



2019-07-01

# The Effects of Premarital Education Promotion Policies on U.S. Divorce Rates

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The Effects of Premarital Education Promotion  
Policies on U.S. Divorce Rates

Tiffany Lura Clyde

A thesis submitted to the faculty of  
Brigham Young University  
in partial fulfillment of the requirements for the degree of  
Master of Science

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## ABSTRACT

### The Effects of Premarital Education Promotion Policies on U.S. Divorce Rates

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Previous research has documented the effects of divorce on children, families, communities, taxpayers, and society. Accordingly, local, state, and national governments have enacted policies aimed at strengthening marriages and reducing divorce. Currently, ten states have enacted some form of premarital education promotion policy. However, no research has documented whether the implementation of premarital education promotion policies has actually decreased the divorce rate in implementing states. Accordingly, the purpose of this study was to investigate empirically the effectiveness of premarital education policy implementation on reducing early divorce rates. Prior to running any empirical analyses, an implementation study was conducted to understand how effectively each state implemented the premarital education promotion policy. A combination of methods was used for this study including reviewing the legislative documents, reviewing archival records, as well as interviewing academics and key persons associated with the bill. Following the implementation study, an impact study was conducted to analyze the effects of the policies on the divorce rates. Divorce rate data were obtained from NCHS National Vital Statistics Reports (1988-2016). To assess the effects of premarital education policies, difference-in-difference estimation using state fixed effects was employed. The results of the implementation study suggest that while the policies had similarities in their language and intent, the majority of the states had little or no formal oversight and implementation of the policy. Results of the impact study suggest that effectively implementing a policy is significantly associated with a .5% in the divorce rate after controlling for all other variables in the model. I conclude with a discussion of the implementation and impact studies results as well as suggestions for future policy efforts and research.

Keywords: premarital education, divorce, marriage, public policy

## ACKNOWLEDGEMENTS

I would like to express my sincere gratitude to my advisor and thesis chair, Dr. Alan J. Hawkins. He has been an invaluable mentor to me and provided tremendous support throughout the course of my undergraduate and graduate school experience. His encouragement and confidence in me allowed me to pursue projects far beyond what I thought I was capable of, including this thesis. My gratitude extends, as well, to Drs. Jocelyn S. Wikle and Spencer L. James for their tireless efforts to help me refine the analyses for this paper and their examples of continuous learning and improvement, especially in mathematics and statistics. I would also like to thank all my graduate school professors for their dedication to my success as a student and academic. Furthermore, I would like to thank my dear husband, Andrew, who encouraged me to pursue my dreams despite the many obstacles and for his endless love and support throughout this process. Thank you for giving me wings to fly. In addition, I would like to express my gratitude to my mother-in-law, Heather, and other family members who cared for my son, Ethan, so I could attend class, work on assignments, and teach with peace of mind and heart. I would also like to thank my parents for setting the foundation for my education and their encouragement to this point. Finally, I would like to thank my cohort for their constant support, assistance, and, most of all, friendship throughout these past two years.

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## The Effects of Premarital Education Promotion

### Policies on U.S. Divorce Rates

The current divorce rate in the United States is approximately 40-50% of first marriages and 60% of second marriages (Amato, 2010; Centers for Disease Control and Prevention [CDC], 2017; National Marriage Project, 2019). Although the divorce rate has declined from its peak in the early 1980s, it remains historically high, especially in the early years of marriage (Kreider & Ellis, 2011) regardless of age, race, or cohort (Copen, Daniels, Vespa, & Mosher, 2012). The most recent estimate of the economic costs of a divorce for local, state, and national governments is conservatively estimated to *exceed* \$33 billion a year (Schramm, 2006). One study conservatively estimated that the annual cost of divorce and family instability in Texas to be \$3.18 billion (Schramm et al., 2013). Another study estimated divorce and family instability cost taxpayers nationally *at least* \$112 billion per year (Scafidi, 2008). It is likely that these estimates have changed through the years. Of course, the emotional and psychological costs of divorce on individuals and families cannot be numerically measured fully.

Due to the extensive amount of research documenting the negative effects of divorce on individuals, families, children (Amato, 2000; Amato & Keith, 1991; McLanahan, Tach, & Schneider, 2013) and the effects on communities, states, and the nation (Scafidi, 2008; Schramm, 2006), some governments have taken a special interest in public policies aimed at reducing the divorce rate and strengthening marriages and families. Some states have taken a preventative approach to reducing divorce by implementing premarital education policies. To date, ten states have implemented some form of premarital education policies, namely Florida (1998), Oklahoma (1999), Maryland (2001), Minnesota (2001), Tennessee (2002), Georgia (2004), South Carolina (2006), Texas (2007), West Virginia (2012), and Utah (2018). These policies

encourage prospective and engaged couples to participate in premarital education courses prior to marriage in order to gain knowledge and learn skills to help strengthen a marriage. While previous research has documented the effects of participating in premarital education on reducing divorce and increasing marital satisfaction (see Fawcett, Hawkins, Blanchard, & Carroll, 2010; Stanley, Amato, Johnson, & Markman, 2006), no research has documented whether the implementation of premarital education promotion policies has actually increased the premarital education participation rate and decreased the divorce rate in the implementing states. Accordingly, the purpose of this study is to investigate empirically the effectiveness of premarital education promotion policy implementation on reducing early divorce rates. Study findings are of considerable importance for policymakers and scholars.

### **History of Divorce Trends and Laws in the United States**

Demographers and historians first note a spike in the divorce rate at the end of World War II, followed by two decades of relatively stability (National Marriage Project, 2019; Wilcox, 2009). From the late 1960s to the 1980s the divorce rate more than doubled, reaching its highest point in the early 1980s (National Marriage Project, 2019). Less than 20% of marriages in 1950 ended in divorce, but approximately 50% of marriages in 1980 did (National Marriage Project, 2019). Since the 1980s, divorce has steadily been on the decline (National Marriage Project, 2019; Wilcox, 2009). Wilcox (2009) argues that, “In the years since 1980, however, these trends have not continued on straight upward paths, and the story of divorce has grown increasingly complicated” (p. 81). Nonetheless, several changes in divorce laws may be implicated in spiked divorce rates in the 1970s and 1980s.

California was the first state to adopt a no-fault divorce with the Family Law Act of 1969, which became effective January 1, 1970. Prior to no-fault divorce, couples would seek a

divorce through the adversarial judicial system as a civil action by showing one of the parties was at fault (e.g., committed adultery, abandonment, felony, etc.) in the marriage. No-fault divorce laws replaced the old laws with a proceeding for divorce on the grounds of irreconcilable differences. Within a decade nearly every state had passed a no-fault divorce law resulting in a significant legal transformation in divorce (Wilcox, 2009). New York was the exception, adopting a variation of no-fault divorce in 2010. However, operationally, divorce operated as no-fault divorce in the late 80s. Currently, every state has adopted some variation of no-fault divorce. In addition, throughout the years most states have foregone mandated waiting periods for divorce. Of those states that still do, the average waiting period for divorce is 30 days (A. J. Hawkins, personal communication, March 28, 2019). It is important to note that major changes in divorce laws, such as no-fault divorce, occurred prior to the implementation of the premarital education promotion policies and therefore should not affect the analyses. The evidence to suggest that waiting periods significantly change the divorce rate is limited and mixed, but suggests that if any effect exists, it is relatively small (Hawkins & Leavitt, 2018). Accordingly, its impact on the analyses should be minimal. Ultimately, trends in the divorce rate coincide with significant changes in the ease and accessibility of divorce within the United States. By the close of the twentieth century approximately 40-50% of marriages ended in divorce (Amato, 2010; CDC, 2017; National Marriage Project, 2019), bearing significant consequences for those directly and indirectly involved.

### **The Effects of Divorce**

Divorce has been a popular topic in research for several decades. A quick search using ISI Web of Science bibliographic database revealed 16,419 articles published in social science journals from 1980-2018 that listed divorce as a key topic. While the complete ramifications of

divorce to society cannot be fully estimated, scholars have been able to document many of the economic costs. The economic fallout associated with divorce is not limited to those individuals directly involved in the divorce. Instead, divorce has an economic ripple effect on society, especially on government-sponsored support programs. This includes, but is not limited to, greater child support enforcement, Medicaid expenses, and Temporary Assistance to Needy Families (especially for women and children). Moreover, family fragmentation as the result of marital dissolution is associated with numerous social problems (e.g., drug use, delinquency, child abuse, domestic violence), which are typically not reflected in most estimates. At a minimum, the economic costs of divorce for local, state, and national government, as mentioned earlier, are estimated to exceed \$33 billion for per year (Schramm, 2006). Of course, the economic cost for the couple directly involved is high too, with the average cost of divorce approximately \$15,000 (Michon, n.d.; Schramm, 2006).

However, the ramifications of divorce are not limited to economic costs. There are many potential psychological and emotional costs for those involved in divorce. Research has repeatedly documented the associations between children of divorce and lower academic achievement, psychological adjustment, behavioral problems, and social competence (Amato, 2010; Amato & Anthony, 2014; Frisco, Müller, & Frank, 2007; McLanahan et al., 2013). Although children of high-conflict marriages may actually benefit from divorce (Amato & Afifi, 2006; Booth & Amato, 2001), most divorces come from low-conflict marriages (James, 2015). In reality, the consequences of divorce for children are complex, but are not to be taken lightly.

The effects of divorce continue to influence children of divorced parents well into adulthood (Amato & Keith, 1991; Amato & Sobolewski, 2001; Amato, 2010) and the repercussions of divorce continue to affect future generations as well (Amato, 1996; Amato &

Cheadle, 2005; Wolfinger, 2005). It is important to clarify, however, that most adult children of divorce become happy, productive citizens (Amato, 2010; Amato & Anthony, 2014).

Nevertheless, overall, the effects of marital dissolution are, on average, associated with scoring lower on a variety of individual and relational well-being indicators for young children, adult children, and the couple involved (Amato, 2010; Frisco et al., 2007; McLanahan et al., 2013; Waite & Gallagher, 2002). Due to the numerous financial, social, and psychological costs and ramifications of divorce, the aim of policy intervention is to decrease family instability in order to increase individual and relational well-being for adults and children (Sawhill, 2014).

### **History of Marriage and Divorce Policies in the United States**

With the divorce rate at its peak in the 1980s as well as high rates of teen pregnancy, out-of-wedlock childbearing, and single-parent households, there was an increased concern regarding the welfare of families and children (Brotherson & Duncan, 2004). This growing concern was magnified by evidence linking divorce and family instability to adverse outcomes for individuals, families, communities and society, as discussed earlier. Accordingly, academics, policymakers, and religious communities became increasingly involved in dialogues and initiatives targeting the stability of marriage and families (Brotherson & Duncan, 2004). Some have referred to these activities collectively as the marriage movement (Coalition for Marriage, Families, and Couples Education, 2000).

As part the marriage movement, state and national governments took additional political steps to improve directly the quality and stability of marriage unions and subsequently reduce divorce (Ooms, 1998). (Of course, many other social and economic policies have indirect effects on family formation and stability.) The most well-known policy is the federal Healthy Marriage Initiative, a set of policies that have sought to promote healthy marriages and relationships as a

part of federal welfare policy. Through this initiative, the federal Administration for Children and Families has provided significant grants (totaling nearly \$1 billion from 2006-2018) to community organizations to support relationship education and family strengthening services targeting lower income individuals and couples (Hawkins & VanDenBerghe, 2014). A handful of states (e.g., OK, UT, TX, FL) have had parallel, ongoing state-level efforts to promote and support relationship education efforts, although Utah is the only state that has maintained ongoing state-level support through 2018. Additional legal efforts include adopting Covenant Marriage laws, which allow couples applying for marriage licenses to opt into a covenant marriage contract (Nock, Sanchez, & Wright, 2008). The contract requires participating in formal premarital education, seeking marital counseling before filing for divorce, and an extended waiting period for divorce. However, currently only three states have adopted Covenant Marriage laws (i.e., Arizona, Arkansas, and Louisiana) and the proportion of couples who are choosing a Covenant Marriage appears to be very small (Nock et al., 2008).

