# Legal Status and Effect on Children 

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## Article

## Legal Status and Effects on Children

Margaret F. Brinig and Steven L. Nock*

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## I. Introduction

One of the haunting claims of each poor, unmarried mother in Edin and Kefalas' Promises I Can Keep ${ }^{1}$ is that at least she can guarantee she will love her child, even though she cannot promise to make a lifelong commitment to a mate. ${ }^{2}$ The authors write:

While the poor women we interviewed saw marriage as a luxury, something they aspired to but feared they might never achieve, they judged children to be a necessity, an absolutely essential part

[^0]of a young woman's life, the chief source of identity and meaning. ${ }^{3}$
That love, each young mother says, will be a sustaining gift benefiting both her and the child. "Poor women realize that marriage is fragile, and so they make their primary emotional investments in their relationships with their children, which are not subject to the threats that so often destroy relationships between men and women. ${ }^{4}$ Similarly, in work done to counteract the claim that it was not single parenting that made children's prospects dim, but poverty, sociologists McLanahan and Sandefur have found that many of the bad effects of single parenting "go away" when income is taken into account. ${ }^{5}$

So, is love the answer here, is it income or is it something else? Does a legal marriage-let alone a two-tiered marriage ${ }^{6}$ - even matter, at least insofar as children's welfare is concerned? Does it matter for all groups equally, and if some do equally well, or poorly, with or without marriage, should we still support marriage?

This paper will show empirically that, unsurprisingly, love, measured in terms of parental warmth, is critically important to children's psychological well-being. The data comes from the Child Development Supplement to the University of Michigan's Panel Survey of Income Dynamics. ${ }^{7}$ This sample contains nearly 2,700 children in a nationally representative sample. ${ }^{8}$ Love continues to remain important both in terms of impact and statistical significance though other variables are added. Income, measured in terms of total family income divided by the Census needs standard for a family of that size, initially seems important to child well-being (on measures of depression, acting out, self-esteem and self-efficacy). However, for problem behaviors, income's significance, unlike the significance of love, typically entirely disappears once family structure and particularly legal status like marriage and adoption comes into play. ${ }^{9}$
3. Id. at 6 .
4. Id. at 211 .
5. Sara McLanahan \& Gary Sandefur, Growing up With A Single Parent: What Hurts, What Helps? 111 (1994)

We saw that income accounted for about half of the difference in high school dropout rates, teen birth rates, and idleness rates between children in single-parent families as compared with children in two-parent families. We now find that parental aspirations as well as parental involvement and supervision play a large role in explaining the remaining differences in child well-being.
6. Joel A. Nichols, Multi-Tiered Marriage: Ideas and Influences from New York and Louisiana to the International Community, 40 Vand. J. Transnat'l L. 135 (2007).
7. Univ. of Mich., Panel Study of Income Dynamics, CDS \& TA Guide, FAQ http://psid online.isr.umich.edu/CDS/faq.aspx (last visited June 26, 2008). [hereinafter PSID].
8. Id.
9. This is not true for all subgroups in the sample. For African-American children, who make up 14.6 percent of the children in the sample, income retains its importance and legal status makes little difference. Margaret F. Brinig \& Steven L. Nock, The One-Size Fits All Family (Notre
"'Tis better to have loved and lost/ Than never to have loved at all," wrote Tennyson, ${ }^{10}$ and, from the children's perspective, we find that it is better for parents to have married even if the marriage does not work out. Children do better if they are in two-parent, married homes, but are worse off in homes where their mothers never married, even than in cases where the mother married, divorced, remarried and was widowed. Similarly, children do better where their fathers are living in the home, but less well with stepparents unless the stepparents adopt them. Children who live with rela-tives-let alone foster parents-do less well than those who are adopted by third parties.

These rather dramatic findings suggest that law and public policy, as an instrument of law, should encourage and support marriage, particularly marriages that last. They also suggest supporting adoption in preference to foster care, though that is not the subject of the two-tiered marriage project. Law can encourage official family relationships in part merely by leaving well enough alone-by not adopting domestic partnership laws that equate unmarried, cohabiting couples with those that are married, and by not getting rid of special "privileges" enjoyed by the married when academics clamor that such benefits are not fair. Law ought also to make pre-marriage counseling and skills building more attractive and affordable, as some states have done through lower license costs, and make some sort of real counseling effort requisite to divorces on non-fault grounds, as the covenant marriage movement suggests. ${ }^{11}$ Laws can be written to require mutual consent for divorce, or to become two-tier on the birth of children, so that the waiting period for no-fault separation divorce lengthens. If pressed, we claim that marriage by itself is typically not worthy of two tiers, but marriage with children is "real marriage," as C.S. Lewis reportedly put it in the movie "Shadowlands." ${ }^{12}$ The movie portrayed his life and his two marriages to his wife Joy, one technical and one "in the sight of God and everybody." ${ }^{13}$

## II. The Income is More Important than Status Idea: The Push to Delegalize Marriage

The academic argument for eliminating marriage as a status begins with the observation that family forms have changed, ${ }^{14}$ or that the married household no longer comprises even half of American households (Table 1). The majority of Americans no longer live as married couples, however,

[^1]so it is unfair and punitive ${ }^{15}$ to privilege marriage. This is particularly true for black families, who are unfairly singled out and penalized for neglect and abuse, when the real problem is poverty. ${ }^{16}$

Martha Fineman reasons that the basic unit of society revolves around dependent people and the derivative dependence of those who care for them. According to her, a couple's perhaps fleeting or violence-plagued romantic attachment should not be the basis for assigning lifetime support to a biological parent of the resulting child (or, indirectly, the romantic partner). ${ }^{17}$ This obligation should be met by the wider community. ${ }^{18}$

Furthermore, marriage itself is open to challenge as a patriarchal and hierarchical institution. ${ }^{19}$ Nancy Polikoff, in her gentler version of the argument, notes that the institution of marriage has not only ancient, but also religious roots that should be respected-as a separate tradition without state involvement. ${ }^{20}$ On the other hand, cohabiting couples are much more egalitarian and more reflect not only the basic equality of men and women, but also the significant number of couples that earn similar amounts in the labor force (or in which women earn more than their mates). ${ }^{21}$

The real problems for families that become entwined with the public welfare system are poverty and racism, not marriage. ${ }^{22}$ Social policy critic Dorothy Roberts notes that while the black family is critically important, it is not typically a marital family. ${ }^{23}$ Likewise, she writes that adoption should not be promoted at the expenses of protecting the biological family, including the extended family. ${ }^{24}$

More and more academics suggest that differentiated marriage should be confined to religious institutions, that marriage should no longer be a

[^2]22. Roberts, supra note 18 , at $567-68,576$.
23. Id. at 571 .
24. Id. at 579.
status but that private relationships should be treated alike by the state. ${ }^{25}$ The Law Commission of Canada ${ }^{26}$ suggested that Canadian
[g]overnments have taken important steps forward in recent years by extending rights and obligations to persons who are living in non-marital relationships, whether same-sex or opposite sex. But this extension of rights and obligations has maintained the legal focus on conjugal relationships. A more principled and comprehensive approach is needed to encompass the full range of Canadians' close personal adult relationships. ${ }^{27}$
This report culminated in the extension of full benefits to cohabiting couples-of whatever gender composition-in C-23 and the redefinition of marriage in C-38 (which received royal assent on July 20, 2005). ${ }^{28}$

Courts and legislatures in some jurisdictions have taken more affirmative actions to institutionalize and support cohabitation, including establishing legal principles of "non-discrimination" between married and cohabiting couples and equalizing government benefits for formal and informal unions. ${ }^{29}$ Government could remove barriers to cohabitation for single mothers such as "man-in-the-house" welfare rules. ${ }^{30}$

[^3]The most radical view, espoused by some academics, ${ }^{31}$ would abolish marriage as a legal institution-although it could of course remain a religious practice. In this view, the law should treat all family forms the same. The move towards recognizing same-sex marriage in Massachusetts has created surprising support for this view from some advocates of the traditional legal definition of marriage. Douglas Kmiec and Mark Scarberry of Pepperdine University recently urged that Massachusetts 'temporarily get out of the new marriage business entirely," rather than offer same-sex couples marriage licenses. ${ }^{32}$

It is important to note that in our argument we are not talking primarily about "boundary conditions" as in the work of Robin Wilson ${ }^{33}$ or Dorothy Roberts: ${ }^{34}$ families where the public welfare system may intervene because of abuse and neglect. We cannot say much about these children here because they are not in the dataset we analyzed. We have constrained our sample to the ninety-five percent of children who are living with their mothers, except in the case of two parent adoption, and nothing in the data speaks to extensive interaction with social services. ${ }^{35}$

## III. Competing Idea: The Formal Family Makes a Difference

In contrast to suggestions for the decoupling of marriage and its legal effects, we argue that marriage and legal parenting matter, not only for the adults involved, but for their children. While we would certainly be pleased if childhood poverty could be greatly reduced and if basic living conditions for Americans could be improved, we argue that it is more important to legally protect and strengthen marriage and the rights and obligations that come with legal parenting. Although research shows that the effects for the majority of children do not hold true equally for girls and boys, nor for some racial subgroups, we do not believe that these differences (since they do not run counter to what we find for most children) suggests abolition of the status effects for all.

We believe that the children ought to do better when parents have legal responsibility for each other and all the other benefits and obligations of

[^4]marriage, and when they are also legal parents of the children. Both of us have written before, and at length, about the theoretical reasons for this belief. In one sense, this is an extension of a simple economic argument dealing with the permanence of the relationship. People are more apt to behave strategically, that is, look out for their own short-term interests, when they know the relationship is about to end. In game theory ${ }^{36}$ terms, this is referred to as the "last period problem." When they know they are in a long-term relationship-"until death do us part" or at least until the age of emancipation-they have incentives to "specifically invest" in the relationship and in the other party to it. Additionally, though we understand this reasoning is somewhat circular, legal recognition provides a signal for the provision of all kinds of outside support for the family, whether by government, by extended family or by other affinity groups. With the lack of selfseeking behavior, the great investments and the outside support, families ought to thrive, and these benefits should accrue to children as well as adults.

## IV. Love Conquers All

It is also possible that neither money nor legal status critically affects child outcome: what is most important is whether parents love their children and communicate this love to them. This outcome would be expected by mental health professionals who have long stressed the importance of attachment ${ }^{37}$ and psychological parenthood. ${ }^{38}$ In a way, this would be an optimistic result, offering hope for children in even the worst circumstances and the least stable family situations. If it turned out that only love matters, there wouldn't be much law could-or should-do to mold families except to let them alone.

