
Policy Implications

In this section, we address two basic policy questions. What policy strategies are there to strengthen marriage and prevent divorce? What strategies might ameliorate negative consequences for those children growing up in single parent families? We do not deal specifically with how to prevent nonmarital births, since that is beyond the scope of this report, although some of the policy strategies would apply to this subgroup as well. Up until recently, policymakers and advocates alike have spent most of their time on preventing negative consequences for children who live with one parent. For the first time, however, some policy proposals have begun to address the option of strengthening marriage and preventing divorce (Ooms, 1992).

The intent of this briefing report is not to lobby for specific policies, but rather to encourage debate about the potential consequences of a range of policy strategies. We do not present an exhaustive review of policy options that address the needs of children in single parent families; instead, we briefly summarize policy proposals from seven different, sometimes contradictory, sources spanning the political spectrum: Furstenberg and Cherlin (1991); Garfinkel and McLanahan (1986); McLanahan and Sandefur (in press); the National Commission on America's Urban Families (1993); the National Commission on Children (1993a, 1993b); Whitehead (1993); and Zill (1983). (The background and affiliations of each of the policy sources is found in Appendix A).

The policy options recommended by these seven authoritative sources are summarized in six categories: promoting strong stable two-parent families, improving the quality of marriage, providing education for parents, putting children first when parents divorce, increasing the economic security of children, and building community resources for children.

1. Promoting Strong Stable Two-Parent Families

The National Commission on America's Urban Families (1993) and The National Commission on Children (1993b) urge:

".. the formation and maintenance of strong, stable two-parent families not in an effort to disparage single parents but as a way of highlighting the advantages to children of growing up with two parents" (National Commission on Children, 1993b, p. 21).

Similarly, Zill (1983) contends that other family situations may not be as bad as sometimes portrayed, but none seem as good as a harmonious two-parent family.

Furstenberg and Cherlin (1991) argue that the high rates of divorce and nonmarital childbearing are private choices that government policy alone cannot change; reversing the trend away from marriage would require an event of the magnitude of the Great Depression or a large scale grass roots religious revival, not a mere revision of the tax code.

In the past, Whitehead (1993) contends the issue of family structure has been too difficult and politically risky for debate. The core of the debate is not simply scientific evidence, but deeply held and often conflicting values:

“How do we uphold the freedom of adults to pursue individual happiness in their private relationships and, at the same time, respond to the needs of children for stability, security, and permanence in their family lives? What do we do when the interests of adults and children conflict?” (p. 48)

Yet the National Commission on Children (1993b) cites several examples of how public education campaigns have successfully altered public attitudes and private behaviors around issues such as women’s right, smoking, AIDS, and the environment.

2. Improving the Quality of Marriage

Some policy analysts suggest it is short-sighted to try to promote marriage without taking steps to improve the quality of marriage. Furstenberg and Cherlin (1991) are skeptical that public policy can have a substantial impact on the divorce rate, but others suggest specific policies to strengthen marriage. Some of these proposals occur at the federal level, others involve state and local initiatives, and some involve the private sector, specifically the church:

- ❖ Two recent national commissions suggest marriage enrichment should be provided during critical periods when couples may be most receptive to change at the start of a marriage, the birth of a child, and the illness or death of a family member (National Commission on Children, 1993b; National Commission on America’s Urban Families, 1993). While many marriage education programs are not well evaluated, one program has followed couples for 5 years. Couples who participated in the program, consisting of 6 sessions 2 to 2 1/2 hours in length, were less likely to separate or divorce and reported fewer instances of physical violence with their spouse than control couples. The program appears to be successful with moderately distressed couples as well as couples married many years before seeking help (Renick, Blumberg, & Markman, 1992). Research suggests the most successful programs encourage a couple to conduct a self-assessment of their relationship and teach skills for strengthening the relationship (National Commission on Children, 1993b).