The examples provided above are far from a comprehensive list of community, state, and federal initiatives and policy interventions that occurred in response to concerns regarding divorce and family fragmentation. (For further reading, see Ooms, 1998; Brotherson & Duncan, 2004). Ultimately, these policies were aimed at strengthening marriages, reducing divorces, reducing family instability, and thereby encouraging the formation and maintenance of two-parent families. While some policies intervened in marriage and family life more directly, such as promoting responsible fathering among unmarried fathers, other policy approaches were more preventative, such as the case with premarital education legislation.

### **History of Premarital Education Policy and Implementation**

Premarital education promotion policies have coincided with existing policies and

community initiatives to strengthen marriages and reduce divorce. However, rather than being implemented at a federal level, premarital education promotion policies have exclusively been implemented at a state level. Ten states have currently implemented premarital education promotion legislation: Florida (1998), Oklahoma (1999), Maryland (2001), Minnesota (2001), Tennessee (2002), Georgia (2004), South Carolina (2006), Texas (2007), West Virginia (2012), and Utah (2018). (At least six other states have proposed but not passed premarital education promotion legislation: California, Connecticut, Hawaii, Iowa, Michigan, and North Dakota). While there are slight variations among the statutes, they have much in common. These policies often provide incentives and/or funding, typically in the form of marriage license discounts, for couples to participate in formal premarital education or counseling (Scafidi, 2008; Hawkins, 2007). They also stipulate a specific number of hours in formal premarital education, and often proof of meeting such requirements, in order to receive the marriage license discount. There is more variability in the requirements regarding providers of premarital interventions.

The need for premarital education is widely recognized among clergymen and professionals throughout the United States (Fawcett et al., 2010). Premarital education is generally defined as, “An educational program with curriculum specifically designed for couples preparing for or seriously considering marriage,” (Clyde, Hawkins, & Willoughby, 2019, p. 3). Although there are differences between premarital education and counseling the terms are often used interchangeably. Both generally have a set curriculum that includes learning and practicing the basic principles and skills for healthy marriages such as effective communication, etc. (Clyde et al., 2019). Premarital interventions also come in a variety of forms with programmatic interventions delivered by trained facilitators in a group setting (e.g., PREP), online programs (e.g., ePREP: <https://www.lovetakeslearning.com/>), and face-to-face premarital education

delivered in religious settings being the most common forms (see Williams, 2007 and Clyde et al., 2019 for summaries premarital interventions). Clergy currently provide the majority of premarital education (Stanley, Amato et al., 2006). As such, both religious and secular forms of premarital education can meet the requirements as outlined in each state's legislation. Research suggests that premarital interventions can help couples strengthen communication skills, increase marital satisfaction, and reduce the early risk of divorce (Fawcett et al., 2010; Stanley, Amato et al., 2006; Stanley, Rhoades, & Markman, 2006). Additionally, participating in premarital interventions may lead some couples to delay marriage in order to address serious concerns and make deliberate decisions about their future together, or even possibly make the difficult choice to end that relationship (Stanley, 2001).

### **Public Policy Rationale**

At the center of marriage and divorce policies remains the question: Is there a helpful role that government can play in strengthening marriages and reducing divorce? Government involvement in marriage, which is primarily viewed as a private domain, requires sufficient justification. According to Brotherson and Duncan (2004, p. 459), "The rationale for government efforts to strengthen marriage does not divide easily along political or ideological lines." Hence, what is the rationale for government intervention in marital matters?

First, there is theoretical support for government involvement in marriage. More specifically, ecological systems theory (Bronfenbrenner 1979, 1992) offers a framework through which government intervention interacts with the prospective or engaged couple. According to this theory, the macrosystem, or the outermost layer in an individual's circle of influence, is comprised of laws, cultural values, and customs that influence and dictate features of all the other systems in the couple's circle of influence (Rosa & Tudge, 2013). Much of the rationale for

policy intervention provided by government entities during the marriage movement was the notion that policy interventions would lead to cultural changes regarding marriage and divorce (Brotherson & Teichert, 2001; Ooms, 1998). More specifically, government involvement in marriage sends the messages that marriage matters not only on a personal level, but for society as well (Gallagher, 2004; Ooms, 1998). One primary goal of policy intervention then is that cultural messages around marriage will encourage couples to invest more in and prepare better for marriage (Ooms, 1998). This rationale is supported by ecological systems theory that proposes the prospective or engaged couple will be directly influenced by cultural attitudes and changes.

Additional rationale for government involvement in marital matters is largely based on two main assumptions: first, the overwhelming evidence that marriage is the most ideal environment for raising children to become healthy, productive, and law-abiding citizens of society (Brotherson & Teichert, 2001; Gallagher, 2004; Ooms, 1998); and second, the assumption that healthy, stable marriages are best for taxpayers, the economy, communities, and society (Ooms, 1998). Again, due to the increased concern regarding the welfare of families and children and evidence linking divorce and family instability to adverse outcomes for individuals, families, communities, and society, there was a sense of need to do something at community, state, and national levels (Brotherson & Duncan, 2004; Ooms, 1998). In other words, marriage and family matters were no longer solely regarded as a private issue, but a public good, as well (Gallagher, 2004).

Moreover, a return to fault-based divorce does not seem politically feasible because of the overwhelming public acceptance of divorce (Pew Research Center, 2017). And while there are no public records indicating that premarital education promotion policies were pursued in direct response to no-fault divorce or waiting periods laws, it is plausible that such interventions

are intended to mitigate the consequences of these divorce laws. That is, while not rolling back laws that have made divorce easier to obtain, preventative efforts to reduce the need for divorce have emerged in the wake of no-fault divorce. These theories and assumptions collectively serve as the rationale for government efforts to preserve and promote marriage.

In that regard, there is one primary theory serving as the rationale for states legislating premarital education policies. That theory is the transtheoretical model of change (Prochaska, DiClemente, & Norcross, 1992), which helps us understand how people go about preparing for important changes and highlights a unique openness to change. Formal premarital education or counseling for engaged couples can capitalize on this openness to change. Furthermore, there are several assumptions associated with the policies. These assumptions have been organized into a logic model that explains how premarital education promotion policies can impact divorce rates and ultimately families, communities, and society (see Figure 1). More specifically, it is assumed that these policies will make more couples aware of premarital intervention providers and participate in a course or counseling sessions to learn basic principles and practice skills to build and sustain a healthy marriage. Incentives, primarily a discount on the marriage license fee, will encourage greater participation in premarital interventions. Second, there is the assumption that higher rates of participation yield better-prepared couples. Closely related, there is the assumption that couples who are better prepared are less likely to divorce, especially in the early years thereby reducing the need for divorce. And last, it is assumed that couples reduced likelihood for divorce will result in a decrease in the divorce rate in implementing states and improved outcomes for individuals, families, communities, and society.

Despite these theories and assumptions, there is still a divide among scholars and policymakers regarding whether government involvement in marriage and family matters is fully

justified (Brotherson & Duncan, 2004; Randles, 2017). While this study cannot fully answer that conceptual and political question, it does have important implications for policymakers and scholars. Particularly, this study seeks to answer whether premarital education promotion policies are effective at reducing divorce.

### **Method**

To assess the effects of premarital education promotion policies designed to strengthen marriage and reduce divorce, I employed difference-in-difference estimation or state-level fixed effects. Before this set of analyses, however, it was important to assess how effectively premarital education promotion policies have been implemented. Passing legislation without effective implementation of the law is unlikely to produce intended effects. Accordingly, first I outline my methods for obtaining documentation about implementation to see if the policies were effectively implemented. Then I outline my methods for testing empirically the potential impact of these policies.

### **Implementation Study**

The purpose of the implementation study was to answer several questions regarding how effective the premarital education promotion policies were implemented in each state. Prior to running any analyses on how effective the premarital education promotion policies were at reducing early divorce rates, it was imperative to understand the features of each bill as well as how they were implemented in each state. More specifically, I sought to answer the following questions: What are the core elements of the legislation? How is/was the legislation implemented? How is the policy being marketed or advertised? Is there a formal entity promoting/marketing the policy? Is there funding allocated to promote the policy and premarital education? Are there any data available on premarital education participation?

Unfortunately, data on participation rates in premarital education are not collected in any formal manner or by states. As such, I was not able to document whether the premarital education promotion policies have actually increased premarital education participation rates. And, while copies of the legislation are available to the public, the documents alone do not provide a complete answer to how the bills were implemented and the effectiveness of the implementation. Accordingly, to answer these questions I employed a combination of methods, including reviewing the legislative documents, reviewing archival records, as well as interviewing academics and key persons associated with the bill. Legislative records were obtained via each state's legislative website and reviewed to document basic features of the bill, including who sponsored the bill, the final vote count, required number of hours a couple must spend participating in premarital education, the marriage license discount rate, etc. The remaining questions were answered by conducting interviews via email or a phone with academics, county clerks, and key persons associated with the bill. Again, the purpose of the implementation study was to understand how well each bill has been implemented. Based off of the implementation study, I made a qualitative judgment on the effectiveness of each state's efforts to implement the policy.

### **Impact Study**

The outcome variable of interest is annual divorce rates at the state level. I obtained annual state-level panel data for all 50 states. Washington D.C. was not included in the analyses given that population demographics are atypical and include many outliers, such as a lower marriage rate. In addition, Washington D.C. alone cannot have the policy unless enacted by Congress, which does not seem likely. Unless otherwise noted, all analyses cover the period between 1988 and 2016. The first state to implement a premarital education promotion policy

was Florida in 1998. In order to account for preexisting state-specific trends, I have included at least ten years of pre-intervention data for each state. For most states, excluding West Virginia (passed in 2012), there is a decade-long period after the implementation of the premarital education promotion policy available for analysis. Utah will be excluded as a state with premarital education promotion policy in the impact study analyses because that policy was passed in 2018 and it is still awaiting implementation. (Applications for the discount must be made via an online system which is currently being developed.) Administrative data on divorce rates were obtained for each state and year from *Vital Statistics of the United States*. Data from 1988-1998 were collected and hand-entered by Justin Wolfers from annual additions of *Vital Statistics* (see Wolfers, 2006); I made use of this data file. Replication of data from 1999-2016 was relatively easy since Wolfers outlined his process and generously made the data accessible to the public. Accordingly, I extended the sample to 2016 by hand-entering divorce rate data from annual additions of *Vital Statistics*.

My predictors of divorce rate are: implementing versus non-implementing (premarital education promotion policy), core elements of the legislation (e.g., required dosage of intervention, marriage license discount rate, and required curricula or topics), and quality of implementation. Many of the predictors were coded as dichotomous variables. States that had implemented the policy were coded as a 1 and non-implementing states were coded as a 0. This variable served as a dummy variable for the analyses. Implementing states that required more than four hours of instruction were coded as a 1, while all other states (implementing and non-implementing) were coded as a 0. This cutoff were selected because premarital instruction less than four hours is considered inadequate since couples are not able to cover enough principles and practice the skills they are taught. Similarly, states that offered a discount from the marriage

license fee greater than \$40 were coded as a 1, while all other states (implementing and non-implementing) were coded as a 0. A cutoff of \$40 was used because anything less than \$40 is not considered as strong of an incentive. Another variable was created based on the total number of required curricula or topics to be covered as outlined in the policies with a range from 0-6. A quality of implementation variable, or the effectiveness of implementation, was coded using a 4-point scale (0 = *non-implementing*, 1 = *ineffective*, 2 = *somewhat effective*, 3 = *very effective*). An implementing state's policy was considered ineffective if no formal oversight was outlined or occurred. Similarly, a state's policy was considered somewhat effective if some formal oversight was outlined in the policy and occurred or if no formal oversight was outlined, however, formal oversight occurred. The policy was considered very effective if formal oversight was outlined in the policy, occurred, and funding was allocated to help with the implementation. Again, qualitative judgments were made to create and code these items based off of the implementation study. If not effectively implemented, it is unlikely that the premarital education promotion policies will have an impact on divorce rates.

