



Outcomes of Marriage Dissolution in Connecticut: an Empirical Study of Divorce, Custody, and Financial Support in 2012

**Connecticut Women's Education and Legal Fund
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Introduction

For many decades, procedural fairness in divorce cases has been researched and debated. During the 1980's, several states throughout the country created task forces to begin exploring gender and racial discrimination in the courts, with many finding prevalent discrimination.¹ The 1991 Connecticut Task Force on Gender, Justice & the Courts found that "[w]omen are treated differently from men in the justice system and, because of it, many suffer from unfairness, embarrassment, emotional pain, professional deprivation and economic hardship."

Around the same time, the Connecticut Women's Education and Legal Fund (CWEALF) conducted a study to determine the economic outcomes of divorce. The study, published in 1990, found that women and children suffer severe economic losses with divorce.

Nationally, since the early 1990's, research has also demonstrated inequality in marriage dissolution. Research found that:

- Finances were inadequately distributed in divorce;²
- Family income decreased substantially following a divorce;³
- Custodial mothers experienced a financial downturn after divorce;⁴ and
- While more women work after divorce, household income is still less than pre-divorce household income.⁵

Since CWEALF's 1990 study, there have been statutory amendments to Connecticut family law, with numerous bills proposed to make additional changes. With legislation proposed frequently to amend Connecticut's family laws, legislators often hear personal accounts from individuals who have experienced the marriage dissolution process. Many of these individuals, both men and women, report inequity and dissatisfaction with outcomes. To reexamine the consequences of divorce and ensure that any future changes in family law are based on sound empirical data, as well as those personal anecdotes, CWEALF conducted research, funded by the Permanent Commission on the Status of Women (PCSW) and the Connecticut Bar Association, in the Connecticut family courts to examine the outcomes of dissolution.

Major findings of this study include:

- Efficiency of case processing appears strong, with the majority of cases concluding in less than 6 months and 71% of limited contested cases at the case management date changing to uncontested at the time of dissolution.
- Approximately half (52%) of parties in divorce cases are represented by a lawyer. At the time of dissolution, 58% of all employed individuals retained an attorney and 47% of unemployed individuals retained an attorney.
- Even though the majority of parties in divorce are employed, the disparity between the incomes and assets of men and women in divorce is notable, with women having significantly less income and fewer assets than men.

¹ Resnik, J. 1996. Asking about Gender in Courts. *Signs*, 21(4).

² Women's Law Center of Maryland, Inc., 2004

³ Teachman & Paasch, 1994

⁴ Arditti, 1990

⁵ Teachman & Paasch, 1994

- The incidence of alimony orders is relatively infrequent and low in value, as compared with the financial disparity between the parties.
- Cases in which the plaintiff retained an attorney were more likely to involve an order of alimony than cases in which the plaintiff was self-represented (37% as compared to 23%).
- While the primary residence of the children is still most often with the mother following divorce, fathers have increased contact with children.
- The frequency of child support orders has decreased, possibly as a result of a few factors: the increase in custody by fathers, the enactment of Child Support Guidelines, and increased employment among women.

Methodology

To obtain a sample of cases for the study, Connecticut Court Administration and Operations identified two judicial jurisdictions: Bridgeport and New Haven Superior Courts, and signed a court order allowing for case file review, including the review of financial affidavits. A list of cases from the two judicial jurisdictions with the judgment of “dissolution” in 2012 was provided to CWEALF for sampling. CWEALF requested a random sample (95% confidence level, confidence level of 5) of all contested and all uncontested cases.

	Uncontested Cases	Contested Cases	Total
Total cases	2441 (96.6%)	86 (3%)	2527 (100%)
Proposed sample	332	70	418
Actual sample	371	62	433

In each jurisdiction, CWEALF conducted case file review with trained data collection assistants, who reviewed the filed forms, including financial affidavits, and entered the pertinent information on the dissolution into an excel spreadsheet. Researchers then imported the excel spreadsheet into SPSS for analysis.

Data Analysis

Dissolution Case Characteristics

Of the 433 dissolution cases, 1% (n=5) of the cases were same sex marriages. Of the 426 non-same sex marriage dissolution cases⁶, 70% (n=297) of the plaintiffs were female, with 69% of uncontested cases having a female plaintiff and 75% of contested cases having a female plaintiff.

Cross-Complaints and Case Management Status

If a cross-complaint⁷ was filed, the case was more likely to have been contested at dissolution. A majority of the cases (78%, n=340), however, did not have a cross-complaint. Cases contested at the case management appearance were the most likely to be contested at dissolution.

	Status at Dissolution		
	Contested	Uncontested	Total
Cross Complaint	34% (32)	66% (61)	100% (93)
No Cross-Complaint	9% (30)	91% (310)	100% (340)
<i>Status at Case Management Appearance</i> ⁸			
Uncontested	7% (21)	93% (266)	100% (287)
Limited Contested	29% (28)	71% (69)	100% (97)
Contested	65% (11)	35% (6)	100% (17)

Length of Marriage

For all marriages, the average length of marriage was 12 years; however, over half of the marriages lasted 10 years or less and approximately a quarter of marriages lasted 5 years or less. Contested cases had a higher average length of marriage than uncontested cases (contested mean = 12.8 years; uncontested mean = 11.5 years). The range in marriage length, however, was larger for uncontested cases (contested cases min/max = 1.58 years/40.83 years and uncontested cases min/max = .5 years/56 years).⁹

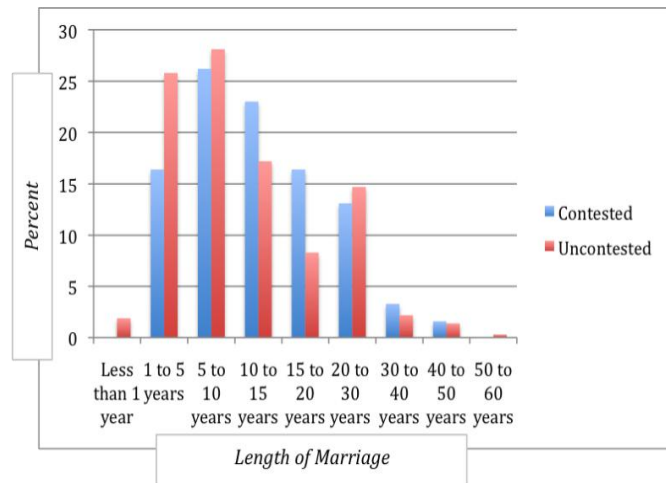
⁶ Seven cases were excluded: 5 were same sex cases and in 2 cases the gender of parties wasn't identified.

