

What Can State Policymakers Do to Strengthen Relationships and Marriages in Their State?

State policymakers can use a variety of strategies to help married couples and unmarried individuals (from youth to adults) learn how to identify, create, and maintain healthy relationships. This public investment to support strong families can also potentially lower the costs associated with programs that help families and children once a divorce or a family breakdown occurs. Furthermore, the return on investment can include better child outcomes; improved work relationships leading to more stable employment; the ability for people to identify physical or emotional abuse; and reduction in non-marital childbearing.

The amount of state government effort intended to strengthen marriage and reduce divorce has grown over the past two decades. This Brief provides an overview of the many different opportunities and avenues policymakers can use, and some are using, to champion and/or support to strengthen the families and the individuals in their states and communities. For purposes of this Brief, policymakers include public officials working at state or local levels (e.g., governors, judges, legislators, mayors, city council members), the staff of those officials, and appointed or high ranking agency administrators.

Laws, regulations, and procedures in government are all within the power and jurisdiction of policymakers to create, change, or revoke. Whether through the formal passage of legislation, budget and funding decisions, or through less visible administrative regulations, these actions create ways to execute, interpret, and enforce policy.



To strengthen marriage and couple relationships state policymakers can:

- **Reduce marriage license fees or offer a tax rebate for participation in premarital counseling or premarital education.** Research indicates a lower incidence of divorce for those who participate in premarital preparation, especially in the early years of marriage. To encourage couples to participate in premarital preparation (commonly referred to as premarital counseling or marriage education) some states have created an incentive in state law. The premarital preparation requirement is typically 4 to 12 hours of marriage counseling or education offered by a qualified professional. (See [Premarital Preparation Requirements in State Law Fact Sheet](#))

- **Implement a Covenant Marriage Law.** This law, enacted in three states to date, offers couples the *option* to choose a covenant marriage over a traditional marriage license (See [Covenant Marriage: A Fact Sheet](#)). Covenant marriage requires premarital counseling or education and limits the grounds for dissolution except for extreme circumstances such as infidelity or domestic violence. By making divorce harder to obtain, proponents of covenant marriage believe it encourages couples to try harder to make their marriage work.
- **Offer marriage and relationship handbooks.** Healthy marriage and relationship guidebooks or handbooks can be provided as part of the marriage license application process or distributed widely in other ways (see [examples of state handbooks](#)). While not as intensive as marriage education, a handbook can provide valuable information and identify skills needed to make wise relationship choices, and maintain a healthy marriage, potentially decreasing the risk of divorce. Such handbooks offer practical information about the benefits and challenges of marriage while providing tips and referral information for couples. Fees from marriage licenses or divorce court could be used to fund the development, printing and dissemination of marriage and relationship skill handbooks.
- **Appropriate a portion of public funds to pay for relationship education classes offered for free or at reduced cost.** Currently these services are not widely available in many communities. Providing free or reduced cost access to these programs allows many more couples throughout the state to learn these relationship skills and prevent divorce. Programs include preparing engaged couples to have a healthy marriage, educating expectant couples and new parents as they care for their children together and teaching high school students how to manage a healthy relationship. The Federal government and some states have used TANF funds to support these programs (see [TANF Funds and Healthy Marriage Activities: A Fact Sheet](#)). Three of the four TANF goals support marriage and two-parent families. A handful of states set aside up to 1% of their TANF funds to be used for marriage strengthening purposes. States could also use funds collected through divorce proceedings or marriage licenses to support marriage education programs. (See [related sample legislation](#))
- **Integrate relationship education into existing service delivery systems for diverse populations.** Research indicates that relationship skills (like communication, conflict resolution, forgiveness, and partner selection) can be taught and are typically learned as an individual grows up through relationships with friends, teachers, family, and early romantic relationships. There are many opportunities to integrate relationship education into existing health, education and justice programs and settings. System-involved youth (those already in the child welfare system or in the juvenile justice system) can especially benefit from learning these skills. (See [What Should Policymakers Know about Marriage and Relationship Education?](#)).

- Implement a divorce-waiting period, a “time-out” law or add a reconciliation component to a divorce orientation class.** Legislative reforms to institute a one year divorce-waiting period for couples with children, with the exception for cases where domestic violence is occurring, is one strategy that may promote reconciliation in some cases and provide opportunities to learn co-parenting. Another tactic is to create a “time-out” period where one spouse can temporarily halt divorce proceedings when “irreconcilable differences” are listed; this halt occurs by delaying the divorce decree or obtaining a court order for marriage counseling or discernment counseling (a form of counseling that gives couples the option to agree to a six-month period of intensive work to restore the marriage).¹ Implementing an education mandate for divorcing parents that includes informing them of the effects of divorce, reasons and resources for considering reconciliation, and the value of seeking divorce mediation may also be options.
- Reducing financial disincentives in tax and welfare programs.** Unfortunately, unintended consequences occur in public policy. Policies designed to support single-parent families may inadvertently create a financial disincentive to marriage. Some federal, state and local policies create cliff effects when one or two individuals currently accessing government-supported programs consider marriage. For example, an earned income tax credit may be very helpful for an unwed parent. Policies may also reward

a married couple in which only one spouse works. However, policies can create a financial disincentive for a cohabiting couple (with two employed adults) to get married (See [NHMRC Collection by Topic on Welfare, Tax Policy and Child Support: Effects on Family Formation](#)). This is a complex issue and difficult to address, especially at the state level.

Putting healthy relationships and marriages on the public agenda for young people and adults is an approach to strengthen families and create better child outcomes. Policymakers may want to consider integrating one, a few or all of the strategies mentioned above in their states. For more information about supporting these efforts, see [How Can a State Policymaker Build Support for a Strengthening Marriage Agenda?](#) There are many additional resources available to help you with your effort at www.healthymarriageinfo.org.

The National Healthy Marriage Resource Center (NHMRC) would like to thank Courtney Harrison, MPA, Dana Alfred, and Kristin Bugbee, MPA, for their contributions to this Brief. The NHMRC would also like to thank Rachel Derrington, MSW, and Theodora Ooms, MSW, of the Resource Center for their contributions. We are grateful for the support provided by the Annie E. Casey Foundation. This is a product of the NHMRC, led by Mary Myrick, APR, and project manager, Rich Batten, ThM, MEd, CFLE.

¹ See [Second Chances A Proposal to Reduce Unnecessary Divorce](#)