## V. How Could We Test the Competing Theories?

We will present a test for these various ways of looking at families. Again, a test of the first-for decreasing legal recognition of marriage and parenthood, or making it solely a private contractual matter-should show that different child outcomes are necessarily related to income. In other words, children who live in higher income families should do better than those who are poor. To the extent that legal status makes a difference con-

[^5]sidered alone, it should vanish when family income is also included in the analysis.

If we are correct in suggesting that legal marriage and parenthood mat-ter-and that legal relationship status should be preserved if not strength-ened-then, children should fare best in two-parent, married households or when legally adopted, compared to all other living arrangements and even when controlling for income.

If the most important characteristic is love, it should remain significant regardless of what other variables are added. In addition, the difference that love makes to child outcomes should be a large one. Legal rules should then promote family autonomy, except in cases of abuse and neglect. Perhaps parenting classes could be encouraged in cases where the parents no longer live together and the legal system is involved anyway. ${ }^{39}$

Of course, combinations of these hypotheses might be working as well. In this case all the variables of interest should remain significant and the coefficients should be relatively large. The legal solution would try to reduce poverty, promote marriage and adoption and secure family autonomy.

## A. The Data

The Panel Study of Income Dynamics (PSID) is a nationally representative longitudinal study headquartered in the Institute for Social Research at the University of Michigan. ${ }^{40}$ The PSID is based on a representative sample of American individuals (men, women and children) and their families. It emphasizes the dynamic aspects of economic and demographic behavior, but its content is broad, including sociological and psychological measures. As a consequence of low attrition rates, the success in following young adults as they form their own families and recontact efforts (for those declining an interview in prior years), the sample size grew from 4,800 families in 1968 to more than 7,000 families in 2001. The PSID has collected information about more than 65,000 individuals spanning as much as 36 years of their lives. The PSID data from 1969-2005 are publicly available on the project's website. Between 1968 and 1997, data on PSID individuals

[^6]were collected each year. Beginning in 1997, data has been collected every other year.

The Child Development Supplement (CDS) is one research component of the PSID. While the PSID has always collected some information about children, in 1997 the PSID supplemented its main data collection with additional information on zero to twelve-year-old children and their parents. The objective was to provide researchers with a comprehensive, nationally representative and longitudinal data base of children and their families from which to study the dynamic process of early human capital formation. The CDS-I successfully completed interviews with 2,394 families (eighty-eight percent), providing information on 3,563 children. In 2002-2003, the CDS re-contacted families in CDS-I who remained active in the PSID panel as of 2001. CDS-II successfully re-interviewed 2,021 families (ninety-one percent) who provided data on children and adolescents aged five to eighteen years. These are the children whose outcomes we analyze here.

Because the CDS is a supplement to the PSID, the study takes advantage of an extensive amount of family demographic and economic data about the CDS target child's family, providing more extensive family data than any other nationally-representative longitudinal survey of children and youth in the United States. In addition, the PSID-CDS data are "intergenerational" in structure with information contained in several decades of data about multiple family members. This rich data structure allowed us a unique opportunity to fully link information on children, their parents, their grandparents and other relatives to take advantage of the rich intergenerational and long-panel dimensions of the data.

## B. Methods and Questions

As should be evident from the preceding paragraphs, the PSID presents a terrific, free of charge source for intergenerational study. It also presents significant challenges to the researcher who must learn to connect the files needed (in our case, going from child in the CDS to parent to grandparent over multiple years, with both individual and family files involved, with marriage and charitable histories in separate files). When we had accomplished this task, we formulated questions we thought we might be able to answer from the data.

Based upon prior work, we believe that favorable characteristics in children are most likely to develop in a relationship that the participants (at least the adult participants) view as permanent and stable and that in fact turns out to be stable. ${ }^{41}$ Many studies, both in the United States and West-

[^7]ern Europe, have shown that marriage is more stable than cohabitation. Many studies (ours included), ${ }^{42}$ have shown that, at least in the National Survey of Families and Households in the early 1990s, parents' or one's own prior divorce predict instability in one's own marriage. The more permanent the marriage-for example, choosing covenant versus standard marriage in Louisiana-the more the parties change during the first years of marriage to become committed, interdependent spouses. ${ }^{43}$ We have also shown previously that adolescent children do better, at least in terms of depression, if their parents are living together and if their mother's last relationship did not end in divorce, and worse, for all groups of children, in foster care than in marriage, adoption or kinship care. We also hypothesize, though, that the causality runs in both directions, that community recognition, or status, should encourage essential trust to develop. ${ }^{44}$ Thus interracial marriages are less stable than intraracial marriages, perhaps because of lack of support. ${ }^{45}$ Again, cohabitation, an informal relationship, provides fewer benefits and is less stable than marriage. ${ }^{46}$

## 1. Method

We saw that more than ninety-five percent of the children in the CDS lived mainly with their biological mothers, we excluded most other living arrangements (other than children living with two adoptive parents) (Tables $2 \& 3) .{ }^{47}$ First, the sample size in these groups was simply too small to draw valid conclusions. The largest excluded sample is for children living with biological fathers, and it is only 83 children. Second, these families were likely to differ on a large number of other dimensions that we could not account for but which involved separation from biological mothers. Children are highly likely to live with their mothers, and if they do not, it is typically because of her death or because of her abuse, neglect or abandon-

[^8]ment of the child, all of which would undoubtedly have major influences on our dependent variables of interest.

We report five sets of equations, with five models in each. The dependent variables-or effects we are trying to predict-are the Behavior Problems Scale (BPS, measured in 2002) and its separate Internal and External Scales, ${ }^{48}$ the Pearlin Self-Efficacy Scale ${ }^{49}$ and the Rosenberg self-


#### Abstract

48. The behavior problem scale (G23, G32) was developed by James Peterson and Nicholas Zill to measure the incidence and severity of child behavior problems in a survey setting. James L. Peterson \& Nicholas Zill, Marital Disruption, Parent-Child Relationships, and Behavior Problems in Children, 48 J. Marriage \& Fam. 295, 295 (1986). Many of the items are from the Achenbach Behavior Problems Checklist. Thomas M. Achenbach \& Craig S. Edelbrock, Behavioral Problems and Competencies Reported by Parents of Normal and Disturbed Children Aged Four Through Sixteen, 46 Monographs Soc'y Res. Child Dev. 1-82 (1981). Exactly the same set of items used in the National Longitudinal Survey of Youth (NLSY) was used in the PSID Child Development Supplement in order to maximize comparability between the two data sets, though the questions PSID-CDS asked were of children three and older while the NLSY began the questions at age four. The scale is based on responses by the primary caregiver as to whether a set of thirty problem behaviors is often, sometimes or never true of the child. Behaviors include having sudden changes in mood or feeling, is fearful or anxious, bullies or is cruel or mean, demands a lot of attention. Behaviors are also divided into two subscales, a measure of externalizing or aggressive behavior and a measure of internalizing, withdrawn or sad behavior. Scores provided are raw scores on the scales. Items G23aa, bb, cc and dd were added by NLSY staff to provide additional measurement for the withdrawn behavior scale. Finally, items G32 a and b are part of the Behavior Problems Scale but are only applicable to school-age children. We created one behavior problems scale by summing the scores on the raw items with direction of scoring reversed, using the 30 items for all children. We also created separate scores for two subscales, internal or withdrawn and external or aggressive. The analyst can either add the two items for school-age children to the thirty-item scale, or, as we did in Healthy Environments, Healthy Children: Children in Families, use the two items as a separate scale of school problems. SANDRA L. Hofferth, Inst. Soc. Research, Healthy Environments, Healthy Children: Children in Familes 1-19 (1998). Table 6 shows how the thirty items for all children three and older map onto the external and internal scales.


Table 6. Behavior Problems Index Factors and Reliabilities

| Question | External | Internal | Total |
| :---: | :---: | :---: | :---: |
| a ( $\mathrm{He} / \mathrm{She}$ ) has sudden changes in mood or feeling. | X |  | X |
| b (He/She)feels or complains that no one loves him/her. |  | X | X |
| c ( $\mathrm{He} /$ She) is rather high strung and nervous. | X |  | X |
| d (He/She)cheats or tells lies. | X |  | X |
| e ( $\mathrm{He} /$ She)is too fearful or anxious. |  | X | X |
| f (He/She)argues too much. | X |  | X |
| g ( $\mathrm{He} /$ /She)has difficulty concentrating, cannot pay attention for long. | X |  | X |
| h (He/She)is easily confused, seems to be in a fog. |  | X | X |
| $\mathrm{i}(\mathrm{He} /$ She) bullies or is cruel or mean to others. | X |  | X |
| j (He/She)is disobedient. | X |  | X |
| $k$ (He/She)does not seem to feel sorry after (he/she)misbehaves. | X |  | X |
| 1 (He/She)has trouble getting along with other children. | X | X | X |
| m (He/She)is impulsive, or acts without thinking. | X |  | X |
| n (He/She)feels worthless or inferior. |  | X | X |
| o (He/She)is not liked by other children. |  | X | X |
| p (He/She)has difficulty getting (his/her) mind off certain thoughts. |  | X | X |
| q ( $\mathrm{He} / \mathrm{She}$ )is restless or overly active, cannot sit still. | X |  | X |
| r (He/She)is stubborn, sullen, or irritable. | X |  | X |
| s (He/She)has a very strong temper and loses it easily. | X |  | X |
| t (He/She)is unhappy, sad or depressed. |  | X | X |
| $\mathrm{u}(\mathrm{He} / \mathrm{She})$ is withdrawn, does not get involved with others. |  | X | X |

esteem scale. ${ }^{50}$ What we have done in the case of each dependent variable is to begin with a very simple model in which the only independent (or predictive) variable is income, that is, total family income divided by the census needs index for that size family. That is, we begin with the economists' assumption that income should be able to purchase the goods needed to meet needs including emotional needs. ${ }^{51}$ This explanation also fits that of those seeking to delegalize marriage.

The next step is to add in family structure: with whom does the child live, and, for example, does it matter that she lives with her mother alone versus with both biological parents? This set of variables, which obviously interacts with income, ${ }^{52}$ has certainly been the focus of policy debates for many years, from those of King $v$. Smith $^{53}$ to those surrounding single parent adoption and custody disputes following divorce.

