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ABSTRACT

The Effect of Joint Custody on Marriage and Divorce^{*}

Since the 1970s almost all states have introduced a form of joint custody after divorce. We analyze the causal effect of these custody law reforms on the incidence of marriage and divorce. Our identification strategy exploits the different timing of reforms across states and the control group of divorcing couples without minors. Estimations based on state panel data suggest that the introduction of joint custody led to a long-run increase in marriage rates. There is no convincing evidence for an impact of joint custody on divorce rates. In sum, joint custody has increased the stock of married people and dampened the persistent downturn in marriage. Our empirical evidence is fully consistent with the supposition that these additional marriages are the result of an increased incentive of men to marry.

JEL Classification: J12, J13, J18, K36, D13, N32, R2

Keywords: joint custody, marriage, divorce, family law, marital-specific investment

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1 Introduction

The American family has undergone radical changes over the last decades. Marriage rates have been falling over the last thirty years and cohabitation has emerged as an important social institution. Divorce rates rose sharply starting in the mid-1960s, peaked in the early 1980s and have been declining since then (Stevenson and Wolfers, 2007*a*). This downturn can partly be explained by the decline in the incidence of marriage but is also due to greater stability of younger cohorts. The share of the population who are divorced, however, continued to rise through the 1980s and 1990s and has only recently begun to decrease (Stevenson and Wolfers, 2007*b*).

These dramatic demographic changes came along with an increased economic independence of women and radical changes in family law. Of course, the causal link between demographic, economic, and legal changes is non-trivial. The economic literature has focused so far on changes in divorce law. In particular, scholars have studied the impact of the move from mutual consent to unilateral divorce laws and changes in the laws regarding the division of matrimonial property.¹ Thereby they have furthered our understanding of the effect of divorce law on intra-household-bargaining and explained part of the changes in family formation, dissolution and behavior within marriage over the last decades.

A further aspect of family law, namely custody law, has gained hardly any attention in the literature.² The allocation of custody, however, is a crucial aspect of every divorce since it governs the actual post-divorce living arrangements and may have important welfare implications. Many states have changed their custody law fundamentally since the 1970s. Traditionally, after divorce one parent was assigned sole custody and usually the mother (or occasionally the father) was exclusively responsible for the child. The so-called non-custodian parent was restricted to specified visitation rights. In 1973, Indiana was the first state who introduced a law favoring joint custody (Brinig and Buckley, 1998). Since then it spread to nearly all states (see Table 1 and Figure 1).³

There are various forms of joint custody. One typically distinguishes between joint legal custody and joint physical custody. Joint legal custody means that both parents share the right and the obligation of making major decisions about their child's upbringing (e.g. about schooling, religion, and health care). Joint physical custody means that the child spends a significant amount of time with each parent. In any case policy-makers intended thereby to mitigate the pain of divorce for all parties involved. Since then an ongoing debate – across academic disciplines including economics, law, psychology and sociology – between proponents and opponents of joint custody has started. Researchers have primarily focused on the effect

¹Most of the papers have studied the effects of these laws on divorce rates (Peters, 1986; Allen, 1992; Peters, 1992; Friedberg, 1998; Wolfers, 2006). Other outcome variables are marriage (Rasul, 2003, 2006*a*; Matouschek and Rasul, 2008), marriage and fertility (Alesina and Giuliano, 2007; Drewianka, 2008), marriage-specific investments (Stevenson, 2007), female labor supply (Gray, 1998; Genadek, Stock and Stoddard, 2007), various child-outcomes (Johnson and Mazingo, 2000; Gruber, 2004; Cáceres-Delpiano and Giolito, 2008), and domestic violence and suicide (Dee, 2003; Stevenson and Wolfers, 2006).

²The only paper that has previously examined the impact of custody law on divorce is Brinig and Buckley (1998). They find a negative effect of the introduction of joint custody laws on divorce rates. We are not aware of any attempt to study the impact of custody law on marriage rates.

³In Europe, joint custody has been introduced, for instance, in Sweden in 1976 (Jänäterä-Jareborg, 2003), in Norway in 1981 (Sverdrup and Lødrup, 2003), in Germany in 1997 (Dethloff and Martiny, 2003), and in Austria in 2001 (Roth, 2003).

of different custody arrangements on children's well-being after divorce. Proponents of joint custody typically argue that children benefit from ongoing support and resources from both parents. This is captured in various dimensions such as behavioral and emotional adjustment (Bauserman, 2002), economic well-being (Seltzer, 1991; Del Boca and Ribero, 1998), educational attainment (Teng Wah, 2006) and parental involvement (Bowman and Ahrons, 1985; Huang, Han and Garfinkel, 2003), among others. Opponents object that children under joint custody are exposed to ongoing parental conflict (Kuehl, 1989). However, the causal relationship between certain custody arrangements and child outcomes is far from clear and the empirical evidence is mostly inconclusive.

In this paper, we are concerned with an even more fundamental question: We explore if the introduction of laws permitting joint custody of children after divorce has an impact on the incidence of marriage and divorce. The move from sole custody to joint custody may cause a redistribution of the gains from marriage between spouses (*redistribution effect*). The party who gains from this redistribution (supposedly the man) faces a higher incentive to marry after the reform. If both parties are in favor of joint custody we should observe an increased incentive of each partner and marriage rates should increase after the introduction of joint custody. Secondly, the option of joint custody may affect the expected utility in the state of divorce and the expected cost of the divorce process (*cost effects*). If joint custody reduces the expected monetary and emotional cost of divorce the reform may increase the likelihood of divorce. Finally, joint custody may also affect the spouses' behavior during marriage and change their incentive to make marital-specific investments, such as in children (*behavioral effect*). If it causes an increase in aggregate incentive to invest we should observe an increase in the value of marriage and a raise in marriage rates. Higher levels of marital-specific investments should in turn reduce the likelihood of divorce. There are several potential countervailing effects of joint custody on the incentive to marry and to divorce. In many cases the outcome depends on the spouses' preference orderings over certain custody arrangements. From a theoretical point of view, it is therefore *a priori* not clear whether the introduction of joint custody should increase or decrease the incidence of marriage and divorce. It remains an empirical question if and how joint custody affects marriage and divorce rates.

In order to identify the causal effect of joint custody on the incidence of marriage and divorce we exploit the (i) variation occurring from the different timing of joint custody reforms across the United States and (ii) the control group of divorcing couples without minors. We provide evidence that after the introduction of joint custody, marriage rates increased significantly and permanently in adopting states. This economically and statistically significant result is robust to a number of alternative specifications. In contrast, we find no convincing evidence for an impact of joint custody on divorce rates. In sum, joint custody had a clear positive impact on the number of married people. It increased the stock of married people by about 1.5 percentage points and dampened the ongoing decline in marriage rates, which could be observed over the last thirty years. All of our results are robust to controlling for the adoption of unilateral divorce laws.

This paper makes several contributions to the literature. First, we provide evidence on unintended consequences of custody law reforms. No attention was given to the potential con-

sequences on the incidence of marriage when laws permitting the joint custody of children after divorce were introduced. Second, this paper clarifies the different layers of selection which have to be considered when studying the effect of joint custody on post-divorce (child) outcomes. Finally, our results should be of considerable interest to policy-makers. For varying reasons, the public worries about the decline in marriage rates and policy-makers are prepared to act in concrete ways to encourage marriage and to prevent divorce.

The paper is organized as follows: First, we discuss potential effects of joint custody on the incentive to marry and to divorce. The next section describes the data. Then we explain our estimation strategy, present our estimation results, and report on several robustness checks. In addition, we give some supporting evidence on the dissemination of joint custody awards, and on trends in the attitude toward marriage. Finally, we summarize and conclude the paper.

2 Theoretical considerations

In economic analyzes of the family a child is generally modeled as a local public good (Weiss and Willis, 1985). During marriage, a relationship of trust and proximity, no free-rider problems arise and the optimal level of child well-being is guaranteed. Here both the amount of time that parents spend with their child and child expenditures are optimally chosen to the child's well-being. However, after the breakdown of marriage inefficiencies may arise. Divorce law typically necessitates a specified division of matrimonial property – comprising tangible and intangible assets – in order to dissolve marriage legally. Concerning child custody the division was traditionally very sharp: One parent became sole custodian and the other – the non-custodian – was restricted to specified visitation rights.

In this new situation, where the family is separated in two households, it is no longer possible that the parents spend time with their child jointly. In particular, the non-custodian's tight time constraint may affect the child's well-being adversely *per se*. On top of that the non-custodian also loses control over child expenditures. He has hardly any opportunity to monitor and enforce an optimal level of child expenditures. This may reduce his incentive to spend on the child (Weiss and Willis, 1985).⁴ On the other hand, the custodian will not internalize the effects of his child-related actions on the non-custodian. In sum, the return to child-investments is greater during marriage than after divorce. Consequently, an inefficiently low level of child well-being will be observed in the divorce state.

Why does joint custody matter? There are several ways in which the move from a regime where only sole custody is available to an institutional setting with (the possibility of) joint custody may affect the decision to marry and divorce. In our analysis we do not assume anything about the procedural method how joint custody can be obtained. Joint custody may be achieved by a parental agreement or may be awarded by a judge. Further, we do not distinguish between joint legal custody and joint physical custody. We think of joint custody as a form that shares the rights and obligations concerning the child between divorced parents more equally compared to sole custody. Put differently, in the state of divorce with sole custody, the custodian's rate

⁴In fact, this may explain the common phenomenon that non-custodian parents do not comply with court mandated child support awards.

of return to child-investments is higher compared to the non-custodian's rate. We think of joint custody as a situation where these two rates of return come closer.

In order to discuss potential effects of the introduction of joint custody, we have to consider different preference orderings over certain custody arrangements. We presume that parents are altruistic towards their children in the sense that their utility depends on the welfare of their children. Consequently, it is a natural starting point that parents are interested in spending time with their children and that they want to remain custodian after divorce. We assume that each parent i prefers to be the sole custodian rather than giving sole custody to the other parent, $S_i^i \succ S_i^j$ for all $i \neq j$. With respect to joint custody we do not make any restrictive assumptions. It is *a priori* not clear whether parents prefer to be sole custodians ($S_i^i \succ J_i$) or to share parental rights and obligations with their former spouse under a joint custody ($S_i^i \prec J_i$). In sum, this gives two possible utility orderings for each parent i

$$S_i^i \succ J_i \succ S_i^j \text{ and } J_i \succ S_i^i \succ S_i^j \text{ for all } i \neq j. \quad (1)$$

Based on these two preference orderings we discuss the impact of the introduction of joint custody on the incidence of marriage and divorce. Thereby, we distinguish three different channels, a redistribution effect, a cost effect and a behavioral effect.

Redistribution effect If both parents prefer joint custody over sole custody the switch from a sole custody regime to a joint custody regime is clearly appreciated by both. In this case the reform should increase the incentive to marry for both sexes. If one or both parents are in favor of sole custody, the joint custody reform may cause a redistribution of the gains from marriage. The party who gains (loses) from this redistribution faces a higher (lower) incentive to marry. To gain more insights we distinguish between three different sole custody regimes to reform: (i) a sole custody regime with maternal preference, (ii) a sole custody regime with paternal preference, and (iii) a sole custody regime with a gender-neutral rule (e. g. the 'best interest of the child' rule). A sole custody regime with maternal (paternal) preference means that in principle child custody is granted to the mother (father). There are different types of sole custody regimes with a gender-neutral rule, for instance, courts award custody to the primary-caretaker⁵ or courts aim directly at the best interest of the child, without applying any presumption.⁶

Let us first consider the reform of a sole custody regime with maternal preference. This clearly increases the man's incentive to marry irrespective of his preferences. Under the sole custody regime the child was (most likely) living with the mother and the father was restricted to specified visitation rights. However, after the joint custody reform, the father can expect to spend a substantial amount of time with his child. Depending on the women's preferences her incentive to marry may increase or decrease. If she prefers sole custody over joint custody her incentive to marry is reduced by the reform. However, if she is in favor of joint custody her incentive to marry increases as well. The same reasoning applies *vice versa* to a sole custody

⁵This is the parent who was primarily responsible for the child during marriage.

⁶In the US traditionally a sole custody regime with strict paternal preference was in place; even when the father had committed the marital fault. This changed in the nineteenth-century, when courts began to award custody to the mother when the father was at fault (Mnookin, 1975). In the twentieth century the focus has shifted from parental fault to the interests of the child. This first resulted in a sole custody regime with maternal preference and became later a gender-neutral rule system (Brinig and Buckley, 1998).

regime with paternal preference.

We can conclude that if we switch from sole custody regime with maternal (paternal) preference, to a joint custody regime, the aggregate incentive to marry due to the redistribution effect unambiguously increases if women (men) prefer joint custody over sole custody. If not, the incentive of women (men) decreases and the aggregate incentive may increase or decrease. If we presume a sole custody regime with a gender-neutral rule, the redistribution effect of the joint custody reform on the incentive to marry does not only depend on preferences, but also on the parents' perceived probability to get sole custody assigned.

In practice, mother sole placement has been the dominant arrangement in the US for a long time. In fact, its decline since the mid 1980s has been almost exclusively due to the increasing number of joint custody arrangements and only to a very small extent due to increases of male sole custodians (Cancian and Meyer, 1998). Therefore, under realistic circumstances we can expect that the introduction of joint custody has increased men's incentive to marry.