In addition, because this study necessarily employs a quasi-experimental design to evaluate policy and subsequent divorce rates – only observing implementation of policies – it was important to include a set of control variables in analyses. Accordingly, the following variables were collected at the state level by year using Census data and utilized as controls in the analyses: percent of the population who identify as Black, White, and Hispanic; percent poverty, percent with a bachelor's degree, real GDP; median household income (in current dollars); median age of the population; and percent of the population that is married (to control for variation in the divorce rate denominator). These variables were all obtained from 1988-2016. Fixed effects models only account for variables that are stable over time. As such, I

included the items mentioned above as controls because these demographic indicators have not only changed significantly in the last 30 years, but likely have changed in dissimilar ways across states as well.

Divorce rates, particularly measurement issues regarding divorce, require further explication. More specifically, divorce statistics are often quite controversial due to several inconsistencies in measurement (see Amato, 2010; Birch, Weed, & Olsen 2004; Kennedy & Ruggles, 2014). Multiple entities gather data on the divorce rate, but not in any prescribed manner. Typically, counties track the number of divorces granted and then divide these aggregate figures by state population estimates to derive the rate of divorces granted per 1,000 total population. However, some counties are not included within these estimates. Furthermore, California, Louisiana, and Indiana, do not report divorce rates at all. Consequently, divorce rates statistics are incomplete and somewhat controversial. Despite these limitations, the annual divorce rates included in all analyses are considered the best estimates of divorce rates available by the academic world.

Several attempts were made to replicate the numbers estimated by Kennedy and Ruggles (2014) to make ACS and NCHS divorce rates statistics comparable. However, I was not able to successfully replicate their estimates and did not proceed forward in that manner. (Note: ACS estimates of divorce rates are inflated.)

### **Plan for Analyses**

To estimate the effect of premarital education policies on divorce rates, I took advantage of geographic and timing variation in policy implementation. I used difference-in-difference estimation using non-implementing states as a comparison group and implementing states as a treatment group. Difference-in-difference estimation requires data measured from all states with

divorce rate data at multiple time periods before and after the premarital education promotion policy was implemented. As mentioned previously, the first policy was implemented in Florida in 1998. To account for preexisting state-specific trends, at least ten years of pre-intervention data for each state will be included in the model. And, for most states, excluding West Virginia (passed in 2012), there is a decade-long period after the implementation of the premarital education promotion policy. A difference-in-difference approach compares the divorce rates in each state pre-implementation and post-implementation. Because the divorce rates vary among states, the model calculates the normal difference in the divorce rates, or the treatment effect, between the implementing and non-implementing states, or the difference that would exist without the policy.

I used a balanced panel with all states spanning 1988-2016. The variation in the data comes from the fact that the nine premarital education policy promotion states implemented the policies at varying times and enacted legislation with different hour requirements, fee discounts, etc. The fact that the states implemented their legislation at varying times helps us identify the effects of the policy. I used the comparison group and the parallel trends assumption to account for any time-specific macro effects that may have shifted divorce rates for all states. An example of a macro effect on divorce rates between 1988-2016 would be the economic recession in 2008.

In addition, including state-level fixed effects allowed me to account for unobserved state characteristics that are relatively fixed over the sample period. Controlling state fixed effects are important for mitigating problems associated with endogeneity. In particular, one could argue that states that experienced a higher divorce rate are more likely to pass premarital education promotion policies. However, controlling for state and year fixed effects isolates changes in divorce rates relative to its previous divorce rate, thus minimizing endogeneity concerns.

I estimate the basic model as follows:

$$D_{it} = \alpha + \beta \text{PremaritalEd}_{it} + \theta_j \cdot X + \alpha_i + \varepsilon_{it}$$

I represent divorce rates for state  $i$  in year  $t$  as the dependent variable. The variable  $\text{PremaritalEd}_{it}$  indicates whether the state has a premarital education policy in effect at year  $t$ . The vector  $X$  contains demographic and economic control variables (including real GDP, median income, average age of the population, percent Black, White, and Hispanic, percent of the population with at least a high school degree, percent of the population who are married). I separated the unobservable effects into a state-specific unobservable effect on divorce  $\alpha_i$  and an idiosyncratic exogenous factor  $\varepsilon_{it}$ . I assumed the state-specific unobserved effect was the same regardless of the divorce rate, and I assumed the idiosyncratic exogenous factor was independent of the policy and other covariates.

## Results

### Implementation Study

Ten states have currently implemented some form of premarital education promotion policies, specifically Florida (1998), Oklahoma (1999), Maryland (2001), Minnesota (2001), Tennessee (2002), Georgia (2004), South Carolina (2006), Texas (2007), West Virginia (2012), and Utah (2018). Using a combination of methods, as described above, I sought to understand the features of each bill and how they were implemented in each state. Each policy had unique language. Accordingly, I begin outlining several common themes or elements of the policies. I simultaneously attempt to describe briefly the differences between the premarital education promotion policies. I conclude with a discussion of how well the policies were implemented in their states. A summary of all the elements of the policies can be found in Table 1. For more detailed summary of each state's policy and implementation refer to Appendix A.

Formal implementation of each policy varies immensely from state-to-state, but only Texas and Utah have a government agency overseeing the implementation (advertising, providers, curriculum, etc.) of premarital education. (And in Texas, there is no longer funding for their premarital education initiative, so state oversight now is minimal.)

**Premarital education and counseling.** It is important to note that many of the policies use language that does not distinguish between premarital counseling and premarital education. Some policies specify only premarital counseling (Oklahoma) or premarital education (Minnesota, Georgia, Texas, and West Virginia) and some include both premarital education and premarital counseling (Utah) in their language. On the other hand, Florida, Maryland, Tennessee, and South Carolina use more ambiguous language such as premarital preparation course throughout the document. Thus, there is some ambiguity in whether some states allow couples to participate in just premarital counseling, premarital education, or both. It appears that for some states content to be covered is more important than the provider and delivery format.

**Dosage.** Each of the premarital education promotion policies specified the number of hours a couple should spend participating in a premarital intervention, with the majority of the states (6) requiring a couple spend a minimum of four hours in formal premarital education.

**Incentive.** Nine of the states offered couples that completed a premarital intervention course a discount on their marriage license fee, ranging from \$20 - \$75. South Carolina's policy provides the couple with a \$50 tax rebate instead of a discount on the marriage license fee, which may be a less enticing incentive mechanism.

**Provider.** In addition, all of the policies specified the requirements regarding who could conduct or offer a premarital education or counseling program. While there is variation in the exact language between the policies, generally, a premarital counseling or education program

must be conducted by a health professional (e.g., a psychologist, marital and family therapist, professional counselor, or social worker licensed by the state), an official representative of a religious institution, or a trained marriage educator.

**Joint participation.** Only one of the states, South Carolina, specified that the couple must participate in premarital education or counseling together. Utah encouraged couples to participate together but did not formally require it. By not requiring couples to participate together, Utah hopes that more couples will be incentivized to participate that might have otherwise been limited by their schedules, locations, or other pragmatics.

**Content.** Minnesota was the only state that required the use of a premarital inventory (Larson, Newell, Tophman, & Nichols, 2002) in addition to education- and skills-based premarital education and counseling. Utah encouraged the use of a research-based premarital inventory. Most statutes included clauses specifying the required curriculum to be covered in the qualifying premarital education or counseling programs. Possible curriculum topics include, conflict management, communication skills, finances, children and parenting responsibilities, extended family roles, and key components of a successful marriage. Three states (Oklahoma, Tennessee, and South Carolina) did not specify required subjects to be covered in the qualifying premarital education or counseling program.

**Oversight.** Six states (Florida, Maryland, Tennessee, Texas, West Virginia, and Utah) outlined a formal entity responsible for oversight and implementation of the policy. Florida's policy appointed the circuit court responsible for creating and maintaining a roster of area course providers, many of which still maintain a roster. The policy also appointed the Florida State University Center for Marriage and Family responsible for determining the efficacy of different premarital preparation courses and the policy. However, there is no evidence to suggest that this

fully occurred (see Appendix A.) Maryland's policy also appointed the circuit court responsible for creating and maintaining a roster of area course providers, however, efforts to locate such a roster suggest that roster does not exist (see Appendix A for additional information). Likewise, Maryland's policy did not include oversight for the efficacy of the course or the legislation. On the other hand, Tennessee's policy only appointed the Administrative Office of the Courts responsibility to report on the effectiveness of the policy and the impact of the fees imposed in the policy. There is no evidence to suggest that an evaluation occurred or a report was published. In Texas, The Health and Human Services Commission was responsible for maintaining an Internet website of course providers. The website continues to be maintained. Likewise, West Virginia's premarital education promotion policy appointed the Department of Health and Human Resources the responsibility to maintain an Internet website of course providers. Efforts to locate the roster of course providers suggest that one previously existed, but a current website could not be located. Utah's policy appointed the Utah Marriage Commission several responsibilities, including promoting the policy, promoting and assisting in the offerings of premarital counseling and education services, and approving online courses and face-to-face premarital counseling and education services.

While six states outlined a formal entity and appointed some level of responsibility to the entity in their policies, interviewing academics and key persons associated with the bill suggested that little formal oversight actually occurred. And, if there was formal oversight, it was often short-lived. (See Appendix A. for detailed accounts.) On the other hand, several states did not appoint formal oversight of the bills, but interviews with key personnel suggest that some oversight did occur. For instance, the legislator who sponsored the bill in Minnesota worked with

the county clerks to provide a one-year post-implementation estimate of participation rates and the estimated costs and benefits to the state (see Appendix B).

Texas was the only implementing state that had formal oversight and funding for several years. The Texas Health and Human Services Commission (HHSC) was appointed initial responsibility for implementing the bill. HHSC created 11 regions and hired a small staff to implement the policy in each region, including training facilitators, offering workshops, advertising the policy (ads, fliers, billboards, radio, etc.), and providing classroom supplies. Funding started in late 2007 and ended in 2011. Although funding has ended, the policy continues to be implemented on a smaller scale and on a less formal basis. There is a volunteer network of non-paid trained facilitators who continue to offer premarital education and counseling courses.

Utah County in Utah is currently developing an online marriage application system and it should be operational sometime in 2019. Couples who want to apply for a discount must do so online. Any couple regardless of where they marry in Utah can apply online through the Utah County portal. The Utah Marriage Commission has developed an extensive marketing campaign to make couples aware of the discount option and how to take advantage of it (<https://strongermarriage.org/utah-med>). They have also contracted with the *ePREP* online relationship education program providers to offer free vouchers to Utah engaged couples to participate in this program. Also, the Commission has worked with the wedding industry retailers across the state to agree to provide product and service discounts to couples who invest in premarital education.

Although formal oversight and implementation was minimal in most implementing states, there was informal implementation in many states. (Appendix A. contained a more

detailed account of informal implementation. In South Carolina, for instance, many of the couples that participate in premarital education do so because their church requires it before marrying them. Furthermore, First Things First in Chattanooga, TN, have heavily marketed the policy to couples, resulting in a number of couples taking advantage of the classes they offer on a monthly basis. These informal implementation efforts have had a signaling effect. In other words, although formal government implementation has been minimal, these informal efforts have resulted in increased awareness of the policy and the discount offered to couples who complete premarital education as outlined in each state's policy.

### **Impact Study**

**Preliminary analyses.** All data cleaning and analyses were conducted using Stata 15.1 software (StataCorp, 2017). Figure 2 plots the trends in divorce rates in implementing and non-implementing states. As this figure suggests, the divorce rate has steadily declined in implementing and non-implementing states, even prior to the passage of premarital education promotion policies. Implementing states have notably higher divorce rates compared to non-implementing states both before and after the implementation of the policies. The gap between implementing states and non-implementing states appears to narrow after the mid-90s. However, this may be attributed to the fact that several implementing and non-implementing states stopped reporting divorce rate data to the Census starting in the late-1990s early 2000s and are therefore unaccounted for in calculating the average. Additional descriptive statistics on divorce rates and state-level control variables for implementing states are provided in Table 2. The same information for non-implementing states is provided in Table 3.

Figure 3 graphs the trends in divorce rates in implementing states prior to and after the implementation of the premarital education promotion policies. Oklahoma, the second state to

implement the policy, started and ended with the highest divorce rate. Overall, all the states have seen a steady decline in their average divorce rate. (For a discussion of why divorce rates have been steadily declining in the United States for 40 years, see Wilcox, 2009).