In the third model, unique to our study, we add in the legal relationships between the parties, looking for whether it matters that the mother ever married or that a stepfather adopted a child. Again, we hold income and family structure constant to see whether it is the "de jure" or "de facto" situation that matters most. ${ }^{54}$

In the fourth model, we add only one, important, variable: parental warmth. Even in the worst of circumstances from a demographic point of view, does the child profit from the parents' demonstrated love? A positive response to this inquiry will show that our findings do not depend upon social class. If parental warmth matters despite a host of other variables, the

| v (He/She)breaks things on purpose or deliberately destroys (his/ her)own or another's things. | X |  | X |
| :---: | :---: | :---: | :---: |
| w ( $\mathrm{He} /$ She) clings to adults. | * | * | X |
| $x$ (He/She)cries too much. | X |  | X |
| $y$ (He/She)demands a lot of attention. | X |  | X |
| z ( $\mathrm{He} /$ She) is too dependent on others. |  | X | X |
| aa (He/She)feels others are out to get (him/her). |  | X | X |
| bb (He/She)hangs around with kids who get into trouble. | * | * | X |
| cc (He/She)is secretive, keeps things to (himself/herself). |  | X | X |
| dd (He/She)worries too much. |  | X | X |
| Number of items | 16 | 13 | 30 |
| Cronbach's alpha | 0.86 | 0.81 | 0.90 |
| Unweighted N |  |  | 2646 |

49. Leonard I. Pearlin et al., The Stress Process, 22 J. Health \& Soc. Behav., 337-56 (1981).
50. Morris Rosenberg, Conceiving the Self 291-96 (1979).
51. A simple example might be that for a single parent under some stress, purchase of take home food or other services might give more time to devote to active parenting. A child of means with emotional problems might be able to afford counseling that a poor child could not.
52. See, e.g., Mclanahan \& Sandefur, supra note 5, at 94.
53. 392 U.S. 309, 333-34 (1968) (holding that the presence of a male cohabitant in the household could not keep the mother from receiving public assistance).
54. An early (successful) attempt to look at families' de jure relationships is Butcher v. Superior Court, 139 Cal. App. 3d 58, 68-69 (Cal. Ct. App. 1983), which allowed an unmarried cohabitant to recover from a tortfeasor in wrongful death.
findings would also be consistent with the great happiness found in relatively impoverished areas of the world. ${ }^{55}$

In the fifth model, we add the mother's race and her age, as well as the child's age and gender. It may be that some characteristics change when race is taken into account, particularly as "normal" family structure is associated with race. ${ }^{56}$ Certainly children born to very young mothers tend not to fare as well as those born to older mothers, ${ }^{57}$ in part for effects associated with lower income, in part because of lesser marital stability and in part for purely biological reasons.

We do not anticipate that we will predict all, or even a very large part, of the differences in outcomes. Some of these differences are simply genetic and are not captured by income or marital status. For example, a disabled or autistic child can be born to any parent in any family structure. We have not yet accounted for the presence of siblings in the household-except in the income equation-nor whether these are older or younger. Similarly, we have not necessarily accounted for domestic violence or substance abuse as long as these have not affected income or family structure or maternal warmth. We have not counted the critically important influence of fathers, except as these are captured in living structure.

## 2. Findings

Our results are reported in Tables 5-10. They tend to substantiate our theory and contradict the hypothesis that all that matters for child outcomes is income, not family structure and especially not legal families and not warmth. One important trend can be seen in Tables 5-7, which deals with the determinants of behavioral problems in the children in our sample. In the first model of each table, income (household income divided by the Census needs standard for a family of that size) is significantly related to the outcome variable of interest. More income means less problem behavior. However, by the time the family structure and legal relationships are factored in, income is statistically insignificant, while these structural variables remain robust. Income does promote self-esteem and self-efficacy in a significant way, and it remains significant for some subsets of our data, notably African-Americans.

[^9]The second important set of observations can be most easily seen in Table 10, the summary of significant findings. (In this table, remember that the reference categories are white heads of households in two-parent married families. The outcomes should be compared to these categories.) If a child lives with his or her mother only, every outcome variable is less good. In fact, the increase in total behavioral problems is about half a standard deviation. Similarly, if the child's mother never married, even holding other things like race constant, the child does worse on everything but anxiety/ depression (the internal behavioral problems). The child of a mother who divorced was statistically no different from a child whose married parents stayed together, whether or not she remarried or remained single. The only other factor that behaved consistently was parental warmth. In all cases, parental warmth decreased problem behaviors and increased self-esteem and self-efficacy.

Another set of observations worthy of note is the difference between adoptive, step and other-dad figures. Adoptive two-parent families were indistinguishable from those with two biological parents (so they do not show up in Table 10). If only the father is adoptive, there is a noticeable effect in externalizing problems, but no other ill-effects. (Remember that this is likely to occur only when the mother married and was widowed or the biological father's rights were terminated, neither of which is an auspicious outcome for children.) However, the "other dad" figure who lives with the mother but has made no legal efforts to regularize this status is associated with increases of half a standard deviation in total behavioral problems and internal behavioral problems. (There are much smaller increases in selfefficacy and self-esteem as well.) Taking the approach to just marry the child's mother does not solve all the problems, however. The presence of a stepfather is associated with the largest effects of the whole study on total behavioral problems, with significant--negative from a welfare stand-point-effects both on the external and internal scales.

## VI. Conclusions and Suggestions for Policy Changes

Taken together, the effects of family structure and relative lack of effect of income seem to support our theory that poverty does not account for all problems in children and that family structure-and particularly mar-riage-does matter. Warmth matters more than either income or family structure and is consistently statistically significant.

On these outcome measures, there are obvious racial differences. Compared to whites, the reference group, children in black households had fewer internalizing problems and higher self-esteem. Children in HispanicLatina households had fewer external behavioral problems but suffered from internalizing problems and lower self-esteem and self-efficacy. Children in Asian or Pacific Islander households had fewer behavioral problems
on all measures. Boys showed more total and externalizing behavioral problems, while younger children showed fewer. This is consistent with the recent findings that men apparently suffer from anxiety and depression as much as do women. ${ }^{58}$

These differences in race and gender prompt us to repeat here our cautions about assuming that what works well for the majority will have equally good results for all subgroups. Nonetheless, marriage and legal parenting will not disadvantage these children. ${ }^{59}$ We are convinced because of our work and the work of others, that it would do more to alleviate poverty than simply doling out money. ${ }^{60}$ Also, we caution that these are cross-sectional rather than longitudinal results: we cannot say for sure what causes what as opposed to which variables are associated with what outcome.

From a public policy perspective, we suggest enacting laws (or keeping them in force) to strengthen marriage and adoption, and to keep these formal legal statuses privileged over less formal relationships. Again, we do not mean to suggest that no care be taken for children born to unmarried parents or for single parents trying to raise children. Both of us believe that keeping children, and their caretakers, from living in poverty is and should remain a vital concern for the community. Our findings suggest, however, that while love is associated with child well-being regardless of income, the best locus for it is in the formal, legally recognized family. As a first cut, therefore, we strongly oppose attempts to equate marriage with cohabitation. Couples who cohabit and never marry are less likely to be stable and

[^10]less likely to love each other unconditionally. While this may be relatively unimportant (though breaking up is hard to do) for the adults involved, we show that the conditions of cohabitation hinder, or at least do not promote, the well-being of their children. What is relatively unimportant for adults thus reaches critical proportions once children are involved.

We therefore support efforts to strengthen marriage. Many of these are already in place, as the list of benefits sought by same-sex couples seeking the rights of married persons attests. Better marriages are the goals of state pre-marriage education efforts as well as such non-government groups as Marriage, ${ }^{61}$ Engaged Encounter ${ }^{62}$ and the umbrella non-profit Smart Marriages. ${ }^{63}$ At the federal level, President Bush's Healthy Marriage Initiative embraces the goal of promoting and sustaining healthy unions through multiple public and private strategies. ${ }^{64}$ More controversial, but seemingly warranted, are such legislative tools as covenant marriage (available in Louisiana, Arizona and Arkansas). ${ }^{65}$ Other two-tiered systems-simply making divorce more difficult without requiring the pre-marriage and postmarriage counseling regimes as in covenant marriage-are being considered by states like Virginia. ${ }^{66}$ The point is that while couples may prefer for themselves to remain unmarried, a legal preference for marriage is warranted once children enter the picture.

Similarly, we support legally recognized parent-child relationships over less formal ones, however strong these may be. Again, we recognized that these may not always be possible, and that single parents and other informal caretakers may do a fine job. Clearly, almost any option where children are loved is better than leaving children in abusive relationships. Most mothers are legally recognized as their children's parents. Blended families seem to be associated with behavioral problems for children. We encourage fathers who are notthe husbands of the children's mothers or women who are in serious relationships with custodial fathers, to adopt the child-unless there is already a participating legal father or mother. Simply marrying the child's custodial parent, even in places where being a stepparent gives significant rights and duties, ${ }^{67}$ is not associated with positive be-

[^11]havioral outcomes (from a child welfare perspective). Our study is consistent with adoption being preferred over mere stepparenting, particularly when being a stepparent does not make the adult responsible for the child at least during the marriage. Guardianship or formal kinship care should be preferred to informal kinship care (with more financial benefits available even without more state intervention and intrusiveness into parenting), but in most cases (except for groups with significant care done by extended families), adoption will be still better if it is a choice. Again, adoption makes permanent parents, stepparenting or merely assuming care for kin does not. Foster care, by its nature transitory and not "real," is the least good option as a permanent solution. ${ }^{68}$ Legal changes consistent with this emphasis are the Adoption and Safe Families Act ${ }^{69}$ and related legislation, which privilege the rights of children to safe environments over the rights of biological parents to maintain relationships with them. Similarly, funding that promotes adoption for hard to place children-whether in foster care or in kinship care situations-should be continued and increased, if possible. ${ }^{70}$

Finally, we add our voices to those who have argued against any assumption that single parenting is as good as having two parents. Not only will children of single parents, largely mothers, be poorer and less successful educationally than children of married couples, but our results show association with increased behavioral problems and decreased self-efficacy and self-esteem.