⁷ A cross-complaint may be filed in situations where the party served with the complaint asserts that the factual data in the complaint is incorrect, indicates he or she wants to get divorced even if the plaintiff withdraws the complaint, requests categories of results different from those requested in the complaint, wants to allege other grounds for the breakdown of the marriage, or disagrees that the marriage is irretrievably broken. Stark, B.K., *Friendly Divorce Guidebook for Connecticut: Planning, Negotiating, and Filing Your Divorce*, 2003.

⁸ "Uncontested" includes cases identified as uncontested and cases where the defendant didn't file an appearance; "Limited contested" includes cases with a disagreement on financials and/or property; and "Contested" includes cases with a disagreement on custody and/or visitation.

⁹ The difference in length of marriage by contested/uncontested cases was not significant, p>.05.

	Percent (count)
Less than 1 year	2% (7)
1 to 5 years	24% (103)
5 to 10 years	28% (117)
10 to 15 years	18% (76)
15 to 20 years	9% (40)
20 to 30 years	14% (61)
30 to 40 years	2% (10)
40 or more years	2% (7)
Total	100% (421)



Children

Approximately half of the cases had children born to the marriage (49%, n=214). Of those cases with children born to the marriage, at the time of dissolution, 99% (n=213) had at least one child under the age of 23 and 85% (n=183) had at least one child under the age of 18. For cases with children born to the marriage, the average number of children was of 1.8 children. The most frequently occurring number of children was 1 child. None of the same sex divorce cases involved children. As the number of children increased, the average age of the children increased as well.

	Percent (count)
No children	51% (219)
One child	21% (92)
Two children	18% (79)
Three children	7% (32)
Four children	2% (10)
Five children	<1% (1)
Total	100% (433)

¹⁰ For 5 cases, narrative information in the case file discussed children born to the marriage; however, specific information about the children was unavailable.

		Average Age	Count	Min.	Max.
Single child		10.41	90	0	23
Two children	1 st	12.35	78	3	29
	2 nd	8.99	71	1	25
Three children	1 st	13.28	32	1	22
	2 nd	11.34	29	3	21
	3 rd	8.31	32	1	19
Four children	1 st	13.80	10	7	23
	2 nd	12.11	9	5	20
	3 rd	9.22	9	3	16
	4 th	5.20	10	1	11
Five children	1 st	21	1	-	-
	2 nd	17	1	-	-
	3 rd	17	1	-	-
	4 th	15	1	-	-
	5 th	13	1	-	-

Legal Representation

A slight majority of both parties, regardless of gender and status at dissolution, were represented by an attorney. A representative for the minor (attorney for the minor child or guardian ad litem) was appointed in 12% of cases with children under the age of 18 (n=26). For cases with an appointed minor representative, a majority (69%, n=18) were contested at the case management appearance, while 38% (n=10) were contested at dissolution.

	Plaintiff			Defendant			TOTALS
	Female	Male	Total	Female	Male	Total	
Attorney	51% (154)	49% (67)	52% (221)	53% (55)	53% (123)	53% (178)	52% (402)
Self	49% (147)	48% (62)	48% (209)	47% (48)	47% (111)	47% (159)	48% (368)
Totals	100% (301)	100% (129)	100% (430)	100% (103)	100% (234)	100% (337)	100% (770)

	Contested			Uncontested			TOTALS
	Plaintiff	Defendant	Total	Plaintiff	Defendant	Total	
Attorney	53% (33)	59% (36)	56% (69)	51% (190)	52% (143)	51% (333)	52% (402)
Self	47% (29)	41% (25)	44% (54)	49% (180)	48% (134)	49% (314)	48% (368)
Totals	100% (62)	100% (61)	100% (123)	100% (370)	100% (277)	100% (647)	100% (770)

Length of Time between Filing and Judgment

More than 60% of the cases received a divorce in less than 6 months from the date of filing. The overall average length of the divorce process was 6.5 months. The divorce process took longer if there were children, if the case was contested at the case management appearance, or if the case was contested at dissolution.

	Percent (count)
Less than 6 months	63% (272)
6 months to 1 year	25% (108)
1 to 1.5 years	10% (42)
1.5 to 2 years	2% (7)
Over 2 years	1% (4)
Total	100% (433)

	Average Length (months)	Count	Minimum	Maximum
All cases	6.55	433	2 months	10 years 11 months
<i>Family Composition</i>				
Cases with no children	5.93	219	2 months	10 years 11 months
Cases with children	7.20	214	2 months	2 years 7 months
Cases with children under 18	7.28	183	2 months	2 years 7 months
<i>Status at Case Management Appearance</i>				
Contested cases	13.12	17	3 months	2 years 7 months
Limited Contested cases	11.09	97	3 months	10 years 11 months
Uncontested cases	4.74	286	2 months	1 year 8 months
<i>Status at Dissolution</i>				
Contested	12.21	62	3 months	10 years 11 months
Uncontested	5.61	371	2 months	1 year 8 months

Parenting Education

For cases involving children under 18, the case files contained documentation of completion of parenting education class for 64% (n=121) of plaintiffs and 45% (n=85) of defendants.¹¹ Within party, female plaintiffs were more likely to have documentation of completed parenting education than male plaintiffs and male defendants were more likely to have documentation of completed parenting education than female defendants.

