

## “SINGLE PARENT HOUSEHOLDS: ARE THE CHILDREN GROWING UP IN THEM REALLY ALLRIGHT?”

By: Susan L. Pollet, Esq.\*

“To the world you may be just one person, but to one person you may be the world.”  
Brandi Snyder

As one commentator has pointed out, “family law, as part of the larger prevailing culture, has enshrined the number two.”<sup>1</sup> In the debates about departures from the optimal parental number of two, the discussion “almost invariably includes criticism of single parents and typically encompasses a wide range of topics, from welfare reform, to marriage-promotion programs, to the legal status of sperm donors who enable women to become single mothers by choice.”<sup>2</sup> This article will discuss the profile of single parents; what the research says about the effects of single parenthood on the well-being of children; the financial implications for single parent households; and resources lawyers can tell their single parent clients about.

Lawyers need to familiarize themselves with issues regarding single parents, and must remind judges about the implications (or lack of effect) of having this type of household when handling their family law cases. To the extent that a stigma still exists for single parents, legal professionals must be aware of the prevalence of single parent households and be mindful of the financial implications, in particular, of various settlements.

### The Profile of Single Parents

What do we know about single parents? Due to an increase in the numbers of children born outside of marriage and the rise in divorce rates, there has been a “three-fold increase in the proportion of children growing up in single-parent families since 1960.”<sup>3</sup> According to 2005 statistics released by the U.S. Census Bureau in August 2007, “there are approximately 13.6 million single parents in the United States today, and those parents are responsible for raising 21.2 million children (approximately 26% of children under 21 in the U.S. today).”<sup>4</sup> Another way to look at it is that as of the year 2000, about one third of the births in the U.S. were to unmarried mothers, which is one of the most “profound changes in American society.”<sup>5</sup>

The “average” single parent is a mother (84% of custodial parents are mothers); she is divorced or separated (44% of them) and so is the father (57% are divorced or separated); both she and he are employed (79% of custodial single mothers and 92% of custodial single fathers are gainfully employed); most single parents and their children do not live in poverty (only 31% of custodial single mothers and 11.1% of custodial single fathers do); she and he do not receive public assistance (31% of all single parents receive public assistance); she is 40 years or older (37.7% of custodial mothers are 40 years old or older); she is raising one child (56% of custodial mothers are raising one child).<sup>6</sup> As you will note, below, these statistics vary somewhat depending upon the source.

Commentators have suggested that the whole concept of single parenthood “may need rethinking” in that most of the increase in births outside of marriage is “in births to cohabiting

white mothers.”<sup>7</sup> The policy question becomes whether to keep a sharp line between married and not-married, or to extend cohabitators the benefits and responsibilities of marriages.<sup>8</sup>

### The Research About the Effects of Single Parenthood on Children

There is a “sizable body of research” which indicates that children of single parents are generally more likely to be poor and to drop out of high school.<sup>9</sup> In addition, they are more likely to become teen parents, and to experience “health, behavior, and mental health problems” compared to children who are raised by married parents.<sup>10</sup> According to one estimate, “roughly 69 percent of children of never-married parents are poor, compared to 45 percent of children brought up by divorced single mothers.”<sup>11</sup> In addition, “[n]ever-married mothers are significantly younger, have lower incomes, have fewer years of education, and are twice as likely to be unemployed as divorced mothers.”<sup>12</sup> Most researchers agree that “on average, children do best when raised by their two, married, biological parents who have low-conflict relationships.”<sup>13</sup>

This statement is qualified by statements that in “individual situations, marriage may or may not make children better off, depending on whether the marriage is ‘healthy’ and stable.”<sup>14</sup> Recent research provides that “although marriage confers benefits to adults on average, those in poor quality marriages are no better off than the single and, indeed, may fare worse on some measures.”<sup>15</sup>

There is other new research, supported in part by the National Institute of Child Health & Human Development, which finds that the advantage that children get from living in two-parent families “may actually be due to family stability more than the fact that their parents are married.”<sup>16</sup> The results of one study, which examined children born to always-single mothers and not those single as a result of divorce, suggested that the key for many children “is growing up in a stable household, where they don’t go through divorce or other changes in the family—whether that is in a single-parent home or a married home.”<sup>17</sup> One study indicated that “[c]hildren who live with stably single mothers and children who live with mothers who experience multiple partnership changes show higher levels of aggression and anxiety/depression than children who live with stably married parents (Osborne and McLanahan 2007). In contrast, it was found that children who live with parents who are stably cohabiting do not differ from children raised by married parents.”<sup>18</sup>

In sum, despite the increased risks for children raised by single parents, a policy analyst highlights that the majority of children in these single parent families “grow up without serious problems.”<sup>19</sup> The debate does continue about “how much of the disadvantages to children are attributable to poverty versus family structure, as well as about whether it is marriage itself that makes a difference or the type of people who get married.”<sup>20</sup>