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## Table 1. Current American Households <br> (from United States Census)

|  |  |  | Male <br> householder, <br> no wife <br> present <br> family <br> household | Female <br> householder, <br> no husband <br> present <br> family <br> household |  |
| :--- | :--- | :--- | :--- | :--- | :--- |
|  |  | Married- <br> couple <br> family <br> household | Nonfamily <br> household |  |  |
|  | Total |  |  |  |  |
| Subject |  |  |  |  |  |

Table 2. Descriptive Statistics

|  | N | Minimum | Maximum | Mean | Std. <br> Deviation |
| :---: | :---: | :---: | :---: | :---: | :---: |
| KID LIVES WITH 2 BIO |  |  |  |  |  |
| PARENTS? | 2,681 | 0.00 | 1.00 | 0.6832 | 0.46532 |
| KID LIVES WITH BIO MOM AND |  |  |  |  |  |
| NO BIO DAD? | 2,681 | 0.00 | 1.00 | 0.1917 | 0.39367 |
| KID LIVES WITH BIO MOM AND |  |  |  |  |  |
| ADOPTIVE DAD? | 2,681 | 0.00 | 1.00 | 0.0063 | 0.07922 |
| KID LIVES WITH BIO MOM AND |  |  |  |  |  |
| STEPDAD | 2,681 | 0.00 | 1.00 | 0.0759 | 0.26489 |
| KID LIVES WITH BIO MOM AND |  |  |  |  |  |
| OTHER DAD FIGURE | 2,681 | 0.00 | 1.00 | 0.0344 | 0.18226 |
| KID LIVES WITH TWO ADOPTIVE |  |  |  |  |  |
| PARENTS | 2,681 | 0.00 | 1.00 | 0.0086 | 0.09219 |
| HEAD IS WHITE | 2,681 | 0.00 | 1.00 | 0.6316 | 0.48246 |
| HEAD IS BLACK | 2,681 | 0.00 | 1.00 | 0.1462 | 0.35335 |
| HEAD IS HISPANIC-LATINO/A | 2,681 | 0.00 | 1.00 | 0.1321 | 0.33866 |
| HEAD IS ASIAN PI | 2,681 | 0.00 | 1.00 | 0.0278 | 0.16437 |
| HEAD IS OTHER RACE - AM INDIAN, ETC | 2,681 | 0.00 | 1.00 | 0.0423 | 0.20124 |
| ESTIMATED ATTENDANCE OF |  |  |  |  |  |
| KID AT SERVICES DRAWN |  |  |  |  |  |
| FROM 2 VARIABLES 6-9 AND |  |  |  |  |  |
| 10+ AGE | 2,030 | 1.00 | 6.00 | 4.2156 | 1.37686 |
| IMPORTANCE OF RELIGION TO |  |  |  |  |  |
| PRIMARY CARETAKER | 2,672 | 1.00 | 3.00 | 2.6385 | 0.59797 |
| AGE OF MOTHER OR MOTHER |  |  |  |  |  |
| FIGURE | 2,582 | 20.00 | 81.00 | 41.9310 | 7.44560 |
| HOUSEHOLD INCOME DIV |  |  |  |  |  |
| CENSUS NEEDS STANDARD | 2,583 | 0.00 | 113.39 | 3.7756 | 4.78121 |
| MOM MARRIED ONCE, STILL |  |  |  |  |  |
| INTACT | 2,681 | 0.00 | 1.00 | 0.5833 | 0.49311 |
| MOM MARRIED AND WIDOWED |  |  |  |  |  |
| AT LEAST ONCE | 2,681 | 0.00 | 1.00 | 0.0153 | 0.12274 |
| MOM MARRIED, DIVORCED, |  |  |  |  |  |
| REMARRIED STILL INTACT | 2,681 | 0.00 | 1.00 | 0.1251 | 0.33093 |
| MOM MARRIED, DIVORCED, |  |  |  |  |  |
| REMARRIED, NOW DIVORCED | 2,681 | 0.00 | 1.00 | 0.0316 | 0.17483 |
| MOM NEVER MARRIED | 2,681 | 0.00 | 1.00 | 0.1168 | 0.32119 |
| MOM MARRIED, DIVORCED, |  |  |  |  |  |
| NEVER REMARRIED | 2,681 | 0.00 1.00 | 1.00 5.00 | 0.176 4.1270 | 0.32221 |
| PARENTAL WARMTH SCALE 02 | 2,681 | 1.00 | 5.00 | 3.9271 | 0.64020 |
| BPI - TOTAL SCORE 02 | 2,650 | 0 | 30 | 8.58 | 6.442 |
| BPI - EXTERNALIZING SCORE 02 | 2,667 | 0 | 17 | 5.53 | 4.116 |
| BPI - INTERNALIZING SCORE 02 | 2,659 | 0 | 14 | 3.23 | 3.193 |
| PEARLIN SELF-EFFICACY SCALE 02 | 2,671 | 1.00 | 4.00 | 3.1054 | 0.58953 |
| ROSENBERG SELF-ESTEEM |  |  |  |  |  |
| SCALE 02 | 2,674 | 1.00 | 4.00 | 3.4036 | 0.44345 |
| SEX OF CDS CHILD | 2,000 | 1.00 | 2.00 | 1.5107 | 0.50001 |
| CHILD AGE AT TIME OF PCG IW <br> - YEARS 02 | 2,681 | 5.52 | 19.25 | 12.3159 | 3.73311 |
| Valid N (listwise) | 1,495 |  |  |  |  |

Table 3. Relationship Primary Care Giver to Child 2002

|  |  | Frequency | Percent | Valid <br> Percent | Cumulative <br> Percent |
| :--- | :--- | :--- | :--- | :--- | :--- |
| Valid | Biological mother | 2,554 | 95.2 | 95.2 | 95.2 |
|  | Stepmother | 1 | 0.0 | 0.0 | 95.3 |
|  | Adoptive mother | 22 | 0.8 | 0.8 | 96.1 |
|  | Biological father | 83 | 3.1 | 3.1 | 99.2 |
|  | Stepfather | 1 | 0.1 | 0.1 | 99.3 |
|  | Grandmother | 3 | 0.1 | 0.1 | 99.4 |
|  | Grandfather | 1 | 0.0 | 0.0 | 99.5 |
|  | Aunt | 0 | 0.0 | 0.0 | 99.5 |
|  | Sister | 14 | 0.5 | 0.5 | 100.0 |
|  | Total | 2,681 | 100.0 | 100.0 |  |

Table 4. Does Child Live with Biological Parents (Data Analyzed)?

|  | Frequency | Percent | Valid <br> Percent | Cumulative <br> Percent |
| :--- | :--- | :--- | :--- | :--- |
| ValidKID LIVES WITH BOTH <br> BIOLOGICAL PARENTS <br> KID LIVES WITH BIO MOM, <br> NO BIO DAD | 1,832 | 68.3 | 68.3 | 68.3 |
| KID LIVES WITH BIO MOM | 514 | 19.2 | 19.2 | 87.5 |
| AND ADOPTIVE DAD | 17 | 0.6 | 0.6 | 88.1 |
| KID LIVES WITH BIO MOM |  |  |  |  |
| AND STEP DAD | 203 | 7.6 | 7.6 | 95.7 |
| KID LIVES WITH BIO MOM | 9 | 3.4 | 3.4 | 99.1 |
| AND OTHER DAD FIGURE | 92 |  |  | 100.0 |
| KID LIVES WITH TWO | 23 | 0.9 | 0.9 | 10.0 |
| ADOPTIVE PARENTS | 2,681 | 100.0 | 100.0 |  |
| Total |  |  |  |  |

Table 5. Determinants of Behavioral Problems- Total

| Model |  | Unstandardized Coefficients |  | Standardized Coefficients |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  | B | Std. Error | Beta | t | Sig. |
| 1 | (Constant) | 8.864 | 0.186 |  | 47.617 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | -0.074 | 0.029 | -0.058 | $-2.564$ | 0.010 |
| 2 | (Constant) | 8.034 | 0.219 |  | 36.760 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | -0.043 | 0.029 | -0.034 | -1.475 | 0.140 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | 2.144 | 0.380 | 0.131 | 5.644 | 0.000 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | 4.060 | 2.217 | 0.041 | 1.831 | 0.067 |
|  | KID LIVES WITH BIO MOM AND STEPDAD | 2.628 | 0.565 | 0.106 | 4.651 | 0.000 |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 2.091 | 0.870 | 0.055 | 2.404 | 0.016 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | 9.110 | 9.939 | 0.021 | 0.917 | 0.359 |
| 3 | (Constant) | 7.884 | 0.235 |  | 33.604 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | -0.035 | 0.029 | -0.028 | -1.213 | 0.225 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | 1.499 | 0.655 | 0.092 | 2.288 | 0.022 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | 3.942 | 2.217 | 0.040 | 1.778 | 0.076 |
|  | KID LIVES WITH BIO MOM AND STEPDAD | 2.389 | 0.644 | 0.097 | 3.709 | 0.000 |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 1.597 | 1.022 | 0.042 | 1.562 | 0.118 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | 9.185 | 9.952 | 0.021 | 0.923 | 0.356 |
|  | MOM MARRIED AND WIDOWED AT LEAST ONCE | 1.777 | 1.266 | 0.034 | 1.403 | 0.161 |
|  | MOM MARRIED, DIVORCED, REMARRIED STILL INTACT | 0.339 | 0.523 | 0.017 | 0.649 | 0.517 |
|  | MOM MARRIED, DIVORCED, REMARRIED, NOW DIVORCED | 1.503 | 0.988 | 0.042 | 1.522 | 0.128 |
|  | MOM NEVER MARRIED | 1.314 | 0.643 | 0.065 | 2.043 | 0.041 |
|  | MOM MARRIED, DIVORCED, NEVER REMARRIED | 0.050 | 0.727 | 0.002 | 0.069 | 0.945 |
| 4 | (Constant) | 12.705 | 0.905 |  | 14.037 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | -0.029 | 0.029 | -0.023 | -1.005 | 0.315 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | 1.421 | 0.651 | 0.087 | 2.184 | 0.029 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | 4.222 | 2.200 | 0.043 | 1.918 | 0.055 |


