which the child lives with one parent but visits the other parent four days per month.

Less commonly, joint physical custody is awarded. With joint physical custody (also called shared parenting), the child lives with both parents, often on an alternating week basis. Joint physical custody is usually defined as a schedule where the child has at least a 30/70 time share between parents, although 50/50 arrangements are a common form of shared parenting (Ricci, 1981). Some form of joint custody is a preference or presumption in a few states, while in some other states with no preferred custody option, judges have favorable attitudes toward joint custody and frequently grant it. For the 19 states in the NCHS sample, the average rate of joint physical custody awards in 1990 was 15.7%, and in two states joint physical custody was awarded in nearly half of the cases.

State policies on joint custody have changed significantly in the past 25 years. Because of maternal preference policies, joint custody was unusual before 1970, although divorced families in times past sometimes worked out arrangements that were equivalent to modern joint custody (Ricci, 1981). For example, the Maryland Court of Appeals considered a case in 1934 in which the division of time between parents was equivalent to joint physical custody (*McCann v. McCann*), although the term joint custody had not yet been invented. As maternal preference laws were found to violate the 14th Amendment guarantee of equal protection under the law in the 1960s and 1970s (Roth, 1976), joint custody began to increase. Although much has been written about links between "no-fault" divorce laws and the divorce rate, there has been little discussion of the effect of child custody policies on the divorce rate.

## **Custody Policies and the Divorce Rate**

It might be argued that joint custody could encourage divorce, by making divorce "easier." On the other hand, widespread acceptance of joint physical custody might be expected to reduce the divorce rate, because joint custody makes it difficult for an angry parent to hurt the other by taking away the children, or to relocate and thereby eliminate interaction with the other parent. In addition, an economic argument has been advanced that high levels of child support associated with sole custody may encourage divorce, because custody of children represents an asset for the custodial parent to the extent that child support payments exceed the cost of raising a child (Muhtaseb, 1995). Because joint physical custody results in a more equal division of parenting time, child support payments may be lower, although there are still payments unless both parents have the same income. States that more frequently award joint physical custody may thus see a decline in the divorce rate. To date, no study has provided empirical evidence to support either hypothesis about the effect of joint custody policies on the divorce rate.

## **Data**

State divorce rates and other vital statistics are maintained by the National Center for Health Statistics (NCHS), a division of the Centers for Disease Control, U.S. Department of Health and Human Services. The divorce rate measure used is the number of divorces per thousand population. A 1995 NCHS report (Clarke, 1995) gives data on physical custody awards for 19 participating states for the years 1989 and 1990. This NCHS report is the first of its kind to

report figures for physical custody of children. Values given are percentages of sole custody father, sole custody mother, and joint custody awards. Figures for 1989 and 1990 are given, separated by a "/". In some cases the total may be slightly less than 100% because awards to persons other than mother or father (generally from 0 to 2% in the NCHS report) are not included in Table 1. More recent data are not yet available. Table 1 shows the physical custody awards for these states. The definition of joint physical custody used in the NCHS study is a minimum of 30% time share with each parent (Clarke, 1996). Figures for 1989 and 1990 are similar, although the percentages for joint custody are slightly higher in 1990 for those states reporting both years. For five states, 1989 figures were not available; these are indicated as "NA". States were divided into categories of High (above 30%), Medium (10% to 30%), or Low (below 10%) levels of joint physical custody awards, as shown in Table 1.

State	Father	Mother	Joint	Category
Montana	8.1/8.4	47.8/46.4	43.3/44.0	High
Kansas	7.8/6.8	50.1/47.2	39.5/43.6	
Connecticut	5.3/5.3	58.7/58.1	35.8/36.4	
Idaho	9.8/10.4	57.9/55.3	31.9/33.2	Medium
Rhode Island	NA/5.4	NA/62.2	NA/31.7	
Alaska	NA/14.2	NA/63.1	NA/19.5	
Vermont	NA/10.6	NA/71.4	NA/17.1	
Illinois	8.7/9.2	77.4/75.4	13.7/15.1	
Wyoming	11.0/9.5	73.0/74.4	14.1/15.1	
Missouri	10.4/11.0	74.4/73.1	14.0/14.8	Low
Oregon	10.7/12.6	74.1/71.7	14.9/14.0	
Michigan	9.5/11.2	76.4/73.9	12.5/14.2	
Virginia	NA/11.6	NA/70.9	NA/13.8	
Pennsylvania	10.5/10.0	78.6/76.7	9.4/10.1	
Utah	10.5/9.7	79.3/81.1	10.1/9.0	
Tennessee	11.1/11.3	78.9/78.9	8.1/8.6	
Alabama	9.7/10.7	79.5/80.2	9.3/8.6	
New Hampshire	12.2/11.0	79.9/80.4	6.6/7.1	
Nebraska	NA/12.2	NA/81.3	NA/4.1	