### Financial Implications for Single Mother Families

Single mother households, as stated earlier, are the most common type of one parent

family. According to the Institute for Women's Policy Research, "[w]omen who maintain families without a spouse present are almost twice as likely as married men to be unemployed, according to data from the Bureau of Labor Statistics for August 2009. One of every eight women (12.2 percent) who are the sole breadwinners in their families is unemployed compared with one of every sixteen married men (6.4%).<sup>21</sup> (Single women with children comprise 40% of all single women).<sup>22</sup>

Some policy analysts state that gains in employment for single mothers with children reached their peak in 2000, and that since that time, "employment among single mothers has fallen and poverty has grown, although neither has returned to its previous level. Meanwhile, welfare caseloads continue to decline."<sup>23</sup> These analysts point out that, for the most part, low-income parents have not made steady progress into better jobs and that over time, "most families leaving assistance remained mired in low-wage or unstable employment or fell out of the labor market altogether," and that these women were less likely to receive income support through the welfare system.<sup>24</sup>

Single mothers' unemployment has been stated to be more than twice as much as married women's, and the reason suggested is that "single mothers have particular difficulty in finding jobs that are consistent with their family care responsibilities."<sup>25</sup> It has been noted that this high unemployment rate is troubling for families since one fifth of all families with children are headed by working single mothers, and families of single mothers "(considering both those who work and those who do not together) have a high poverty rate, 28.3 percent (in 2007, there were 4 million poor single mother families according to the United States Census Bureau)."<sup>26</sup>

What makes matters worse for single mother households is the "persistent gender wage gap" which translates into women working full-time, year-round earning only 78 cents for every dollar earned by full-time, year-round male workers in 2007.<sup>27</sup> The result, it has been stated, is the inability for women whom support families alone to build up financial reserves, and these women are also less likely to have fringe benefits such as paid sick days.<sup>28</sup>

#### Resources Lawyers Can Tell Their Single Parent Clients About

Raising children can be challenging and stressful, and raising them alone is even more so.<sup>29</sup> From the perspective of the children, sometimes they have to contend with negative stereotypes and hurtful remarks about their circumstances such as the derogatory label that they come from a "broken home."<sup>30</sup>

Lawyers can certainly help these families by providing them not only with good legal advice, but with a ready supply of information about organizations and resources to turn to for all aspects of being a successful single parent family. For a sampling of websites, please note the following:

<http://www.parentswithoutpartners.org>

<http://www.singleparents.about.com>

<http://www.singleparentsnetwork.com>

<http://www.singleparentcenter.net>

There are many articles, books and other resources mentioned on these websites for more in depth explorations. For example, one article on a website highlights the positive effects of single parenting.<sup>31</sup> One website has about 400 articles all geared to issues relating to single parent families.<sup>32</sup> There is advice available for the children too, for example, at [http://kidshealth.org/kid/feeling/home\\_family/single\\_parents.html](http://kidshealth.org/kid/feeling/home_family/single_parents.html)

### Legal Implications of the Social Science Research

Although no studies have been done analyzing the case law to determine the effect of single parenting on the decision making of judges in family law cases, clearly it is a factor they will consider, on a case-by-case basis. This is true in the context of child support and custody and access determinations including schedules and relocation cases.

### Conclusion

Single parent families are no longer nontraditional families in the United States given the statistics. Attorneys, judges, mediators, mental health professionals and all other professionals and policy makers who work with and think about these families must be cognizant of the challenges of single parenthood and continue to work toward alleviating the burden on children so that the statement that children in two parent households generally fare better than children raised by one parent no longer must be the reality.

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4. Jennifer Wolf, "Single Parent Statistics," <http://singleparents.about.com/od/legalissues/p/portrait.htm>
5. Tamar Lewin, "Is Social Stability Subverted If You Answer 'I Don't'? Fears for Children's Well-Being Complicate a Debate Over Marriage," New York Times, Section B, p. 11, Nov. 2, 2000.
6. Jennifer Wolf, "Single Parent Statistics," <http://singleparents.about.com/od/legalissues/p/portrait.htm>
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8. Id.
9. Id.

10. Mary Parke, “Are Married Parents Really Better for Children? What Research Says About the Effects of Family Structure on Child Well-Being,” (May 2003); [www.clasp.org](http://www.clasp.org) .

11. Id.

12. Id.; For further information about unmarried women who give birth, see, also, Rebecca Moulton, “Who’s Your Daddy?: The Inherent Unfairness of the Marital Presumption for Children of Unmarried Parents,” 47 Fam. Ct. Rev. 698, 704 (October, 2009).

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15. Kelly Musick and Ann Meier, “Are Both Parents Always Better Than One? Parental Conflict and Young Adult Well-Being,” Rural New York Minute, Cornell University’s Community & Rural Development Institute, Issue Number 28, April 2009; [www.cardi.cornell.edu](http://www.cardi.cornell.edu)

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20. Id.

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27. Id.

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32. <http://www.singleparentsnetwork.com>