|  | KID LIVES WITH BIO MOM AND STEP DAD | 2.340 | 0.639 | 0.095 | 3.660 | 0.000 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 1.699 | 1.015 | 0.044 | 1.675 | 0.094 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | 9.526 | 9.877 | 0.022 | 0.964 | 0.335 |
|  | MOM MARRIED AND WIDOWED AT LEAST ONCE | 1.452 | 1.258 | 0.027 | 1.154 | 0.249 |
|  | MOM MARRIED, DIVORCED, REMARRIED STILL INTACT | 0.397 | 0.519 | 0.020 | 0.765 | 0.444 |
|  | MOM MARRIED, DIVORCED, REMARRIED, NOW DIVORCED | 1.532 | 0.980 | 0.043 | 1.564 | 0.118 |
|  | MOM NEVER MARRIED | 1.263 | 0.638 | 0.062 | 1.978 | 0.048 |
|  | MOM MARRIED, DIVORCED, NEVER REMARRIED | 0.028 | 0.721 | 0.001 | 0.038 | 0.969 |
|  | $\begin{array}{\|l\|} \hline \text { PARENTAL WARMTH SCALE } \\ 02 \end{array}$ | -1.246 | 0.226 | -0.124 | -5.512 | 0.000 |
| 5 | (Constant) | 17.439 | 1.465 |  | 11.901 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | -0.015 | 0.030 | -0.012 | -0.499 | 0.618 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | 1.615 | 0.671 | 0.099 | 2.406 | 0.016 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | 3.402 | 2.198 | 0.035 | 1.548 | 0.122 |
|  | KID LIVES WITH BIO MOM AND STEPDAD | 2.473 | 0.653 | 0.100 | 3.789 | 0.000 |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 1.810 | 1.020 | 0.047 | 1.775 | 0.076 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | 8.322 | 9.821 | 0.019 | 0.847 | 0.397 |
|  | MOM MARRIED AND WIDOWED AT LEAST ONCE | 1.889 | 1.257 | 0.036 | 1.504 | 0.133 |
|  | MOM MARRIED, DIVORCED, REMARRIED STILL INTACT | 0.319 | 0.519 | 0.016 | 0.615 | 0.539 |
|  | MOM MARRIED, DIVORCED, REMARRIED, NOW DIVORCED | 1.349 | 0.979 | 0.038 | 1.378 | 0.168 |
|  | MOM NEVER MARRIED | 1.330 | 0.669 | 0.066 | 1.989 | 0.047 |
|  | MOM MARRIED, DIVORCED, NEVER REMARRIED | -0.103 | 0.722 | -0.005 | -0.143 | 0.886 |
|  | PARENTAL WARMTH SCALE 02 | -1.379 | 0.232 | -0.137 | -5.941 | 0.000 |
|  | SEX OF CDS CHILD | -0.746 | 0.292 | -0.057 | -2.550 | 0.011 |
|  | CHILD AGE AT TIME OF PCG IW - YEARS 02 | -0.129 | 0.053 | -0.061 | -2.418 | 0.016 |
|  | AGE OF MOTHER OR MOTHER FIGURE | -0.030 | 0.024 | -0.033 | -1.284 | 0.199 |
|  | HEAD IS BLACK | -0.856 | 0.467 | -0.048 | -1.834 | 0.067 |
|  | HEAD IS HISPANIC-LATINO/A | 0.379 | 0.468 | 0.020 | 0.809 | 0.419 |
|  | HEAD IS ASIAN PI | -2.477 | 0.871 | -0.064 | -2.845 | 0.004 |

$\mathrm{R}^{2}$ (adjusted) $=.057$; CDS Behavioral Problems Index - Total (2002)

Table 6. Determinants of External Behavior Problems

| Model |  | Unstandardized Coefficients |  | Standardized Coefficients |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  | B | Std. Error | Beta | t | Sig. |
| 1 | (Constant) | 5.610 | 0.118 |  | 47.507 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | -0.045 | 0.018 | -0.055 | -2.426 | 0.015 |
| 2 | (Constant) | 5.011 | 0.138 |  | 36.216 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | -0.021 | 0.018 | -0.026 | -1.128 | 0.260 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | 1.640 | 0.239 | 0.158 | 6.851 | 0.000 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | 3.165 | 1.405 | 0.051 | 2.253 | 0.024 |
|  | KID LIVES WITH BIO MOM AND STEP DAD | 1.703 | 0.358 | 0.108 | 4.757 | 0.000 |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 1.093 | 0.551 | 0.045 | 1.983 | 0.048 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | 8.059 | 6.298 | 0.029 | 1.280 | 0.201 |
| 3 | (Constant) | 4.906 | 0.148 |  | 33.056 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | -0.016 | 0.018 | -0.020 | -0.862 | 0.389 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | 1.289 | 0.413 | 0.125 | 3.120 | 0.002 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | 3.074 | 1.404 | 0.049 | 2.190 | 0.029 |
|  | KID LIVES WITH BIO MOM AND STEPDAD | 1.496 | 0.408 | 0.095 | 3.668 | 0.000 |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 0.872 | 0.647 | 0.036 | 1.347 | 0.178 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | 8.239 | 6.303 | 0.029 | 1.307 | 0.191 |
|  | MOM MARRIED AND WIDOWED AT LEAST ONCE | 1.393 | 0.754 | 0.045 | 1.849 | 0.065 |
|  | MOM MARRIED, DIVORCED, REMARRIED STILL INTACT | 0.327 | 0.331 | 0.026 | 0.988 | 0.323 |
|  | MOM MARRIED, DIVORCED, REMARRIED, NOW DIVORCED | 0.815 | 0.625 | 0.036 | 1.305 | 0.192 |
|  | MOM NEVER MARRIED | 0.819 | 0.406 | 0.064 | 2.017 | 0.044 |
|  | MOM MARRIED, DIVORCED, NEVER REMARRIED | -0.091 | 0.459 | -0.007 | -0.198 | 0.843 |
| 4 | (Constant) | 8.497 | 0.571 |  | 14.890 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | -0.011 | 0.018 | -0.014 | -0.619 | 0.536 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | 1.241 | 0.409 | 0.120 | 3.036 | 0.002 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | 3.284 | 1.389 | 0.052 | 2.364 | 0.018 |


|  | KID LIVES WITH BIO MOM AND STEPDAD | 1.462 | 0.404 | 0.093 | 3.621 | 0.000 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 0.955 | 0.640 | 0.039 | 1.492 | 0.136 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | 8.502 | 6.236 | 0.030 | 1.363 | 0.173 |
|  | MOM MARRIED AND WIDOWED AT LEAST ONCE | 1.249 | 0.746 | 0.040 | 1.674 | 0.094 |
|  | MOM MARRIED, DIVORCED, REMARRIED STILL INTACT | 0.369 | 0.327 | 0.029 | 1.127 | 0.260 |
|  | MOM MARRIED, DIVORCED, REMARRIED, NOW DIVORCED | 0.828 | 0.618 | 0.036 | 1.340 | 0.181 |
|  | MOM NEVER MARRIED | 0.774 | 0.402 | 0.060 | 1.926 | 0.054 |
|  | MOM MARRIED, DIVORCED, NEVER REMARRIED | -0.117 | 0.454 | -0.009 | -0.257 | 0.797 |
|  | PARENTAL WARMTH SCALE 02 | -0.928 | 0.143 | -0.145 | -6.512 | 0.000 |
| 5 | (Constant) | 12.488 | 0.923 |  | 13.527 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | -0.007 | 0.019 | -0.009 | -0.376 | 0.707 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | 0.986 | 0.422 | 0.095 | 2.340 | 0.019 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | 2.615 | 1.385 | 0.042 | 1.888 | 0.059 |
|  | KID LIVES WITH BIO MOM AND STEP DAD | 1.379 | 0.411 | 0.087 | 3.353 | 0.001 |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 0.735 | 0.642 | 0.030 | 1.145 | 0.252 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | 7.162 | 6.189 | 0.025 | 1.157 | 0.247 |
|  | MOM MARRIED AND WIDOWED AT LEAST ONCE | 1.586 | 0.745 | 0.051 | 2.128 | 0.033 |
|  | MOM MARRIED, DIVORCED, REMARRIED STILL INTACT | 0.315 | 0.327 | 0.025 | 0.964 | 0.335 |
|  | MOM MARRIED, DIVORCED, REMARRIED, NOW DIVORCED | 0.881 | 0.616 | 0.039 | 1.429 | 0.153 |
|  | MOM NEVER MARRIED | 0.901 | 0.420 | 0.070 | 2.148 | 0.032 |
|  | MOM MARRIED, DIVORCED, NEVER REMARRIED | -0.024 | 0.454 | -0.002 | -0.053 | 0.958 |
|  | PARENTAL WARMTH SCALE 02 | -1.039 | 0.146 | -0.162 | -7.116 | 0.000 |
|  | SEX OF CDS CHILD | -0.638 | 0.184 | -0.077 | -3.472 | 0.001 |
|  | CHILD AGE AT TIME OF PCG IW - YEARS 02 | -0.079 | 0.034 | -0.059 | -2.349 | 0.019 |
|  | AGE OF MOTHER OR MOTHER FIGURE | -0.032 | 0.015 | -0.056 | -2.188 | 0.029 |
|  | HEAD IS BLACK | -0.136 | 0.293 | -0.012 | -0.465 | 0.642 |
|  | HEAD IS HISPANIC-LATINO/A | -0.502 | 0.294 | -0.041 | -1.708 | 0.088 |
|  | HEAD IS ASIAN PI | -1.411 | 0.549 | -0.057 | -2.571 | 0.010 |

$\mathrm{R}^{2}$ (adjusted) $=.074$; CDS Behavioral Problems Index- External (2002)

Table 7. Determinants of Internal Behavioral Problems

| Model |  | Unstandardized Coefficients |  | Standardized Coefficients |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  | B | Std. <br> Error | Beta | t | Sig. |
| 1 | (Constant) | 3.451 | 0.092 |  | 37.578 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | -0.034 | 0.014 | -0.054 | -2.363 | 0.018 |
| 2 | (Constant) | 3.170 | 0.108 |  | 29.221 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | -0.024 | 0.014 | -0.038 | -1.642 | 0.101 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | 0.679 | 0.189 | 0.084 | 3.596 | 0.000 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | 0.753 | 1.103 | 0.015 | 0.682 | 0.495 |
|  | KID LIVES WITH BIO MOM AND STEPDAD | 0.982 | 0.281 | 0.080 | 3.493 | 0.000 |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 0.999 | 0.433 | 0.053 | 2.307 | 0.021 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | 1.910 | 4.946 | 0.009 | 0.386 | 0.699 |
| 3 | (Constant) | 3.128 | 0.117 |  | 26.846 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | -0.021 | 0.015 | -0.033 | -1.435 | 0.151 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | 0.429 | 0.326 | 0.053 | 1.315 | 0.189 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | 0.729 | 1.104 | 0.015 | 0.660 | 0.509 |
|  | KID LIVES WITH BIO MOM AND STEPDAD | 0.970 | 0.321 | 0.079 | 3.027 | 0.003 |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 0.813 | 0.509 | 0.043 | 1.597 | 0.110 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | 1.941 | 4.957 | 0.009 | 0.392 | 0.695 |
|  | MOM MARRIED AND WIDOWED AT LEAST ONCE | 0.687 | 0.630 | 0.026 | 1.089 | 0.276 |
|  | MOM MARRIED, DIVORCED, REMARRIED STILL INTACT | -0.011 | 0.259 | -0.001 | -0.042 | 0.967 |
|  | MOM MARRIED, DIVORCED, REMARRIED, NOW DIVORCED | 0.612 | 0.492 | 0.035 | 1.243 | 0.214 |
|  | MOM NEVER MARRIED | 0.484 | 0.320 | 0.048 | 1.510 | 0.131 |
|  | MOM MARRIED, DIVORCED, NEVER REMARRIED | 0.001 | 0.362 | 0.000 | 0.004 | 0.997 |
| 4 | (Constant) | 4.393 | 0.453 |  | 9.695 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | -0.019 | 0.014 | -0.031 | -1.322 | 0.186 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | 0.409 | 0.326 | 0.051 | 1.254 | 0.210 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | 0.802 | 1.102 | 0.016 | 0.728 | 0.467 |