**Table 1. Physical Custody Awarded (percent), 1989/1990**

Source: Monthly Vital Statistics Report, Vol. 43, No. 9 (March 22, 1995), National Center for Health Statistics.

## Findings and Discussion

Divorce rates for 1989, 1990 and 1991 were compared with 1993, 1994 and 1995 levels, as shown in Table 2. Comparisons between basal values of 1989/1990/1991 and values for 1993/1994/1995 are used rather than absolute values in order to factor out differences that may be unrelated to custody policies. For example, states differ in their ethnic, religious, and racial compositions, factors that can affect the divorce rate. The effect of custody policies can be more precisely isolated by using differences across time, just as the effect of a medication is isolated by comparing before and after treatment values for subjects whose initial (and final) values for blood pressure, heart rate, or other measures may be significantly different. Initial values and values four years later for the state groups are shown in Table 3. Table 3 also shows 1980 divorce rate averages for the three groups. Joint custody had begun to emerge as a custody option in 1980, although its adoption into state policies occurred at different points. Rate changes between 1980 and 1990, therefore, are likely to contain some effects of policies regarding joint custody. Note that the High and Medium joint custody groups had very similar divorce rate declines between 1980 and 1994 (by approximately 1.1 and 1.2 per thousand respectively), while the states with low levels of joint custody had a decline of only 0.4 per thousand between 1980 and 1994.

**Table 2 – Divorce Rates By Year**

Average State Change	-- Divorce Rates by Year-----						Four Year Differences		
	1989	1990	1991	1993	1994	1995	93-89	94-90	95-91
Montana	5.1	5.1	5.4	5.1	4.9	4.8	0	-.2	-.6
Kansas	5.0	5.1	5.5	4.8	4.7	4.2	-.2	-.4	-1.3
Connecticut	3.7	3.5	3.5	3.1	2.8	2.9	-.6	-.7	-.6
Idaho	6.3	6.4	6.3	6.3	6.2	5.8	0	-.2	-.5
Rhode Island	3.6	3.7	3.3	3.4	3.2	3.7	-.2	-.5	+.4
-.37									
Alaska	6.3	5.7	6.4	5.3	5.5	5.0	-1.0	-.2	-1.4
Vermont	4.5	4.4	4.6	4.8	4.0	4.8	+.3	-.4	+.2
Illinois	4.0	4.0	4.0	3.7	3.7	3.3	-.3	-.3	-.7
Wyoming	6.6	6.9	7.0	6.5	6.5	6.7	-.1	-.4	-.3
Missouri	4.9	5.0	5.1	5.1	5.0	5.0	+.2	0	-.1
Oregon	5.4	5.5	5.2	5.3	5.3	4.8	-.1	-.2	-.4
Michigan	4.4	4.4	4.3	4.1	4.1	4.2	-.3	-.3	-.1
Virginia	4.2	4.4	4.5	4.5	4.6	4.4	+.3	+.2	-.1
-.23									
Pennsylvania	3.2	3.4	3.3	3.3	3.3	3.3	+.1	-.1	0
Utah	4.8	5.2	4.8	4.8	4.7	4.6	0	-.5	-.2
Tennessee	6.6	6.6	6.5	6.5	6.6	6.3	-.1	0	-.2
Alabama	6.2	6.3	6.5	6.5	6.2	6.1	+.3	-.1	-.4
New Hampshire	4.5	4.5	4.3	4.5	4.4	4.2	0	-.1	-.1
Nebraska	4.0	4.1	4.0	3.9	4.0	3.8	-.1	-.1	-.2
-.10									

**Table 2. Divorce Rates and Four-year Difference in Rates**

Sources: Monthly Vital Statistics Report, Vol. 43, No. 13 (October 23, 1995), National Center for Health Statistics. Statistical Abstract of the United States, 1993.