Cost effects There are possible cost effects which may alter the incentive to divorce. Firstly, the (additional) option of joint custody after divorce may affect the expected utility in the state of divorce and affect the divorce decision of existing marriages. Let us first assume that both parents strictly prefer to be sole custodian over any joint custody agreement. If we switch from a sole custody regime with maternal preference to a joint custody regime, the expected utility in the state of divorce should increase for men and decrease for women. If we start from a sole custody regime with paternal preference we would observe reversed effects. In both cases, the impact on the aggregate incentive to divorce is ambiguous.⁷ In the case where both parents are in favor of a joint custody agreement the aggregate incentive to divorce clearly increases.⁸ A further potential cost effect operates through the cost of the divorce process. Halla and Hölzl (2007) show that part of the parents who would not be able to find a mutually binding custody agreement in the sole custody regime can find an agreement in a joint custody regime. This is equivalent to a reduction in the cost of divorce.⁹ This cost effect should increase the aggregate incentive to divorce.

Behavioral effect Finally, there is a potential behavioral effect. The availability of joint custody after divorce may affect the spouses' behavior during marriage. In particular, there is a possible impact on the parents' incentives to invest in the child, or more generally to make marital-specific investments. Whether the introduction of joint custody increases or decreases the incentive to invest is *a priori* not clear. It depends on the specific sole custody regime, on the parents' (risk) preferences, their behavior under uncertainty and on their expectations. However, if the joint custody reform causes an increase in their aggregate incentive to invest, the value of marriage rises. This increases the incentive to marry and we should observe an increase in marriage rates. Symmetrically, if joint custody decreases the aggregate incentive to invest we should observe a fall in marriage rates.¹⁰

⁷Again, under a sole custody regime with a gender-neutral rule the parents' perceived probabilities (to get sole custody assigned) are decisive.

⁸For a similar argument, see Estin (1998).

⁹In fact, their empirical analysis shows that the introduction of joint custody in Austria enables more parents to divorce by mutual consent (low cost) versus divorce by fault (high cost). However, they do not find any impact of the joint custody reform on the incidence of divorce.

¹⁰Brinig and Buckley (1998) use the descriptive term 'bonding'. Their bonding theory suggests that if parents anticipate joint custody in the event of divorce, they will bond more closely with their child.

Moreover, if we think of divorce as a (partly) endogenous event, in the sense that the likelihood of divorce is determined by the level of the spouses' marriage-specific investment, the introduction of joint custody could affect the likelihood of divorce as well (Rasul, 2006*b*). In the case of an increase in the aggregate investment, moving to joint custody should reduce the probability of divorce and divorce rates are expected to fall. Whereas if due to the joint custody reform the aggregate incentive to investment falls, divorce rates should go up.

To sum up, it is *a priori* not clear whether introduction of joint custody should increase or decrease the aggregate incentive to marry and to divorce. In each case there are possibly countervailing effects and it remains an empirical question if and how joint custody affects the incidence of marriage and divorce.

3 Data

First of all, we have to define a measure of the incidence of marriage and divorce. The standard in the literature seems to be crude marriage and divorce rates – the number of marriages (divorces) per 1,000 of the total population (e.g. Friedberg, 1998; Wolfers, 2006). However, these two variables may hide much of the underlying variation of interest, because the population 'at risk' is not considered properly. In case of marriage, the best measure would be the number of marriages per 1,000 of the non-married population.¹¹ In order to quantify the incidence of divorce we would prefer to calculate the number of divorces per 1,000 of the married population.

However, there is a trade-off between the accuracy of the measurement and the extent of available data. Unfortunately, the stock of (non)-married people is not available, except for the years in which the decennial US census has been conducted.¹² Therefore, we quantify the incidence of marriage and divorce in a first step based on series on the number of cases per 1,000 of the population between 15 and 55 years of age. People in this age group should be the relevant sub-population with respect to custody issues. In particular, we use the absolute number of marriages and divorces from the annual editions of the Vital Statistics for all states from 1969 to 2003 and combine this information with state-level population data from the Reading Survey of Epidemiology and End Results provided by the National Bureau of Economic Research.¹³ For simplicity, we will refer to our measures of incidence as marriage and divorce rates. These series can be constructed for all states from 1969 through 2003 and should be sufficiently long to cleanly distinguish the causal effects of joint custody from pre-existing trends in marriage and divorce rates. These series are used to identify whether there is any causal effect of joint custody on the incidence of marriage and divorce.

In a second step, to check the robustness of our results, we use a proxy for the stock of married people. This proxy is constructed on information on the stock of married people from the decennial US Census from 1960 to 1990 and on the flow into and out of marriage from the

¹¹However, one could also argue that married people are at risk to divorce and re-marry.

¹²In principal the Current Population Survey can be used to construct a *proxy* of the stock of (non)-married population on a state-level. However, this strategy is potentially problematic since several states are grouped together between 1968 and 1972 and others are grouped together between 1973 and 1976.

¹³The number of marriages is not available for five state-years (CA 1991, DC 1999, and OK 2001 – 2003) and for the number of divorces for 76 state-years (CA 1991 – 1995, 1999, CO 1995 – 2000, HI 2003, IN 1991 – 2003, LA 1991 – 2001, OK 2001 – 2003).

annual editions of the Vital Statistics (details are provided below). This allows us to construct series on the number of divorces per 1,000 married persons.

4 Identification strategy

The first joint custody statute was passed in Indiana in 1973, and since then shared parenting has spread to nearly all 50 states.¹⁴ Examining Figure 1 shows that no systematic geographical patterns are observable. The share of treated population and the number of treated states evolve uniformly over time, see Figure 2. This indicates that no particularly small nor particularly large states have been early or late adopters. The different timing of joint custody reforms across the US seems to provide a useful quasi-experimental setting to study the causal effect of joint custody on marriage and divorce.

We examine the period from 1969 through 2003 for all states excluding Nevada.¹⁵ Figure 3 shows the development of marriage and divorce rates. We observe a sustained decline in marriage rates. Divorce rates at first rose sharply, peaked in the early 1980s and have been declining since then. Our research design enables a difference-in-differences (DD) approach. The standard DD estimator imposes the restrictive assumptions of an immediate and constant response to the policy intervention. Since these assumptions may not hold in case of the joint custody reform, we follow the empirical strategy of Wolfers (2006) which imposes little structure on the dynamic effects of the policy intervention. In particular, we estimate a DD panel fixed-effects model, where the dependent variable is the marriage rate ($M_{s,t}$) or the divorce rate ($D_{s,t}$) in state s in year t ,

$$M_{s,t} = \sum_r \alpha_r * JC_{s,t}^r + \sum_s \beta_s * State_s + \sum_t \gamma_t * Year_t \left[+ \sum_r \delta_r * UD_{s,t}^r + \zeta * \mathbf{X}_{s,t} \right] + \varepsilon_{s,t}, \quad (2)$$

where β_s are state fixed-effects and γ_t are year fixed-effects. $JC_{s,t}^r$ denotes a series of binary variables equal to one if a state has introduced joint custody r years ago. Our empirical strategy is to identify whether joint custody law explains the change in marriage/divorce rates between states adopting joint custody at a different point in time. Therefore, the identification of α_r is guaranteed by variation across states and across years in which states adopted joint custody. Our flexible specification allows us to trace out the full adjustment path of marriage and divorce rates. The method of estimation is population weighted least squares and robust standard errors – allowing for clustering by state – are calculated throughout (Bertrand, Duflo and Mullainathan, 2004).

In further specifications we also consider the possibility that the introduction of joint custody is correlated with the move from mutual consent to unilateral divorce laws, $UD_{s,t}^r$. Under mutual consent law both spouses need to agree to divorce. Unilateral divorce law allows either party

¹⁴The coding of the states enacted laws permitting joint custody follows (Brinig and Buckley, 1998).

¹⁵We disregard Nevada from our analysis since its marriage market is (most probably due to Las Vegas) very different compared to the other states. Table 2 shows that the average marriage rate of Nevada is about twelve times higher than the average of all other states. Its divorce rate is nearly the triple of the rest of the US.

to file for divorce without the consent of the other. This switch re-assigns the right to divorce from being held jointly, to being held individually.¹⁶ Wolfers (2006) has shown that unilateral divorce law led to an immediate spike in the divorce rate that dissipates over time and results in an eventual decline in divorce rates. Most recently, Rasul (2006*a*); Matouschek and Rasul (2008) provide convincing evidence that the introduction of unilateral divorce is also responsible for the significantly and permanently decline in marriage rates in adopting states.¹⁷ We follow the coding for unilateral divorce law of Wolfers (2006) (see Table 1) and control for the adoption of unilateral divorce law in an equivalent way as for joint custody.

Moreover, we add specifications where we control for the gross state product (GSP) per capita and the sex-race-distribution, denoted by $\mathbf{X}_{s,t}$. The literature has documented quite different marriage patterns across black and white citizens (Bennett, Bloom and Craig, 1989; Brien, 1997; Stevenson and Wolfers, 2007*a*). To capture the sex-race-distribution of each state we control for the share of the total population of sex g and of race h , where h is white, black and other. In further robustness checks we will not only controlling for the sex-race-distribution but for the sex-race-age-distribution of each state. We hesitate to control for the age component in the baseline specification since joint custody may have affected fertility behavior.¹⁸

5 Estimation results

We first discuss the effect of joint custody on marriage rates. Then we present our analysis of divorce rates, where we employ various dependent variables and different methods. In a final step we consider the outcome stock of married people. This should give us the net effect of the two flow measures.

5.1 The effect on marriage rates

Results for marriage rates are summarized in Table 3. Specification (I) shows the baseline results with state and year fixed-effects only. Specification (II) adds a series of binary variables equal to one if a state has introduced unilateral divorce law r years ago. Finally, specification (III) additionally includes the gross state product and the sex-race-distribution for each state. Each specification shows that the introduction of joint custody had no immediate impact on marriage rates, but we find a large and statistically significant increase in the marriage rate starting five years after the introduction of joint custody. The yearly rate of marriages per 1,000 of the population between 15 and 55 years of age (henceforth adults) increased on average by 1.14 in treatment states (compared to control states) in the period of five to six years after the reform. The average number of yearly marriages per 1,000 adults is 17.45 in the sample. The effect of the joint custody reform grows over time. Seven to eight years after the reform we observe an

¹⁶Since then there is a vivid debate in the economics literature whether the move from mutual consent to unilateral divorce laws has caused the large rise in divorce rates (Peters, 1986; Allen, 1992; Peters, 1992; Friedberg, 1998; Wolfers, 2006).

¹⁷This result helps to reinterpret and reconcile the earlier findings on the relation between unilateral divorce law and divorce rates. First the introduction of unilateral divorce caused the divorce of bad matches (initial spike in divorce rate), and, second it has changed the selection into marriage. Couples who would have married under mutual consent did not do so under unilateral divorce (permanent decrease in marriage rates). Since bad matches did not marry, we observed a decline in divorce rates.

¹⁸We are not aware of any study considering an effect of joint custody on fertility.

effect of 1.64 additional marriages in the treatment states relative to the control states. The full effect of the reform after fifteen years following the adoption of joint custody is equal to additional 3.68 marriages per 1,000 adults.

Such a growing impact of the introduction of joint custody over time seems plausible and supports our causal interpretation. A process of behavioral change requires a significant period of time and we would not expect an immediate response. First, it takes some time until joint custody is assigned and there might be a slow diffusion of information on the new custody law.¹⁹ Moreover, people have to observe divorced couples who share joint custody and learn that this is actually a good option. Only after potentially beneficial effects of the law on divorce become evident, we expect an effect of joint custody on the incidence of marriage.

The result is also not sensitive to the specific modeling of the dynamic effects of the reform. For instance, if we pool three years to generate the binary variables capturing the effects of the reform (see Table 4) we find the same pattern. While most of our control variables are statistically significant explanatory variables of the marriage rate, their inclusion has little impact on the effect of joint custody as such. In accordance with Rasul (2003, 2006*a*); Matouschek and Rasul (2008) we find that marriage rates declined significantly and permanently in states which have switched from mutual consent divorce to unilateral divorce.²⁰ Similarly, the impact of the divorce law reform also grows over time in absolute terms. So a separate effect of joint custody and unilateral divorce law can be established. Notably, the effect of joint custody is quantitatively more important than that of unilateral divorce law. For instance, specification (III) in Table 4 suggests that the marriage rate decreased on average by 1.12 per year in the period of ten to twelve years after the divorce law reform; the corresponding effect of the joint custody reform is 2.02.

We test the sensitivity of this result to a number of alternative specifications. Firstly, if we in addition control for whether states have also introduced an equitable division of property across spouses in divorce, the qualitative results do not change. Secondly, we examine the robustness to the sample chosen. To test the importance of the time period chosen we skip in turn single years. It turns out that the omission of particular years does not influence our results. We also omit, in turn, single states.²¹ For instance, we drop the most populated states, California and New York, from the analysis. California is also one of the earlier adopters of joint custody. As specifications (R1-I) and (R1-II) in Table 5 show our results are not very sensitive to these modifications of the sample.

Further, we check whether the increase in marriage rates postdated the change in custody law and we include in specification (R1-III) leads for the introduction of joint custody. The coefficients on the binary variables capturing the periods prior to the joint custody law are individually and jointly statistically insignificant. The coefficients on the lags hardly changed. So the timing evidence supports our causal interpretation between joint custody and marriage. Finally, one might be concerned with reversion to the mean. For instance, if marriage markets have been out of equilibrium in 1968 and if treatment states were further from their long-run

¹⁹In Section 6 we show that the probability of a joint custody award increases by three percentage points each year after the introduction of joint custody.

²⁰However, this is more evident based on the specification in Table 4 compared to that in Table 3.

²¹Detailed output on all estimations is available upon request.

equilibrium, there would have been convergence of marriage rates of treatment and control states. Specification (R1-IV) therefore controls for the share of married population in 1960, interacted with a linear time trend. In specification (R1-V) we interact the historical share of married population with year fixed-effects. The results provide no evidence for convergence in marriage rates over time and the effect of joint custody remains positive and statistically significant.