Bivariate correlations can be found in Table 4. In regards to state-level control variables, median age ( $r = -.34$ ), median income ( $r = -.53$ ), real GDP ( $r = -.35$ ), percent of the population that is married ( $r = .33$ ), percent of the population with a bachelor's degree ( $r = -.56$ ), and percent poverty ( $r = .26$ ) were all significantly associated with the divorce rate at  $p < .001$ . Having a policy was significantly and negatively associated with the divorce rate ( $r = -.08$ ,  $p < .01$ ). Several elements of the policy, namely the amount discounted ( $r = -.09$ ), the number of curricula or topics required ( $r = -.09$ ), and the effectiveness of implementation ( $r = -.21$ ) were also significantly associated with the divorce rate at  $p < .05$ .

There were several high correlations among state-level control variables. For instance, the percent of the population with a bachelor's degree and median income were significant correlation ( $r = .83$ ,  $p < .001$ ). While all the high correlations among the state-level control variables made theoretical sense, they indicated the possibility of multicollinearity within the data. In addition, all of the elements of the policy were highly correlated. Given the dichotomous nature of many of these variables, this was not surprising. Nonetheless, I proceeded to check for multicollinearity using the "collin" command in Stata. All state-level variables were below a variance inflation index (VIF) value of .10 and given their nature as control variables, concerns regarding their influence on the analyses would be minimal (Allison, 2012). The dichotomous dummy variable for implementing versus non-implementing states had a VIF of 15.10. All other elements of the policy had acceptable VIF values. Accordingly, given the possible multicollinearity among the dummy variables, I proceeded to run one regression with the dummy

variable as the only predictor, as I was interested in whether or not having a policy alone was significantly associated with a decrease in the divorce rate. I then proceeded to run one regression with the dummy variable and the state-level predictors to see if any effects of simply having a policy remain after controlling for other predictors of the divorce rates. All other models were run without the dummy variable. By default, the effectiveness of the implementation variable captures whether or not a state was an implementing state. Thus, I addressed any issues of multicollinearity within the data.

**Main analyses.** Difference-in-difference estimation was used to compare divorce rate trends among non-implementing states and implementing states. A series of robust fixed effects regressions were run to determine the relationship between implementing the policy and divorce rates (see Table 5). In the first robust fixed effects regression, only the policy dummy variable indicating implementing versus non-implementing states was included in the analysis. Results of the robust fixed effects regression analysis (Model 1) showed a significant association between implementing a premarital education promotion policy and the divorce rate ( $b = -.126, p < .001$ ). In other words, having a policy was associated with a .126-point decrease in the divorce rate.

A second robust fixed effects regression was run including all state-level control variables in the model to determine the relationship between implementing the policy and divorce rates after controlling for other known influences of divorce. Results of the second fixed effects estimation (Model 2) suggested that the association between divorce rates and simply having a policy was no longer significant after controlling for all state-level control variables ( $b = -.336, p = .173$ ). Three of the state-level control variables were significantly associated with the divorce rate: median household income ( $b = -.021, p = .016$ ), the percent of the population that is married ( $b = 6.373, p < .001$ ), and the percent of the population who identified as Black ( $b$

= 9.151,  $p = .014$ ). No other state-level control variables were significantly associated with the divorce rate.

A third robust fixed effects regression was run adding in variables that measured various features of the premarital education promotion policies. The dummy variable indicating implementing versus non-implementing states was removed in this model. Again, the effectiveness of the implementation variable, which was included in this model, captures whether or not a state was an implementing state. Results of the third model (Model 3) suggested that the three state-level control variables from the previous model remained significantly associated as well as poverty ( $b = .140, p = .047$ ) were significantly associated with the divorce rate with very little shift in coefficient sizes (see Table 5). Only two of the policy elements were significantly associated with the divorce rate: the total curriculum required by the policy ( $b = .140, p = .047$ ) and the quality of implementation or how effectively the bill was implemented ( $b = -.516, p < .001$ ). In other words, for every 1-unit increase in the effectiveness of implementation there is a .516-point decrease in the divorce rate.

**Sensitivity analyses.** California, Georgia, Hawaii, Indiana, Louisiana, and Minnesota were missing at least ten years of divorce rate data and Oklahoma was missing five years due to changes in reporting requirements. Given that Minnesota, Georgia, and Oklahoma are policy-implementing states, we found it imperative to run a series of sensitivity analyses to confirm my results. Raw data for Oklahoma was obtained from the Department of Family Services and data for Minnesota were obtain from the Minnesota Judicial Branch. We replicated the methods used by NCHS to input missing divorce rate data for Oklahoma and Minnesota. Correlations between NCHS divorce rates and the raw divorce rates for Minnesota ( $r = .74$ ) and Oklahoma ( $r = .67$ )

were fairly high. Unfortunately, raw divorce rate data could not be collected from Georgia. All other missing data points remained.

An additional method was used to estimate the effects of the policy on the divorce rate. Many attempts were made to replicate the numbers estimated by Kennedy and Ruggles (2014) to make ACS and NCHS divorce rates statistics comparable. However, we were not able to successfully replicate their estimates and did not proceed forward in that manner. (Note: ACS estimates of divorce rates are inflated.) Accordingly, we interpolated missing data points by using ACS estimates of divorce rates for 2008-2016. Using available NCHS estimates and ACS estimates from 2008-2016, linear, quadratic, cubic, and log fit models were all tested. The linear fit estimate fit the data best.

**Raw data for Oklahoma and Minnesota.** A fourth robust fixed effects regression was conducted including raw data for Oklahoma and Minnesota. Results of the robust fixed effects regression analysis (Model 4) controlling for all state-level control variables and including elements of the policy showed a similar pattern to Model 3. The three state-level control variables remained significantly associated with the divorce rate. Two policy elements were significantly associated with the divorce rate: the total required curricula ( $b = .173, p = .010$ ) and effectively implementing the policy ( $b = -.627, p < .001$ ). In other words, for every 1-unit increase in the number of required curricula topics there is a .173-point increase in the divorce rate. This association is opposite of what would be hypothesized and may be due to suppressor effects. Every 1-unit increase in the effectiveness of implementation is associated with a .627-point decrease in the divorce rate.

**Interpolation.** A final robust fixed effects regression was conducted with all missing data interpolated using a linear fit as described above. Results of the final fixed effects estimation

(Model 5) also suggested that the three previous state-level control variables still remained significantly associated with the divorce rate as well as the percentage of the population with a bachelor's degree ( $b = -1.24, p = .049$ ). The two policy elements remained significantly associated with the divorce rate: the total required curricula topics ( $b = .132, p = .014$ ) and effectively implementing the policy ( $b = -.481, p < .001$ ). In other words, every 1-unit increase in the number of required curricula is associated with a .132-point increase in the divorce rate. As mentioned previously, this association is opposite of what would be hypothesized and may be due to suppression effects. Every 1-unit increase in the effectiveness of implementation is associated with a .481-point decrease in the divorce rate. While the analyses with the missing data and the raw data for Oklahoma and Minnesota are good estimates of the policies' effect on the divorce, we believe that this model best reflect the true values of the state-level control variables and the policy elements on divorce rates.

**Additional post-hoc work.** Due to several high correlations among several policy variables as well as changes in the direction of the coefficient from the hypothesized direction, several additional post-hoc analyses were conducted. First, the data were thoroughly checked for data entry errors and no errors were found. Second, since some of the data came from different Census Bureau sources, it is possible that the state-level estimates were wrong. Accordingly, we compared the estimates for median household income, percent black, etc., to other public data estimates and found that my estimates were consistent and highly correlated. The next step was to see if missing data were affecting results. Stata automatically drops any observations that are missing, but not cases. So, we dropped all states that had more than three time points missing in the divorce rate. When we reran the analyses, changes to the coefficient occurred at the .01 level (hundredths) generally, and significance did not change.

After conducting this post-hoc work, we browsed through the data to observe any anomalies in divorce rates and the state-level variables. For instance, Alabama has almost 2.5x more individuals that identify as black than the national average but a divorce rate that is average. Whereas, Alaska has a very low percentage of individuals that identify as black – well below average – yet a higher divorce rate than average. Connecticut is consistent with the national average of people that identify as black, yet has a relatively low divorce rate compared to other states. These anomalies occur all over the data set. In other words, there are just anomalies in some of the hypothesized patterns of divorce and the state-level control variables that past research has shown. All analyses were considered accurate and a reflection of the data. In addition to anomalies in the data, several suppressor variables were identified that likely contributed to change in direction of the coefficients (thus, potentially explaining why the number of required curricula topics there is associated with an increase in the divorce rate).

## **Discussion**

### **Implementation Study**

The purpose of the implementation study was to understand key features of each of the premarital education promotion policies and to document how well the policy was implemented in each state. While the implementation study revealed slight variations among the statutes, they have much in common. The policies provide incentives, typically in the form of marriage license fee discounts, for couples that complete formal premarital education and/or counseling. Moreover, the policies stipulated a specific number of hours in formal premarital education, proof of meeting such requirements, and often the topics required to be covered in the premarital education course or counseling session. The policies also outlined requirements regarding the

providers of premarital interventions. My analyses also uncovered some ambiguity in some of the statutes, such as what kinds of premarital interventions meet requirements.

This study also highlighted the variability in oversight and implementation of the policies. Although six states (Florida, Maryland, Tennessee, Texas, West Virginia, and Utah) outlined a formal entity responsible for oversight and implementation of the policy, this study revealed that little formal oversight actually occurred. Texas was the only implementing state that had formal oversight (the Texas Health and Human Services Commission) and funding for several years. In addition, Utah currently has appointed the Utah Marriage Commission to oversee as well as appropriate funding to implement the policy this year. The other four states appointed the circuit court, or a similar entity in that state, responsible for maintaining a roster of qualified providers. Sometimes this occurred and other times it did not (see Appendix A). On the other hand, several states did not appoint formal oversight of the bills, but some minimal oversight did occur (e.g. Oklahoma, Tennessee).

Overall, the implementation study highlights several weaknesses in the oversight and implementation of the policies. The purpose of premarital education promotion policies is to strengthen marriages and reduce divorce. Numerous research studies have documented the negative effects of divorce on individuals, families, children (Amato, 2000; Amato & Keith, 1991; McLanahan et al., 2013) and the effects on communities, states, and the nation (Scafidi, 2008; Schramm, 2006). This preventative approach encourages prospective and engaged couples to gain knowledge and learn skills to help strengthen a marriage. And, while previous research suggests participating in premarital education reduces the risk for divorce and increases marital satisfaction (Fawcett et al., 2010; Stanley, Amato et al., 2006), the ultimate purpose and aim of these policies are not achieved unless the policy is effectively implemented. While many policy

and program evaluation texts describe the need for high-quality policies and programs, they also strongly emphasize the challenge of proper and formal implementation (Bogenschneider, 2014). The results of the impact study document this challenge well. A parallel can be drawn here with passage in three states of covenant marriage legislation. Implementation was poor and only a tiny fraction of couples have chosen to marry under covenant marriage rules designed to reduce the divorce rates. Hence, the legislation, despite good legislative intentions, struggles to have any impact (Nock et al., 2008).

### **Impact Study**

To date, no research has documented whether the adoption of premarital education promotion policies has actually decreased the divorce rate in the implementing states. The purpose of the impact study was to empirically analyze the effectiveness of premarital education promotion policies on reducing early divorce rates in the United States. The results of a set of my analyses, including the sensitivity analyses, converge to tell a similar story: *effective* implementation of premarital education policy reduces divorce rates. Specifically, having a policy (regardless of implementation) is not significantly associated with the divorce rate when controlling for state-level predictors (Model 2). However, in subsequent models when other elements of the policy (hours required, discount, curricula topics total, and effectiveness of the policy) served as predictors, the quality or effectiveness of implementation surfaces as a significant predictor of divorce rates. In the model with missing data as well as the models with raw data and data interpolation, more effective implementation was associated with a decrease in divorce rates. States that implement their policies more effectively were able to achieve the intended aim of the policies. This is consistent with the theory behind the legislation and previous research on effective policy implementation (Bogenschneider, 2014).