	Female	Male	Total
Plaintiff	69% (84)	31% (37)	100% (121)
Defendant	15% (24)	71% (60)	100% (84)

Child Support Agreement

Of the 183 cases with children under 18, 58% (n=107) had a completed Child Support Agreement form in the case file. For those cases with a completed Child Support Agreement form, a majority of the cases (87%, n=93) identified the mother as the custodian. Of the cases where the mother is custodian, 82% (n=76) were the plaintiff and 18% (n=17) were the defendant. Twelve of the cases (11%) documented a deviation from the Child Support Agreement guidelines.

¹¹ During case file review, parenting education was coded as 'complete' if the "Parenting Education Program – Order, Certificate and Results" form was in the file with "satisfactorily completed the program" checked.

Indication of Family Violence

In 6% (n=25) of the cases there was an indication of family violence.¹² While the analysis is based on a small number of cases with an indication of family violence, cases with an indication of family violence, on average:

- Took longer than cases without family violence (no indication of family violence = 6.5 months; indication of violence = 8.0 months);¹³
- Were more likely to be contested than cases without family violence (no indication of family violence = 12%, n=50; indication of family violence = 52%, n=13);¹⁴
- Were more likely to have attorney representation for both parties than cases without family violence (no indication of family violence = 36%, n=148; indication of family violence = 60%, n=15);¹⁵ and
- Were more likely to result in sole custody of children than cases without family violence (no indication of violence = 13%, n=2; indication of family violence = 44%, n=7)¹⁶.

Financial Information at Divorce

Employment Status

Employment status was obtained from financial affidavits. Female plaintiffs were the most likely to be employed and female defendants were the least likely to be employed. Employed parties were more likely to be represented by an attorney, whereas unemployed parties were more likely to be self-represented.¹⁷

		Employed	Unemployed	Unknown	Total
Plaintiff	Female	63% (191)	21% (63)	16% (47)	100% (301)
	Male	61% (79)	21% (27)	18% (24)	100% (130)
Defendant	Female	42% (56)	26% (34)	32% (43)	100% (133)
	Male	49% (145)	25% (75)	26% (78)	100% (298)

	Attorney	Self	Total
Unemployed	47% (n=73)	53% (n=81)	100% (n=154)
Employed	58% (n=260)	42% (n=189)	100% (n=449)
	55% (n=333)	45% (n=270)	100% (n=603)

¹² During case file review, CWEALF data collectors marked family violence if there was information regarding physical abuse, restraining orders, etc., on the “Affidavit Concerning Children” or in narrative sections of the divorce agreement.

¹³ This difference was not significant, p=.30

¹⁴ p<.01

¹⁵ p>.05

¹⁶ p<.01

¹⁷ p<.05

Income, Expenses, Assets, Liabilities and State Assistance

At the time of divorce, the average weekly income of males was significantly higher than the average weekly income of females in divorce cases.¹⁸ On average, males’ annual income was \$11,336 higher than females (average male income = \$40,196, average female income = \$28,860). Males had higher expenses and higher liabilities; however males also had over three times the amount in cash assets, higher real estate value and equity, and more properties and automobiles than females in divorce cases. Within gender, male plaintiffs and defendants have a much larger annual wage discrepancy (\$9,311) than female plaintiffs and defendants (\$1,196).

	Plaintiff		Defendant	
	Male	Female	Male	Female
Average Weekly Income	\$888. (\$46,176 annual)	\$561. (\$29,172 annual)	\$709. (\$36,868 annual)	\$538. (\$27,976 annual)
Average Weekly Expenses	\$907.	\$762.	\$849.	\$815.
Average Weekly Liabilities	\$313.	\$245.	\$293.	\$284.
Average Total Liabilities	\$26,856.	\$21,328.	\$36,180.	\$16,438.
Average Total Cash Assets	\$263,611.	\$91,916.	\$350,541.	\$161,316.
Average Number Properties	1.13	1.13	1.24	1.06
Average Real Estate Value	\$458,701.	\$322,361.	\$358,121.	\$329,542.
Average Real Estate Equity	\$102,436.	\$74,772.	\$103,485.	\$73,936.
Average Number Automobiles	1.18	1.02	1.21	.96
Average Automobile Value	\$16,616.	\$10,198.	\$13,995.	\$10,088.
Average Automobile Equity	\$9,324.	\$5,678.	\$8,812.	\$7,024.

In terms of the case status at dissolution, parties in uncontested cases, regardless of gender, had higher incomes than their counterparts in contested cases. On average,

- Male plaintiffs in uncontested cases made \$13,416 more than male plaintiffs in contested cases;
- Female plaintiffs in uncontested cases made \$8,008 more than female plaintiffs in contested cases;
- Male defendants in uncontested cases made \$1,144 more than male defendants in contested cases; and,
- Female defendants in uncontested cases made \$9,932 more than female defendants in contested cases.

However, in contested and uncontested cases, male plaintiffs and defendants had higher average annual incomes than female plaintiffs and defendants.

On average, females with children born to the marriage had a higher average annual income than their female counterparts with no children (women with children = \$29,718; women with no children = \$26,468); however women with children made about 30% less than men with children (\$29,718 as compared to \$42,882). A majority of the plaintiffs and defendants did not report utilizing state financial support or Husky Health.¹⁹

¹⁸ p<.01.

¹⁹ State support or Husky Health was marked “yes” if “state financial support” or “Husky Health” was marked on the Divorce Complaint form or identified in the dissolution agreement.