As can be seen from Table 2 and Table 3, the states with high levels of joint custody had significantly lower divorce rates four years later. States with higher levels of joint custody had an average four-year decline in the divorce rate approximately double that for states with medium levels of joint custody. On a percentage basis, between 1989 and 1994 the rate in the High joint custody group declined by 8%, in the Medium group by 4%, and in the Low group by less than 1%.

### Table 3 - Joint Custody

Joint Custody Level	Year				
	1980	1989	1990	1993	1994
High	5.42	4.74	4.76	4.54	4.36
Medium	6.06	5.04	5.04	4.94	4.84
Low	5.25	4.88	5.02	4.92	4.87

Table 3. Changes in Divorce Rates Over Time

### Figure 1 – Joint Custody Awards Versus Divorce Rates

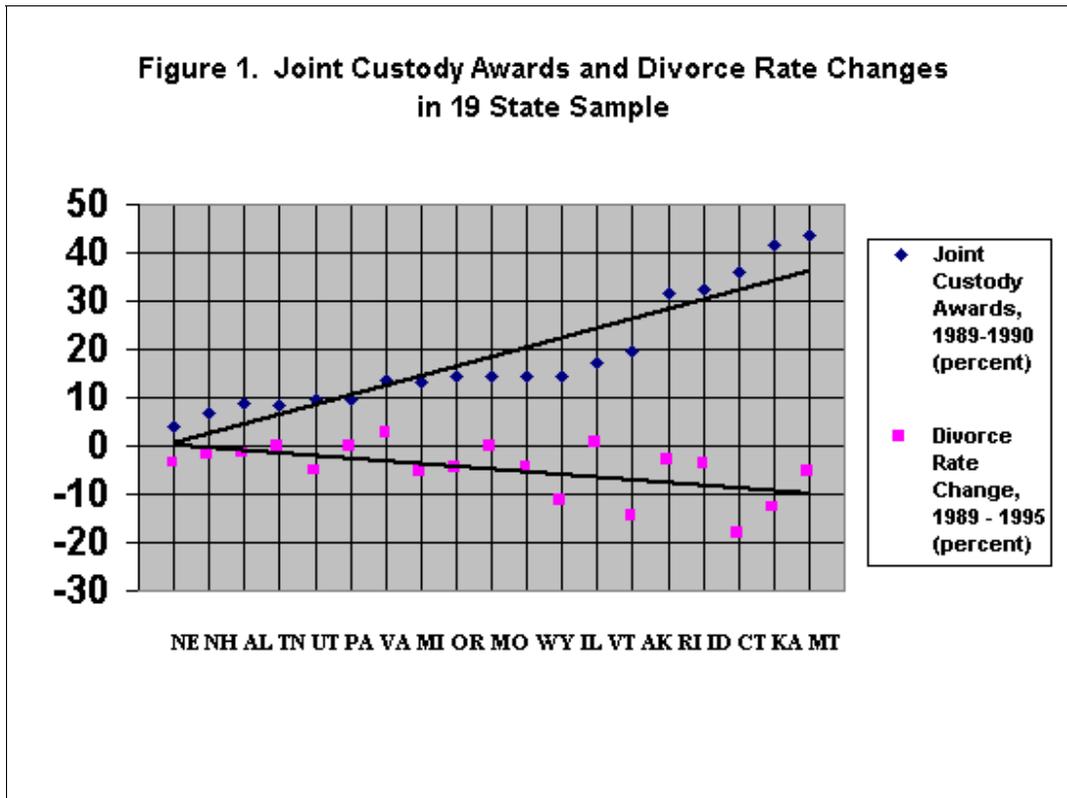
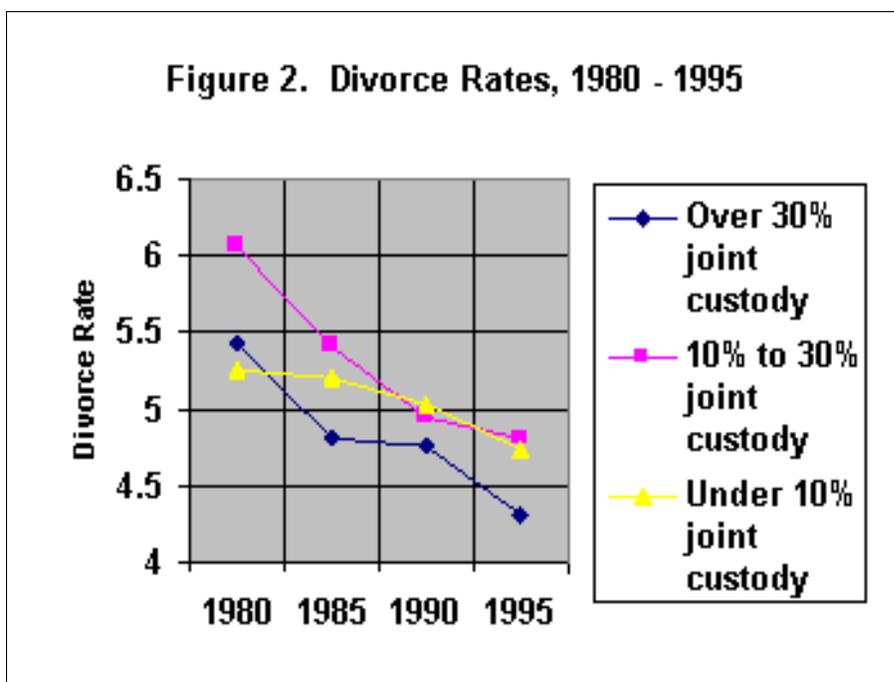