The second set of robustness checks is summarized in Table 6. We repeat all our alternative specifications from Table 5, however, not only controlling for the sex-race-distribution but also for the sex-race-age-distribution of each state. In particular, we control for the share of the total population of sex g , of race h , and in age group i where h is white, black and other, and i is 0 – 14, 15 – 19, . . . , 60 – 64 and 65+ (12 groups). The effect of joint custody remains positive and statistically significant when this set of 72 control variables is included.

Finally, in our third set of robustness checks (see Table 7) we include also state-specific linear time trends. This set of specifications gives our most conservative estimates of the impact of joint custody. However, the results are consistently positive and statistically significant across all specifications.

5.2 The effect on divorce rates

In this section we apply an equivalent estimation procedure to examine the effect of joint custody on divorce rates. The baseline results are summarized in Table 8. In general, there is no discernable effect of joint custody on divorce rates.²² However, specifications (II) and (III) suggest that joint custody might have increased divorce rates starting fifteen years after the reform. We find an increase in the yearly rate of divorces per 1,000 adults by 1.13 and 1.16 in treatment states (compared to control states). The average number of yearly divorces per 1,000 adults is 8.25 in the sample. Since an effect of the reform that kicks in with such a considerable lag is a bit peculiar, we will refine our measurement of the incidence of divorce below. The baseline results may not be fully convincing, since our dependent variable does not capture the correct population at risk to divorce and second, it comprises divorces of couples without minors at the time of divorce, who by definition are not affected by the reform.

Since joint custody increases the marriage rate, there are more people at-risk to divorce and divorces per 1,000 adults may be an inappropriate metric. Consequently, we should use divorces per 1,000 married persons as a dependent variable. As pointed out above, the stock of married persons is not readily available, except for the years in which the decennial US Census has been conducted. However, we have been successful in constructing a measure of the stock of married persons for the years in between. We combine information on the stock of married people from the decennial US Census from 1960 to 1990 with information on the flow into and out of marriage from the annual editions of the Vital Statistics.²³ This gives us a proxy variable

²²The results on unilateral divorce show the pattern described by Wolfers (2006). We find an immediate spike in divorce rates after the introduction of unilateral divorce that dissipates over time and an eventual decline in divorce rates.

²³In particular, we take for each state the number of married women in 1960, add the absolute number of marriages and subtract the absolute number of divorces of the years 1961 to 1969. Then we compare the resulting number with the actual number of married women in 1970. In most cases (82.7 percent) the difference between our auxiliary number and the actual number of married women is positive, i.e. the deaths and migration of married women outweigh the immigration of married women. In the remaining 17.3 percent of the cases, we observe net immigration of married women. We assume that the sum of deaths and (im)migration of married

for the share of married (fe)males for all states from 1969 through 2000, see Figure 4. The share of married females does not equal the share of married males within a given state and year. This difference can be explained by different principal residences of spouses, for instance, due to weekly commuting. Since we have *a priori* no presumption whether the share of married females or males is the right metric, we will use three different measures, the share of married females, males and an average of both.

Table 9 summarizes the results of the estimation of the effect of joint custody on the number of divorces per 1,000 married females. This estimation allows for the impact of joint custody on the size of the population at-risk to divorce. However, switching to the new measurement of the incidence of divorce does not change the result. Again, the positive effect of joint custody on divorce rates starting fifteen years after the reform remains statistically significant at least in specification (III). The choice of the measure of the stock of married people does not change the results either.²⁴

This result is also robust to some alternative specifications. Our first set of sensitivity checks is shown in Table 10. As above, specifications (R1-I) and (R1-II) drop California and New York, respectively. Specification (R1-III) includes leads for the joint custody reform, and specifications (R1-IV) and (R1-V) check for different types of reversion to the mean. With the exception of specification (R1-I) and (R1-III), we find in every case a statistically significant increase in the divorce rate fifteen years after the introduction of joint custody. The same is true for our second set of sensitivity checks (see Table 11), where we repeat all our alternative specifications from Table 10, however, not only controlling for the sex-race-distribution but for the sex-race-age-distribution of each state. Finally, in our third set of sensitivity checks (see Table 12) we include also state-specific linear time trends and the significant effect of joint custody on divorce rates vanishes.²⁵

The inclusion of all divorcing couples (with and without minors) creates an additional source of noise of our dependent variable. Joint custody does only apply to couples with minors at the time of divorce and should have no impact on couples without minors. That means, our sample comprises a sub-population which is by definition not affected by the reform. While this on the one hand may veil important aspects, we can on the other hand take advantage of this setting: Couples without minors constitute a clear control group and we can apply a *difference-in-difference-in-differences* (DDD) estimator.²⁶

Unfortunately, separate figures for divorces of couples with and without minors are only available until 1995.²⁷ We have obtained the absolute numbers from the annual editions of the women is constant between 1961 and 1969 and distribute the difference over the years 1961 to 1969 equally. An equivalent procedure is applied for the 1970s to 1990s. The same procedure is applied to construct a measure of the annual stock of married males.

²⁴The corresponding estimation output for the number of divorces per 1,000 married males and the average of married females and males is available upon request.

²⁵Notably, we find in our first two set of robustness checks a statistically significant coefficient on the first lead (one to two years before the reform). This may indicate that some spouses have pushed divorce forward before the joint custody reform was implemented. However, in the third set of robustness checks, as well, as in our refined estimation strategy below, we do not find any statistically significant leads.

²⁶Since a possible impact of the joint custody reform on fertility has not been studied so far, we can not rule out that second dimension of our DDD estimator comprises compositional effects.

²⁷The collection of detailed information on divorcing couples was suspended beginning in January 1996. According to the National Center for Health Statistics limitations in the information collected by the states as well as budgetary considerations necessitated this action (see Federal Register Notice, Dec. 15, 1995).

Vital Statistics for all available states from 1969 to 1988 and computed the respective number for 1989 to 1995 based on micro-level divorce certificate data provided by the National Vital Statistics System of the National Center for Health Statistics.²⁸ This gives us an unbalanced panel data set of 33 states with 817 observations. On average, the divorce rate is higher among couples with minors compared to couples without minors: 4.65 versus 3.54 divorces per 1,000 of the adult population.

In order to exploit the control group nature of couples without minors we pool the divorce rates of couples with minors and couples without minors. That means, we have now a stacked data-matrix with two observations per state and year. Based on this data we run a fixed-effects DDD estimation, where the dependent variable is the equal to the divorce rate ($D_{g,s,t}$) of group $g = T, C$, in state s in year t ,

$$D_{s,t,g} = \eta * G_{s,t} + \sum_r \alpha_{Tr} * JC_{s,t}^r * G_{s,t} + \alpha_{Cr} * JC_{s,t}^r + \sum_s \beta_s * State_s + \sum_t \gamma_t * Year_t + \sum_r \delta_{Tr} * UD_{s,t}^r * G_{s,t} + \delta_{Cr} * UD_{s,t}^r + \varepsilon_{s,t,g}. \quad (3)$$

The binary variable G is equal to one if the observation is from the treatment group ($g = T$, couples with minors) and zero if it is from the control group ($g = C$, couples without minors). As before, β_s are state fixed-effects, γ_t are year fixed-effects, $JC_{s,t}^r$ and $UD_{s,t}^r$ denote a series of binary variables equal to one if a state has introduced joint custody and unilateral divorce law r years ago. The DDD estimate is based on the change in the divorce rate of the treated in the treatment states, netting out the change in the divorce rate of the treated in control states and the change in the divorce rate of controls in the treatment states. In further specifications we allow the divorce rate of the treated and controls to follow a different path over time.

The baseline specification (I) in Table 13 suggest that the introduction of joint custody has decreased divorce rates, however, once we allow for group-specific linear time trends – starting in specification (II) – this effect vanishes. It becomes apparent that divorce rates of both groups follow *ceteris paribus* a secular up-ward trend, however, this is less pronounced for couples with minors. Therefore, presuming a common trend over time, would give misleading results. Still, we observe a positive effect of joint custody on divorce rates starting fifteen years after the reform in specification (II) and (III). Since we lose in our estimation sample early adopters such as Indiana and New Hampshire, we also carry out an estimation, where we include only lags up to eleven years following the reform, see specification (IV). In this case, we do not find any evidence for an impact of joint custody on divorce rates. We get equivalent results if we add group-specific fixed-effects and/or group-state-specific linear time trends. We also applied our DD estimation strategy separately for the data on divorces with and without minors. The results suggest no impact of joint custody on divorce with minors nor on divorces without minors.²⁹

In sum, we cannot put forward any convincing evidence on the hypothesis that joint custody had an *overall* impact on the incidence of divorce. However, we can not rule out that joint custody is effective through different channels that offset each other. For instance, additional

²⁸For 17 states (AR, AZ, CO, FL, IN, LA, ME, MN, MS, NC, ND, NJ, NM, OK, TX, WA, WV) there are no data available. In the case of 6 states (CA, DC, DE, MA, NH, SC) some observations are missing.

²⁹Detailed output on all estimations is available upon request.

marriages that would have not occurred under single custody may be of lower match quality (i. e. higher likelihood of divorce), but due to increased marital-specific investments (behavioral effect) we do not observe an overall impact on divorce rates.

Finally, it should be noted that the impact of unilateral divorce law on divorce rates is only prevalent for couples with minors. We do not find any discernable effects of unilateral divorce law on divorces of couples without minors. This is also true for separate DD estimations. This has not been recognized by the literature so far.

5.3 The effect on the stock of married people

So far we have convincing evidence that the introduction of joint custody has increased marriage rates and had no impact on divorce rates. Apart from the analyzes of these two flow measures it is instructive to analyze the impact on the stock of married people. This analysis should give us the net effect of the two flow measures.

Again, since we have *a priori* no presumption whether the share of married females or males is the right metric, we will employ three different measures (share of married females, males and an average of both) as dependent variables. The estimation results in Table 14 show, as expected, that joint custody has had a clear positive impact on the stock of married people. The effect starts nine years after the reform and grows over time. The specification which employs the share of married females (column I) gives stronger results compared to the specification which relies on the share of married males (column II). It is hard to rationalize why we observe some differences between the two metrics. However, our measures of the stock of married people are not as precise as the two flow measures employed above and it seems that the share of married females is simply more precise as the shared of married males. The specification based on the average of both metrics (column III) shows the same patterns as the specification in column I. It suggests an increase in the stock of married people by about 1.2 percentage points starting nine years after the reform. Over the following years this effect grows to 1.8 percentage points. In sum, we are confident that our estimations capture the correct dynamics of the reform.³⁰

6 Dissemination of joint custody awards

The development of joint custody awards in the US over time allows us to gather additional supportive evidence for our findings above. We check whether the dissemination of joint custody awards fits to the delayed and growing causal effect of joint custody on marriage rates. Therefore, we use divorce certificate data provided by the National Vital Statistics System of the National Center for Health Statistics (NCHS) which provide micro-level information on divorces in the so-called divorce-registration area. They capture the universe of divorces in small states, and a representative sample in larger states. Information is available for the majority of states from 1968 to 1995, but the custody allocation of children is recorded only from 1989 onwards (Clarke, 1995). The data include information on the state of divorce, number of children under 18, physical custody arrangement, duration of marriage, and the spouses' age, race, number of marriage and

³⁰This is also corroborated by several robustness checks summarized in Table 15

their state of residence. There is no information on legal custody available.³¹

We are interested in the determinants of joint physical custody awards. Therefore, we select all 111 state-years in which joint custody is available. The definition of joint physical custody is a minimum of 30 percent time share with each parent.³² Table 16 shows the development of joint custody awards over time. We exclude 3,011 cases where custody is awarded to a third person and 7,072 cases where the custody arrangement consists of a combination of mother sole custody, father sole custody and/or joint custody. Unfortunately, we cannot exploit the information on the latter, since information on custody allocation is only available on a family level and not for each child. After cleaning the data we have 179,997 observations available.

Our dependent variable $JC_{i,s,t}$ is equal to one if joint custody is awarded for all children of family i (in state s in year t) and zero if sole custody is awarded for all children:

$$JC_{i,s,t} = \alpha * \text{Years since JC reform}_{s,t} + \beta * UL_{s,t} + \gamma * \mathbf{X}_i \left[+ \sum_s \delta_s * \text{State}_s + \sum_t \zeta_t * \text{Year}_t + \sum_t \eta_s * \text{State time trend}_s \right] + \varepsilon_{i,s,t}. \quad (4)$$

As explanatory variables of special interest we include a variable capturing the years since joint custody was introduced and a binary variable, $UL_{s,t}$, indicating whether unilateral divorce is available or not.³³ In addition, we control for the whole set of available spouses' characteristics \mathbf{X}_i . In different specifications we include state fixed-effects, year fixed-effects and state-specific linear time trends. As method of estimation we use a linear probability model with frequency weights and we calculate robust standard errors (allowing for clustering by state and heteroskedasticity of unknown form).

Table 17 presents the estimation results for different specifications. Considering the richest specification (V) we find that the probability of a joint custody award increases *ceteris paribus* by three percentage points each year after the introduction of joint custody. This slow dissemination of joint custody awards is consistent with the delayed and increasing causal effect of joint custody on marriage. Interestingly, our estimation reveals that a joint custody award is less likely (minus 9.2 percentage points) in states which allow for unilateral divorces. This may be explained by the fact that unilateral divorce has changed the composition of the stock of married people. The controls variables capturing the spouses' characteristics show some interesting regularities which suggest that joint custody is not randomly assigned and (self)-selection has to be considered.³⁴

³¹This rich data source has hardly ever been exploited in such a disaggregated way. The only exception we are aware of is Matouschek and Rasul (2008).

