

A FIFTY-STATE SURVEY OF THE COST OF FAMILY FRAGMENTATION

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Government support in America is a growing trend¹ largely observable in broken households,² creating “a nation of welfare families”³

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¹ See MICHAEL TANNER, CATO INST., THE AMERICAN WELFARE STATE: HOW WE SPEND NEARLY \$1 TRILLION A YEAR FIGHTING POVERTY—AND FAIL 1 (2012), available at <http://www.cato.org/pubs/pas/PA694.pdf> (“[T]his year the federal government will spend more than \$668 billion on at least 126 different programs to fight poverty. And that does not even begin to count welfare spending by state and local governments, which adds \$284 billion to that figure. In total, the United States spends nearly \$1 trillion every year to fight poverty.”). For example, the Supplemental Nutrition Assistance Program, or food stamps, will be a cost focus of this Article. The Congressional Budget Office (“CBO”) stated in 2012 that food stamp expenditures have increased by seventy percent over the last four years and are expected to continue to rise until 2014. See Damian Paletta, *Food Stamp Rolls to Grow Through 2014, CBO Says*, WSJ BLOGS (Apr. 19, 2012, 1:58 PM), <http://blogs.wsj.com/economics/2012/04/19/food-stamp-rolls-to-grow-through-2014-cbo-says/?mod=e2tw>.

45 million people in 2011 received Supplemental Nutrition Assistance Program [SNAP] benefits, a 70% increase from 2007. [The CBO] said the number of people receiving the benefits, commonly known as food stamps, would continue growing until 2014.

Spending for the program, not including administrative costs, rose to \$72 billion in 2011, up from \$30 billion four years earlier. The CBO projected that one in seven U.S. residents received food stamps last year.

Id. For the CBO report on SNAP, see CONG. BUDGET OFFICE, THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (2012), available at <http://www.cbo.gov/sites/default/files/cbofiles/attachments/04-19-SNAP.pdf>. For a historical summary of United States welfare policy, see MICHAEL D. TANNER, THE POVERTY OF WELFARE: HELPING OTHERS IN CIVIL SOCIETY 13–34 (2003). Suggesting that the best solutions are fueled by American innovation and ingenuity, George Mason Associate Professor of Economics Alex Tabarrok discusses his concern about America’s welfare problem in ALEXANDER TABARROK, LAUNCHING THE INNOVATION RENAISSANCE: A NEW PATH TO BRING SMART IDEAS TO MARKET FAST, at *Innovation Nation Versus the Warfare-Welfare State* (TED Books 2011) (“Together the warfare and welfare states, counting only the big four of defense, Medicaid, Medicare and Social Security, eat up \$2.2 trillion, or nearly two-thirds of the U.S. federal budget.”).

² CONG. BUDGET OFFICE, *supra* note 1, at 1 (“By fiscal year 2022, CBO projects, 34 million people (or about 1 in 10 U.S. residents) will receive SNAP benefits each month . . . and SNAP expenditures, at about \$73 billion, will be among the highest of all non-health-related federal support programs for low-income households.”). Moreover, “[t]he food stamp program is old and fossilized. Aside from enormous increases in cost, it has remained basically unchanged since its creation in the 1960s. Unaffected by welfare reform

that are fragmented and relying on state and federal financial assistance. The cost of family fragmentation was first studied and published in 2008 (“2008 Report”).⁴ The 2008 Report found that family breakdown had cost American taxpayers \$112 billion per year.⁵ The 2008 Report, detailing for the first time the enormous expense of divorce and unwed childbearing, revealed that broken families are no longer simply about individual privacy choices.⁶ The economics of family fragmentation has a price tag.

in the 1990s, it remains a program that discourages work, rewards idleness, and promotes long-term dependence.” ROBERT RECTOR & KATHERINE BRADLEY, HERITAGE FOUND., REFORMING THE FOOD STAMP PROGRAM 2 (2012), available at <http://thf-media.s3.amazonaws.com/2012/pdf/b2708.pdf>.

³ Stephanie Coontz, *A Nation of Welfare Families*, HARPER’S MAG., Oct. 1992, at 13, 13. Although Coontz’s article suggests that government aid does not harm families, its title affirms the existence of a trend toward national household reliance on government assistance. *See id.* at 16.