- ❖ Since the majority of marriage preparation courses are sponsored by churches or synagogues, two national commissions propose that seminaries, Bible colleges, and other institutions should give high priority to training in marriage preparation (National Commission on Children, 1993b; National Commission on America's Urban Families, 1993).
- ❖ To make marriage support more accessible, both national commissions propose that health insurance could provide coverage for marriage and family therapy or accredited pastoral counseling; this coverage could be cost effective based on recent evidence that marital distress depresses the immune system and reduces resistance to disease (Doherty & Campbell, 1990). Employers could also include such services in employee assistance plans (National Commission on Children, 1993b; National Commission on America's Urban Families, 1993). For those who complete marriage preparation, marriage license fees could be reduced or income tax deductions could be granted (National Commission on America's Urban Families, 1993). Increases in marriage license fees could provide grants to train marriage educators, and to make marriage preparation and enrichment programs more readily available.
- ❖ Furstenberg and Cherlin (1991) argue that encouraging mothers and fathers to share childrearing might increase the cost of divorce, thereby promoting marital stability.
- ❖ Zill (1983) recommends providing resources and supports that prevent the formation of families that are at risk from the outset. In this same vein, the National Commission on Children (1993b) proposes that parents need to assume responsibility for planning their families and delaying pregnancy until they are financially and emotionally capable to assume the obligations of parenting; although family planning should continue to remain a private matter, public support for family planning services can provide access to all families regardless of income.
- ❖ Marriage and family life education should be incorporated into school curriculum and parents should be involved in determining the course content according to the National Commission on America's Urban Families (1993), and the National Commission on Children (1993b).
- ❖ Several sources suggest examining laws and regulations to see if they have the unintended consequence of discouraging or undermining marriage. For example, tax laws should be scrutinized to make sure that two parent families don't pay more than single parent families (National Commission on Children, 1993b; National Commission on America's Urban Families, 1993; Whitehead, 1993).

3. Providing Education for Parents

Many of these policy sources believe that parents are the first and foremost influence on the development of young people, and that improved education of parents could enhance their ability to protect their children from negative consequences. Parent education was encouraged on several fronts:

- ❖ According to two policy sources, parents need to know that, on average, children who live with single parents have a greater likelihood of lower well-being than children who live with both their parents. This, in itself, may be enough to prevent a divorce (McLanahan & Sandefur, in press; National Commission on Children, 1993b).
- ❖ McLanahan and Sandefur (in press) propose that parents who choose to divorce need to understand as much as possible about the factors that may “immunize” their children against the negative consequences that sometimes occur. Parents need to know that failing to pay child support has a profound impact on a child’s future. Single parents need to recognize that supporting and supervising their children, and staying involved in their schooling buffers children from risk. Remaining in the same home, neighborhood, or school provides a stable environment from which children draw strength and support. While remarriage may improve income, it may also disrupt other family and community resources.
- ❖ Three policy sources propose support programs for both parents and children undergoing divorce. States could consider requiring that parents in divorce proceedings attend a parenting class to learn the impact of divorce on children and how to minimize its consequences (National Commission on Children, 1993b; National Commission on America’s Urban Families, 1993). Support programs for parents also focus on easing adult’s psychological adjustment to divorce, legal and financial issues, and finding employment. Sessions for children cover feelings of isolation and stigma, disengaging from parental conflict, and the expression and control of anger. Few have been evaluated rigorously but they appear to hold promise for cushioning the impact of divorce on adults and children (Furstenberg & Cherlin, 1991).
- ❖ Contrary to conventional wisdom, the evidence regarding the importance of maintaining contact between the children and their noncustodial parent, usually the father, is mixed. Despite this, most still recommend strengthening ties to fathers (Furstenberg & Cherlin, 1991; National Commission on America’s Urban Families, 1993; National Commission on Children, 1993b; Zill, 1983), although some place a lower priority on this than promoting the functioning of the custodial parent and reducing the amount of conflict children are exposed to (Furstenberg & Cherlin, 1991).