³²The NCHS does not provide this definition in any officially published document, however, Kuhn and Guidubaldi (1997) quote a personal communication with Sally C. Clarke from NCHS.

³³Of the 111 state-years covered, in 59 unilateral divorce law is available.

³⁴For instance, the probability of a joint custody arrangement increases with duration of marriage, the husband's age at the time of divorce, and it decreases with the number of the spouses' prior marriages. Or, the likelihood of joint custody arrangement is lower for non-white spouses. Further, couples with two minors at the time of divorce are more likely to obtain joint custody compared to couples with one minor. Beyond that additional minors reduce the probability of joint custody. This suggests that two is the optimal number of minors for a cooperative joint custody solution.

7 The short side of the marriage market

Given that joint custody has increased the stock of married people, it would be interesting whether joint custody has affected the incentive to marry of men and women equally. Since under the sole custody regime women in general got custody, it seems plausible that men should have gained more from the joint custody law reform.

It is hard to measure the incentive to marry among sexes. However, a possible way is given by survey data that directly asks individuals whether they would prefer to marry. Starting in 1976 and continuing to the present, the *Monitoring the Future* study asks annually a nationally representative sample of high school seniors the same set of questions on marriage. Examining several questions on marriage, we quickly see that the proportion of females who have a preference for (early) marriage is consistently higher than the proportion of males.³⁵ That means, males are in general more reluctant to marry and represent the short side of the marriage market.

However, the gap between females and males has decreased since the seventies. For instance, the gap between the share of females and males who are most likely to choose to getting married in the long run (or who are already married) has decreased from 11 percentage points in 1976 to 4 percentage points in 2006. Or, if we consider the question ‘If it were just up to you, what would be the ideal time for you to get married?’ we observe (see Figure 5) that the gap in the average score from the question on the ideal time to get married’ has fallen from 0.44 points to 0.19 points.³⁶ We can not causally link the relatively increased willingness of males to marry to the gradual introduction of joint custody over this period of time.³⁷ Still, this finding is consistent with increased gains from marriage for the short side of the market and constitutes additional supportive evidence for our findings presented above.

8 Conclusions

Under joint custody, parents share access to their child and child-rearing responsibilities even after the divorce. We utilize the variation occurring from the different timing of custody law reforms across the US to identify causal effects of joint custody laws on the incidence of marriage and divorce. Our results show a clear long-run increase in marriage rates, beginning after five years of the reform. This delayed and increasing causal effect of the reform is consistent with the gradual dissemination of joint custody awards. We find no convincing evidence for an impact of joint custody on divorce rates. In sum, the introduction of joint custody has had a positive impact on the stock of married people. It has increased the stock by about 1.2 percentage points ten years after the reform and dampened the persistent downturn in marriage, which can be observed over the last thirty years.

Given the dominance of maternal custody under sole custody regimes, the introduction of joint custody has plausibly increased the incentive to marry for men – the group which is typically more reluctant to marry. Consistently, we observe that men’s stated willingness to marry has

³⁵For a comprehensive discussion see Thornton and Young-DeMarco (2001).

³⁶The possible answers are ‘1 = Within the next year or so, 2 = Two or three years from now, 3 = Four or five years from now, 4 = Over five years from now and 5 = I don’t want to marry’.

³⁷Unfortunately, we can not exploit the different timing of the joint custody reforms across states, since the published data from the *Monitoring the Future* study does not include information on the state of residence.

relatively increased since the 1907s. Therefore, all our empirical evidence is fully consistent with the supposition that the additional marriages due to joint custody are the result of increased gains of marriage for men. So far the economic literature has paid little attention to the potential far-ranging effects of different custody laws. We hope that our research stimulates further interest in that area and further outcomes will be studied in the future. Fertility behavior seems to be a particularly promising outcome which could help to understand the whole picture.

Our results are also clearly important for the literature studying the impact of custody law on any (child) outcome. Firstly, we directly show that couples with joint custody awards are selected. Secondly, given that joint custody has an impact on the incidence of marriage, a further potential layer of selection has to be considered. Additional marriages that would not have occurred under single custody may change the composition of the stock of married couples. These marginal marriages may be of lower match quality. In addition, joint custody may have changed the investment in children within and/or outside marriage.

Like the literature on unilateral divorce law (e. g. Wolfers, 2006), our empirical analysis can be regarded as a test of the Coase Theorem. Becker, Landes and Michael (1977) argued that if spouses can bargain efficiently, the Coase theorem implies that a change in divorce law only affects the distribution of welfare within marriage, but not the incidence of marriage or divorce. Unilateral divorce simply re-assigns the right to divorce from being held jointly, to being held individually. Equivalently, under a sole custody regime, the right to spend time with the child after divorce is held individually. The introduction of joint custody re-assigns this right to being held jointly. Our results – showing that the incidence of marriage changes – can be interpreted as evidence that spouses may be unable to bargain efficiently over time with the child (e. g. due to transactions costs or the existence of private information).

Finally, our results should be of considerable interest to policy-makers. For varying reasons the public worries about the decline in marriage and policy-makers have on their agenda to increase marriage rates. A large number of policies have been designed in the US to increase the incidence of marriage and to stabilize existing marriages. These comprise large media campaigns, the re-introduction of covenant marriages (Brinig, 1999), and the removal of marriage penalties in tax codes (Alm, Dickert-Conlin and Whittington, 1999), pension systems (Baker, Hanna and Kantarevic, 2004) and medicaid programs (Yelowitz, 1998). In the case of joint custody no attention was given to its potential marriage promoting effect when it was considered. Our paper is also a first step in understanding which policies can be used to promote marriage.

References

- Alesina, Alberto and Paola Giuliano (2007), Divorce, Fertility and the Value of Marriage, Unpublished manuscript, Harvard University.
- Allen, Douglas W. (1992), 'Marriage and Divorce: Comment', *American Economic Review* **82**(3), 679–685.
- Alm, James, Stacy Dickert-Conlin and Leslie A. Whittington (1999), 'Policy Watch: The Marriage Penalty', *Journal of Economic Perspectives* **113**(3), 193–204.
- Baker, Michael, Emily Hanna and Jasmin Kantarevic (2004), 'The Married Widow: Marriage Penalties Matter!', *Journal of the European Economic Association* **2**(4), 634–664.
- Bauserman, Robert (2002), 'Child Adjustment in Joint-Custody Versus Sole-Custody Arrangements: A Meta-Analytic Review', *Journal of Family Psychology* **16**(1), 91–102.
- Becker, Gary S., Elisabeth M. Landes and Robert T. Michael (1977), 'An Economic Analysis of Marital Instability', *Journal of Political Economy* **85**(6), 1141–1187.
- Bennett, Neil G., David E. Bloom and Patricia H. Craig (1989), 'The Divergence of Black and White Marriage Patterns', *American Journal of Sociology* **95**(3), 692–722.
- Bertrand, Marianne, Esther Duflo and Sendhil Mullainathan (2004), 'How Much Should We Trust Differences-in-Differences Estimates?', *Quarterly Journal of Economics* **119**(1), 249–275.
- Bowman, Madonna E. and Constance R. Ahrons (1985), 'Impact of Legal Custody Status on Fathers' Parenting Postdivorce', *Journal of Marriage and the Family* **47**(2), 481–488.
- Brien, Michael J. (1997), 'Racial Differences in Marriage and the Role of Marriage Markets', *Journal of Human Resources* **32**(4), 741–778.
- Brinig, Margaret F. (1999), 'Economics, Law, and Covenant Marriage', *Gender Issues* **16**(1–2), 4–33.
- Brinig, Margaret F. and Francis H. Buckley (1998), 'Joint Custody: Bonding and Monitoring Theories', *Indiana Law Journal* **73**(2), 393–452.
- Cáceres-Delpiano, Julio and Eugenio P. Giolito (2008), How Unilateral Divorce Affects Children, IZA Discussion Papers 3342, Institute for the Study of Labor (IZA), Bonn.
- Cancian, Maria and Daniel R. Meyer (1998), 'Who Gets Custody?', *Demography* **35**(2), 147–157.
- Clarke, Sally C. (1995), Advance Report of Final Divorce Statistics, 1989 and 1990, Monthly Vital Statistics Report Vol. 43, No. 9, Supplement, National Center for Health Statistics, Hyattsville, MD.
- Dee, Thomas S. (2003), 'Until Death Do You Part: The Effects of Unilateral Divorce on Spousal Homicides', *Economic Inquiry* **41**(1), 163–182.

- Del Boca, Daniela and Rocio Ribero (1998), ‘Transfers in Non-Intact Households’, *Structural Change and Economic Dynamics* **9**(4), 469–478.
- Dethloff, Nina and Dieter Martiny (2003), Country Chapter Germany, in K.Boele-Woelki, B.Braat and I.Sumner, eds, ‘European Family Law in Action, Vol. III Parental Responsibilities’, Intersentia, Antwerpen.
- Drewianka, Scott (2008), ‘Divorce Law and Family Formation’, *Journal of Population Economics* **21**(2), 485–503.
- Estin, Ann L. (1998), ‘Bonding After Divorce: Comments on Joint Custody: Bonding and Monitoring Theories’, *Indiana Law Journal* **72**(2), 441–452.
- Friedberg, Leora (1998), ‘Did Unilateral Divorce Raise Divorce Rates? Evidence From Panel Data’, *American Economic Review* **88**(3), 608–627.
- Genadek, Katie R., Wendy A. Stock and Christiana Stoddard (2007), ‘No-Fault Divorce Laws and the Labor Supply of Women with and without Children’, *Journal of Human Resources* **42**(1), 247–274.
- Gray, Jeffrey S. (1998), ‘Divorce-Law Changes, Household Bargaining, and Married Women’s Labor Supply’, *American Economic Review* **88**(3), 628–642.
- Gruber, Jonathan (2004), ‘Is Making Divorce Easier Bad for Children? The Long Run Implications of Unilateral Divorce’, *Journal of Labor Economics* **22**(4), 799–833.
- Halla, Martin and Christine Hölzl (2007), Bargaining at Divorce: The Allocation of Custody, unpublished manuscript, University of Linz.
- Huang, Chien-Chung, Wen-Jui Han and Irwin Garfinkel (2003), ‘Child Support Enforcement, Joint Legal Custody, and Parental Involvement’, *Social Service Review* **77**(2), 255–278.
- Jänterä-Jareborg, Maarit (2003), Country Chapter Sweden, in K.Boele-Woelki, B.Braat and I.Sumner, eds, ‘European Family Law in Action, Vol. III Parental Responsibilities’, Intersentia, Antwerpen.
- Johnson, John H. and Christopher J. Mazingo (2000), The Economic Consequences of Unilateral Divorce for Children, Working Paper 0112, University of Illinois CBA Office of Research.
- Kuehl, S J. (1989), ‘Against Joint Custody: A Dissent to the General Bull Moose Theory’, *Family & Conciliation Courts Review* **27**(2), 37–45.
- Kuhn, Richard and John Guidubaldi (1997), Child Custody Policies and Divorce Rates in the US, Paper presented at the 11th Annual Conference of the Children’s Rights Council, Washington, D.C.
- Matouschek, Niko and Imran Rasul (2008), ‘The Economics of the Marriage Contract: Theories and Evidence’, *Journal of Law and Economics* **51**(1), 59–110.

- Mnookin, Robert H. (1975), ‘Child-Custody Adjudication: Judicial Functions in the Face of Indeterminacy’, *Law and Contemporary Problems* **39**(3), 226–293.
- National Center for Health Statistics (1997), *Marriage and Divorce Data, 1989–95*, CD-ROM Series 21, No. 6, Department of Health and Human Services.
- Peters, Elizabeth H (1986), ‘Marriage and Divorce: Informational Constraints and Private Contracting’, *American Economic Review* **76**(3), 437–454.
- Peters, Elizabeth H. (1992), ‘Marriage and Divorce: Reply’, *American Economic Review* **82**(3), 686–693.
- Rasul, Imran (2003), The Impact of Divorce Laws on Marriage, Unpublished manuscript, University of Chicago.
- Rasul, Imran (2006a), ‘Marriage Markets and Divorce Laws’, *Journal of Law, Economics and Organization* **22**(1), 30–69.
- Rasul, Imran (2006b), ‘The Economics of Child Custody’, *Economica* **73**(1), 1–25.
- Roth, Marianne (2003), Country Chapter Austria, in K.Boele-Woelki, B.Braat and I.Sumner, eds, ‘European Family Law in Action, Vol. III Parental Responsibilities’, Intersentia, Antwerpen.
- Seltzer, Judith A. (1991), ‘Legal Custody Arrangements and Children’s Economic Welfare’, *The American Journal of Sociology* **96**(4), 895–929.
- Stevenson, Betsey (2007), ‘The Impact of Divorce Laws on Marriage-Specific Capital’, *Journal of Labor Economics* **25**(1), 75–94.
- Stevenson, Betsey and Justin Wolfers (2006), ‘Bargaining in the Shadow of the Law: Divorce Laws and Family Distress’, *Quarterly Journal of Economics* **121**(1), 267–288.
- Stevenson, Betsey and Justin Wolfers (2007a), ‘Marriage and Divorce: Changes and their Driving Forces’, *Journal of Economic Perspectives* **21**(2), 27–52.
- Stevenson, Betsey and Justin Wolfers (2007b), Trends in Marital Stability, Unpublished manuscript, University of Pennsylvania.
- Sverdrup, Tone and Peter Lødrup (2003), Country Chapter Norway, in K.Boele-Woelki, B.Braat and I.Sumner, eds, ‘European Family Law in Action, Vol. III Parental Responsibilities’, Intersentia, Antwerpen.
- Teng Wah, Leo (2006), From Maternal Preference to Joint Custody: The Impact of Changes in Custody Law on Child Educational Attainment, Unpublished manuscript, University of Toronto.
- Thornton, Arland and Linda Young-DeMarco (2001), ‘Four Decades of Trends in Attitudes Toward Family Issues in the United States: The 1960s Through the 1990s’, *Journal of Marriage and Family* **63**(4), 1009–1037.