|  | KID LIVES WITH BIO MOM AND STEPDAD | 0.957 | 0.320 | 0.078 | 2.990 | 0.003 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 0.840 | 0.508 | 0.044 | 1.652 | 0.099 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | 2.030 | 4.948 | 0.009 | 0.410 | 0.682 |
|  | MOM MARRIED AND WIDOWED AT LEAST ONCE | 0.601 | 0.630 | 0.023 | 0.955 | 0.340 |
|  | MOM MARRIED, DIVORCED, REMARRIED STILL INTACT | 0.005 | 0.259 | 0.001 | 0.020 | 0.984 |
|  | MOM MARRIED, DIVORCED, REMARRIED, NOW DIVORCED | 0.619 | 0.491 | 0.035 | 1.261 | 0.207 |
|  | MOM NEVER MARRIED | 0.470 | 0.320 | 0.047 | 1.471 | 0.141 |
|  | MOM MARRIED, DIVORCED, NEVER REMARRIED | -0.004 | 0.361 | 0.000 | -0.012 | 0.991 |
|  | PARENTAL WARMTH SCALE 02 | -0.327 | 0.113 | -0.066 | -2.888 | 0.004 |
| 5 | (Constant) | 5.162 | 0.729 |  | 7.079 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | -0.008 | 0.015 | -0.013 | -0.550 | 0.582 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | 0.856 | 0.335 | 0.106 | 2.555 | 0.011 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | 0.633 | 1.097 | 0.013 | 0.577 | 0.564 |
|  | KID LIVES WITH BIO MOM AND STEPDAD | 1.155 | 0.325 | 0.094 | 3.549 | 0.000 |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 1.164 | 0.509 | 0.061 | 2.287 | 0.022 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | 2.152 | 4.902 | 0.010 | 0.439 | 0.661 |
|  | MOM MARRIED AND WIDOWED AT LEAST ONCE | 0.658 | 0.627 | 0.025 | 1.049 | 0.294 |
|  | MOM MARRIED, DIVORCED, REMARRIED STILL INTACT | -0.014 | 0.258 | -0.001 | -0.053 | 0.958 |
|  | MOM MARRIED, DIVORCED, REMARRIED, NOW DIVORCED | 0.374 | 0.489 | 0.021 | 0.766 | 0.444 |
|  | MOM NEVER MARRIED | 0.389 | 0.334 | 0.039 | 1.165 | 0.244 |
|  | MOM MARRIED, DIVORCED, NEVER REMARRIED | -0.238 | 0.360 | -0.024 | -0.661 | 0.509 |
|  | PARENTAL WARMTH SCALE 02 | -0.348 | 0.116 | -0.070 | -3.004 | 0.003 |
|  | SEX OF CDS CHILD | -0.082 | 0.146 | -0.013 | -0.566 | 0.571 |
|  | CHILD AGE AT TIME OF PCG IW - YEARS 02 | -0.049 | 0.027 | -0.047 | -1.830 | 0.067 |
|  | AGE OF MOTHER OR MOTHER FIGURE | 0.000 | 0.012 | 0.000 | 0.000 | 1.000 |
|  | HEAD IS BLACK | -0.700 | 0.233 | -0.080 | -3.008 | 0.003 |
|  | HEAD IS HISPANIC-LATINO/A | 0.927 | 0.234 | 0.098 | 3.969 | 0.000 |
|  | HEAD IS ASIAN PI | -1.200 | 0.435 | -0.063 | -2.761 | 0.006 |

$\mathrm{R}^{2}$ (adjusted) $=.037$; CDS Behavioral Problems Index (Internal), 2002

Table 8. Determinants of Self-Efficacy Scale

| Model |  | Unstandardized Coefficients |  | Standardized Coefficients |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  | B | Std. Error | Beta | t | Sig. |
| 1 | (Constant) | 3.050 | 0.017 |  | 180.698 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | 0.012 | 0.003 | 0.103 | 4.567 | 0.000 |
| 2 | (Constant) | 3.076 | 0.020 |  | 153.425 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | 0.011 | 0.003 | 0.093 | 4.039 | 0.000 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | -0.089 | 0.035 | -0.060 | -2.565 | 0.010 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | -0.048 | 0.204 | -0.005 | -0.237 | 0.812 |
|  | KID LIVES WITH BIO MOM AND STEPDAD | -0.025 | 0.052 | -0.011 | -0.484 | 0.629 |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | -0.020 | 0.081 | -0.006 | -0.252 | 0.801 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | -1.362 | 0.915 | -0.034 | -1.489 | 0.137 |
| 3 | (Constant) | 3.092 | 0.021 |  | 144.189 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | 0.010 | 0.003 | 0.083 | 3.596 | 0.000 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | 0.075 | 0.060 | 0.050 | 1.247 | 0.213 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | -0.046 | 0.203 | -0.005 | -0.226 | 0.821 |
|  | KID LIVES WITH BIO MOM <br> AND STEPDAD | -0.043 | 0.059 | -0.019 | -0.724 | 0.469 |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 0.113 | 0.094 | 0.032 | 1.192 | 0.233 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | -1.241 | 0.914 | -0.031 | -1.358 | 0.175 |
|  | MOM MARRIED AND WIDOWED AT LEAST ONCE | -0.297 | 0.109 | -0.066 | -2.714 | 0.007 |
|  | MOM MARRIED, DIVORCED, REMARRIED STILL INTACT | 0.044 | 0.048 | 0.025 | 0.929 | 0.353 |
|  | MOM MARRIED, DIVORCED, REMARRIED, NOW DIVORCED | -0.209 | 0.091 | -0.064 | -2.308 | 0.021 |
|  | MOM NEVER MARRIED | -0.211 | 0.059 | -0.114 | -3.562 | 0.000 |
|  | MOM MARRIED, DIVORCED, NEVER REMARRIED | -0.134 | 0.067 | -0.072 | -2.010 | 0.045 |
| 4 | (Constant) | 2.490 | 0.082 |  | 30.228 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | 0.009 | 0.003 | 0.076 | 3.350 | 0.001 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | 0.083 | 0.059 | 0.056 | 1.400 | 0.162 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | -0.081 | 0.201 | -0.009 | -0.404 | 0.686 |


|  | KID LIVES WITH BIO MOM AND STEPDAD | -0.037 | 0.058 | -0.016 | -0.630 | 0.529 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 0.097 | 0.093 | 0.027 | 1.039 | 0.299 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | -1.284 | 0.901 | -0.032 | -1.426 | 0.154 |
|  | MOM MARRIED AND WIDOWED AT LEAST ONCE | -0.272 | 0.108 | -0.061 | -2.527 | 0.012 |
|  | MOM MARRIED, DIVORCED, REMARRIED STILL INTACT | 0.037 | 0.047 | 0.021 | 0.785 | 0.433 |
|  | MOM MARRIED, DIVORCED, REMARRIED, NOW DIVORCED | -0.211 | 0.089 | -0.065 | -2.361 | 0.018 |
|  | MOM NEVER MARRIED | -0.203 | 0.058 | -0.110 | -3.483 | 0.001 |
|  | MOM MARRIED, DIVORCED, NEVER REMARRIED | -0.130 | 0.066 | -0.070 | -1.977 | 0.048 |
|  | PARENTAL WARMTH SCALE 02 | 0.156 | 0.021 | 0.169 | 7.563 | 0.000 |
| 5 | (Constant) | 2.483 | 0.133 |  | 18.629 | 0.000 |
|  | HOUSEHOLD INCOME DIV CENSUS NEEDS STANDARD | 0.006 | 0.003 | 0.052 | 2.252 | 0.024 |
|  | KID LIVES WITH BIO MOM AND NO BIO DAD? | 0.054 | 0.061 | 0.036 | 0.877 | 0.380 |
|  | KID LIVES WITH BIO MOM AND ADOPTIVE DAD? | -0.052 | 0.200 | -0.006 | -0.260 | 0.795 |
|  | KID LIVES WITH BIO MOM AND STEPDAD | -0.007 | 0.059 | -0.003 | -0.119 | 0.905 |
|  | KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 0.082 | 0.094 | 0.023 | 0.882 | 0.378 |
|  | KID LIVES WITH TWO ADOPTIVE PARENTS | -1.282 | 0.896 | -0.032 | -1.431 | 0.153 |
|  | MOM MARRIED AND WIDOWED AT LEAST ONCE | -0.238 | 0.108 | -0.053 | -2.208 | 0.027 |
|  | MOM MARRIED, DIVORCED, REMARRIED STILL INTACT | 0.012 | 0.047 | 0.006 | 0.247 | 0.805 |
|  | MOM MARRIED, DIVORCED, REMARRIED, NOW DIVORCED | -0.185 | 0.089 | -0.057 | -2.073 | 0.038 |
|  | MOM NEVER MARRIED | -0.132 | 0.061 | -0.071 | -2.163 | 0.031 |
|  | MOM MARRIED, DIVORCED NEVER REMARRIED | -0.098 | 0.066 | -0.053 | -1.487 | 0.137 |
|  | PARENTAL WARMTH SCALE 02 | 0.146 | 0.021 | 0.158 | 6.894 | 0.000 |
|  | SEX OF CDS CHILD | -0.066 | 0.027 | -0.055 | -2.466 | 0.014 |
|  | CHILD AGE AT TIME OF PCG IW - YEARS 02 | -0.005 | 0.005 | -0.023 | -0.931 | 0.352 |
|  | AGE OF MOTHER OR MOTHER FIGURE | 0.006 | 0.002 | 0.067 | 2.592 | 0.010 |
|  | HEAD IS BLACK | -0.032 | 0.043 | -0.020 | -0.764 | 0.445 |
|  | HEAD IS HISPANICLATINO/A | -0.162 | 0.043 | -0.093 | -3.806 | 0.000 |
|  | HEAD IS ASIAN PI | -0.025 | 0.079 | -0.007 | -0.321 | 0.748 |