4. Putting Children First When Parents Divorce

While many of the policy sources assert that two-parent families are most desirable for children, they recognize that this will never be a full reality for all of America's children (National Commission on America's Urban Families, 1993). Even if our society were to return to the divorce rates of the mid '60s, about one-fourth of all children would still experience the divorce of their parents (Furstenberg & Cherlin, 1991).

Changes in divorce laws and practices could help children:

- ❖ According to Furstenberg and Cherlin (1991), the custody innovation of the '80s joint legal custody has been less successful than hoped in encouraging fathers to pay more child support or to become more involved in childrearing. Many family law experts are urging legislation that would instruct judges to award custody to the parent who previously assumed a substantial majority of the caregiving. Some favor the primary caregiver standard based on the importance of the attachment of young children to their parents; others favor the standard because it could reduce uncertainty about the outcomes of a custody dispute, thereby lessening the likelihood of conflict between parents.
- ❖ Divorce mediation strives to help parents settle custody disputes in the best interests of the child outside the adversarial atmosphere of the courtroom. Mediation appears to help the majority of parents resolve issues of child custody, physical placement or visitation. Although evidence is limited, mediation may lessen the potential for conflict and it does reduce the likelihood that parents will return to the courts later. Furstenberg & Cherlin (1991) recommend that its use be encouraged, while recognizing that even the most skilled mediators will be unable to reduce animosity among some couples.

In Wisconsin, couples who are unable to resolve issues on their own are referred by the family court commissioner or the court to the family court mediation program in the county. One legal change that might encourage more use of mediation is allowing couples to meet with the mediator directly without requiring review by the family court commissioner; in Minnesota, parents who are unable to resolve a dispute can voluntarily seek the services of an expediter without going through the court.

- ❖ In litigated divorce cases, two sources recommended that judges determine the best possible package of benefits, income, and services for children before turning to other issues, such as dividing marital assets (National Commission on America's Urban Families, 1993; Whitehead, 1993). Many states, including Wisconsin, require child support until age 18, which eliminates the noncustodial parent's responsibility for college costs. According to Whitehead (1993), college costs remain one of the most contested areas of child support, especially for higher income parents.

- ❖ To provide more stability for children, McLanahan and Sandefur (in press) propose that custody decisions be based, in part, on the parent's willingness to provide a stable environment. For example, property settlements could be delayed until the child reaches maturity, the family home could be temporarily awarded to the custodial parent (McLanahan & Sandefur, in press), and judges could be given the right to prevent custodial parents from moving out of state if it is not in the best interests of the child.
- ❖ Two of the policy sources proposed a two-tier system of divorce, making it harder for adults with minor children to divorce than adults without children (National Commission on America's Urban Families, 1993; Whitehead, 1993). Zill (1983) contends, however, that making divorce harder might reduce the number of marital disruptions, but questions whether forcing parents to stay together would actually benefit children.

5. Increasing the Economic Security of Children

According to Furstenberg and Cherlin (1991), the United States has made divorce quicker and easier than in any Western country except Sweden. Yet, compared to other countries, we offer the children of divorce less public support, and, until recently, little assistance in collecting or ensuring child support from noncustodial parents:

“The result is that American children face the worst of both worlds: more so than children anywhere else, they cannot rely on either their parents or their government to support them.” (p. 97)

Some fear that increasing the economic well-being of single parent families will increase their numbers. According to Garfinkel and McLanahan (1986), the size of government grants has some effect on prevalence, albeit a modest one. For example, the increase in government benefits between 1960 and 1975 accounted for 9 to 14 percent of the increase of all single mothers, and 30 percent of the increase of poor single mothers. Furthermore, countries like Sweden, Holland, Great Britain, and France do more to economically support single mothers than the United States, but the prevalence is not higher in these countries (McLanahan & Sandefur, in press).