- Weiss, Yoram and Robert J. Willis (1985), ‘Children as Collective Goods and Divorce Settlements’, *Journal of Labor Economics* **3**(3), 268–292.
- Wolfers, Justin (2006), ‘Did Unilateral Divorce Laws Raise Divorce Rates? A Reconciliation and New Results’, *American Economic Review* **96**(5), 1802–1820.
- Yelowitz, Aaron S. (1998), ‘Will Extending Medicaid to Two-Parent Families Encourage Marriage?’, *Journal of Human Resources* **33**(4), 833–865.

9 Appendix

Figure 1: Year of enactment of joint custody laws across the US.

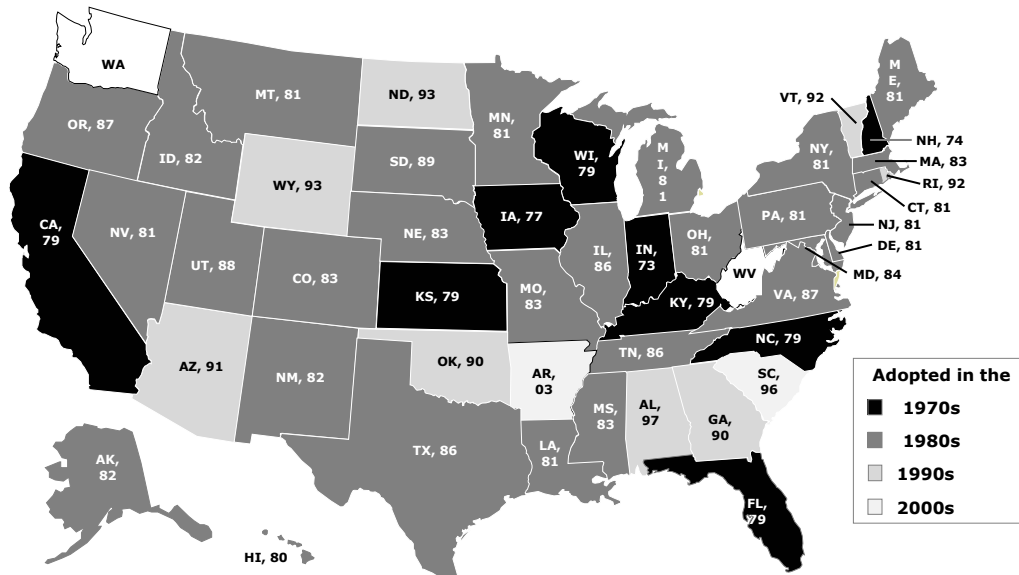


Figure 2: Share of treated population and number of treated states.

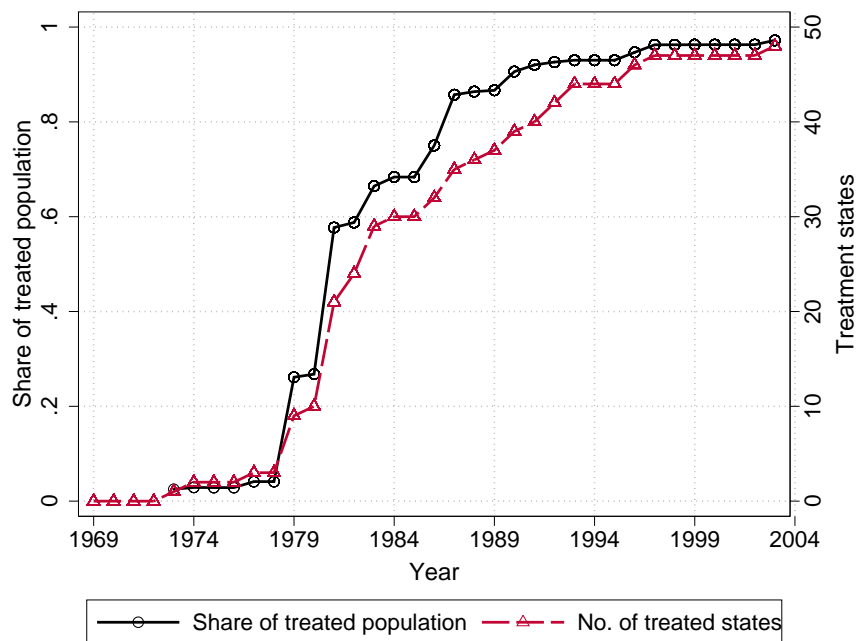


Figure 3: Development of marriage and divorce rates.

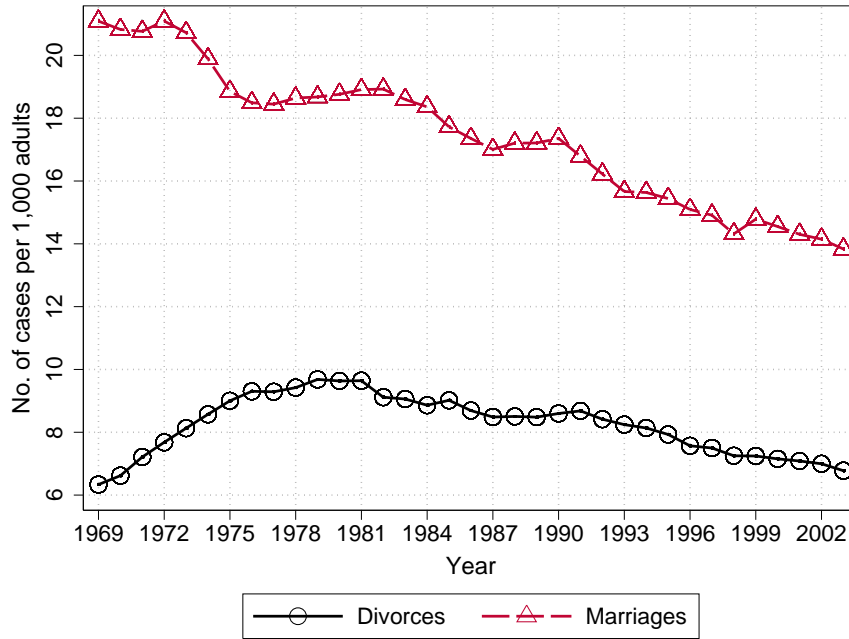


Figure 4: Stocks of married females and males.

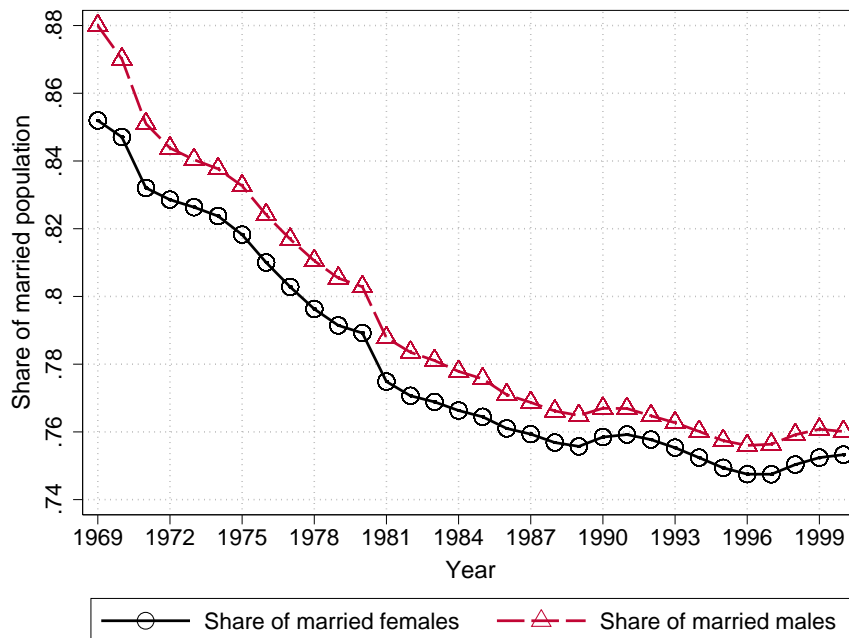


Table 1: Year of enactment of joint custody and unilateral divorce law.^a

State	Joint custody	Unilateral divorce	State	Joint custody	Unilateral Divorce
AK	1982	1935	MT	1981	1975
AL	1997	1971	NC	1979	-
AR	2003	-	ND	1993	1971
AZ	1991	1973	NE	1983	1972
CA	1979	1970	NH	1974	1971
CO	1983	1971	NJ	1981	-
CT	1981	1973	NM	1982	1973
DC	1996	-	NV	1981	1973
DE	1981	-	NY	1981	-
FL	1979	1971	OH	1981	-
GA	1990	1973	OK	1990	1953
HI	1980	1973	OR	1987	1973
IA	1977	1970	PA	1981	-
ID	1982	1971	RI	1992	1976
IL	1986	-	SC	1996	-
IN	1973	1973	SD	1989	1985
KS	1979	1969	TN	1986	-
KY	1979	1972	TX	1987	1974
LA	1981	-	UT	1988	-
MA	1983	1975	VA	1987	-
MD	1984	-	VT	1992	-
ME	1981	1973	WA	-	1973
MI	1981	1972	WI	1979	-
MN	1981	1974	WV	-	-
MO	1983	-	WY	1993	1977
MS	1983	-			

^a The coding for the introduction of joint custody law follows Brinig and Buckley (1998). The coding for unilateral divorce is from Wolfers (2006).

Table 2: Average marriage and divorce rates from 1969 to 2003.^a

	Mean	S.D.	Min	Max
Marriage rate				
All states except NV	17.45	4.73	6.77	40.98
Nevada	206.11	74.17	112.95	363.79
Divorce rate				
All states except NV	8.25	2.51	0.35	16.97
Nevada	22.73	7.91	11.02	42.09

^a The marriage (divorce) rate is the number of marriages (divorces) per 1,000 of the population between 15 and 55 years of age.

Table 3: The effect of JC on the no. of marriages per 1,000 adults.^a

	(I)	(II)	(III)
Joint custody in effect for			
years 1-2	0.240 (0.472)	0.203 (0.453)	0.272 (0.437)
years 3-4	0.496 (0.554)	0.487 (0.528)	0.545 (0.519)
years 5-6	1.079* (0.632)	1.093* (0.603)	1.135* (0.601)
years 7-8	1.589** (0.753)	1.622** (0.732)	1.635** (0.738)
years 9-10	1.744* (0.920)	1.758* (0.899)	1.765* (0.897)
years 11-12	2.075* (1.070)	2.081* (1.051)	2.060* (1.031)
years 13-14	2.654** (1.196)	2.668** (1.178)	2.629** (1.204)
years 15+	3.752** (1.528)	3.786** (1.508)	3.683** (1.538)
Unilateral divorce in effect for			
years 1-2		-0.034 (0.185)	-0.038 (0.169)
years 3-4		-0.201 (0.313)	-0.275 (0.280)
years 5-6		-0.221 (0.410)	-0.406 (0.373)
years 7-8		-0.117 (0.407)	-0.396 (0.385)
years 9-10		0.115 (0.369)	-0.222 (0.341)
years 11-12		-0.028 (0.413)	-0.388 (0.357)
years 13-14		-0.247 (0.503)	-0.616 (0.429)
years 15+		-0.565 (0.510)	-0.961* (0.508)
Control variables			
GSP p.c.			0.124** (0.056)
Share of white female			0.046 (1.206)
Share of black male			3.200 (1.972)
Share of black female			-2.814* (1.638)
Share of other male			-8.234*** (2.121)
Share of other female			7.663*** (1.601)
Adj. R-squared	0.840	0.841	0.857

^a The dependent variable is equal to the absolute number of marriages per 1,000 of the population between 15 and 55 years of age. Each estimation controls for state and year fixed-effects. Estimated using state population weights. Robust standard errors (allowing for clustering by state) in parentheses. The number of observations is 1,745. *, ** and *** indicate statistical significance at the 10-percent level, 5-percent level, and 1-percent level, respectively.

Table 4: The effect of JC on the no. of marriages per 1,000 adults – alternative specification.^a

	(I)	(II)	(III)
Joint custody in effect for			
years 1-3	0.311 (0.494)	0.253 (0.472)	0.323 (0.439)
years 4-6	0.985 (0.602)	0.965* (0.568)	1.017* (0.532)
years 7-9	1.676** (0.793)	1.678** (0.769)	1.704** (0.731)
years 10-12	2.048** (1.011)	2.021** (0.996)	2.017** (0.939)
years 13-15	2.770** (1.222)	2.734** (1.207)	2.715** (1.175)
years 16+	4.093** (1.578)	4.069** (1.556)	3.970** (1.512)
Unilateral divorce in effect for			
years 1-3		-0.324 (0.347)	-0.530* (0.287)
years 4-6		-0.534 (0.520)	-1.014** (0.414)
years 7-9		-0.422 (0.557)	-1.105** (0.469)
years 10-12		-0.323 (0.636)	-1.124** (0.558)
years 13-15		-0.732 (0.760)	-1.606** (0.692)
years 16+		-1.141 (0.889)	-2.196** (0.924)
Control variables			
GSP p.c.			0.131** (0.057)
Share of white female			0.008 (1.200)
Share of black male			4.353** (1.868)
Share of black female			-4.073** (1.571)
Share of other male			-8.731** (1.996)
Share of other female			8.063*** (1.349)
Adj. R-squared	0.842	0.844	0.864

^a The dependent variable is equal to the absolute number of marriages per 1,000 of the population between 15 and 55 years of age. Each estimation controls for state and year fixed-effects. Estimated using state population weights. Robust standard errors (allowing for clustering by state) in parentheses. The number of observations is 1,745. *, ** and *** indicate statistical significance at the 10-percent level, 5-percent level, and 1-percent level, respectively.