$\mathrm{R}^{2}$ (adjusted) $=.060$; Pearlin Self-Efficacy Scale, CDS 2002

Table 9. Determinants of Self-Esteem

|  |  |  |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| Model |  |  | Unstandardized \(\left.\begin{array}{l}Standardized <br>

Coefficients <br>
Coeficients\end{array}\right)\)

| KID LIVES WITH BIO MOM <br> AND STEPDAD | -0.039 | 0.043 | -0.023 | -0.901 | 0.368 |
| :--- | :--- | :--- | :--- | :--- | :--- |
| KID LIVES WITH BIO MOM <br> AND OTHER DAD FIGURE | 0.218 | 0.068 | 0.083 | 3.185 | 0.001 |
| KID LIVES WITH TWO <br> ADOPTIVE PARENTS | -0.531 | 0.661 | -0.018 | -0.803 | 0.422 |
| MOM MARRIED AND <br> WIDOWED AT LEAST ONCE | -0.020 | 0.079 | -0.006 | -0.254 | 0.799 |
| MOM MARRIED, DIVORCED, <br> REMARRIED STILL INTACT | 0.062 | 0.035 | 0.046 | 1.800 | 0.072 |
| MOM MARRIED, DIVORCED, <br> REMARRIED, NOW <br> DIVORCED | -0.003 | 0.066 | -0.001 | -0.049 | 0.961 |
| MOM NEVER MARRIED | -0.162 | 0.043 | -0.118 | -3.794 | 0.000 |
| MOM MARRIED, DIVORCED, | -0.002 | 0.048 | -0.002 | -0.050 | 0.960 |
| NEVER REMARRIED | 0.136 | 0.015 | 0.198 | 8.972 | 0.000 |
| PARENTAL WARMTH | 2.962 | 0.097 |  | 30.666 | 0.000 |
| SCALE 02 |  |  |  |  |  |

$R^{2}$ (adjusted) $=104$; Rosenberg Self-Esteem Scale, CDS 2002

Table 10. Effect of a One-Unit Change in Predictor on Dependent Variable (Proportion of a Standard Deviation): Summary of All Multiple Regression Analyses; Final Step from Each Analysis (Significant Effects Only)

| OUTCOMES (DEPENDENT VARIABLES) | $\begin{array}{\|l} \hline \text { BPI } \\ \text { TOTAL } \end{array}$ | BPI <br> EXTERNALIZING | BPI INTERNALIZING | $\begin{aligned} & \text { SELF } \\ & \text { EFFICACY } \end{aligned}$ | $\left\lvert\, \begin{aligned} & \text { SELF } \\ & \text { ESTEEM } \end{aligned}\right.$ |
| :---: | :---: | :---: | :---: | :---: | :---: |
| PREDICTORS (INDEPENDENT AND CONTROL VARIABLES) |  |  |  |  |  |
| HOUSEHOLD INCOME DIVIDED BY CENSUS NEEDS STANDARD |  |  |  | 0.0013738 | 0.001497 |
| SEX OF CDS CHILD | -0.21908 | -0.115438327 |  |  |  |
| CHILD'S AGE AT TIME OF INTERVIEW | -0.03797 | -0.014294594 | -0.015058213 |  |  |
| AGE OF MOTHER OR MOTHER FIGURE |  | -0.005854695 |  |  |  |
| HEAD IS BLACK |  |  | -0.216597424 |  | 0.029742 |
| HEAD IS HISPANIC-LATINO/A |  | -0.090871125 | 0.286641915 | -0.0668909 | -0.07054 |
| HEAD IS ASIAN PI | -0.72765 | -0.255136174 | -0.371089142 |  |  |
| HEAD IS OTHER RACE - AM INDIAN, ETC |  |  |  |  |  |
| HEAD IS WHITE (REF) |  |  |  |  |  |
| KID LIVES WITH BIO MOM AND NO BIO DAD? | 0.474498 | 0.178395398 | 0.264718657 | -0.0217882 | -0.02387 |
| KID LIVES WITH BIO MOM  0.4729471 <br> AND ADOPTIVE DAD?   |  |  |  |  |  |
| KID LIVES WITH BIO MOM AND STEPDAD | 0.726571 | 0.24945777 | 0.357231368 |  |  |
| KID LIVES WITH BIO MOM AND OTHER DAD FIGURE | 0.53186 |  | 0.359946476 | 0.0438003 | 0.047995 |
| KID LIVES WITH TWO ADOPTIVE PARENTS |  |  |  |  |  |
| KID LIVES WITH BOTH BIOLOGICAL PARENTS (REF) |  |  |  |  |  |
| MOM MARRIED AND WIDOWED AT LEAST ONCE |  | 0.28684173 |  |  |  |
| MOM MARRIED, DIVORCED, REMARRIED STILL INTACT |  |  |  |  |  |
| MOM MARRIED, DIVORCED, REMARRIED, NOW DIVORCED |  |  |  |  |  |
| MOM NEVER MARRIED | 0.390665 | 0.163012554 |  | -0.0347441 | -0.03805 |
| MOM MARRIED, DIVORCED, NEVER REMARRIED |  |  |  |  |  |
| MOM MARRIED ONCE MARRIAGE INTACT (REF) |  |  |  |  |  |
| PARENTAL WARMTH SCALE 02 | -0.40525 | -0.187898811 | -0.10754948 | 0.0366067 | 0.040045 |


[^0]:    * Margaret F. Brinig is the Fritz Duda Family Professor of Law and Associate Dean for Faculty Research, University of Notre Dame. Steven L. Nock died in January of 2008. He was Commonwealth Professor, Department of Sociology, University of Virginia. This article is part of a larger project on "Multi-Tiered Marriage," which draws upon ideas from Joel A. Nichols, MultiTiered Marriage: Ideas and Influences from New York and Louisiana to the International Community, 40 Vand. J. Transnat'l L. 135 (Jan. 2007). The project on Multi-Tiered Marriage has received generous funding from Emory University's Center for the Study of Law and Religion, Pepperdine University and Pepperdine University School of Law, and the University of St. Thomas School of Law. See Joel A. Nichols, Foreword: Marriage, Religion, and the Role of the Civil State, 5 U. St. Thomas L.J. 544 (2008).

    1. Kathryn Edin \& Maria Kefalas, Promises I Can Keep: Why Poor Women Put Motherhood Before Marriage 6 (2005).
    2. Id. at 31 .
[^1]:    Dame Legal Studies, Working Paper Series, Paper No. 07-40, 2007), available at http://papers. ssrn.come/sol3/papers.cfm?abstract_id=997903.
    10. Alfred, Lord Tennyson, In Memoriam, line 27, stanza 4 (1850).
    11. Katherine Shaw Spaght, Covenant Marriage: An Achievable Legal Response to the Inherent Nature of Marriage and Its Various Goods, 4 Ave Maria L. Rev. 467 (2006).
    12. Shadowlands (Price Entm't 2004).
    13. Id.
    14. Martha L.A. Fineman, Masking Dependency: The Political Role of Family Rhetoric, 81 VA. L. Rev. 2181, 2188 (1995).