Policy analysts have made several recommendations that would increase the economic security of children:

- ❖ **Child Support** - Wisconsin was one of the first states to require that standard child support awards be used, unless a judge objects in writing. Under the Wisconsin guidelines, the standard child support award is based on the following percentage of noncustodial parents' income: 17 percent for one child, 25 percent for two children, 29 percent for three, 31 percent for four, and 34 percent for five or more (Garfinkel, Meyer & Sandefur, 1992). The amount of child support is automatically deducted from noncustodial parents' wages.

Many nonresident fathers can afford to pay more child support than they currently do (Garfinkel cited in McLanahan & Sandefur, in press). The Family Support Act (FSA) of 1988 took several important steps to establish a more efficient system of child support. For example, the act emphasizes paternity establishment as a prerequisite for obtaining child support, requires states to establish child support for all children and standard child support awards, and initiates automatic withholding of child support obligations.

This law also requires courts to review child support awards in welfare cases every three years to make adjustments that reflect changes in the noncustodial parent's income. According to Furstenberg and Cherlin (1991), steps should be taken to ensure that this provision is extended to all families. To help ensure that child support continues when the noncustodial parent changes jobs, the National Commission on Children (1993a) proposes that employees be required to disclose whether their wages are subject to child support withholding on the W-4 form.

The implementation of the 1988 Family Support Act (FSA) at the state and local level is critical, according to the National Commission on Children (1993a). Children Now, an advocacy group in California, provides a model for monitoring the act on issues such as paternity establishment, the number and amount of child support awards, the proportion of cases subject to wage withholding, and interstate enforcement.

- ❖ **Assured Child Support** - Collecting private child support will lift some children from poverty but not all, especially those whose noncustodial parent is unemployed or earns low wages. Garfinkel and McLanahan (1986) and others propose that the government should institute a minimum public child support benefit, which would supplement the child support paid by poor fathers (Furstenberg & Cherlin, 1991; McLanahan & Sandefur, in press; National Commission on Children, 1993a; Whitehead, 1993). For example, if a father pays a certain amount and the amount is less than the minimum assured benefit, the government would make up the rest. In most scenarios, the minimum benefit is projected at \$1000, \$2000, or \$3000 annually for the first child. Currently, Wisconsin and New York have federal waivers to experiment with assured child support, but only New York has begun to do so (Furstenberg & Cherlin, 1991).

- ❖ **Children's Allowances** - Low income families would benefit if the existing tax deduction for children were replaced with an annual children's allowance, a government payment for each child in a family. The existing \$2100 tax deduction for each child is worth nothing to poor parents who earn too little to pay taxes, yet is worth \$693 for parents in the 33 percent tax bracket (Garfinkel & McLanahan, 1986; Meyer, Phillips, & Maritato, 1991). Whitehead (1993) proposes raising the personal exemption for young children in lower and middle income families, while the two national commissions recommended enacting a \$1000 refundable tax credit for all children through age 18 (National Commission on Children, 1993a; National Commission on America's Urban Families, 1993).
- ❖ **Job Training** - The Family Support Act provides work and training programs for welfare mothers once their children reach age 3. Whether children are helped or hurt may depend on several factors, according to McLanahan & Sandefur (in press). If child care is good and the family income is higher than when the family was on welfare, then children are likely to be better off. If child care is poor, and the mother is overwhelmed by the demands of work and family, then the child may suffer.

According to Zill (1983), job training for teenagers and young adults may provide options to early parenthood. Providing job training or work relief to all poor parents, not just single mothers, could help alleviate male unemployment, one of the causes of mother-headed families; furthermore, it could help many fathers contribute to child support for their children, according to several sources (Garfinkel & McLanahan, 1986; National Commission on Children, 1993a; Whitehead, 1993).