Figure 1 shows joint custody awards and divorce rate changes for the 19-state NCHS sample. States are ordered by level of joint custody awards in 1990. As joint custody awards increase, states in general have greater declines in divorce rates. Figure 2 summarizes the changes in divorce rates for states in the three joint custody categories. Statistical analysis shows that the correlation between joint physical custody and reduced divorce is almost certainly not due to chance fluctuation. The statistical measure used is a correlation of the average of joint custody awards per state in 1989 and 1990 with the average decline in divorce rate from 1989 through

1991 to 1993 through 1995 (i.e., difference between the average of 1993, 1994, and 1995 rates and the average of 1989, 1990, and 1991 rates.) This is the average of the "Joint" column of Table 1 correlated with the difference between the average of 1993 to 1995 rates and 1989 to 1991 rates in the "Divorce Rates by Year" column of Table 2. There is less than a five percent probability that this correlation is due to chance (correlation coefficient  $r = .47$ ,  $p < .05$ ). (Note: Wisconsin reported numbers in 1989 but not in 1990, so it was not included in this analysis. However, separate calculations show that inclusion of the Wisconsin data does not affect the statistical significance of the results.)



One possible explanation to consider for the difference in divorce rates between high and low joint custody states is an effect resulting from changes in marriage rates. If marriage rates per thousand population increase, then divorce rates per thousand population in following years can increase if marriages fail at the same rate. Similarly, divorce rates can decrease during a particular period if marriage rates decreased in previous years, because fewer marriages were created. Thus it is important to look at whether the greater decline in divorce rates in high joint custody states during the early 1990s results from a decrease in marriage rates during the early 1980s. Table 4 shows the change in marriage rates between 1980 and 1985, a decade before the period under study.

**Table 4 – Marriage Rates**

Change State percent	- Marriage Rates			Change Group
	1980	1985	per 1000	per 1000
Montana	10.6	8.7	-1.9	
Kansas	10.5	9.5	-1.0	
Connecticut	8.4	8.6	+ .2	
Idaho	14.2	12.2	-2.0	
Rhode Island	7.9	8.3	+ .4	-.86
-2.7%				
Alaska	13.3	11.8	-1.5	
Vermont	10.2	10.4	+ .2	
Illinois	9.6	8.5	-1.1	
Wyoming	14.6	10.6	-4.0	
Missouri	11.1	9.8	-1.3	
Oregon	8.7	8.3	- .4	
Michigan	9.4	8.7	- .7	
Virginia	11.3	11.7	+ .4	-1.05
-9.6%				
Pennsylvania	7.9	7.5	- .4	
Utah	11.6	10.6	-1.0	
Tennessee	12.9	11.5	-1.4	
Alabama	12.6	11.5	-1.1	
New Hampshire	10.0	11.4	+1.4	
Nebraska	9.1	7.9	-1.2	-1.21
-6.3%				

Table 4. Change in Marriage Rates  
Statistical Abstract of the United States.