As mentioned at the beginning of this paper, a conservative estimate of the economic costs of divorce for local, state, and national government, are estimated to exceed \$33 billion for per year (Schramm, 2006). However, this estimate does not account for potential psychological and emotional costs for those involved in divorce, especially children, (Amato, 2010; Frisco et al., 2007; McLanahan et al., 2013; Waite & Gallagher, 2002), which cannot be numerically measured. While my analyses do not allow me to estimate directly these costs, I was able to calculate a conservative estimate of the number of divorces prevented due to the policies in implementing states. Fixed-effects analyses allow for estimates of the predicted divorce rate in implementing states had a policy never been implemented in addition to providing the divorce rate in implementing states with the policy. Calculating the difference between those estimates of the divorce rate, we were able to estimate that approximately 24,857 divorces in implementing states were prevented in 2016 due to the policies. Given that the economic cost for the couple directly involved is approximately \$15,000 (Michon, n.d.; Schramm, 2006), this amounts to a direct financial saving to couples of \$372,848,333. Also, estimating the public costs of a divorce to be about \$18,000 (Schramm, 2006), this results in a public saving up to \$447,417,999. These likely are conservative estimates. Reducing divorces has wider social and public benefits that are not measured.

In summary, an analysis of premarital education promotion policies suggests simply having a policy in place is not significantly associated with the divorce rate after controlling for state-level variables. Unfortunately, few implementing states have paid sufficient attention to effective implementation and thus are minimizing policy effectiveness. However, when the premarital education promotion policies are effectively implemented they are significantly associated with a decrease the divorce rate.

### **Implications for Policy and Research**

The findings of the implementation and impact studies are of considerable importance for policymakers and scholars. Given the extensive amount of research documenting the negative effects of divorce on individuals, families, children (Amato, 2000; Amato & Keith, 1991; McLanahan et al., 2013) and the effects on communities, taxpayers, and society (Scafidi, 2008; Schramm, 2006), the findings of this study are encouraging. Results of the impact study document a decrease in the divorce rate in response to effectively implemented premarital education promotion policies. Accordingly, there is early evidence to support more states considering similar legislation. Furthermore, these findings may help settle some of the uncertainty among scholars and policymakers regarding whether government involvement in marriage and family matters is fully justified (Brotherson & Duncan, 2004; Randles, 2017).

Clearly, however, the results argue that policymakers should focus greater attention on effective implementation. For implementing states, additional efforts should be made to increase effectiveness to reap the maximum benefits of the policy. These efforts could include assigning an entity responsible for the oversight and implementation of the policy, including advertising and increasing awareness, approving curriculum, and creating and maintaining a roster of qualified providers. In addition, implementing states should allocate appropriate funding to help with the oversight and implementation of the policies. One state, Utah, has sought to make the policy and implementation self-sustaining: \$20 of the marriage license fee from couples who do not participate in premarital education or counseling goes to fund the Utah Marriage Commission that oversees policy implementation. Other states may want to consider this model for reducing the fiscal cost of the policy for states and taxpayers.

While this study begins to fill a gap in the research about the effectiveness of premarital education promotion policies for reducing early divorce rates in the United States, there are still several areas of research that need to be pursued. First, this study was not able to document whether the policies have actually resulted in increased participation rates in premarital education or counseling, the hypothesized mechanism for change. Future research should explicitly document this chain of increased participation leading to reduced divorce rates. In addition, the long-term impacts should be considered. For instance, it is possible that the impact of the policy on divorce rates may diminish over time; that is, it is possible that the policy may delay divorce but not ultimately reduce it. Thus, future research should document that the short-term effects of the policies are sustained. In addition, there are important factors that could moderate the effectiveness of these policies. For instance, it would be valuable to assess the effects of the policy on couples getting married at younger versus older ages. When couples are less mature, involvement in premarital interventions may be more important. States with larger proportions of couples marrying at earlier ages may benefit the most from these policies. Other demographic factors, such as first or second marriages, also may impact the effectiveness of premarital education promotion policies because second marriages are at higher risk for divorce. Finally, future research should document other outcomes of policy interest that could be associated with the greater participation in premarital interventions, such as reducing domestic violence, increasing gender equality, and diminishing need for government-sponsored support programs (e.g., child support enforcement, Medicaid expenses, and Temporary Assistance to Needy Families).

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Table 1

*Summary of Policy Elements*

State	Florida	Oklahoma	Maryland	Minnesota	Tennessee	Georgia	South Carolina	Texas	West Virginia	Utah
Year	1998	1999	2001	2001	2002	2004	2006	2007	2012	2018
Hours Required	4	4	4	12	4	4	6	8	4	6
Discount	\$32.50	\$45.00	By county	\$75.00	\$60.00	\$32.50	\$50.00*	Up to \$60	\$20.00	\$20.00
Participate Together	-	-	-	-	-	-	Required	-	-	-
Oversight Outlined	Circuit Court	-	County Clerk	-	Office of the Courts	-	-	HHSC	DHHR	UMC
Conflict Management	Required	-	Required	Required	-	Required	-	Required	Required	Required
Communication	Required	-	Required	Required	-	Required	-	Required	Required	Required
Finances	Required	-	Required	-	-	Required	-	-	Required	-
Children & Parenting	Required	-	Required	-	-	Required	-	-	Required	-
Extended Family Roles	-	-	-	-	-	Required	-	-	Required	-
Keys for Marriage	-	-	-	-	-	-	-	Required	Required	Required
Commitment	-	-	-	-	-	-	-	-	-	Required
Curriculum Total	4	0	4	2	0	5	0	3	6	4
Implementation Rating	1	1	1	1	2	1	1	2	1	3

Table 2

*Descriptive Statistics of Divorce Rates and State-Level Control Variables for Implementing States*

Year	Avg. Divorce Rate (National)	Avg. Divorce Rate	Median Income	Median Age	Real GDP (in thousands)	% Married	% with Bachelor's Degree	% Hispanic	% White	% Black	% Poverty
1988	5.06	5.25	25.78	34.5	121,686	.46	.05	.08	.74	.16	.16
1989	5.02	5.31	26.39	34.4	129,526	.45	.05	.08	.74	.16	.16
1990	5.01	5.44	27.85	34.9	137,397	.45	.05	.08	.74	.17	.17
1991	5.06	5.48	27.68	35.0	143,163	.45	.05	.08	.73	.17	.17
1992	5.00	5.43	27.75	35.3	152,368	.45	.13	.08	.73	.17	.17
1993	4.87	5.2	29.15	34.9	161,829	.44	.13	.08	.72	.17	.17
1994	4.71	5.19	30.37	34.9	174,159	.44	.14	.08	.73	.17	.17
1995	4.74	4.97	31.57	34.8	184,843	.44	.14	.07	.74	.17	.17
1996	4.59	4.68	33.26	35.0	197,864	.43	.14	.07	.73	.16	.17
1997	4.53	4.69	35.24	35.3	212,835	.43	.15	.08	.73	.17	.16
1998	4.47	4.67	37.23	35.5	230,658	.45	.15	.08	.72	.16	.17
1999	4.21	4.18	38.68	36.1	256,444	.44	.16	.08	.72	.16	.16
2000	4.30	4.2	40.18	36.3	262,223	.45	.16	.08	.72	.16	.16
2001	4.20	4.06	40.54	36.1	271,449	.44	.17	.11	.70	.16	.16
2002	4.09	3.95	41.42	36.0	284,709	.43	.17	.11	.69	.16	.16
2003	3.98	3.96	41.17	36.3	300,217	.44	.18	.09	.71	.16	.16
2004	3.92	4.04	42.87	36.4	323,214	.44	.18	.09	.70	.16	.16
2005	3.91	4.17	44.31	36.9	347,472	.43	.18	.10	.70	.16	.16
2006	3.92	4.13	46.20	37.0	361,210	.43	.18	.10	.69	.17	.17
2007	3.81	4.05	48.32	36.9	391,116	.43	.18	.10	.68	.17	.17
2008	3.75	3.93	46.91	37.1	398,266	.42	.19	.10	.68	.17	.17
2009	3.74	3.87	47.20	36.9	385,159	.42	.19	.11	.68	.17	.17
2010	3.82	4.01	46.46	37.6	400,958	.42	.20	.11	.67	.17	.17
2011	3.77	4.05	48.83	37.6	420,636	.42	.20	.11	.66	.17	.17
2012	3.62	3.9	51.01	37.9	429,405	.42	.20	.11	.66	.17	.17
2013	3.46	3.7	49.42	38.1	461,835	.42	.21	.12	.66	.17	.17
2014	3.34	3.51	52.04	38.2	484,138	.41	.21	.11	.65	.17	.17
2015	3.26	3.31	55.55	38.3	498,027	.41	.21	.12	.65	.17	.17
2016	3.22	3.61	56.42	38.4	509,013	.41	.22	.13	.64	.17	.17

Table 3

*Descriptive Statistics of Divorce Rates and State-Level Control Variables for Non-Implementing States*

Year	Avg. Divorce Rate (National)	Avg. Divorce Rate	Median Income	Median Age	Real GDP (in thousands)	% Married	% with Bachelor's Degree	% Hispanic	% White	% Black	% Poverty
1988	5.06	4.97	27.07	34.0	108,079	.45	.05	.05	.82	.08	.13
1989	5.02	4.96	28.95	34.2	101,534	.45	.06	.05	.82	.08	.12
1990	5.01	4.99	31.20	34.3	106,719	.45	.06	.05	.82	.08	.12
1991	5.06	4.94	31.20	34.4	110,068	.44	.06	.06	.81	.08	.13
1992	5.00	4.90	31.26	34.3	115,930	.44	.14	.06	.81	.08	.13
1993	4.87	4.79	31.82	34.4	121,119	.44	.14	.06	.81	.08	.13
1994	4.71	4.60	31.94	34.3	129,238	.43	.15	.06	.81	.09	.14
1995	4.74	4.68	34.33	34.7	136,310	.44	.15	.06	.82	.08	.13
1996	4.59	4.58	35.62	34.6	144,424	.43	.15	.06	.80	.09	.13
1997	4.53	4.49	37.10	34.8	154,127	.43	.16	.07	.79	.09	.13
1998	4.47	4.42	39.71	35.2	170,088	.43	.16	.07	.79	.09	.12
1999	4.21	4.31	40.71	35.1	180,708	.43	.16	.08	.78	.09	.12
2000	4.30	4.32	41.21	35.2	192,087	.43	.17	.08	.77	.09	.11
2001	4.20	4.22	42.77	35.9	197,133	.43	.17	.09	.76	.09	.11
2002	4.09	4.12	42.69	36.1	203,486	.43	.18	.10	.75	.09	.11
2003	3.98	3.99	43.89	36.0	219,850	.43	.18	.09	.76	.09	.12
2004	3.92	3.90	44.85	36.2	226,218	.43	.18	.09	.75	.09	.12
2005	3.91	3.86	46.64	37.0	244,867	.43	.18	.09	.75	.09	.12
2006	3.92	3.86	48.78	36.0	265,064	.43	.18	.09	.75	.09	.12
2007	3.81	3.77	50.82	36.9	276,160	.43	.19	.09	.75	.09	.12
2008	3.75	3.72	51.35	37.0	279,868	.42	.19	.09	.74	.09	.11
2009	3.74	3.71	50.29	36.9	275,452	.42	.20	.09	.74	.09	.12
2010	3.82	3.79	60.65	37.6	285,290	.42	.20	.10	.73	.09	.14
2011	3.77	3.71	50.04	37.7	301,267	.42	.20	.10	.73	.09	.14
2012	3.62	3.57	51.95	37.9	305,850	.42	.21	.11	.72	.09	.14
2013	3.46	3.42	53.23	38.0	314,823	.42	.21	.11	.72	.09	.14
2014	3.34	3.31	55.53	38.1	327,713	.42	.22	.12	.71	.09	.14
2015	3.26	3.26	56.57	38.2	430,919	.41	.22	.11	.71	.09	.14
2016	3.22	3.14	59.28	38.3	351,216	.41	.23	.12	.70	.10	.13