Table 13. Financial Information at Divorce by Dissolution Case Status				
	Uncontested			
	Plaintiff		Defendant	
	Male	Female	Male	Female
Average Weekly Income	\$925. (\$48,100 annual)	\$586. (\$30,472 annual)	\$717. (\$37,284 annual)	\$570. (\$29,640 annual)
Average Weekly Expenses	\$916.	\$730.	\$834.	\$816.
Average Weekly Liabilities	\$349.	\$215.	\$272.	\$318.
Average Total Liabilities	\$28,603.	\$14,771.	\$24,965.	\$14,301.
Average Total Cash Assets	\$294,518.	\$91,950.	\$408,438.	\$189,312.
Average Number Properties	1.18	1.10	1.26	1.07
Average Real Estate Value	\$478,453.	\$303,311.	\$364,085.	\$328,432.
Average Real Estate Equity	\$106,052.	\$76,312.	\$104,911.	\$80,696.
Average Number Automobiles	1.17	1.01	1.19	.96
Average Automobile Value	\$17,147.	\$10,000.	\$13,863.	\$11,071.
Average Automobile Equity	\$9,933.	\$5,452.	\$8,543.	\$7,848.
	Contested			
	Plaintiff		Defendant	
	Male	Female	Male	Female
Average Weekly Income	\$667. (\$34,684 annual)	\$432. (\$22,464 annual)	\$695. (\$36,140 annual)	\$379. (\$19,708 annual)
Average Weekly Expenses	\$850.	\$857.	\$915.	\$853.
Average Weekly Liabilities	\$89.	\$322.	\$272.	\$117.
Average Total Liabilities	\$16,510.	\$57,796.	\$90,289.	\$27,960.
Average Total Cash Assets	\$67,129.	\$83,860.	\$128,412.	\$29,437.
Average Number Properties	.86	1.21	1.18	1.00
Average Real Estate Value	\$343,483.	\$332,052.	\$331,817.	\$335,833.
Average Real Estate Equity	\$81,338.	\$56,740.	\$103,233.	\$35,628.
Average Number Automobiles	1.23	1.05	1.27	.91
Average Automobile Value	\$13,963.	\$9,045.	\$12,613.	\$3,628.
Average Automobile Equity	\$6,219.	\$4,677.	\$9,873.	\$2,200.

Table 14. Financial Information at Divorce by Family Composition				
	No Children			
	Plaintiff		Defendant	
	Male	Female	Male	Female
Average Weekly Income	\$916. (\$47,632 annual)	\$535. (\$27,820 annual)	\$621. (\$32,292 annual)	\$485. (\$25,220 annual)
	Children Born To Marriage			
	Male	Female	Male	Female
	Average Weekly Income	\$873. (\$45,396 annual)	\$582. (\$30,264 annual)	\$784. (\$40,768 annual)

Table 15. Financial Support & Husky					
		Financial Support		Husky	
		Uncontested	Contested	Uncontested	Contested
Plaintiff	Male	4% (5)	6% (1)	7% (8)	25% (4)
	Female	9% (23)	2% (1)	22% (55)	22% (10)
	Total	8% (28)	3% (2)	17% (63)	23% (14)
Defendant	Male	4% (9)	0% (0)	6% (15)	4% (2)
	Female	2% (3)	33% (5)	6% (7)	33% (5)
	Total	3% (12)	8% (5)	6% (22)	11% (7)

Marriage Dissolution

*Alimony*²⁰

As can be seen in the Alimony Attachments (located at the end of the report), alimony was ordered in 29% of the cases (n=126). Non-token alimony (greater than \$1/year) was ordered in 18% (n=80) of all cases and in 64% of cases with alimony ordered. Cases with children (under 23 and under 18), cases contested at the case management appearance, cases contested at dissolution, and cases represented by an attorney were more likely to have an alimony order. Of those receiving more than a token alimony, 64% received less than \$300/week in alimony. For 10% of the cases where alimony was ordered, both parties received an alimony award; however, in all of these cases a token alimony amount was ordered.

As can be seen in the tables below, slightly more than half of all alimony orders (52%) were set for a particular length of time. In a majority of the cases the plaintiff was the party receiving alimony and for all but one (1) of the recipients was female. Eighty-eight percent (88%) of the alimony recipients were female. Of the cases with an alimony order, in 10% of the cases both parties were awarded alimony; however, both parties in all of these cases were awarded token alimony.

Length of Alimony	Total
No Alimony	307 (71%)
Alimony with standard conditions	60 (14%)
Alimony with time limit	66 (15%)
<i>1 year</i>	<i>5 (1%)</i>
<i>1.5-3 years</i>	<i>12 (3%)</i>
<i>4-7 years</i>	<i>32 (7%)</i>
<i>8-10 years</i>	<i>11 (2%)</i>
<i>>10 years</i>	<i>6 (1%)</i>

Additionally, cases involving an alimony order had a much larger income and asset disparity than cases with no order of alimony:

- Female alimony recipients, on average:
 - Had an income of \$1,262/week less than men ordered to pay alimony; and
 - Had assets of over \$1 million less than men ordered to pay alimony
- In cases where both parties were ordered to pay alimony, the income discrepancy between parties was \$20/week on average and the asset discrepancy was \$25,250 on average.
- In cases where no alimony was ordered, the income discrepancy between parties was \$32/week on average and the asset discrepancy was \$18,357 on average.
- The amount of alimony ordered tends to increase as the difference in spouses' income increases. For example, for male plaintiffs and female defendants, alimony orders of less than \$100/week had a \$218.41 income differential between parties; alimony of \$100-199/week had a \$491.52 income differential; alimony of \$200-299/week had a \$514.75

²⁰ Alimony information was gathered from the dissolution agreement and reflects what the court ordered at the time of dissolution; no information was collected regarding alimony requests.

income differential; and alimony of \$400-\$499 had a \$1565 income differential. (See Table 28, attached.)