Table 5: The effect of JC on the no. of marriages per 1,000 adults – robustness checks I.^a

	(R1-I) ^b	(R1-II) ^c	(R1-III)	(R1-IV)	(R1-V)
Joint custody in effect for					
years 1-2	0.165 (0.450)	0.214 (0.452)	0.260 (0.511)	0.297 (0.439)	0.204 (0.444)
years 3-4	0.396 (0.530)	0.492 (0.514)	0.533 (0.597)	0.572 (0.521)	0.477 (0.547)
years 5-6	0.996 (0.613)	1.125* (0.592)	1.123 (0.676)	1.158* (0.605)	1.105* (0.659)
years 7-8	1.414* (0.747)	1.702** (0.715)	1.622** (0.802)	1.641** (0.746)	1.573* (0.810)
years 9-10	1.583* (0.925)	1.833** (0.867)	1.750* (0.965)	1.753* (0.904)	1.711* (0.975)
years 11-12	1.909* (1.055)	2.116** (0.994)	2.045* (1.097)	2.021* (1.040)	2.002* (1.136)
years 13-14	2.441* (1.220)	2.756** (1.150)	2.612** (1.265)	2.545** (1.207)	2.565* (1.303)
years 15+	3.577** (1.606)	3.738** (1.464)	3.664** (1.598)	3.467** (1.530)	3.518** (1.601)
years minus 1-2			0.008 (0.258)		
years minus 3-4			-0.111 (0.183)		
Married 1960*trend				2.894 (2.596)	
Married 1960*year					yes
Unilateral divorce in effect for					
years 1-2	0.093 (0.156)	-0.065 (0.174)	-0.041 (0.168)	-0.023 (0.172)	-0.002 (0.164)
years 3-4	-0.014 (0.214)	-0.339 (0.292)	-0.268 (0.284)	-0.239 (0.293)	-0.260 (0.294)
years 5-6	-0.026 (0.256)	-0.463 (0.393)	-0.397 (0.368)	-0.354 (0.385)	-0.399 (0.393)
years 7-8	-0.060 (0.323)	-0.414 (0.418)	-0.401 (0.387)	-0.330 (0.395)	-0.412 (0.402)
years 9-10	-0.208 (0.423)	-0.137 (0.363)	-0.215 (0.344)	-0.159 (0.341)	-0.271 (0.333)
years 11-12	-0.440 (0.433)	-0.199 (0.341)	-0.390 (0.368)	-0.323 (0.350)	-0.454 (0.322)
years 13-14	-0.642 (0.485)	-0.381 (0.404)	-0.611 (0.431)	-0.554 (0.416)	-0.709* (0.382)
years 15+	-0.925* (0.544)	-0.719 (0.454)	-0.959* (0.508)	-0.941* (0.502)	-1.091** (0.492)
Control variables					
GSP p.c.	yes	yes	yes	yes	yes
Sex-race-distribution	yes	yes	yes	yes	yes
Observations	1,711	1,710	1,745	1,745	1,745
Adj. R-squared	0.844	0.866	0.857	0.859	0.860

^a The dependent variable is equal to the absolute number of marriages per 1,000 of the population between 15 and 55 years of age. Each estimation controls for state and year fixed-effects. Estimated using state population weights. Robust standard errors (allowing for clustering by state) in parentheses. *, ** and *** indicate statistical significance at the 10-percent level, 5-percent level, and 1-percent level, respectively. ^b This specification excludes California. ^c This specification excludes New York.

Table 6: The effect of JC on the no. of marriages per 1,000 adults – robustness checks II.^a

	(R2-I) ^b	(R2-II) ^c	(R2-III)	(R2-IV)	(R2-V)
Joint custody in effect for					
years 1-2	-0.046 (0.308)	-0.008 (0.306)	0.005 (0.354)	0.111 (0.289)	0.169 (0.290)
years 3-4	0.079 (0.368)	0.203 (0.351)	0.205 (0.411)	0.314 (0.348)	0.420 (0.358)
years 5-6	0.632 (0.443)	0.880** (0.425)	0.804* (0.474)	0.906** (0.427)	1.076** (0.446)
years 7-8	0.771 (0.523)	1.308** (0.507)	1.118** (0.541)	1.229** (0.513)	1.378** (0.536)
years 9-10	0.715 (0.627)	1.342** (0.619)	1.137* (0.645)	1.259** (0.623)	1.429** (0.648)
years 11-12	1.004 (0.688)	1.621** (0.696)	1.448* (0.726)	1.591** (0.700)	1.808** (0.732)
years 13-14	1.315* (0.756)	2.033** (0.796)	1.840** (0.826)	1.978** (0.810)	2.220** (0.830)
years 15+	1.828** (0.893)	2.538*** (0.945)	2.416** (0.961)	2.547** (0.958)	2.753*** (0.987)
years minus 1-2			-0.192 (0.195)		
years minus 3-4			-0.140 (0.149)		
Married 1960*trend				1.783 (2.676)	
Married 1960*year					yes
Unilateral divorce in effect for					
years 1-2	0.081 (0.151)	-0.150 (0.159)	-0.102 (0.163)	-0.092 (0.163)	-0.079 (0.167)
years 3-4	-0.064 (0.235)	-0.607** (0.294)	-0.483 (0.319)	-0.465 (0.313)	-0.464 (0.321)
years 5-6	-0.105 (0.295)	-0.876** (0.411)	-0.681 (0.438)	-0.683 (0.436)	-0.677 (0.440)
years 7-8	0.039 (0.286)	-0.765* (0.448)	-0.529 (0.440)	-0.549 (0.452)	-0.527 (0.457)
years 9-10	0.086 (0.288)	-0.326 (0.317)	-0.189 (0.313)	-0.185 (0.307)	-0.162 (0.326)
years 11-12	-0.046 (0.286)	-0.210 (0.269)	-0.153 (0.274)	-0.198 (0.262)	-0.163 (0.269)
years 13-14	-0.175 (0.311)	-0.261 (0.290)	-0.274 (0.303)	-0.318 (0.294)	-0.262 (0.294)
years 15+	-0.297 (0.291)	-0.420 (0.311)	-0.437 (0.309)	-0.504 (0.307)	-0.421 (0.308)
Control variables					
GSP p.c.	yes	yes	yes	yes	yes
Sex-race-age-distrib.	yes	yes	yes	yes	yes
Observations	1,711	1,710	1,745	1,745	1,745
Adj. R-squared	0.906	0.912	0.909	0.909	0.910

^a The dependent variable is equal to the absolute number of marriages per 1,000 of the population between 15 and 55 years of age. Each estimation controls for state and year fixed-effects. Estimated using state population weights. Robust standard errors (allowing for clustering by state) in parentheses. *, ** and *** indicate statistical significance at the 10-percent level, 5-percent level, and 1-percent level, respectively. ^b This specification excludes California. ^c This specification excludes New York.

Table 7: The effect of JC on the no. of marriages per 1,000 adults – robustness checks III.^a

	(R3-I)	(R3-II) ^b	(R3-III) ^c	(R3-IV)
Joint custody in effect for				
years 1-2	0.121 (0.229)	0.032 (0.239)	0.026 (0.229)	0.027 (0.246)
years 3-4	0.308 (0.238)	0.244 (0.258)	0.207 (0.223)	0.197 (0.248)
years 5-6	0.800*** (0.280)	0.800** (0.305)	0.727** (0.273)	0.680** (0.274)
years 7-8	1.089*** (0.374)	1.098** (0.418)	1.041*** (0.373)	0.956*** (0.354)
years 9-10	0.910* (0.491)	1.082** (0.527)	0.853* (0.501)	0.769 (0.464)
years 11-12	0.955* (0.545)	1.205** (0.580)	0.871 (0.554)	0.807 (0.531)
years 13-14	1.116* (0.586)	1.399** (0.629)	1.061* (0.615)	0.960* (0.570)
years 15+	1.211* (0.628)	1.671** (0.679)	1.028 (0.651)	1.038* (0.616)
years minus 1-2				-0.182 (0.130)
years minus 3-4				-0.117 (0.099)
Unilateral divorce in effect for				
years 1-2	-0.048 (0.138)	0.110 (0.139)	-0.087 (0.135)	-0.049 (0.140)
years 3-4	-0.248 (0.238)	0.122 (0.175)	-0.359 (0.222)	-0.249 (0.247)
years 5-6	-0.312 (0.368)	0.255 (0.214)	-0.461 (0.351)	-0.292 (0.371)
years 7-8	-0.154 (0.396)	0.367 (0.224)	-0.293 (0.409)	-0.120 (0.376)
years 9-10	0.152 (0.263)	0.279 (0.252)	0.095 (0.290)	0.155 (0.269)
years 11-12	0.074 (0.216)	0.097 (0.245)	0.098 (0.230)	0.101 (0.221)
years 13-14	-0.047 (0.212)	-0.045 (0.241)	-0.007 (0.214)	-0.038 (0.216)
years 15+	-0.236 (0.197)	-0.104 (0.187)	-0.227 (0.208)	-0.222 (0.200)
Control variables				
Sex-race-age-distrib.	yes	yes	yes	yes
State specific time trend	yes	yes	yes	yes
Observations	1,745	1,711	1,710	1,745
Adj. R-squared	0.955	0.953	0.958	0.955

^a The dependent variable is equal to the absolute number of marriages per 1,000 of the population between 15 and 55 years of age. Each estimation controls for state and year fixed-effects. Estimated using state population weights. Robust standard errors (allowing for clustering by state) in parentheses. *, ** and *** indicate statistical significance at the 10-percent level, 5-percent level, and 1-percent level, respectively. ^b This specification excludes California. ^c This specification excludes New York.

Table 8: The effect of JC on the no. of divorces per 1,000 adults.^a

	(I)	(II)	(III)
Joint custody in effect for			
years 1-2	0.013 (0.221)	0.039 (0.165)	-0.014 (0.160)
years 3-4	-0.067 (0.279)	-0.019 (0.204)	-0.052 (0.196)
years 5-6	0.028 (0.354)	0.080 (0.264)	0.069 (0.271)
years 7-8	-0.086 (0.394)	-0.006 (0.295)	0.018 (0.293)
years 9-10	-0.402 (0.515)	-0.317 (0.402)	-0.227 (0.410)
years 11-12	-0.532 (0.722)	-0.445 (0.621)	-0.332 (0.656)
years 13-14	0.324 (0.567)	0.387 (0.464)	0.438 (0.492)
years 15+	1.027 (0.714)	1.125* (0.560)	1.155** (0.538)
Unilateral divorce in effect for			
years 1-2		0.224 (0.266)	0.222 (0.277)
years 3-4		0.115 (0.291)	0.134 (0.318)
years 5-6		0.158 (0.355)	0.211 (0.377)
years 7-8		-0.100 (0.391)	-0.018 (0.412)
years 9-10		-0.473 (0.431)	-0.347 (0.446)
years 11-12		-0.807 (0.485)	-0.613 (0.473)
years 13-14		-0.966** (0.473)	-0.684 (0.431)
years 15+		-1.286*** (0.478)	-0.879** (0.398)
Control variables			
GSP p.c.			0.055* (0.032)
Share of white female			2.150*** (0.674)
Share of black male			0.186 (1.020)
Share of black female			2.132*** (0.788)
Share of other male			2.322 (1.522)
Share of other female			0.024 (1.133)
Adj. R-squared	0.842	0.860	0.877

^a The dependent variable is equal to the absolute number of divorces per 1,000 of the population between 15 and 55 years of age. Each estimation controls for state and year fixed-effects. Estimated using state population weights. Robust standard errors (allowing for clustering by state) in parentheses. The number of observations is 1,710. *, ** and *** indicate statistical significance at the 10-percent level, 5-percent level, and 1-percent level, respectively.

Table 9: The effect of JC on the no. of divorces per 1,000 married females.^a

	(I)	(II)	(III)
Joint custody in effect for			
years 1-2	-0.143 (0.288)	-0.111 (0.221)	-0.118 (0.210)
years 3-4	-0.289 (0.371)	-0.225 (0.278)	-0.223 (0.270)
years 5-6	-0.184 (0.463)	-0.109 (0.357)	-0.093 (0.377)
years 7-8	-0.398 (0.482)	-0.284 (0.355)	-0.231 (0.375)
years 9-10	-0.957 (0.664)	-0.847 (0.529)	-0.741 (0.575)
years 11-12	-1.257 (1.083)	-1.143 (0.952)	-1.027 (0.999)
years 13-14	-0.275 (0.840)	-0.150 (0.669)	-0.012 (0.670)
years 15+	0.727 (0.918)	0.931 (0.713)	1.144* (0.648)
Unilateral divorce in effect for			
years 1-2		0.270 (0.345)	0.272 (0.351)
years 3-4		0.169 (0.378)	0.203 (0.391)
years 5-6		0.341 (0.464)	0.421 (0.467)
years 7-8		0.145 (0.514)	0.269 (0.505)
years 9-10		-0.247 (0.542)	-0.060 (0.527)
years 11-12		-0.685 (0.591)	-0.423 (0.559)
years 13-14		-0.940* (0.554)	-0.595 (0.494)
years 15+		-1.353** (0.562)	-0.906* (0.453)
Control variables			
GSP p.c	yes	yes	yes
Sex-race-distribution	yes	yes	yes
Adj. R-squared	0.848	0.860	0.869

^a The dependent variable is equal to the absolute number of divorce per 1,000 of the married female population. Each estimation controls for state and year fixed-effects. Estimated using state population weights. Robust standard errors (allowing for clustering by state) in parentheses. The number of observations is 1,580. *, ** and *** indicate statistical significance at the 10-percent level, 5-percent level, and 1-percent level, respectively.