- ❖ **Aid to Families with Dependent Children (AFDC)** - Welfare reform is at the heart of many proposals to help poor single mothers (Ooms, 1992). Both national commissions contend that Aid to Families with Dependent Children (AFDC) may discourage marriage. Aid to Families with Dependent Children (AFDC) is available primarily to single mothers and seldom when the father is present and unemployed. Access to other federal assistance programs, such as Medicaid, is tied to AFDC eligibility, serving as a further deterrent to marriage (National Commission on America's Urban Families, 1993; National Commission on Children, 1993b).

In Wisconsin, one component of the new Parental and Family Responsibility Initiative pilot program is to promote marriage by extending AFDC benefits to teen couples with no previous work history (see additional provisions in Wiseman, 1993).

Several sources propose time-limited welfare benefits with expanded support while women are on welfare for building their skills to become more self-sufficient. (Garfinkel & McLanahan, 1986; National Commission on America's Urban Families, 1993; National Commission on Children, 1993a).

- ❖ **Earned Income Tax Credit (EITC)** - The Earned Income Credit (EITC) is a state and federal tax credit for working families who earn too little to pay taxes (National Commission on Children, 1993a; Whitehead, 1993). The Wisconsin Earned Income Tax Credit is a percentage of the federal basic credit and varies according to the number of children in the family. Some have suggested extending the earned income tax credit to noncustodial parents to increase their ability to pay child support.
- ❖ **Accessible, Affordable Child Care** - Quality child care is important for all working parents, but the financial burden is greater for single mothers who spend 17 percent of their weekly family earnings on child care, compared with 9 percent among mothers with partners (Furstenberg & Cherlin, 1991; National Commission on Children, 1993b). Child care assistance would allow single mothers to shop around for quality care.

6. Building Community Resources for Children

Efforts to improve the quality and accessibility of community services will benefit children who live in single parent families more than children who live with both parents. According to McLanahan and Sandefur (in press), children in single parents families will, on average, live in the most disadvantaged neighborhoods and have the least access to public services.

Several of the policy papers cited specific community resources that benefit children:

- ❖ **Education** - The greatest influence on reducing the prevalence of nonmarital births in the next generation is the educational attainment of the mother. If a mother completes high school, the probability that her daughter would experience a teen nonmarital birth is reduced by half (An, Haveman, & Wolfe, 1991).
- ❖ **Family Support Centers** - Community based family support centers can provide parents with the knowledge, skills, and support they need to raise their children, according to the recent national commissions. These centers can serve as the hub for a variety of efforts to demonstrate the value communities attach to childrearing such as establishing parent education and support groups; sponsoring workshops and speakers on parenting issues at local churches or community centers; or lending clothing, books, and toys to parents with young children (National Commission of Children, 1993b; National Commission on America's Urban Families, 1993). According to Bronfenbrenner and Weiss (1983), the intent is to create formal systems of support that generate and strengthen informal systems of support, that, in turn, can reduce the need for formal systems.

- ❖ **Workplace Reforms** - According to several sources, workplace reforms that allow parents to balance the competing demands of work and family would be of great benefit to employed single parents; fully one in three single parents report regularly working more than 40 hours per week, compared with one in eight mothers in two-parent families. Family friendly workplace policies include flexible work schedules, parental leave, job sharing, flex-place, compressed work week, gradual reentry to work after childbirth, and lunchtime seminars on parenting and family issues (Furstenberg & Cherlin, 1991; National Commission on America's Urban Families, 1993; National Commission on Children, 1993b). Tax credits could be granted to small businesses that offer up to 6 months of unpaid leave for newly born or newly adopted children (National Commission on America's Urban Families, 1993).
- ❖ **Housing Allowances and Subsidies** - McLanahan and Sandefur (in press) recommend that government housing allowances and subsidies be structured in ways that encourage residential stability.
- ❖ **Media Messages** - Many parents contend their job would be easier if efforts were made to reduce the media's messages about sexuality, divorce, and nonmarital childbearing. One way to improve television programming would be to fully implement the 1990 Children's Television Act (National Commission on America's Urban Families, 1993; Whitehead, 1993).