Table 4

Bivariate Correlations Among Study Variables

Variables	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
(1) Divorce Rate	-														
(2) Median Age	-0.34***	-													
(3) Median Income	-0.53***	0.39***	-												
(4) Real GDP	-0.35***	0.09**	0.28***	-											
(5) % Married	0.33***	-0.05*	-0.35***	-0.41***	-										
(6) % Bach. degree	-0.56***	0.47***	0.83***	0.31***	-0.37***	-									
(7) % Hispanic	0.01	-0.09**	0.20***	0.54***	-0.39***	0.20***	-								
(8) % White	0.03	0.05	-0.23***	-0.43***	0.57***	-0.18***	-0.60***	-							
(9) % Black	-0.03	0.01	-0.10***	0.14***	-0.37***	-0.05	-0.11***	-0.42***	-						
(10) % Poverty	0.26***	-0.05	-0.41***	0.12***	-0.26***	-0.27***	0.25***	-0.33***	0.38***	-					
(11) Policy (dummy)	-0.08**	0.16***	0.17***	0.18***	-0.09**	0.18***	0.08**	-0.18***	0.21***	0.07*	-				
(12) Hours Required	-0.05	0.12***	0.10***	0.20***	-0.02	0.11***	0.14***	-0.13***	0.06*	0.04	0.76***	-			
(13) Policy Discount	-0.09**	0.06*	0.11***	0.15***	-0.04	0.11***	0.05*	-0.06*	0.09**	0.05	0.63***	0.58***	-		
(14) Total Curricula	-0.09**	0.15***	0.18***	0.21***	-0.10***	0.20***	0.12***	-0.17***	0.19***	0.02	0.77***	0.47***	0.27***	-	
(15) Implementation	-0.05*	0.11***	0.12***	0.26***	-0.09**	0.14***	0.16***	-0.21***	0.18***	0.12***	0.93***	0.74***	0.59***	0.70***	-

Note. \* < .05, \*\* < .01, \*\*\* < .001

Table 5

## Fixed Effects Estimation Regression Results

	Model 1		Model 2		Model 3		Model 4		Model 5	
	b	SE	b	SE	b	SE	b	SE	b	SE
Impl. Policy	-1.26***	.22	-.34	.24	-	-	-	-	-	-
Med. Age			-.04	.02	-.04	.02	-.04	.02	-.04	.02
Med. Income			-.02*	.01	-.02*	.01	-.02*	.01	-.02*	.01
Real GDP			<.01	<.01	<.01	<.01	<.01	<.01	<.01	<.01
% Married			6.37***	1.59	6.19***	1.48	6.30***	1.45	6.23**	1.51
% Bachelor degree			-.78	.56	-.91	.54	-.95	.55	-1.24*	.61
% Hispanic			-1.38	2.56	-2.00	2.59	-2.98	2.89	-1.84	2.38
% White			5.45	3.21	4.96	3.51	4.06	3.62	4.99	3.29
% Black			9.15*	3.58	7.70*	3.45	7.42*	3.49	6.94*	3.24
% Poverty			2.02	1.03	2.07	1.00	1.90	1.04	1.85	1.02
Hours Req.					.30	.25	.32	.24	.23	.22
Discount					.01	.23	.22	.19	-.01	.21
Tot. Curriculum					.14*	.07	.17**	.07	.12*	.05
Impl. Effectiveness					-.52***	.12	-.63***	.11	-.48***	.10
R <sup>2</sup>	.105		.599		.612		.608		.615	

Note. \*p < .05; \*\*p < .01, \*\*\*p < .001

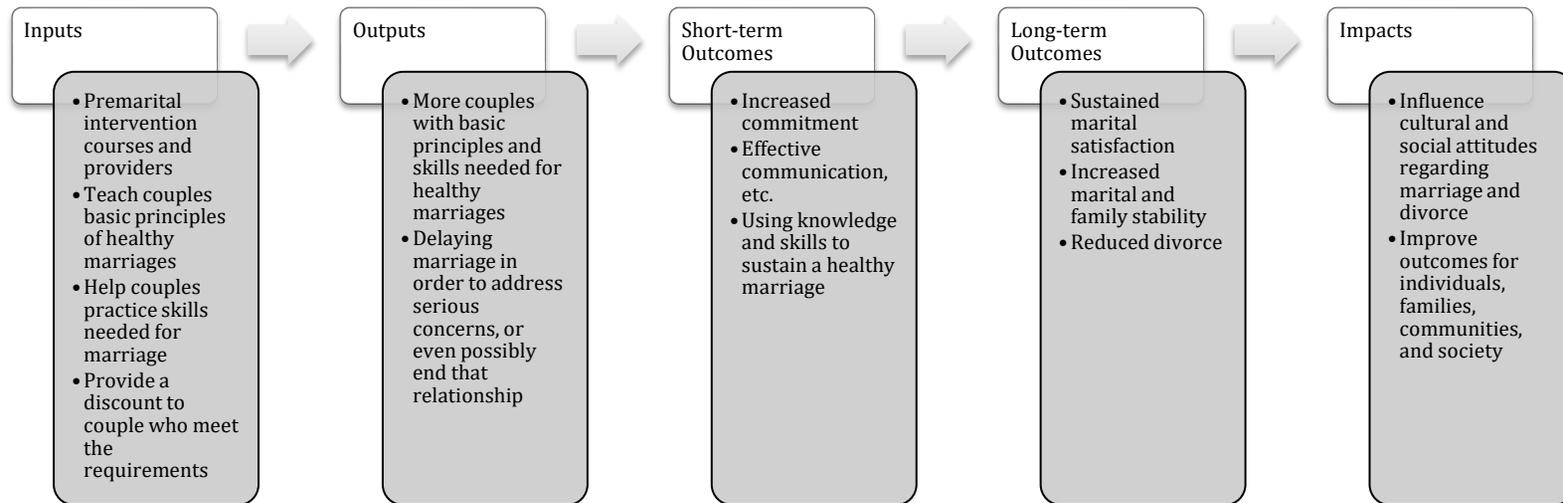
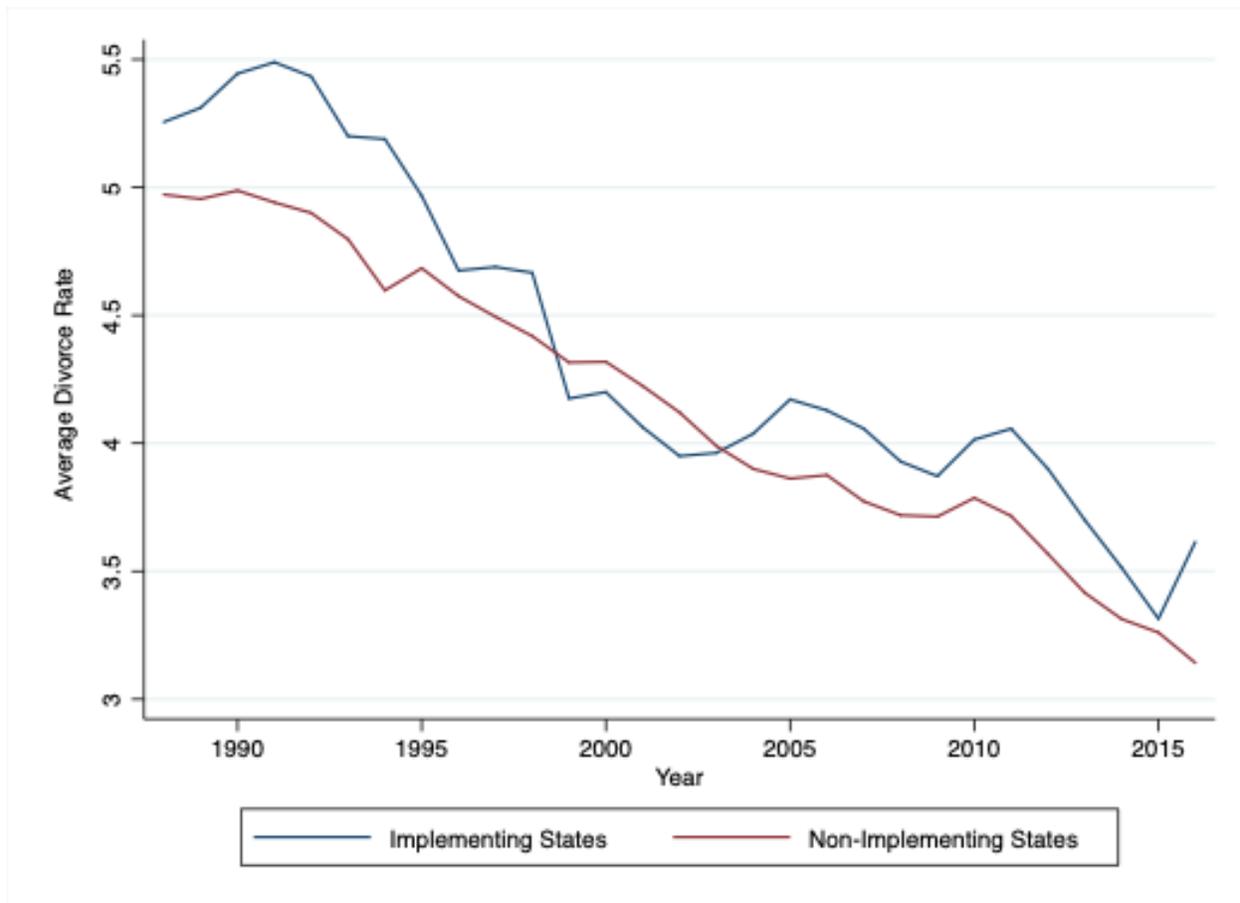
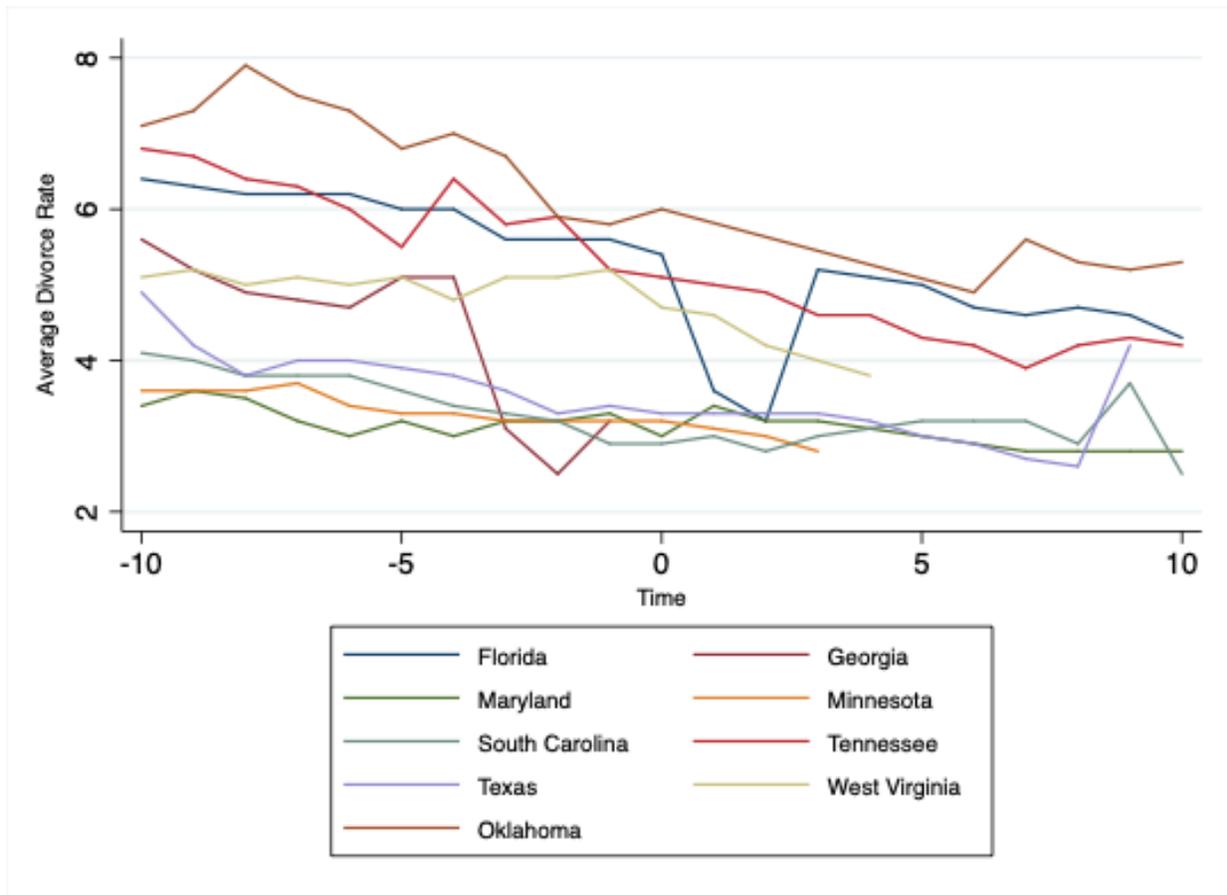


Figure 1. Logic Model of Premarital Education Promotion Policies



*Figure 2.* Average Divorce Rate for Implementing and Non-Implementing States 1988-2016. Note. Plots trends in average divorce rates in implementing and non-implementing states from 1988-2016. California, Georgia, Hawaii, Indiana, Louisiana, and Minnesota were missing at least ten years of divorce rate data and Oklahoma was missing five years due to changes in reporting requirements.