Table 10: The effect of JC on the no. of divorces per 1,000 married females – robustness checks I.^a

	(R1-I) ^b	(R1-II) ^c	(R1-III)	(R1-IV)	(R1-V)
Joint custody in effect for					
years 1-2	-0.124 (0.199)	-0.152 (0.221)	-0.176 (0.232)	-0.113 (0.201)	-0.130 (0.204)
years 3-4	-0.259 (0.261)	-0.279 (0.269)	-0.293 (0.294)	-0.208 (0.256)	-0.235 (0.271)
years 5-6	-0.238 (0.363)	-0.141 (0.381)	-0.169 (0.396)	-0.053 (0.357)	-0.099 (0.380)
years 7-8	-0.409 (0.343)	-0.215 (0.377)	-0.314 (0.393)	-0.181 (0.355)	-0.234 (0.383)
years 9-10	-0.926 (0.566)	-0.665 (0.575)	-0.827 (0.594)	-0.673 (0.557)	-0.736 (0.592)
years 11-12	-1.125 (1.060)	-1.031 (1.024)	-1.119 (1.014)	-0.923 (0.989)	-0.973 (1.037)
years 13-14	-0.191 (0.651)	0.051 (0.663)	-0.110 (0.690)	0.133 (0.647)	0.122 (0.683)
years 15+	0.677 (0.623)	1.157* (0.643)	1.035 (0.663)	1.359** (0.580)	1.345** (0.595)
years minus 1-2					
years minus 3-4					
Married 1960*trend					
Married 1960*year				-2.159** (0.847)	yes
Unilateral divorce in effect for					
years 1-2	0.657*** (0.218)	0.293 (0.345)	0.275 (0.355)	0.260 (0.348)	0.257 (0.337)
years 3-4	0.627** (0.253)	0.228 (0.370)	0.189 (0.390)	0.175 (0.381)	0.125 (0.390)
years 5-6	0.817* (0.413)	0.439 (0.454)	0.425 (0.470)	0.380 (0.461)	0.337 (0.488)
years 7-8	0.724* (0.425)	0.296 (0.489)	0.309 (0.486)	0.221 (0.495)	0.196 (0.508)
years 9-10	0.437 (0.450)	0.011 (0.506)	-0.073 (0.529)	-0.110 (0.517)	-0.091 (0.519)
years 11-12	0.105 (0.489)	-0.296 (0.532)	-0.398 (0.569)	-0.475 (0.549)	-0.440 (0.553)
years 13-14	-0.132 (0.427)	-0.438 (0.450)	-0.596 (0.489)	-0.647 (0.480)	-0.622 (0.479)
years 15+	-0.478 (0.323)	-0.847* (0.429)	-0.896* (0.453)	-0.927** (0.445)	-0.978** (0.441)
Control variables					
GSP p.c.	yes	yes	yes	yes	yes
Sex-race-distribution	yes	yes	yes	yes	yes
Observations	1,548	1,548	1,580	1,580	1,580
Adj. R-squared	0.865	0.860	0.869	0.870	0.870

^a The dependent variable is equal to the absolute number of divorces per 1,000 of the married female population. Each estimation controls for state and year fixed-effects. Estimated using state population weights. Robust standard errors (allowing for clustering by state) in parentheses. *, **, and *** indicate statistical significance at the 10-percent level, 5-percent level, and 1-percent level, respectively. ^b This specification excludes California. ^c This specification excludes New York.

Table 11: The effect of JC on the no. of divorces per 1,000 married females – robustness checks II.^a

	(R2-I) ^b	(R2-II) ^c	(R2-III)	(R2-IV)	(R2-V)
Joint custody in effect for					
years 1-2	-0.016 (0.167)	-0.062 (0.178)	-0.078 (0.202)	-0.012 (0.180)	-0.044 (0.175)
years 3-4	0.000 (0.183)	-0.086 (0.200)	-0.093 (0.229)	-0.013 (0.204)	-0.054 (0.200)
years 5-6	0.085 (0.271)	0.100 (0.264)	0.071 (0.275)	0.161 (0.256)	0.092 (0.252)
years 7-8	-0.200 (0.287)	-0.083 (0.278)	-0.167 (0.279)	-0.068 (0.266)	-0.146 (0.274)
years 9-10	-0.782* (0.433)	-0.498 (0.402)	-0.651 (0.399)	-0.547 (0.388)	-0.646 (0.389)
years 11-12	-1.025 (0.871)	-0.816 (0.863)	-0.913 (0.833)	-0.806 (0.829)	-0.902 (0.829)
years 13-14	-0.217 (0.638)	0.227 (0.613)	0.080 (0.599)	0.192 (0.594)	0.109 (0.588)
years 15+	0.328 (0.647)	1.022* (0.556)	0.918 (0.552)	1.041* (0.543)	0.976* (0.530)
years minus 1-2		-0.194*	(0.115)		
years minus 3-4		0.020	(0.131)		
Married 1960*trend				-0.421	(1.529)
Married 1960*year					yes
Unilateral divorce in effect for					
years 1-2	0.651*** (0.215)	0.218 (0.363)	0.237 (0.375)	0.233 (0.372)	0.224 (0.368)
years 3-4	0.591** (0.256)	0.024 (0.409)	0.058 (0.432)	0.067 (0.431)	0.041 (0.439)
years 5-6	0.795** (0.378)	0.115 (0.506)	0.203 (0.524)	0.192 (0.522)	0.172 (0.528)
years 7-8	0.752** (0.366)	0.048 (0.505)	0.178 (0.502)	0.135 (0.525)	0.094 (0.532)
years 9-10	0.378 (0.371)	-0.263 (0.480)	-0.198 (0.498)	-0.191 (0.495)	-0.197 (0.500)
years 11-12	-0.088 (0.391)	-0.703 (0.506)	-0.634 (0.511)	-0.656 (0.502)	-0.628 (0.510)
years 13-14	-0.376 (0.314)	-0.889* (0.446)	-0.916** (0.448)	-0.908** (0.447)	-0.875* (0.450)
years 15+	-0.498** (0.198)	-1.039** (0.407)	-1.030** (0.421)	-1.028** (0.414)	-1.074** (0.410)
Control variables					
GSP p.c.	yes	yes	yes	yes	yes
Sex-race-age-distrib.	yes	yes	yes	yes	yes
Observations	1,548	1,548	1,580	1,580	1,580
Adj. R-squared	0.896	0.891	0.898	0.898	0.898

^a The dependent variable is equal to the absolute number of divorces per 1,000 of the married female population. Each estimation controls for state and year fixed-effects. Estimated using state population weights. Robust standard errors (allowing for clustering by state) in parentheses. *, ** and *** indicate statistical significance at the 10-percent level, 5-percent level, and 1-percent level, respectively. ^b This specification excludes California. ^c This specification excludes New York.

Table 12: The effect of JC on the no. of divorces per 1,000 married females – robustness checks III.^a

	(R3-I)	(R3-II) ^b	(R3-III) ^c	(R3-IV)
Joint custody in effect for				
years 1-2	0.070 (0.180)	0.095 (0.180)	0.054 (0.183)	0.025 (0.207)
years 3-4	0.031 (0.210)	0.090 (0.209)	-0.013 (0.210)	-0.026 (0.237)
years 5-6	0.252 (0.311)	0.235 (0.331)	0.185 (0.316)	0.185 (0.330)
years 7-8	0.037 (0.322)	0.045 (0.338)	0.001 (0.323)	-0.040 (0.332)
years 9-10	-0.545 (0.500)	-0.504 (0.502)	-0.524 (0.517)	-0.630 (0.513)
years 11-12	-0.911 (0.999)	-0.859 (1.025)	-0.937 (1.050)	-1.005 (1.013)
years 13-14	-0.099 (0.871)	-0.087 (0.869)	-0.080 (0.908)	-0.201 (0.881)
years 15+	0.491 (0.916)	0.436 (0.939)	0.491 (0.967)	0.371 (0.923)
years minus 1-2			-0.110 (0.090)	-0.110 (0.090)
years minus 3-4			0.063 (0.128)	0.063 (0.128)
Unilateral divorce in effect for				
years 1-2	0.221 (0.340)	0.588*** (0.219)	0.211 (0.338)	0.225 (0.344)
years 3-4	0.128 (0.368)	0.563*** (0.238)	0.107 (0.348)	0.119 (0.369)
years 5-6	0.343 (0.455)	0.839*** (0.355)	0.288 (0.447)	0.343 (0.459)
years 7-8	0.315 (0.446)	0.822*** (0.295)	0.241 (0.421)	0.339 (0.435)
years 9-10	-0.035 (0.415)	0.412 (0.275)	-0.094 (0.387)	-0.043 (0.417)
years 11-12	-0.465 (0.421)	-0.026 (0.274)	-0.501 (0.412)	-0.451 (0.425)
years 13-14	-0.680* (0.365)	-0.311 (0.249)	-0.644* (0.365)	-0.682* (0.361)
years 15+	-0.716* (0.411)	-0.202 (0.170)	-0.699* (0.404)	-0.711* (0.411)
Control variables				
Sex-race-age-distrib.	yes	yes	yes	yes
State specific time trend	yes	yes	yes	yes
Observations	1,580	1,548	1,548	1,580
Adj. R-squared	0.917	0.913	0.911	0.917

^a The dependent variable is equal to the absolute number of divorces per 1,000 of the married female population. Each estimation controls for state and year fixed-effects. Estimated using state population weights. Robust standard errors (allowing for clustering by state) in parentheses. *, ** and *** indicate statistical significance at the 10-percent level, 5-percent level, and 1-percent level, respectively. ^b This specification excludes California. ^c This specification excludes New York.

Table 13: The effect of JC on divorce rates – DDD estimation.^a

	(I)		(II)		(III)		(IV)	
Joint custody in effect for								
<i>G</i> *years 1-2	-0.471***	(0.152)	0.040	(0.215)	0.065	(0.251)	0.063	(0.250)
<i>G</i> *years 3-4	-0.636***	(0.207)	0.017	(0.301)	0.044	(0.341)	0.041	(0.340)
<i>G</i> *years 5-6	-0.799***	(0.257)	-0.023	(0.367)	0.007	(0.407)	0.004	(0.406)
<i>G</i> *years 7-8	-0.760***	(0.200)	0.155	(0.324)	0.187	(0.368)	0.183	(0.367)
<i>G</i> *years 9-10	-0.714***	(0.197)	0.287	(0.337)	0.320	(0.385)	0.316	(0.384)
<i>G</i> *years 11-12	-0.574***	(0.191)	0.537	(0.356)	0.573	(0.405)		
<i>G</i> *years 13-14	-0.662***	(0.219)	0.560	(0.403)	0.597	(0.452)		
<i>G</i> *years 15+	-0.220	(0.423)	0.993*	(0.508)	1.030*	(0.541)		
<i>G</i> *years 11+							0.632	(0.429)
<i>G</i> *years minus 1-2					0.059	(0.172)	0.057	(0.172)
<i>G</i> *years minus 3-4					0.105	(0.126)	0.105	(0.126)
years 1-2	0.156	(0.153)	-0.100	(0.173)	-0.167	(0.198)	-0.181	(0.195)
years 3-4	0.229	(0.239)	-0.097	(0.279)	-0.175	(0.310)	-0.195	(0.306)
years 5-6	0.310	(0.319)	-0.078	(0.366)	-0.161	(0.399)	-0.183	(0.394)
years 7-8	0.187	(0.293)	-0.270	(0.346)	-0.363	(0.383)	-0.400	(0.369)
years 9-10	0.097	(0.290)	-0.403	(0.351)	-0.500	(0.391)	-0.536	(0.373)
years 11-12	0.020	(0.382)	-0.535	(0.454)	-0.641	(0.495)		
years 13-14	0.254	(0.483)	-0.357	(0.562)	-0.474	(0.602)		
years 15+	0.288	(0.723)	-0.318	(0.772)	-0.445	(0.801)		
years 11+							-0.621	(0.522)
years minus 1-2					-0.162	(0.132)	-0.175	(0.131)
years minus 3-4					-0.076	(0.068)	-0.082	(0.068)
Unilateral divorce in effect for								
<i>G</i> *years 1-2	-0.091	(0.122)	0.018	(0.122)	0.021	(0.121)	0.020	(0.121)
<i>G</i> *years 3-4	-0.574	(0.525)	-0.306	(0.529)	-0.313	(0.522)	-0.314	(0.521)
<i>G</i> *years 5-6	-0.800*	(0.427)	-0.382	(0.433)	-0.410	(0.424)	-0.411	(0.423)
<i>G</i> *years 7-8	-1.065***	(0.359)	-0.534	(0.348)	-0.553	(0.366)	-0.554	(0.365)
<i>G</i> *years 9-10	-1.126***	(0.404)	-0.633	(0.383)	-0.637	(0.383)	-0.639	(0.382)
<i>G</i> *years 11-12	-1.308***	(0.441)	-0.832**	(0.406)	-0.835**	(0.406)	-0.837**	(0.406)
<i>G</i> *years 13-14	-1.287***	(0.441)	-0.764*	(0.402)	-0.772*	(0.404)	-0.774*	(0.403)
<i>G</i> *years 15+	-1.470***	(0.404)	-1.056**	(0.434)	-1.061**	(0.432)	-1.062**	(0.432)
years 1-2	-0.055	(0.192)	-0.110	(0.192)	-0.112	(0.193)	-0.113	(0.193)
years 3-4	0.028	(0.447)	-0.106	(0.448)	-0.107	(0.445)	-0.108	(0.445)
years 5-6	0.140	(0.403)	-0.069	(0.406)	-0.043	(0.401)	-0.041	(0.401)
years 7-8	0.242	(0.316)	-0.023	(0.316)	0.012	(0.325)	0.014	(0.325)
years 9-10	0.138	(0.351)	-0.109	(0.350)	-0.108	(0.347)	-0.110	(0.347)
years 11-12	0.067	(0.405)	-0.171	(0.390)	-0.173	(0.386)	-0.174	(0.386)
years 13-14	0.044	(0.431)	-0.218	(0.415)	-0.216	(0.412)	-0.218	(0.412)
years 15+	0.249	(0.330)	0.042	(0.349)	0.049	(0.346)	0.059	(0.347)
Control variables								
<i>G</i>	2.764***	(0.387)	3.020***	(0.401)	3.023***	(0.404)	3.023***	(0.403)
Trend			0.125***	(0.021)	0.130***	(0.022)	0.134***	(0.020)
<i>G</i> *Trend			-0.073***	(0.015)	-0.074***	(0.017)	-0.074***	(0.017)
Adj. R-squared	0.879		0.889		0.889		0.888	

^a The dependent variable is the equal to the divorce rate (number of divorces per 1,000 of the married female population) of group $g = T, C$, in state s in year t , where the treatment group ($g = T$) is equal to couples with minors and the control group ($g = C$) equal to couples without minors. Each estimation controls for state and year fixed-effects. Estimated using state population weights. Robust standard errors (allowing for clustering by state) in parentheses. The number of observations is 1,634. *, ** and *** indicate statistical significance at the 10-percent level, 5-percent level, and 1-percent level, respectively.