If the greater decline in divorce rates for High joint custody states results from declining marriage rates in previous years, then we would expect marriage rates for these states to show larger decreases in the early 1980s than the Low joint custody states. As can be seen from Table 4, the reverse is true. The low joint custody states actually had greater declines in marriage rates during the early 1980s. If marriages continued to fail at the same rate during the decade, then these states should also show greater declines in divorce rates during the early 1990s. The fact that they did not suggests that other factors may be at work. It is not reasonable to conclude that the decrease in divorce rates associated with joint custody is simply a result of declines in marriage rates. A second explanation proposed here considers both social and economic factors.

Before the 1960s, social pressures and legal requirements made divorce relatively uncommon in the U.S. Divorce typically required grounds severe enough that a reasonable person could not expect the marriage to continue: adultery, desertion, abuse, insanity or imprisonment of a spouse. With a few exceptions, states adopted unilateral "no-fault" divorce laws in the 1960s and 1970s, which allowed a spouse to abandon a marriage without traditional grounds. Divorce was actually encouraged by some as an antidote to boredom, or for other reasons that might have been considered frivolous a generation before. About 80% of U.S. divorces today result from the unilateral decision of one spouse, rather than the joint decision of both (Gallagher, 1996), with the spouse who files for divorce first often having an advantage.

If one investigates the simple question, "who initiates divorce," we find from the Monthly Vital Statistics Report May 21, 1991 (NCHS, 1991), that from 1975 to 1988, in families with children present, wives file for divorce in approximately 2/3 of the cases each year. In 1975, 71.4% of the cases were filed by women, and in 1988, 65% were filed by women. While these statistics alone do not compel a conclusion that women anticipate advantages to being single, rather than remaining in the marriage, they do raise that reasonable hypothesis. If women can anticipate a clear gender bias in the courts regarding custody, they can expect to be the primary residential parent for the children. If they can anticipate enforcement of financial child support by the courts, they can expect a high probability of support monies without the need to account for their expenditures. Clearly they can also anticipate maintaining the marital residence, receiving half of all marital property, and gaining total freedom to establish new social relationships. Weighing these gains against the alternative of remaining in an unhappy marriage may result in a seductive enticement to obtain a divorce, rather than to resolve problems and remain married.

States that favor sole custody in divorce may thus expect to see more divorce than states that encourage joint custody. On a practical level, joint physical custody makes it less likely that a parent can move to another city to eliminate interaction with the other parent. Because both parents provide for the child directly, child support payments may be somewhat lower with joint custody, reducing financial motives for divorce. Perhaps most significant, joint custody also removes the capacity for one spouse to hurt the other by denying participation in raising the children. The correlation between joint custody and reduced divorce may have a simple explanation. If a parent considering a divorce is told by an attorney that a judge will probably not permit him or her to relocate with the children, and that the other parent will continue to be involved, he or she may decide that it is easier to work out problems and remain married.

**Table – Divorce Rates By State**

State	1989	1990	1989 Average	1990 Average
Montana	55.1	55.3	54.9	54.4
Kansas	55.5	55.2		
Connecticut	49.1	49.5		
Idaho	55.4	54.8		
Rhode Island	59.5	57.3		
Alaska	52.4	49.1	54.4	53.3
Vermont	60.2	57.4		
Illinois	55.6	55.5		
Wyoming	58.0	56.8		
Missouri	52.0	54.2		
Oregon	52.4	51.8		
Michigan	55.9	53.7		
Virginia	49.3	48.7		
Pennsylvania	57.3	56.8	57.0	57.3
Utah	62.2	63.2		
Tennessee	49.9	49.9		
Alabama	51.8	51.1		
New Hampshire	57.7	59.4		
Nebraska	62.9	63.6		

**Table 5. Percentage of Divorces Involving Children, 1989/1990**

Source: Monthly Vital Statistics Report, Vol. 43, No. 9 (March 22, 1995), National Center for Health Statistics.