[^2]:    15. Or "mean-spirited," according to Fineman. Id. at 2194.
    16. Dorothy Roberts, Child Welfare and Civil Rights, 2003 U. ILL. L. Rev. 171-82. "Poverty is key to explaining why almost any child gets in the system. It is the dominant explanation of researchers in the field for the inequitable representation of black children. The high level of black involvement in child protective services parallels the high level of poverty among black families." Id. at 174-75.
    17. See Fineman, supra note 14, and the more extended argument in Martha Fineman, The Neutered Mother, The Sexual Family and Other Twentieth Century Tragedies (1995).
    18. Dorothy Roberts, The Moral Exclusivity of the New Civil Society, 75 Chi.-Kent L. Rev. 555, 558 (2000).
    19. See, e.g., Fineman, supra note 14, at 2183; Nancy Polikoff, We Will Get What We Ask For: Why Legalizing Gay and Lesbian Marriage Will Not "Dismantle the Legal Structure of Gender in Every Marriage," 79 VA. L. Rev. 1535 (1993).
    20. See Polikoff, supra note 19.
    21. Martha Ertman, The Business of Intimacy: Bridging the Private-Private Distinction, in Feminism Confronts Homo Economicus: Gender, Law and Society 467 (Martha Fineman \& Terrance Dougherty eds., 2005).
[^3]:    25. See Michael Broyde, Some Thoughts on New York State Regulation of Jewish Marriage: Covenant, Contract or Statute?, (Project on Multi-Tiered Marriage, St. Thomas School of Law, forthcoming); Ann Laquer Estin, Toward a Multicultural Family Law, 38 FAM. L.Q. 501 (2004).
    26. Law Commission of Canada, Beyond Conjugality: Recognizing and Supporting Close Adult Relationships, xi (2001).
    27. Id.
    28. The history of the change in the Canadian understanding of marriage as well as the conclusion that "Marriage will remain a fundamental social institution in Canada" can be found in Nicholas Bala, The History and Future of the 'Legal Family' in Canada 26 (Queen's University Legal Studies, Working Paper Series, Working Paper No. 07-16, 2007), available at http://papers. ssm.com/sol3/papers.cfm?abstract_id=1030534.
    29. Some domestic partner legislation, and C-23 in Canada, does this. Winifred Holland, Intimate Relationships in the New Millennium: The Assimilation of Marriage and Cohabitation?, 17 Can. J. Fam. L. 114 (2000). It is rarer for the duty of support during the relationship to be the same as in marriage, but the civil union legislation in Vermont is an example. Vt. Stat. Ann. tit. $91, \S \S 1202$ et seq. (2000). Even in Norway, where about twenty-five percent of couples are unmarried, "[u]nlike married couples, cohabiting couples have no legal responsibility to provide for each other." Turid Noak, Cohabitation in Norway: An Accepted and Gradually More Regulated Way of Living, Int'L J. L. Pol. \& Fam. 102, 110 (2001). Compare the domestic partnership rules for medical insurance at Iowa (available only to same-sex couples), which require mutual support. See http://www.uiowa.edu/hr/benefits/forms/ (scroll down the "Human Resources - University Benefits" page; then select the "Faculty, P\&S, and MSE" pdf under the "Domestic Partner Affidavits" heading).
    30. AFDC historically worked to deny benefits to cohabiting indigent adults. See Smith v. King, 392 U.S. 309 (1968) (cohabitant could support the indigent mother and children, so the government did not need to). More recently, TANF payments have been structured to encourage marriage. Though married couples may receive temporary assistance, the second wage earner must be unemployed or disabled if the couple cohabits. Many states now terminate spousal support if the former wife cohabits with another-it would cease anyway if she remarried since the second spouse would assume the responsibility of supporting a needy wife. Wendell E. Primus \& Jennifer Beeson, Safety Net Programs, Marriage, and Cohabitation, in Just Living Together: Implications of Cohabttation on Families, Chlldren and Social Policy 191, 197, 205 (Alan Booth \& Ann C. Crouter eds., 2002).
[^4]:    31. Martha Ertman, Reconstructing Marriage: An InterSEXional Approach, 75 Denv. U. L. Rev. 1215 (1998); Martha Fineman, The Neutered Mother, the Sexual Family, and Other Twentieth Century Tragedies (1995).
    32. Quoted in Adam Liptak, A Troubled 'Marriage': Core of Massachusetts Dispute is Tied to Traditional Exclusivity of the Word, N.Y. Times, Feb. 12, 2004, at A26.
    33. Robin Fretwell Wilson, The Overlooked Costs of Religious Deference, 64 Wash. \& Lee L. Rev. 1363 (2007).
    34. See Roberts, supra note 16; Roberts, supra note 18. Roberts is primarily concerned about families at risk for involvement in the child welfare system.
    35. We can also say nothing directly about the effects of same-sex parenting, since no couples of that type self-identified in the dataset. Even if they were represented at what is assumed to be the normal rate, according to Table 1 , this would only be 0.7 percent of unmarried households (which themselves comprise twenty-seven percent of the total), or around 0.2 percent of the whole. In our sample of 3,000 children, that would be six children. See PSID, supra note 7.
[^5]:    36. For an accessible text on game theory, see Eric Rasmussen, Games and Information: An Introduction to Game Theory (Blackwell Publishers 2001) (1989).
    37. See, e.g., John Bowlby, Attachment (1982); William L. Cook, Understanding Ataachment Security in Family Context, 78 J. Personality \& Soc. Psychol. 285 (2000); Charles Zenah et al., Representations of Attachment in Mothers and Their One Year Old Infants, 32 J. Am. Acad. Child Adolescent Psychiatry 278 (1993).
    38. The most famous source for this concept is Goldstein, Freud \& Solnit's, Beyond the Best Interests of the Child (1973). A landmark case that may have been decided using this standard is Painter v. Bannister, 140 N.W.2d 152 (Iowa 1966).
[^6]:    39. Some states routinely require divorcing parents to attend such classes or to view movies on children of divorce, with some reported success in reducing friction between the parents. See, e.g., Iowa Code Ann. §598.21G (West 2008) (requiring parent education for divorcing parent who is a minor); 20 Ill. Comp. Stat. Ann. 505/5(i) (West 2008) (providing parent education and other child welfare services); 750 Ill. Comp. Stat. Ann. 5/608(c) (West 2008) (allowing court to order parental education at time of divorce).
    40. The internet "home page," PSID, http://psidonline.isr.umich.edu (last visited June 26, 2008), indicates the following:

    The PSID is a nationally representative longitudinal study of nearly 8,000 U.S. families.
    Following the same individuals since 1968, the PSID collects data on economics, health, and social behavior. The CDS focuses on the children and caregivers within PSID families, collecting information on education, health, cognitive and behavioral development, and time use.

[^7]:    41. See Margaret F. Brinig, From Contract to Covenant: Beyond the Law and Economics of the Family (2000); Margaret F. Brinig \& Steven L. Nock, Marry Me, Bill: Should Cohabitation be the (Legal) Default Option? 64 La. L. Rev. 403 passim (2004); Margaret Brinig \& Steven L. Nock, Covenant and Contract, 12 Regent U. L. Rev. 9, 25 (2000); Margaret F.
[^8]:    Brinig \& Steven L. Nock, How Much Does Legal Status Matter? Adoptions by Kin Caregivers, 36 FAM. L.Q. 449 passim (2002).
    42. Margaret F. Brinig \& Steven L. Nock, "I Only Want Trust": Norms, Trust, and Autonomy, 32 J. Socio-Economics 471-87 (2003), reprinted in Family Life and Human Rights 115 (Peter Lodrup \& Eva Modvar eds., 2004). For a survey, see Nicholas H. Wolfinger, Understanding the Divorce Cycle: The Children of Divorce in their Own Marriages (2005).
    43. Steven L. Nock et al., Covenant Marriage Turns Five Years Old, 10 Mich. J. Gender \& L. 169, 185-86 (2003).
    44. Steven L. Nock, A Comparison of Marriages and Cohabiting Relationships, 16 J. Fam. Issues 53-76 (1995); Brinig \& Nock, How Much Does Legal Status Matter?, supra note 41, at 469-74; Brinig \& Nock, Marry Me, Bill, supra note 41, at 427; Brinig \& Nock, supra note 42, at 471-87.
    45. Margaret F. Brinig, The Child's Best Interests: A Neglected Perspective on Interracial Intimacies, 117 Harv. L. Rev. 2129, 2150 (2004) (book review).
    46. Nock, A Comparison of Marriages and Cohabiting Relationships, supra note 44, at 53-76; Brinig \& Nock, Marry Me, Bill, supra note 41, at 409, 421-26.
    47. As detailed in the PSID's technical documentation, weights supplied on PSID data files are designed to compensate for both unequal selection probabilities and differential attrition and were used in our analysis. See PSID, supra note 7.

[^9]:    55. As colleagues have pointed out, warmth could be confounding-parents could be less loving towards their children precisely because they were getting divorced. They could also be less warm to the child because the child presented behavioral problems.
    56. Our earlier work, Brinig \& Nock, How Much Does Legal Status Matter?, supra note 41, at 452,461 , suggests that outcomes for adolescents may be quite different for cultural groups with stronger traditions of extended families.
    57. Kristin Anderson Moore et al., Effects on the Children Born to Adolescent Mothers, in Kids Having Kids: Economic Costs and Social Consequences of Teen Pregnancy 145, 165-71 (Rebecca A. Maynard ed., 1997).
[^10]:    58. Julie Scelfo, Men \& Depression: Facing Darkness, Newsweek, Oct. 12, 2007 (Web Exclusive), available at http://www.newsweek.com/id/42930/output/print.
    59. We note, too, that marriage is not something that cohabiting couples of color wish to avoid. Kristen Harknett \& Sara S. McLanahan, Racial and Ethnic Differences in Marriage after the Birth of a Child, 69 Am. Soc. Rev. 790, 798-99 (2004) (Black attitudes about marriage among new cohabiting parents are actually stronger than those for whites (e.g., when asked whether they agreed strongly that "marriage is better than living together," blacks answered positively 60.4 percent of the time compared to 37.9 percent for whites). Most of the difference in marriage rates with these couples was due to the less favorable sex ratio and poorer relationship quality among the black couples.)
    60. Adam Thomas \& Isabel Sawhill, For Love or Money? The Impact of Family Structure on Family Income, 15 Future of Chlldren 57, 67-74 (2005). Economists have shown that once married, men's earnings and labor force attachments tend to increase predictably in what is generally called the "marriage premium." Robert A. Nakosteen \& Michael A. Zimmer, Men, Money, and Marriage: Are High Earners More Prone than Low Earners to Marry?, 78 Soc. ScI. Q. 66, 80-82 (1997). Steven L. Nock, Marriage in Men’s Lives $75-77$ (1998); Robert F. Schoeni, Marital Status and Earnings in Developed Countries, 8 J. Population Econ. 351, 351-59 (1995); Sanders Korenman \& David Neumark, Does Marriage Really Make Men More Productive?, 26 J. Hum. Resources, 282, 291-307 (1991); Kermit Daniel, The Marriage Premium, in The New Economics of Human Behavior 113, 113-25 (Mariano Tommasi \& Kathryn Terulli, eds., 1995). On the other hand, McLanahan reported that receipt of any welfare influenced the number of white out of wedlock births, with predictable intergenerational effects including divorce in adolescence. Sara S. McLanahan, Family Structure and Dependency: Early Transitions to Female Household Headship, 25 Demography 1, 12-16 (1988).
[^11]:    61. Worldwide Marriage Encounter, http://www.wwme.org (last visited June 26, 2008).
    62. Catholic Engaged Encounter, http://www.engagedencounter.org (last visited June 26, 2008).
    63. Smart Marriages, http://www.smartmarriages.com (last visited June 26, 2008).
    64. Administration for Children \& Families, Healthy Marriage Initiative, http://www.acf.hhs. gov/healthymarriage/ (last visited June 26, 2008).
    65. We discuss these at length in Margaret F. Brinig \& Steven L. Nock, What Does Covenant Mean for Relationships?, 18 Notre Dame J. L. Ethics \& Pub. Pol'y 137 passim (2004).
    66. See statutory examples, supra note 39 and accompanying text. An organization long supporting mutual consent divorce and containing sample legislation can be found at Divorce Reform Page, http://www.divorcereform.org/nha.html (last visited June 26, 2008).
    67. In some states, a stepparent owes a duty of support to the children living with him or her. See, e.g., Ruben v. Ruben, 461 A.2d 733, 735 (N.H. 1983). This duty will under most circumstances not continue if the parties divorce. See, e.g., Miller v. Miller, 478 A.2d 351, 359 (N.J.
[^12]:    1984) (holding that in an action for divorce, a stepfather should be required to pay child support during the divorce litigation where the natural biological mother demonstrates that she is not receiving support for the children from the biological father and establishes by affidavit that the stepfather's conduct actively interfered with the children's support by the father so that pendente lite support can not be obtained from the father). In the recent case of $O$ 'Rourke $v$. Vuturo, 638 S.E.2d 124, 130 (Va. Ct. App. 2006), the Virginia Court of Appeals found that a husband had standing in a divorce to seek custody "as a father" even though he was not the biological father of the child.
    68. See Brinig \& Nock, How Much Does Legal Status Matter?, supra note 41, at 458-74.
    69. 42 U.S.C.A. § $671(\mathrm{a})(15)$ (West 2008).
    70. An Iowa case that discusses the statutes but that makes the decision to confine funding to adoptees coming from foster care is Becker v. Department of Human Services, 661 N.W.2d 125, 128-29 (Iowa 2003).