	Count	% of All Cases	% of Alimony Recipients	Average Income		Average Assets	
				Party Paying	Party Receiving	Party Paying	Party Receiving
Plaintiff - Female	74	17%	59%	\$947/week	\$476/week	\$904,530	\$62,614
Plaintiff – Male	1	<1%	1%	\$90/week	\$352/week	\$0	\$2,500
Defendant - Female	36	8%	28%	\$1247/week	\$456/week	\$484,674	\$208,808
Defendant – Male	1	<1%	1%	unknown	\$268/week	unknown	\$515
Both parties	14	3%	10%	<i>Plaintiff:</i> \$676/week	<i>Defendant:</i> \$656/week	<i>Plaintiff:</i> \$70,453	<i>Defendant:</i> \$95,703
Totals	126	29%	100%				
No Alimony				<i>Plaintiff:</i> \$604/week	<i>Defendant:</i> \$636/week	<i>Plaintiff:</i> \$120,985	<i>Defendant:</i> \$139,342

Custody²¹

Of the 183 cases involving children under the age of 18, 81% (n=148) resulted in joint custody. Only 28 (19%) of the cases with joint custody were contested. Sole custody was the result in 29 (16%) cases and of these cases, six (21%) were contested at dissolution. For cases that had sole custody, the mother received sole custody in 25 (86%) of the cases, and in 21 (84%) of those cases with sole custody to the mother, the mother was the plaintiff. For the 25 cases with sole custody awarded to the mother, less than a quarter (n=6, 24%) of the cases had no visitation (2 due to father incarceration), 20% had visitation at the mother’s discretion, and over half of the cases (56%, n=14) had liberal/flexible visitation or visitation by mutual agreement. For 6 cases, custody information was unavailable.

Of the cases with joint custody (n=148), primary residence was with the plaintiff 72% of the time (n=107) and with the mother 89% of the time (n=130). Nine percent (9%) of the cases (n=14) consisted of an arrangement where the child(ren) spent equal time between both parents.

Visitation²²

Of the 183 cases involving children under the age of 18, 84% (n=153) of the cases had information on visitation. Of those with visitation information, almost 50% had an order for “liberal and flexible visitation,” 22% had at least every other weekend visitation and 10% had equally shared visitation plans. Of the 53 cases with specific weekday/weekend specifications, 43% (n=23) had both weekday and weekend visitation plans. Of the 55 cases with specific visit/overnight specifications, 78% (n=43) had at least one overnight in the visitation plan.

²¹ Custody information was gathered from the dissolution agreement and reflects what the court ordered at the time of dissolution; no information was collected regarding custody requests.

²² Visitation information was gathered from the dissolution agreement and reflects what the court ordered at the time of dissolution; no information was collected regarding alimony requests.

Table 18. Visitation		
	All Cases with Children Under 18	All Cases with Children Under 18 with Visitation Information
Liberal and flexible arrangement	38% (70)	46% (70)
Every other weekend	10% (18)	12% (18)
Equally shared	8% (15)	10% (15)
As decided by parents	3% (6)	4% (6)
At mother's discretion	3% (6)	4% (6)
3 times/week	3% (6)	4% (6)
2 nights/week plus every other weekend	3% (5)	3% (5)
1 night/week plus every other weekend	3% (5)	3% (5)
3 nights/week	1% (2)	1% (2)
2 times/week plus every other weekend	1% (2)	1% (2)
1 time/month	1% (2)	1% (2)
Every weekend	1% (2)	1% (2)
Afterschool plus every other weekend	<1% (1)	<1% (1)
Every other weekend plus agreed upon week nights	<1% (1)	<1% (1)
Every other Sunday plus other agreed upon times	<1% (1)	<1% (1)
2 times/week plus 1 weekend night	<1% (1)	<1% (1)
2 times/week plus 1 weekend night every other weekend	<1% (1)	<1% (1)
2 times/week plus 1 weekend day a month	<1% (1)	<1% (1)
2 times/week	<1% (1)	<1% (1)
1 night plus 3 weekends/month	<1% (1)	<1% (1)
1 night/week plus 1 weekend night	<1% (1)	<1% (1)
1 time/week plus every other weekend	<1% (1)	<1% (1)
1 time/week plus 1 weekend night	<1% (1)	<1% (1)
1 time/week plus alternating Sundays	<1% (1)	<1% (1)
1 time/week	<1% (1)	<1% (1)
At father's discretion	<1% (1)	<1% (1)
No information on visitation	16% (30)	100% (153)
	100% (183)	

Table 19. Visitation with Weekday/Weeknight Specification	
Weekday and weekend visit/overnight	15% (23)
Weekend only visit/overnight	13% (20)
Weekday only visit/overnight	7% (10)
Day/Weekend specifics not designated	65% (100)
	100% (153)

Table 20. Visitation with Visit/Overnight Specification	
Visit only	8% (12)
Overnight only	28% (43)
Visit/overnight not designated	64% (98)
	100% (153)

*Child Support*²³

A majority of the cases with children under the age of 18 (74%, n=136) involved dissolution with child support. In 90% of the cases (n=122), the father was ordered to pay child support. The overall average child support amount, regardless of party ordered to pay child support, was \$177/week. The amount of child support paid didn't vary by gender of paying party, however the income differential between the parties did vary greatly depending on gender.

	Percent (count)
No child support	26% (47)
Child support ordered	74% (136)
Total	100% (183)

Parent Paying	Count	Child Support Amount	Father's Average Income	Mother's Average Income	Income Differential (paying – recipient)
Father	122	\$178/week \$9,256 annual	\$804/week \$41,808 annual	\$558/week \$29,016 annual	\$246/week \$12,792 annual
Mother	14	\$177/week \$9,204 annual	\$1071/week \$55,692 annual	\$909/week \$47,268 annual	-\$162/week -\$8,424 annual

	Percent of Cases with Order of Child Support (count)
1 child	74% (54)
2 children	73% (50)
3 children	73% (22)
4 children	90% (9)
5 children	100% (1)

Alimony, Child Support and Income

For a majority of the cases (53%), no financial exchange was ordered between parties. For cases involving a financial exchange, 'child support only' was the most frequent category (18%, n=77), followed by 'alimony and child support' (15%, n=65) and 'alimony only' (14%, n=61). In cases where alimony only or both alimony and children support were ordered, the difference between the average weekly income of recipient and the provider was significant; more than a \$600/week difference in income for alimony only and more than a \$400/week difference in income for cases with alimony and child support.