Put simply, when divorce becomes a less attractive alternative to marriage, we should expect less divorce. As can be seen from the findings, this appears to be happening in states with higher levels of joint custody. If sole custody reduces incentives to continue marriage, then we should also expect states that favor sole custody to have more divorces involving children. As can be seen from Table 5, the low joint/high sole custody states also had more divorces involving children, although the difference is not statistically significant.

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## Summary and Conclusions

The evidence reported in this paper indicates that widespread acceptance of joint physical custody will not increase the divorce rate, and may in fact reduce divorce. States whose family law policies - either by statute or through judicial practice - encourage joint custody have shown a much greater decline in their divorce rates

than those that favor sole custody.

Both social and economic factors may explain the differences between divorce rates. Sole custody allows one spouse to relocate easily and to hurt the other by taking away the children. Potentially higher child support payments with sole custody may provide an economic motive for divorce as well. With joint physical custody, both social and economic motives for divorce are reduced, so parents considering divorce may simply decide it is easier to remain married. States whose policies result in more joint custody and less sole custody should thus see a reduction in divorce rates. The findings reported in this paper indicate that this is in fact happening.

## Acknowledgements

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## **Divorce and Fatherhood Statistics**

61% of all child abuse is committed by biological mothers  
25% of all child abuse is committed by natural fathers  
Statistical Source: *Current DHHS report on nationwide Child Abuse*

79.6% of custodial mothers receive a support award  
29.9% of custodial fathers receive a support award

46.9% of non-custodial mothers totally default on support  
26.9% of non-custodial fathers totally default on support

20.0% of non-custodial mothers pay support at some level  
61.0% of non-custodial fathers pay support at some level

66.2% of single custodial mothers work less than full-time  
10.2% of single custodial fathers work less than full-time

7.0% of single custodial mothers work more than 44 hours weekly  
24.5% of single custodial fathers work more than 44 hours weekly

46.2% of single custodial mothers receive public assistance  
20.8% of single custodial fathers receive public assistance  
Statistical Source: *Technical Analysis Paper No. 42 - U.S. Dept. of Health & Human Services - Office of Income Security Policy*

90.2% of fathers with joint custody pay all the support due  
79.1% of fathers with visitation privileges pay all the support due  
44.5% of fathers with no visitation pay all the support due  
37.9% of fathers are denied any visitation  
66.0% of all support not paid by non-custodial fathers is due to inability to pay  
Statistical Source: *1988 Census "Child Support and Alimony: 1989 Series P-60, No. 173 p. 6-7. and U.S. General Accounting Office Report" GAO/HRD-92-39FS January, 1992*

50% of mothers see no value in the father's continued contact with his children.  
--See *"Surviving the Breakup"* by Joan Berlin Kelly

40% of mothers reported that they had interfered with the father's visitation to punish their ex-spouse.  
--See *"Frequency of Visitation...."* by Stanford Braver, *American Journal of Orthopsychiatry*

### Other Statistics:

63% of youth suicides are from fatherless homes

--*U.S. D.H.H.S., Bureau of the Census*

85% of all children that exhibit behavioral disorders come from fatherless homes

--*Center for Disease Control*

80% of rapists motivated with displaced anger come from fatherless homes

--*Criminal Justice and Behavior, Vol. 14, p. 403-26*

71% of all high school dropouts come from fatherless homes

--*National Principals Association Report on the State of High Schools*

70% of juveniles in state operated institutions come from fatherless homes

--*U.S. Dept. of Justice, Special Report Sept., 1988*

85% of all youths sitting in prisons grew up in a fatherless home

--*Fulton County Georgia jail populations & Texas Dept. of Corrections, 1992*

Translated, this means that children from a fatherless home are:

- 5 times more likely to commit suicide
- 32 times more likely to run away
- 20 times more likely to have behavioral disorders
- 14 times more likely to commit rape
- 9 times more likely to drop out of school
- 10 times more likely to abuse chemical substances
- 9 times more likely to end up in a state operated institution
- 20 times more likely to end up in prison

**There are: 11,268,000 total U.S. custodial mothers and 2,907,000 total U.S. custodial fathers**

**--*Current Population Reports, U.S. Bureau of the Census, Series P-20, No. 458, 1991***

In a study of 700 adolescents, researchers found that "compared to families with two natural parents living in the home, adolescents from single-parent families have been found to engage in greater and earlier sexual activity."