*Figure 3. Average Divorce Rate Pre- and Post-Implementation for Implementing States*  
 Note. Plots trends in average divorce rates in implementing states ten years pre- and post-implementation. Georgia and Minnesota were missing at least ten years of divorce rate data and Oklahoma was missing five years post-implementation due to changing in reporting requirements.

## Appendix A

### Summary of Policies and their Implementation

Ten states have currently implemented some form of premarital education promotion policies, specifically Florida (1998), Oklahoma (1999), Maryland (2001), Minnesota (2001), Tennessee (2002), Georgia (2004), South Carolina (2006), Texas (2007), West Virginia (2012), and Utah (2018). Using a combination of methods, as described in the main text, I sought to understand the features of each bill and how they were implemented in each state. Each policy has unique language and formal implementation varies immensely from state-to-state. Accordingly, Appendix A serves as a more detailed summary of each state's policy and implementation. The appendix is organized by the year of implementation, starting with Florida. I first describe the elements of the policy followed by a discussion of oversight and implementation outlined in the policy and whether formal oversight and implementation occurred.

#### **Florida (1998)**

SB 1567C1: [http://www.leg.state.fl.us/cgi-bin/view\\_page.pl?Tab=session&Submenu=1&FT=D&File=sb1576c1.html&Directory=session/1998/Senate/bills/billtext/html/](http://www.leg.state.fl.us/cgi-bin/view_page.pl?Tab=session&Submenu=1&FT=D&File=sb1576c1.html&Directory=session/1998/Senate/bills/billtext/html/).

Florida was the first state to implement a premarital education policy in 1998. The bill is cited as the Marriage Preparation and Preservation Act and the assigned bill number is SB 1567C1. The policy specifies that couples are eligible for a \$32.50 discount on the marriage license fee upon presenting a certification of completion of a premarital preparation course and the instruction delivery format. The course must be completed within a year from the date of application for the marriage license. A minimum of four hours is required and the couple can either complete the course together or separately. The course must cover topics such as a conflict

management, communication skills, financial responsibilities, children and parenting responsibilities, and data compiled regarding problems reported by married couples who seek individual or marital counseling. The course must also be provided by a qualified instructor, such as a licensed psychologist, a licensed clinical social worker, a licensed marriage and family therapist, a licensed mental health counselor, an official representative of a religious institution that can provide documentation of relevant training, and/or any other provider designated by the circuit court.

The policy specifies that the Circuit Court is responsible for creating and updating a roster of area course providers. It appears that many of the county clerks, such as the Clay County Clerk, Flagler County Clerk, Alachua County Clerk of the Circuit Court, etc., maintain a roster of the area course providers. In addition, the policy stated that premarital preparation courses offered and completed by individuals across the state would be reviewed by researchers from the Florida State University Center for Marriage and Family in order to determine the efficacy of different courses and this legislation. Correspondence with key academics and individuals associated with the bill revealed that some oversight occurred. Dr. Frank Fincham pointed me to a baseline report published by researchers at the University of Florida. This is the only known public report available: <http://www.healthymarriageinfo.org/wp-content/uploads/2017/12//floridastatereport.pdf>. In addition, the bill stated that a premarital preparation pilot program would be created in Leon County based on statistical information. However, this does not appear to have occurred. Informally, information regarding the premarital counseling incentive can be found online on several information websites.

4<sup>th</sup> Circuit Court: <https://www.clayclerk.com/premarital-preparation-course-providers-list/>

<http://www.duvalclerk.com/marriageLicenseCourseProviderList/>

[http://www.nassauclerk.com/\\_files/registeredproviders.pdf](http://www.nassauclerk.com/_files/registeredproviders.pdf)

6<sup>th</sup> Circuit Court: <https://public.co.pinellas.fl.us/emarriage/index2.jsp>

7<sup>th</sup> Circuit Court: <https://flaglerclerk.com/wp-content/uploads/2018/10/Pre-Marital-Course-Providers-2-19.pdf>

[https://stjohnsclerk.com/wp-content/uploads/2018/11/web\\_premarital\\_class\\_list.pdf](https://stjohnsclerk.com/wp-content/uploads/2018/11/web_premarital_class_list.pdf)

[http://app02.clerk.org/cm\\_rpt/lands/Premarital\\_Course\\_Providers.pdf](http://app02.clerk.org/cm_rpt/lands/Premarital_Course_Providers.pdf)

8<sup>th</sup> Circuit Court: <https://alachuacounty.us/depts/clerk/pages/marriage.aspx>

15<sup>th</sup> Circuit Court: <https://www.15thcircuit.com/program-page/premarital-course>

### **Oklahoma (1999)**

SB 407: [http://www.oklegislature.gov/cf\\_pdf/1999-00%20INT/sb/sb407%20int.pdf](http://www.oklegislature.gov/cf_pdf/1999-00%20INT/sb/sb407%20int.pdf)

The assigned bill number is SB 407. In addition to specifying the marriage license application process, the policy provides new language regarding premarital counseling. The policy specifies that couples are eligible for a \$45 discount on the marriage license fee upon presenting a certificate of completion of a premarital counseling program pursuant to the act to the judge or clerk of the district court. The premarital counseling program must be conducted by an official representative of a religious institution or a health professional, meaning a person licensed or certified in Oklahoma to practice psychiatry or psychology, a licensed social worker with experience in marriage counseling, or a licensed professional counselor or therapist. The policy does not specify a timeline for when the premarital counseling program must be completed, a minimum number of hours required, topics that must be covered, or whether couples must participate together.

A review of the legislative document showed that the policy itself does not appoint an entity or entities responsible for oversight and implementation of the policy in any form. The bill does not specify any funding for oversight and implementation of the policy either. In addition, my personal correspondence with academics and key persons associated with the bill in the Oklahoma suggest that some formal oversight and implementation of the policy did occur. Correspondence with Dr. Kelly Roberts revealed that the Oklahoma Marriage Initiative provided public awareness messages prior to ending due to budget cuts in 2015. Following which, the effectiveness of the policy was left up to the court system to educate couples applying for their marriage license. Dr. Roberts wrote a brief summary of the policy's implementation and impact that can be found here: <https://nondoc.com/2016/10/13/premarital-counseling-fails-entice-okies/>. This summary details how the states collected information regarding participation rates for several years as well as barriers to the policy's effectiveness, including lack of awareness. Awareness of the policy has likely decreased over the years due to budget cuts. Informally, information regarding the premarital counseling incentive can be found online on several information websites. At best, couples who are aware of the policy and are motivated have made use of this policy's benefits.

### **Maryland (2001)**

HB 20: <http://mlis.state.md.us/2001rs/billfile/HB0020.htm>

The assigned bill number is HB 20. The policy specifies that couples are eligible for a discount on the marriage license fee upon presenting a valid certificate of completion of a premarital preparation course to the clerk at the time of application. The discounted amount from the marriage license fee is determined by the county. (The cost of a Maryland marriage license ranges from \$35-\$85). The course must be completed within a year from the date of application

for the marriage license. A minimum of four hours is required and the course must cover topics such as a conflict management, communication skills, financial responsibilities, and children and parenting responsibilities. The course must also be provided by a qualified instructor, such as a clinical professional counselor, a licensed clinical marriage and family therapist, a licensed psychologist, a licensed clinical social worker, an official representative of a religious institution that can provide documentation of relevant training, and/or any other provider approved by the county governing body. The policy does not specify whether the couple can complete the course separately or must participate and complete the course together.

The policy specifies that the clerk may establish a roster of area premarital preparation course providers. However, I failed to find a roster of premarital preparation course providers by county or in Maryland on any online database. In fact, information detailing how to apply for a marriage license in the three most populous counties in Maryland (Montgomery, Prince George, and Baltimore) did not even mention the policy or eligibility for a discount upon completion of a qualified premarital preparation course. In addition, as I went through the application system online, there was no option to select or mention participation in a premarital preparation course. Moreover, personal correspondence with one key academic in Maryland revealed a lack of awareness that the policy even existed despite active involvement in other relationship education areas. Accordingly, it seems reasonable to say that no formal oversight and implementation of the policy occurred. The bill does not specify any funding for oversight and implementation of the policy either. The only information I found regarding the policy and the discount was through several informal sources via a Google search.

Montgomery County (\$55 fee): <https://www.montgomerycountymd.gov/cct/marriage-license.html>

Prince George County (\$70 fee): <https://princegeorgescourts.org/225/Marriage-License>

Baltimore County (\$35 fee):

<https://www.baltimorecountymd.gov/Agencies/circuit/marriagedivorce.html#license>

### **Minnesota (2001)**

HF 2132:

[https://www.revisor.mn.gov/bills/text.php?number=HF2132&session=1s82&version=list  
&session\\_number=0&session\\_year=2001](https://www.revisor.mn.gov/bills/text.php?number=HF2132&session=1s82&version=list&session_number=0&session_year=2001)

The assigned bill number is HF 2132. The policy specifies that couples are eligible for a \$50 discount on the marriage license fee upon presenting a valid statement document from the provider confirming premarital education was received. The policy provides specific language that the provider must include on the statement. A minimum of 12 hours is required and must include the use of a premarital inventory and content teaching communication and conflict management skills. The premarital education must be provided by a licensed or ordained minister or the minister's designee, a person authorized to solemnize marriages, or an authorized marriage and family therapist. The policy does not specify a timeline for when the premarital counseling program must be completed or whether couples must participate together.

A review of the legislative document showed that the policy itself does not appoint an entity or entities responsible for oversight and implementation of the policy in any form. The bill does not specify any funding for oversight and implementation of the policy either. In addition, my personal correspondence with academics and key persons associated with the bill in Minnesota suggest that only minimal formal oversight and implementation of the policy did occur. Correspondence with Dr. William Doherty at the University of Minnesota, who was actively involved in the legislative process, revealed that no explicit marketing or advertising has

occurred, but the faith communities that offer premarital education made and continue to make people aware of the policy. Following the first year of implementation, Senator Steve Dill, the main sponsor of the bill, provided a one year follow-up report (see Appendix B for full report). Outside of this report, there has not been any formal or informal oversight or reports on the effectiveness of the policy. Informally, information regarding the premarital counseling incentive can be found online on several information websites.

### **Tennessee (2002)**

SB 0899/HB 1334:

<http://wapp.capitol.tn.gov/apps/Billinfo/default.aspx?BillNumber=SB0899&ga=102>

The assigned bill numbers are SB 0899 and HB 1334. In addition to specifying division of the marriage license fee to various entities, the policy provides new language regarding premarital preparation. The policy specifies that couples are eligible for a \$60 discount on the marriage license fee upon presenting a certificate of completion from an authorized provider to the clerk. A minimum of four hours of instruction is required. The premarital preparation course must be conducted by a psychologist, clinical social worker, licensed marital and family therapist, clinical pastoral therapist, professional counselor, psychological examiner, an official representative of religious institutions, or any other provider approved by a judicial district. The policy does not specify a timeline for when the premarital counseling program must be completed, topics that must be covered, or whether couples must participate together.