	Percent (count)	Average Weekly Income		Weekly Income Differential
No financial exchange between parties	53% (230)	Plaintiff: \$626	Defendant: \$576	\$50
Child support only	18% (77)	Recipient: \$718	Payor: \$764	\$46
Alimony and child support	15% (65)	Recipient: \$538	Payor: \$1,000	\$462
Alimony only	14% (61)	Recipient: \$411	Payor: \$1,100	\$689

²³Child support information was from the dissolution agreement and reflects what the court ordered at the time of dissolution.

Property

A majority of all parties were not homeowners, as reported on financial affidavits submitted closest to dissolution. Female defendants were the most likely to identify as a homeowner; male plaintiffs were the least likely to identify as homeowners.

	Plaintiff		Defendant	
	Female	Male	Female	Male
No homeownership	148 (58%)	68 (63%)	49 (54%)	125 (56%)
Homeownership	107 (42%)	39 (36%)	42 (46%)	96 (43%)
1 property	87 (34%)	28 (26%)	34 (37%)	70 (32%)
2 properties	17 (7%)	9 (8%)	8 (9%)	22 (10%)
3 properties	3 (1%)	2 (2%)	-	2 (1%)
4 properties	-	-	-	1 (<1%)
5 properties	-	-	-	1 (<1%)
	255 (100%)	107 (100%)	91 (100%)	221 (100%)

102 cases (23%) included property division information in the case file. When property is ordered by the court to be sold, a majority of the cases required the profits/losses on the sale to be split equally between the parties. When a dissolution case involved 1 property, 58% of the orders of property were to the female. When a property decision involved 2 properties, a majority of the orders awarded 1 property to each party.

Sell (n=25, 24%)		
Split equally	15 (60%)	
> 50% to female plaintiff	5 (20%)	
> 50% to male defendant	1 (4%)	
Unknown allocation	4 (16%)	
1 Property (n=60, 59%)		
Awarded to female plaintiff	35 (58%)	8 (23%) paid defendant, (range 1K to 45K)
Awarded to female defendant	7 (12%)	1 (14%) paid plaintiff, 7K
Awarded to male defendant	8 (13%)	1 (12%) paid plaintiff, 82K
Awarded to male plaintiff	4 (7%)	
Joint ownership	2 (3%)	
Premarital ownership	2 (3%)	
Unknown allocation	2 (3%)	
2 Properties (n=12, 9%)		
Split	9 (75%)	
Both awarded to male defendant	1 (8%)	
Both awarded to female plaintiff	1 (8%)	
Joint	1 (8%)	
3 Properties (n=1, 1%)		
Each party 1 sole ownership, 3 rd property joint ownership		
4 Properties (n=4, 3%)		
1 to female, 3 to male	3 (75%)	
40% female, 60% male	1 (25%)	

Personal Property

Of the 433 cases, a majority (91%, n=394) did not have a court order related to personal property.

Assets and Debts

Less than 1/3 of the cases (27%, n=117) had orders in the dissolution agreement regarding assets and debts. In 20% of the cases (n=87), the court ordered maintained life insurance following the dissolution.

Summary of Findings

Children and Custody:

- Slightly less than half of cases had children born to the marriage. The vast majority of cases – 81% - resulted in joint custody by both parents. Of the cases that resulted in joint custody, less than 20% of the cases were contested at dissolution, meaning parents reached a decision regarding the living arrangements of their children.

- Fathers are spending more time with their children.
 - While most children still have a primary residence with the mother, an increasing number of cases are dissolved with joint custody. In CWEALF’s 1990 study, 84% of cases with children results in primary residence with the mother (74% mother sole custody, 10% joint custody); in this study, 85% of cases with children resulted in primary residence with the mother (14% sole custody; 71% joint custody).

 - Of the cases that had visitation information available, 50% had an order for “liberal and flexible visitation,” suggesting that parents are creating workable arrangements on their own in at least half of the cases. In the other half of the cases, there were many different types of visitation plans, with every other weekend (12%) and equally shared parenting (10%) as the next two most frequently occurring types of visitation.

Finances at Dissolution:

- Men are earning significantly more than women in divorce cases. For men without children the average income was \$39,962 and for men with children the average income was \$43,082. For women without children, the average income was \$26,520 and the average income for women with children was \$29,718.

- In divorce cases, women without children and both women and men with children have a hard time being economically sufficient in Connecticut. According to the 2012 Basic Economic Security Tables published by the Permanent Commission on Women, the annual wage for basic self-sufficiency for 1 worker is \$37,188, for 1 worker with 1 infant is \$57,420 and for 1 worker with 1 infant and 1 preschooler is \$70,728.

- Women with no children earn 66% of men’s income; women with children earn 69% of men’s income.²⁴ Parties in divorce experience a wider gender wage gap in earnings than that of the current Connecticut average, where full-time female workers earn 76-78% of full-time male workers.²⁵

- Men’s income was higher than women’s, whether the case was contested or uncontested. Both parties had significantly lower income and assets in contested cases than their

²⁴ Percent of income was determined by dividing the woman’s weekly income by the men’s weekly income (women with no children = \$510/week divided by \$768/week and women with children = \$571/week divided by \$823/week).

²⁵ The Gender Wage Gap in Connecticut: Findings and Recommendations, The Gender Wage Gap Task Force, November 7, 2013, http://www.governor.ct.gov/malloy/lib/malloy/2013.11.19_gender_wage_gap_in_ct.pdf.

counterparts in uncontested cases, challenging the commonly-held belief that contested cases involve marriages with greater finances.