Source: Carol W. Metzler, et al. "The Social Context for Risky Sexual Behavior Among Adolescents", *Journal of Behavioral Medicine* 17 (1994).

"Fatherless children are at a dramatically greater risk of drug and alcohol abuse, mental illness, suicide, poor educational performance, teen pregnancy, and criminality."

Source: U.S. Department of Health and Human Services, National Center for Health Statistics, *Survey on Child Health*, Washington, DC, 1993.

"Teenagers living in single-parent households are more likely to abuse alcohol and at an earlier age compared to children reared in two-parent households."

Source: Terry E. Duncan, Susan C. Duncan and Hyman Hops, "The Effects of Family

Cohesiveness and Peer Encouragement on the Development of Adolescent Alcohol Use: A Cohort-Sequential Approach to the Analysis of Longitudinal Data", *Journal of Studies on Alcohol* 55 (1994).

"...the absence of the father in the home affects significantly the behavior of adolescents and results in the greater use of alcohol and marijuana."

Source: Deane Scott Berman "Risk Factors Leading to Adolescent Substance Abuse", *Adolescence* 30 (1995)

A study of 156 victims of child sexual abuse found that the majority of the children came from disrupted or single-parent homes; only 31 percent of the children lived with both biological parents. Although stepfamilies make up only about 10 percent of all families, 27 percent of the abused children lived with either a stepfather or the mother's boyfriend.

Source: Beverly Gomes-Schwartz, Jonathan Horowitz, and Albert P. Cardarelli, "Child Sexual Abuse Victims and Their Treatment", U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.

Researchers in Michigan determined that "49 percent of all child abuse cases are committed by single mothers."

Source: Joan Ditson and Sharon Shay, "A Study of Child Abuse in Lansing, Michigan", *Child Abuse and Neglect*, 8 (1984).

"A family structure index -- a composite index based on the annual rate of children involved in divorce and the percentage of families with children present that are female-headed -- is a strong predictor of suicide among young adult and adolescent white males."

Source: Patricia L. McCall and Kenneth C. Land, "Trends in White Male Adolescent, Young-Adult and Elderly Suicide: Are There Common Underlying Structural Factors?" *Social Science Research* 23, 1994.

" Fatherless children are at dramatically greater risk of suicide."

Source: U.S. Department of Health and Human Services, National Center for Health Statistics, *Survey on Child Health*, Washington, DC, 1993.

In a study of 146 adolescent friends of 26 adolescent suicide victims, teens living in single-parent families are not only more likely to commit suicide but also more likely to suffer from psychological disorders, when compared to teens living in intact families.

Source: David A. Brent, et al. "Post-traumatic Stress Disorder in Peers of Adolescent Suicide Victims: Predisposing Factors and Phenomenology.", *Journal of the American Academy of Child and Adolescent Psychiatry* 34, 1995.

"Boys who grow up in father-absent homes are more likely than those in father-present homes to have trouble establishing appropriate sex roles and gender identity."

Source: P.L. Adams, J.R. Milner, and N.A. Schrepf, "Fatherless Children", New York, Wiley Press, 1984.

"In 1988, a study of preschool children admitted to New Orleans hospitals as psychiatric patients over a 34-month period found that nearly 80 percent came from fatherless homes."

Source: Jack Block, et al. "Parental Functioning and the Home Environment in Families of Divorce", *Journal of the American Academy of Child and Adolescent Psychiatry*, 27 (1988)

"Children living with a never-married mother are more likely to have been treated for emotional problems."

Source: L. Remez, "Children Who Don't Live with Both Parents Face Behavioral Problems," *Family Planning Perspectives* (January/February 1992).

Children reared by a divorced or never-married mother are less cooperative and score lower on tests of intelligence than children reared in intact families. Statistical analysis of the behavior and intelligence of these children revealed "significant detrimental effects" of living in a female-headed household. Growing up in a female-headed household remained a statistical predictor of behavior problems even after adjusting for differences in family income.