A review of the legislative document showed that the policy itself does not appoint an entity or entities responsible for oversight and implementation of the policy in any form. The bill does not specify any funding for oversight and implementation of the policy. In addition, my personal correspondence with academics and key persons associated with the bill in Tennessee

suggest that little oversight and implementation of the policy has occurred. The oversight and implementation that did occur was simply making county clerks aware of the policy. Online Google search efforts revealed that many counties highlight the premarital preparation discount as part of their instructions for applying for a marriage license. In addition, a standard Certification of Completion form was developed by the Administrative Office of the Courts that is readily available online for couples to use. Correspondence with Julie Baumgardner, President of First Things First in Chattanooga, TN, highlighted her company's efforts to market it heavily from Chattanooga throughout the state. Their efforts have resulted in a number of couples from places other than Chattanooga who take advantage of the classes they offer on a monthly basis. It does not appear that additional informal efforts have taken place or are taking place throughout the state.

Certification of Completion: [http://www.nashvilleclerk.com/wp-content/uploads/2010/12/Marriage\\_Counseling.pdf](http://www.nashvilleclerk.com/wp-content/uploads/2010/12/Marriage_Counseling.pdf)

#### **Georgia (2004)**

HB 1451: <http://www.legis.ga.gov/Legislation/en-US/display/20032004/HB/1451>

The assigned bill number is HB 1451. The policy specifies that couples are eligible for a discount on the marriage license fee upon presenting a certificate of completion from the provider confirming premarital education was received. The discount is \$32.50, the cost of the marriage license, however some counties have additional fees that the couple may be required to pay. Additional fees may occur as set by the county. The premarital education shall be completed within 12 months prior to the application for a marriage license. A minimum of 6 hours of instruction involving marital issues is required and may include but is not limited to conflict management, communication skills, financial responsibilities, child and parenting

responsibilities, and extended family roles. The premarital education must be provided by a licensed professional counselor, social worker, psychologist, marriage and family therapist, or an active member of the clergy or his or her designee, including retired clergy, provided that the designee is trained and skilled in premarital education. The policy does not specify whether the couple can complete the course separately or must participate and complete the course together.

A review of the legislative document showed that the policy itself does not appoint an entity or entities responsible for oversight and implementation of the policy in any form. The bill does not specify any funding for oversight and implementation of the policy either. In addition, my personal correspondence with academics and key persons associated with the bill in Georgia suggest that little to no formal oversight and implementation of the policy has occurred.

Correspondence with Dr. Ted Futris revealed that there was an initiative several years ago to promote the policy briefly before the initiative was defunded. Dr. Futris continues to promote the policy on the University of Georgia's extension website. Online Google search efforts revealed that many counties highlight the premarital preparation discount as part of their instructions for applying for a marriage license. And the State website also includes information pertaining to the discount. In addition, a Certification of Completion form is readily available online for couples to use. Informally, information regarding the premarital counseling incentive can be found online on several information websites.

Athens County: <https://www.athensclarkecounty.com/1098/Qualifying-Premarital-Education-Program>

Henry County: <http://henrycountyprobatecourt.com/Marriage-Licenses/Premarital-Education-or-Counseling>

State website: <https://georgia.gov/popular-topic/marriage-licenses>

Certificate of Completion:

<https://www.athensclarkecounty.com/DocumentCenter/View/566/Completion-of-Qualifying-Premarital-Education?bidId=>

University of Georgia Extension: <https://www.fcs.uga.edu/extension/family-healthy-relationships-preparing-for-marriage>

### **South Carolina (2006)**

SB 1045: [https://www.scstatehouse.gov/sess116\\_2005-2006/bills/1045.htm](https://www.scstatehouse.gov/sess116_2005-2006/bills/1045.htm)

The assigned bill numbers are SB 1045. The policy specifies that couples are eligible for a one-time \$50 non-refundable state income tax credit upon providing a certification of completion of a premarital preparation course. The premarital education shall be completed within 12 months prior to the application for a marriage license. A minimum of six hours of instruction is required and the couple are required to complete the course together. The premarital preparation course must be taught by a licensed professional counselor or by an active member of the clergy or his or her designee, provided that the designee is trained and skilled in premarital preparation. The policy does not specify what content or topics must be covered.

A review of the legislative document showed that the policy itself does not appoint an entity or entities responsible for oversight and implementation of the policy in any form. The bill does not specify any funding for oversight and implementation of the policy either. In addition, my personal correspondence with academics and key persons associated with the bill in the South Carolina suggest that little to no formal oversight and implementation of the policy has occurred. Correspondence with Dr. Ryan Carlson at the University of South Carolina suggested that many of the couples that participate in premarital education and are eligible for the discount do so because their church requires it before marrying them. Online Google search efforts

revealed that one county highlights the premarital preparation discount as part of their instructions for applying for a marriage license. In addition, a Certification of Completion form is readily available online from the South Carolina Courts website for couples to use. Informally, information regarding the premarital counseling incentive can be found online on several information websites.

Greenville County: <https://www.greenvillecounty.org/Probate/MarriageLicense.aspx>

Certification of Completion: <https://www.sccourts.org/forms/pdf/153PC.pdf>

### **Texas (2007)**

HB 2685:

<https://capitol.texas.gov/Search/DocViewer.aspx?ID=80RHB026855B&QueryText=%22premarital%22&DocType=B>

The assigned bill number is HB 2685. The policy specifies that couples are eligible for up to a \$60 discount on the marriage license fee upon presenting a premarital education course completion certification at the time of application. The course must be completed within a year from the date of application for the marriage license. A minimum of eight hours is required and must include instruction in conflict management, communication skills, and the key components of a successful marriage. The curricula must be skills-based and research-based curricula from the United States Department of Health and Human Services healthy marriage initiative, the National Healthy Marriage Resource Center, criteria developed by the Health and Human Services Commission, or other similar resources. The premarital education must be provided by marriage educators, licensed mental health professionals, faith-based organizations, or community organizations. The bill appoints the Health and Human Services Commission

responsible for maintaining an Internet website of approved providers. The policy does not specify whether couples must participate together.

In addition, my personal correspondence with academics and key persons associated with the bill suggests that Texas had the most formal oversight and implementation of the policy compared to any other state. Correspondence with Maggie Russell, a key person in getting the legislation passed and implemented, revealed that Texas had formal oversight and funding for several years. The Texas Health and Human Services Commission (HHSC) was appointed initial responsibility for implementing the bill. HHSC created 11 regions and hired a small staff to implement the policy in each region, including training facilitators, offering workshops, advertising the policy (ads, fliers, billboards, radio, etc.), and providing classroom supplies. Funding started in late 2007 and ended in 2011. Although funding has ended, the policy continues to be implemented on a smaller scale and on a less formal basis. There is a volunteer network of non-paid trained facilitators who continue to offer premarital education and counseling courses.

Twogether in Texas: <https://twogetherintexas.com/UI/HomePage.aspx>

### **West Virginia (2012)**

HB 4605:

[http://www.wvlegislature.gov/Bill\\_Text\\_HTML/2012\\_SESSIONS/RS/pdf\\_bills/HB4605%20SUB%20ENR%20PRINTED.PDF](http://www.wvlegislature.gov/Bill_Text_HTML/2012_SESSIONS/RS/pdf_bills/HB4605%20SUB%20ENR%20PRINTED.PDF)

The assigned bill number is HB 4605. The policy specifies that couples are eligible for a \$20 discount on the marriage license fee upon presenting a premarital education course completion certification at the time of application. The course must be completed within a year from the date of application for the marriage license. A minimum of four hours of instruction involving marital

issues is required and may include but is not limited to conflict management, communication skills, managing finances, child and parenting responsibilities, extended family roles, and key components of a successful marriage. The curricula must be skills-based and research-based curricula from the National Healthy Marriage Resource Center, a church, spiritual assembly, or religious organization, or other substantially similar resources. The premarital education must be performed by a licensed professional counselor, marriage therapist, social worker, psychologist, psychiatrist, or an active member of the clergy or his or her designee, provided that a designee is trained in skills-based and research-based marriage preparation curricula premarital education. The bill appoints the Department of Health and Human Resources responsible for maintaining an Internet website of approved providers. The policy does not specify whether couples must participate together.

A review of the legislative document does not specify any funding for oversight and implementation of the policy either. In addition, my personal correspondence with academics and key persons associated with the bill in West Virginia suggests minimal knowledge of the policy as well as its oversight and implementation. Online Google search efforts revealed that the previous Department of Health and Human Resources website had information regarding premarital education, however, the new website does not contain that information. Several counties highlight the premarital education discount as part of their instructions for applying for a marriage license.

Previous DHHR website: <http://www.wvdhhr.org/pme/>

Current DHHR website: <https://dhhr.wv.gov/Pages/default.aspx>

Cabell County: <https://www.cabellcountyclerk.org/departments/vital-statistics/mariagelicense>

Hancock County: <http://hancockcountywv.org/couclerkmarriage.html>

### **Utah (2018)**

SB 54: <https://le.utah.gov/~2018/bills/static/SB0054.html>

The assigned bill number is SB 54. The policy specifies that couples are eligible for up to a \$20 discount on the marriage license fee upon completing premarital education or counseling when applying online. The course must be completed within a year from the date of application for the marriage license. A minimum of three hours of premarital counseling or six hours of premarital education are required. The premarital counseling or education must include information on important factors associated with strong and health marriages including commitment in marriage and effective communication and problem-solving skills, including avoiding violence and abuse in the relationship. The providers are encouraged to use research-based relationship inventories. The premarital counseling or education must be provided by a licensed or ordained minister or the minister's designee who is trained by the minister or denomination to conduct premarital counseling or education; a licensed mental health professional, an individual certified by a national organization recognized by the Utah Marriage Commission as a family life educator; a family and consumer sciences educator; or an individual who is an instructor approved by a premarital education curriculum. Couples may also opt to take an online course approved by the Utah Marriage Commission. The bill appoints the Utah Marriage Commission responsible for regularly publicizing information on premarital counseling and education services, approving an online course, and recognizing one or more national organizations that certify family life educators. Although couples are encouraged to participate together, each applicant can comply with the requirements separately.

A review of the legislative document specifies the Utah Marriage Commission is responsible for allocating funding for oversight and implementation of the policy. Correspondence with academics and key persons associated with the bill suggested Utah County in Utah is currently developing an online marriage application system and that should be operational sometime in 2019. Dr. Alan Hawkins wrote a summary (found here: <https://ifstudies.org/blog/how-utah-is-promoting-premarital-education>) of Utah's efforts specifying that couples who want to apply for a discount must do so online. Any couple regardless of where they marry in Utah can apply online through the Utah County portal. The Utah Marriage Commission has developed an extensive marketing campaign to make couples aware of the discount option and how to take advantage of it. They have also contracted with the *ePREP* online relationship education program providers to offer free vouchers to Utah engaged couples to participate in this program. Also, the Commission has worked with the wedding industry retailers across the state to agree to provide product and service discounts to couples who invest in premarital education.

Utah Marriage Commission: <https://strongermarriage.org/utah-med>

## Appendix B

## Minnesota Premarital Education Law:

## Higher Than Expected Rates of Participation

Steve Dille, Minnesota State Senator

On July 1, 2001 a new Minnesota law went into effect that provides for a reduction in the marriage license fee from \$70 to \$20 if the couple participates in 12 hours of pre-marriage education that includes a pre-marriage inventory and the teaching of conflict management and communication skills. We conducted a survey of how many couples took advantage of the new law during first year.

With 45 counties reporting, 24% of the licenses applied for were at the reduced fee. The fiscal note on the original bill predicted that the rate would be 5% the first year and 10% the second year. Rates varied across counties, with the strongest predictor apparently being the amount of publicity. For example, in Meeker County (Sen. Dille's home county), the rate was 45%. In Anoka County, where the recorded message couples receive when they call to inquire about getting a marriage license does not even mention the reduced fee, the percentage was 19%.

The attitude of the County Recorder also appeared to be a factor. Some indicated that they were not in support of the idea itself, while others were enthusiastic. Some felt that it was just more work to do, while others indicated that they had made signs and forms to encourage participation.

We wished we had included in the bill a requirement for counties to do an annual report of rates of participation in the discount. But overall, we were quite pleased with the participation rates in the first year.