Table 14: The effect of JC on the stock of married people.^a

	Females	Males	Average
Joint custody in effect for			
years 1-2	0.005 (0.004)	0.005 (0.003)	0.005 (0.003)
years 3-4	0.005 (0.004)	0.005 (0.004)	0.005 (0.004)
years 5-6	0.005 (0.005)	0.004 (0.005)	0.004 (0.005)
years 7-8	0.007 (0.005)	0.007 (0.005)	0.007 (0.005)
years 9-10	0.013** (0.006)	0.012* (0.006)	0.012* (0.006)
years 11-12	0.015* (0.008)	0.013 (0.008)	0.014* (0.007)
years 13-14	0.019** (0.008)	0.015* (0.009)	0.017* (0.008)
years 15+	0.022** (0.010)	0.015 (0.011)	0.018* (0.010)
Unilateral divorce in effect for			
years 1-2	0.002 (0.002)	0.002 (0.003)	0.002 (0.003)
years 3-4	0.003 (0.004)	0.004 (0.004)	0.003 (0.004)
years 5-6	0.002 (0.004)	0.004 (0.005)	0.003 (0.004)
years 7-8	-0.004 (0.007)	-0.001 (0.007)	-0.002 (0.007)
years 9-10	-0.010 (0.008)	-0.006 (0.007)	-0.008 (0.007)
years 11-12	-0.008 (0.007)	-0.005 (0.006)	-0.007 (0.007)
years 13-14	-0.005 (0.005)	-0.001 (0.005)	-0.003 (0.005)
years 15+	-0.005 (0.004)	-0.002 (0.004)	-0.003 (0.004)
Control variables			
GSP p.c	yes	yes	yes
Sex-race-distribution	yes	yes	yes
Adj. R-squared	0.962	0.965	0.964

^a The dependent variable is equal to the stock of the married females, males and an average of both. Each estimation controls for state and year fixed-effects. Estimated using state population weights. Robust standard errors (allowing for clustering by state) in parentheses. The number of observations is 1,581. *, ** and *** indicate statistical significance at the 10-percent level, 5-percent level, and 1-percent level, respectively.

Table 15: The effect of JC on the stock of married females – robustness checks.^a

	(R-I) ^b	(R-II) ^c	(R-III)	(R-IV)	(R-V)
Joint custody in effect for					
years 1-2	0.007** (0.003)	0.006* (0.004)	0.005 (0.004)	0.005 (0.003)	0.005 (0.004)
years 3-4	0.006 (0.004)	0.006 (0.004)	0.005 (0.004)	0.005 (0.004)	0.005 (0.004)
years 5-6	0.005 (0.005)	0.005 (0.005)	0.005 (0.005)	0.005 (0.005)	0.005 (0.005)
years 7-8	0.008 (0.005)	0.008 (0.005)	0.008 (0.006)	0.008 (0.005)	0.008 (0.005)
years 9-10	0.013** (0.006)	0.013** (0.006)	0.013* (0.007)	0.014** (0.006)	0.013** (0.006)
years 11-12	0.016** (0.007)	0.015* (0.008)	0.015* (0.008)	0.016** (0.007)	0.016** (0.008)
years 13-14	0.019** (0.008)	0.018** (0.008)	0.019** (0.009)	0.020** (0.008)	0.020** (0.009)
years 15+	0.019* (0.010)	0.021* (0.010)	0.022** (0.011)	0.024** (0.010)	0.024** (0.010)
year minus 1-2			0.001 (0.002)		
year minus 3-4			-0.003 (0.003)		
Married 1960*trend				-0.024 (0.020)	yes
Married 1960*year					
Unilateral divorce in effect for					
years 1-2	-0.000 (0.002)	0.001 (0.002)	0.002 (0.003)	0.002 (0.003)	0.002 (0.002)
years 3-4	-0.000 (0.004)	0.002 (0.004)	0.003 (0.004)	0.003 (0.004)	0.003 (0.003)
years 5-6	-0.000 (0.004)	-0.000 (0.004)	0.003 (0.004)	0.002 (0.004)	0.002 (0.004)
years 7-8	-0.005 (0.008)	-0.007 (0.006)	-0.004 (0.007)	-0.004 (0.007)	-0.004 (0.007)
years 9-10	-0.009 (0.008)	-0.013* (0.007)	-0.009 (0.007)	-0.010 (0.007)	-0.010 (0.008)
years 11-12	-0.007 (0.007)	-0.012* (0.006)	-0.009 (0.007)	-0.009 (0.007)	-0.008 (0.007)
years 13-14	-0.005 (0.006)	-0.008* (0.004)	-0.005 (0.005)	-0.006 (0.005)	-0.005 (0.006)
years 15+	-0.007 (0.004)	-0.006 (0.004)	-0.005 (0.004)	-0.006 (0.004)	-0.005 (0.004)
Control variables					
GSP p.c.	yes	yes	yes	yes	yes
Sex-race-distribution	yes	yes	yes	yes	yes
Observations	1,549	1,549	1,581	1,581	1,581
Adj. R-squared	0.960	0.960	0.962	0.963	0.962

^a The dependent variable is equal to the stock of the married females. Each estimation controls for state and year fixed-effects. Estimated using state population weights. Robust standard errors (allowing for clustering by state) in parentheses. *, ** and *** indicate statistical significance at the 10-percent level, 5-percent level, and 1-percent level, respectively. ^b This specification excludes California. ^c This specification excludes New York.

Table 16: Trends in joint physical custody awards.^a

	1989	1990	1991	1992	1993	1994	1995
AK ^b		20.7	20.8	19.6	23.5	27.1	27.4
CT ^c	35.5	36.7	39.5	41.6	46.3	41.2	47.1
IA ^c			22.2	15.2	13.5	12.4	12.4
ID ^c	33.5	34.3	33.7	33.7	29.2	26.0	25.2
IL ^c	13.8	14.8	16.3	19.2	20.8	22.5	22.3
KS ^c	41.1	45.3	51.0	54.9	48.6	53.3	56.3
MD ^c							23.5
MI ^c	13.0	14.5	13.4	13.2	12.8	14.4	14.1
MO ^c	14.6	16.0	17.2	17.5	17.2	15.0	15.2
MT ^b	45.2	45.8	52.7	53.8	53.2	55.5	57.3
NE ^c		4.6	4.9	4.9	5.8	7.0	11.0
NH ^b	7.0	7.3	8.6	9.4	10.7	11.2	13.6
OR ^c	15.0	15.3	19.1	19.6	20.9	21.5	23.5
PA ^c	11.0	11.4	12.8	14.2	14.9	16.7	16.6
RI ^b				30.1	17.4	28.2	25.5
SD ^b			29.5	29.7	23.6	17.7	15.4
TN ^c	8.7	9.0	10.5	13.7	12.8	12.0	14.1
UT ^c	9.8	8.8	11.2	8.6	12.8	14.4	18.2
VA ^c		15.2	13.8	14.5	17.2	17.7	20.9
VT ^b				12.8	13.6	19.5	21.5
WI ^c			46.0	45.7	50.4	49.1	50.4
WY ^b	35.8				16.8	18.4	21.8

^a These figures give the share of joint physical custody awards based on all observations for which either sole or joint physical custody is awarded for all children. The definition of joint physical custody is a minimum of 30 percent time share with each parent. ^b Figures are based on a full sample of all divorcing couples. ^c Figures are based on a random sample of all divorces. For details refer to National Center for Health Statistics (1997).

Table 17: Determinants of physical joint custody awards.^a

	(I)	(II)	(III)	(IV)	(V)
<i>Family law</i>					
Years since joint custody was adopted	0.016* (0.008)	0.017* (0.010)	0.011*** (0.002)	0.006*** (0.000)	0.030*** (0.001)
Unilateral divorce law available	0.097 (0.065)	0.095 (0.065)	0.003 (0.019)	0.050*** (0.002)	-0.092*** (0.005)
<i>Number of children under 18^b</i>					
Two minors	0.014** (0.005)	0.014** (0.005)	0.010*** (0.002)	0.010*** (0.002)	0.010*** (0.002)
Three minors	-0.003 (0.007)	-0.004 (0.007)	-0.010*** (0.003)	-0.010*** (0.003)	-0.010*** (0.003)
Four minors	-0.020** (0.008)	-0.020** (0.008)	-0.029*** (0.005)	-0.029*** (0.005)	-0.029*** (0.005)
Duration of marriage	0.001 (0.001)	0.001 (0.001)	0.001** (0.001)	0.001** (0.001)	0.001** (0.001)
<i>Spouses' age at decree</i>					
Age of wife at divorce	0.001 (0.001)	0.001 (0.001)	0.001 (0.001)	0.001 (0.001)	0.001 (0.001)
Age of husband at divorce	0.002*** (0.001)	0.002*** (0.001)	0.002*** (0.000)	0.002*** (0.000)	0.002*** (0.000)
<i>Number of this marriage</i>					
Wife's #	-0.007 (0.007)	-0.007 (0.007)	-0.007* (0.003)	-0.007* (0.003)	-0.007* (0.003)
Husband's #	-0.030*** (0.008)	-0.030*** (0.008)	-0.029*** (0.004)	-0.029*** (0.004)	-0.029*** (0.004)
<i>Spouses' race^c</i>					
Only wife is white	-0.074*** (0.014)	-0.072*** (0.012)	-0.077*** (0.011)	-0.077*** (0.011)	-0.078*** (0.011)
Only husband is white	-0.045** (0.017)	-0.043** (0.016)	-0.048*** (0.009)	-0.048*** (0.009)	-0.049*** (0.009)
Both spouses are non-white	-0.117*** (0.014)	-0.116*** (0.013)	-0.114*** (0.007)	-0.115*** (0.007)	-0.115*** (0.007)
<i>Place of residence^d</i>					
Only wife is resident of state of divorce	-0.104*** (0.021)	-0.102*** (0.022)	-0.101*** (0.022)	-0.101*** (0.022)	-0.101*** (0.023)
Only husband is resident of state of divorce	-0.025 (0.023)	-0.023 (0.025)	-0.021 (0.025)	-0.021 (0.025)	-0.021 (0.025)
Neither is resident of state of divorce	0.003 (0.031)	0.004 (0.032)	0.009 (0.033)	0.009 (0.033)	0.010 (0.033)
State fixed-effects	no	no	yes	yes	yes
Year fixed-effects	no	yes	no	yes	yes
State specific time trend	no	no	no	no	yes
Adj. R-squared	0.056	0.057	0.122	0.122	0.124

^a The dependent variable is equal to one if joint custody is awarded for all children, and zero if sole custody is awarded for all children. The number of observations is in each estimation 179, 997 and comprise the following state-years AK (1990–1995), CT (1989–1995), IA (1991–1995), ID (1989–1995), IL (1989–1995), KS (1989–1995), MD (1995), MI (1989–1995), MO (1989–1995), MT (1989–1995), NE (1990–1995), NH (1989–1995), OR (1989–1995), PA (1989–1995), RI (1992–1995), SD (1991–1995), TN (1989–1995), UT (1989–1995), VA (1990–1995), VT (1992–1995), WI (1989, 1991–1995), WY (1993–1995). Estimated using a linear probability model with frequency weights. Robust standard errors (allowing for clustering by state and heteroskedasticity of unknown form) in parentheses. *, ** and *** indicate statistical significance at the 10-percent level, 5-percent level, and 1-percent level, respectively. ^b Base group: one minor. ^c Base group: both spouses are white. ^d Base group: both spouses are resident of state of divorce.

Figure 5: Gap between males and females in their ideal time to marry over time.

If it were just up to you, what would be the ideal time for you to get married

(1 = Within the next year or so; 2 = Two or three years from now; 3 = Four or five years from now; 4 = Over five years from now; 5 = I don't want to marry)