Source: Greg L. Duncan, Jeanne Brooks-Gunn and Pamela Kato Klebanov, "Economic Deprivation and Early Childhood Development", *Child Development* 65 (1994).

"Compared to peers in two-parent homes, black children in single-parent households are more likely to engage in troublesome behavior, and perform poorly in school."

Source: Tom Luster and Harriette Pipes McAdoo, "Factors Related to the Achievement and Adjustment of Young African-American Children.", *Child Development* 65 (1994): 1080-1094

"Even controlling for variations across groups in parent education, race and other child and family factors, 18- to 22-year-olds from disrupted families were twice as likely to have poor relationships with their mothers and fathers, to show high levels of emotional distress or problem behavior, [and] to have received psychological help."

Source: Nicholas Zill, Donna Morrison, and Mary Jo Coiro, "Long Term Effects of Parental Divorce on Parent-Child Relationships, Adjustment and Achievement in Young Adulthood", *Journal of Family Psychology* 7 (1993).

"Children with fathers at home tend to do better in school, are less prone to depression and are more successful in relationships. Children from one-parent families achieve less and get into trouble more than children from two parent families."

Source: *One Parent Families and Their Children: The School's Most Significant Minority*, conducted by The Consortium for the Study of School Needs of Children from One Parent Families, co sponsored by the National Association of Elementary School Principals and the Institute for Development of Educational Activities, a division of the Charles F. Kettering Foundation, Arlington, VA., 1980

"Children whose parents separate are significantly more likely to engage in early sexual

activity, abuse drugs, and experience conduct and mood disorders. This effect is especially strong for children whose parents separated when they were five years old or younger."

Source: David M. Fergusson, John Horwood and Michael T. Lynsky, "Parental Separation, Adolescent Psychopathology, and Problem Behaviors", *Journal of the American Academy of Child and Adolescent Psychiatry* 33 (1994)

"Compared to peers living with both biological parents, sons and daughters of divorced or separated parents exhibited significantly more conduct problems. Daughters of divorced or separated mothers evidenced significantly higher rates of internalizing problems, such as anxiety or depression."

Source: Denise B. Kandel, Emily Rosenbaum and Kevin Chen, "Impact of Maternal Drug Use and Life Experiences on Preadolescent Children Born to Teenage Mothers", *Journal of Marriage and the Family* 56 (1994).

"Father hunger " often afflicts boys age one and two whose fathers are suddenly and permanently absent. Sleep disturbances, such as trouble falling asleep, nightmares, and night terrors frequently begin within one to three months after the father leaves home.

Source: Alfred A. Messer, "Boys Father Hunger: The Missing Father Syndrome", *Medical Aspects of Human Sexuality*, January 1989.

"Children of never-married mothers are more than twice as likely to have been treated for an emotional or behavioral problem."

Source: U.S. Department of Health and Human Services, National Center for Health Statistics, National Health Interview Survey, Hyattsville, MD, 1988

A 1988 Department of Health and Human Services study found that at every income level except the very highest (over \$50,000 a year), children living with never-married mothers were more likely than their counterparts in two-parent families to have been expelled or suspended from school, to display emotional problems, and to engage in antisocial behavior.

Source: James Q. Wilson, "In Loco Parentis: Helping Children When Families Fail Them", *The Brookings Review*, Fall 1993.

In a longitudinal study of 1,197 fourth-grade students, researchers observed "greater levels of aggression in boys from mother-only households than from boys in mother-father households."

Source: N. Vaden-Kierman, N. Jalongo, J. Pearson, and S. Kellam, "Household Family Structure and Children's Aggressive Behavior: A Longitudinal Study of Urban Elementary School Children", *Journal of Abnormal Child Psychology* 23, no. 5 (1995).

"Children from mother-only families have less of an ability to delay gratification and poorer impulse control (that is, control over anger and sexual gratification.) These children also have a weaker sense of conscience or sense of right and wrong."

Source: E.M. Hetherington and B. Martin, "Family Interaction " in H.C. Quay and J.S.

Werry (eds.), Psychopathological Disorders of Childhood. (New York: John Wiley & Sons, 1979)

"Eighty percent of adolescents in psychiatric hospitals come from broken homes."  
Source: J.B. Elshtain, "Family Matters... ", Christian Century, July 1993.