- While men had higher liabilities, they also had three times the amount of assets, and had higher property values and equity than women did.

Child Support:

- The frequency of child support orders has decreased over the last couple of decades. Of cases with children, 80% contained orders for child support in the 1990 study, while 74% of cases were ordered to pay child support in 2012. The decrease may be due in part to the enactment of Child Support Guidelines in 1991, which standardized the formula for calculating orders, and to the fact that custody among fathers has increased.
- The average child support order in 2012 was \$177/week. In 90% of the cases, the father pays the child support, and the average income of fathers ordered to pay was \$246 more, or 31% more, than the mother receiving it.

Alimony:

- In CWEALF's 1990 study, 25% of cases were awarded non-token alimony; in this study, 18% of cases were awarded non-token alimony.
- The incidence of alimony orders is fairly infrequent. Only 18% of the total cases had an order of non-token alimony (more than \$1/year). Alimony orders were more likely to occur in cases with children under 18 years of age, in contested cases, and when an attorney represented a plaintiff.
- Alimony orders are also relatively low, even though there tends to be a large income disparity when it is ordered. Recipients of alimony, most frequently women, had a significantly wider disparity in income from payors than the average incomes for men and women in divorce. Alimony recipients earned income of \$1,262/week less, and had assets of approximately \$1 million less than the men ordered to pay alimony. Considering the disparity in income and assets, the amounts of most alimony orders were low, with 76% of recipients receiving \$300/week or less.
- The amount of alimony tends to increase as the difference in spouses' income increases. The alimony ranges and length of marriage were not as closely linked, suggesting that judges are considering the other statutory factors, including age, health, and occupation of the parties.

Case Processing:

- While the average length of a case between filing and dissolution was 6.55 months, uncontested cases were significantly shorter than contested cases: 5.61 months for uncontested and 12.21 months for contested. Efficiency of case processing appears strong, with more than 60% of cases concluding in less than 6 months.

- Approximately half of the parties were represented by an attorney, with slightly increased representation in contested cases. Representation was also associated with shorter length of cases. For cases with both parties self-represented, the average length of the case was 4.88 months, whereas the average length of the case with any party having representation was 6.53 months.
- The cases in this study demonstrated a significant decrease in those contested after case management, with 71% of limited contested cases at case management changing to uncontested at dissolution. When a representative for the minor was appointed, half of the cases that were contested at the case management appearance were uncontested at dissolution. These findings may point to the influence of mediation on the resolution of contested dissolution cases. Cases that were uncontested at dissolution took, on average, over 7 months less time to reach dissolution. Research has shown that mediation and other forms of alternative dispute resolution have been used, and used successfully, to reduce emotional and financial costs of litigation.²⁶

Conclusion

Overall, most people in divorces are struggling financially and the average marriage in Connecticut involves parties that are often not earning a wage considered necessary for self-sufficiency. A majority of all parties – both men and women, plaintiff and defendant – do not own homes. Women, however, leave divorce with an even bleaker financial picture. On average, women in divorce earn substantially less than men; even less than the average gender wage gap in Connecticut for working families. Women are more likely to be awarded physical custody of children, and when awarded financial exchange through alimony, child support or both alimony and child support, still don't come close to maintaining the financial security experienced prior to divorce. This remains true, even though a majority of women and women with children were employed.

This report, which empirically documents the impact of divorce on the financial standing of women, provides important counterbalance to the anecdotal stories often shared with policy makers. Only by understanding the broader picture of divorce outcomes may we shape fair and sensible policies for Connecticut residents.

²⁶ Hunt, K. (2004). Using Mediation in Family Law Cases.

Alimony Attachments

Table 27. Alimony Amount by Family Composition, Legal Representation, Cases Status at Case Management Appearance and Dissolution and Length of Divorce Proceedings													
Amount	Total	Children Under 23	Children Under 18	Legal Representation - Attorney				Status at Case Management Appearance			Status at Dissolution		Average Length of Divorce Proceedings (Months)
				Male Plaintiff	Female Defendant	Female Plaintiff	Male Defendant	Uncontested	Limited Contested	Contested	Uncontested	Contested	
No alimony	307 (71%)	130 (42%)	111 (36%)	38 (43%)	26 (29%)	105 (48%)	81 (37%)	229 (74%)	51 (17%)	6 (2%)	284 (92%)	24 (8%)	5.3
\$1/year	45 (10%)	36 (80%)	32 (71%)	8 (67%)	9 (75%)	14 (44%)	12 (37%)	30 (67%)	7 (16%)	2 (4%)	35 (78%)	10 (22%)	6.4
<\$100/week	15 (3%)	8 (53%)	7 (47%)	4 (67%)	3 (50%)	4 (44%)	2 (22%)	8 (53%)	3 (20%)	1 (7%)	7 (47%)	8 (53%)	7.3
\$100-\$199/week	16 (4%)	9 (56%)	8 (50%)	1 (25%)	1 (25%)	7 (58%)	7 (58%)	7 (44%)	7 (44%)	2 (12%)	12 (75%)	4 (25%)	17.2
\$100-\$199/week + lump	1 (<1%)	1 (100%)	1 (100%)	-	-	1 (100%)	1 (100%)	-	1 (100%)	-	-	1 (100%)	13.0
\$200-\$299/week	16 (4%)	12 (75%)	10 (62%)	5 (62%)	6 (75%)	5 (62%)	5 (62%)	4 (25%)	8 (50%)	4 (25%)	10 (62%)	6 (37%)	9.1
\$300-\$399/week	6 (1%)	2 (33%)	1 (17%)	-	-	6 (100%)	5 (83%)	1 (17%)	5 (83%)	-	4 (67%)	2 (33%)	12.5
\$400-\$499/week	5 (1%)	3 (60%)	2 (40%)	1 (100%)	0	4 (100%)	4 (100%)	-	3 (60%)	1 (20%)	3 (60%)	2 (40%)	11.0
\$500-\$599/week	2 (<1%)	-	-	2 (100%)	2 (100%)	-	-	-	1 (50%)	-	1 (50%)	1 (50%)	7.5
\$500-\$599/week + %bonus	1 (<1%)	1 (100%)	-	-	-	0	0	-	1 (50%)	-	1 (100%)	-	11.0
\$600-\$699/week	5 (1%)	2 (40%)	2 (40%)	2 (100%)	2 (67%)	2 (67%)	1 (50%)	3 (60%)	1 (20%)	1 (20%)	3 (60%)	2 (40%)	9.6
\$900-\$999/week	1 (<1%)	1 (100%)	1 (100%)	1 (100%)	1 (100%)	-	-	-	1 (100%)	-	1 (100%)	-	10.0
\$1000+/week	4 (1%)	3 (75%)	3 (75%)	1 (100%)	1 (100%)	3 (100%)	3 (100%)	1 (25%)	3 (75%)	-	4 (100%)	-	15.2
\$1000+/week + % of bonus	2 (<1%)	2 (100%)	2 (100%)	2 (100%)	2 (100%)	-	-	-	2 (100%)	-	1 (50%)	1 (50%)	15.5
\$1000+/week + lump	1 (<1%)	-	-	0	0	-	-	1 (100%)	-	-	1 (100%)	-	12.0
% of income or bonus	2 (<1%)	2 (100%)	2 (100%)	1 (100%)	1 (100%)	1 (100%)	0	-	2 (100%)	-	1 (50%)	1 (50%)	12.0
Lump sum	3 (1%)	1 (33%)	1 (33%)	1 (100%)	1 (100%)	2 (100%)	2 (100%)	2 (67%)	1 (33%)	-	3 (100%)	-	7.0
Total - Alimony	125²⁷ (29%)												9.5
Total - Alimony w/o Token	80 (18%)												12.3
Total	433 (100%)												6.6

²⁷ Financial information associated with one (1) case was not available.

Amount	Total	Average Length of Marriage (Years)	Alimony		Child Support (children under 18)		Average Income/week					
			% Time Limited	Average Years	% Ordered	Average /week	Male Plaintiff	Female Defendant	Differential (Male-Female)	Female Plaintiff	Male Defendant	Differential (Male-Female)
No alimony	308 (71%)	10.1 ⁱ	-	-	73 (66%)	\$163.73	\$757.12	\$580.83	176.29	\$581.65	\$618.80	\$37.15
\$1/year	45 (10%)	13.6 ⁱⁱ	25 (56%)	5.8	27 (84%)	\$145.39	\$645.80	\$606.56	\$39.24	\$716.14	\$782.84	\$66.70
<\$100/week	15 (3%)	12.4	10 (67%)	4.1	7 (100%)	\$215.57	\$596.31	\$377.90	\$218.41	\$244.67	\$377.43	\$132.76
\$100-\$199/week	16 (4%)	20.3	7 (44%)	5.7	8 (100%)	\$153.87	\$795.19	\$303.67	\$491.52	\$366.58	\$784.00	\$417.42
\$100-\$199/week + lump ⁱⁱⁱ	1 (<1%)	1.6	0	-	1 (100%)	\$220.00	-	-	-	\$100.00	\$824.00	\$724.00
\$200-\$299/week	16 (4%)	17.5	13 (81%)	6.4	9 (90%)	\$239.11	\$981.75	\$467.00	\$514.75	\$423.09	\$999.76	\$576.67
\$300-\$399/week	6 (1%)	24.5	2 (33%)	10.5	1 (100%)	\$150.00	-	-	-	\$442.20	\$972.40	\$530.20
\$400-\$499/week	5 (1%)	15.5	1 (20%)	12.0	2 (100%)	\$296.50	\$2148.00	\$583.00	\$1565.00	\$398.19	\$1204.25	\$806.06
\$500-\$599/week	2 (<1%)	10.8	2 (100%)	5.5	-	-	\$1768.00	\$676.00	\$1092.00	-	-	-
\$500-\$599/week + % bonus	1 (<1%)	27.4	0	-	-	-	-	-	-	\$498.00	\$1849.00	\$1354.00
\$600-\$699/week	5 (1%)	15.3	2 (40%)	4.5	2 (100%)	\$230.00	\$1248.00	\$225.50	\$1022.50	\$497.00	-	-
\$900-\$999/week	1 (<1%)	8.2	1 (100%)	6.0	1 (100%)	\$567.00	-	-	-	-	-	-
\$1000+/week	4 (1%)	16.0	1 (25%)	5.0	-	-	\$5577.00	\$0	\$5577.00	\$0	\$3102.00	\$3102.00
\$1000+/week + % of bonus	2 (<1%)	11.4	1 (50%)	8.0	2 (100%)	\$455.00	\$1637.00	\$100.00	\$1537.00	-	-	-
\$1000+/week + lump ^{iv}	1 (<1%)	34.4	0	-	-	-	\$3965.00	\$603.00	\$3362.00	-	-	-
% of income or bonus	2 (<1%)	14.8	1 (50%)	5.0	2 (100%)	\$402.00	\$3800.00	\$470.00	\$1962.00	\$350.00	\$2432.00	\$2515.00
Lump sum ^v	3 (1%)	10.1	0	-	1 (100%)	\$138.46	\$1016.00	\$0	\$1016.00	\$455.00	\$1392.00	\$937.00
Total	433 (100%)		66 (53%)									

ⁱ n=297

ⁱⁱ n=44

ⁱⁱⁱ lump sum financial transfer = \$2,500

^{iv} lump sum financial transfer = \$168,000

^v lump sum financial transfers = \$6,000, \$15,000, \$25,000