⁴ BENJAMIN SCAFIDI, INST. FOR AM. VALUES, INST. FOR MARRIAGE & PUB. POLICY, GA. FAMILY COUNCIL & FAMILIES NW., THE TAXPAYER COSTS OF DIVORCE AND UNWED CHILDBEARING: FIRST-EVER ESTIMATES FOR THE NATION AND ALL FIFTY STATES 5 (2008), available at www.healthymarriageinfo.org/about/faq/download.aspx?id=77. The study and its claims generated reporting. *See, e.g.*, David Crary, *Study: “Family Fragmentation” Costs \$112B*, SEATTLE TIMES, Apr. 15, 2008, http://seattletimes.nwsources.com/html/business/2004349460_families15.html (“The study was conducted by Georgia College & State University economist Ben Scafidi. His work was sponsored by four groups who consider themselves part of a nationwide ‘marriage movement’—the New York-based Institute for American Values, the Institute for Marriage and Public Policy, Families Northwest of Redmond, and the Georgia Family Council, an ally of the conservative ministry Focus on the Family.”).

⁵ SCAFIDI, *supra* note 4. The study states that the “\$112 billion figure represents a ‘lower-bound’ or minimum estimate. Given the cautious assumptions used throughout this analysis, we can be confident that current high rates of family fragmentation cost taxpayers at least \$112 billion per year.” Indeed, these taxpayer costs total “more than \$1 trillion each decade.” *Id.*

⁶ *See* Crary, *supra* note 4. According to Institute for American Values President David Blankenhorn, “[w]e keep hearing this from state legislators, ‘Explain to me why this is any of my business? Aren’t these private matters?’ . . . Take a look at these numbers and tell us if you still have any doubt.” *Id.*

Individualism and the rights that stem from that concept are part of the American identity. Individualism is such a fundamental concept that it is endorsed by the courts—especially with regard to the liberty interest of the individual. *See* L.M. KOHM, FAMILY MANIFESTO: WHAT WENT WRONG WITH THE MORAL BASIS FOR THE FAMILY AND HOW TO RESTORE IT 29–31 (2006).

One of the most infamous discussions of the intersection of personal choice with family fragmentation was then Vice President Dan Quayle’s remarks on *Murphy Brown*. The title character in a CBS sitcom intentionally made a lifestyle choice to have a child as a single parent, and Quayle remarked that “mocking the importance of fathers” and “[b]earing babies irresponsibly is simply wrong.” *See* Isabel Sawhill, *Why Dan Quayle Was Right About Murphy Brown*, WASH. POST, May 27, 2012, at B3.

Twenty years later, Quayle’s words seem less controversial than prophetic. The number of single parents in America has increased dramatically: The proportion of children born outside marriage has risen from roughly 30 percent

Family fragmentation occurs when individuals experience domestic breakdown caused by divorce or non-marital childbearing.⁷ The 2008 Report stated that “[t]o the extent that the decline of marriage increases the number of children and adults eligible for and in need of government services, costs to taxpayers will grow.”⁸ These calculations were based on differences in poverty rates by household types, which reveal that those headed by a single female have relatively high poverty rates,⁹ which lead to higher spending on welfare, health care, criminal justice, and education.¹⁰

Although it is already a well-documented fact that family fragmentation is harmful to children,¹¹ the 2008 Report highlighted that

in 1992 to 41 percent in 2009. For women under age 30, more than half of babies are born out of wedlock. A lifestyle once associated with poverty has become mainstream.

Id.

Recent articles indicate this phenomenon has somewhat set down roots. See Kevin Hartnett, *When Having Babies Beats Marriage*, HARVARD MAG., July–Aug. 2012, at 11, 11–12 (“The decoupling of marriage from childbearing among lower-income Americans is arguably the most profound social trend in American life today . . .”); W. Bradford Wilcox, *Father’s Day: Are Dads Really Disposable?*, DESERET NEWS (June 14, 2012, 2:34 PM), <http://www.deseretnews.com/article/print/865557457/Fathers-Day-Are-dads-really-disposable.html> (discussing women having children without fathers and the social science research that indicates children are less likely to thrive without fathers).

⁷ Family fragmentation falls within two categories: *broken* families are caused by divorce or a separation of cohabiting adults while *unformed* families occur in unwed childbearing where one parent is not living with the child, causing the family to never form, or producing a lack of family formation. We, like the 2008 Report, use the term “family fragmentation” to encompass both broken families and families that never formed. SCAFIDI, *supra* note 4, at 39 n.9. “Throughout the analysis, individuals who are not married or who have experienced a divorce or a nonmarital birth are considered to be living in a ‘fragmented’ family.” *Id.*

⁸ SCAFIDI, *supra* note 4, at 8. The study noted that “[p]ublic debate on marriage in this country has focused on the ‘social costs’ of increases in divorce and unmarried childbearing”; in contrast, the 2008 Report focused on real costs, actual expenditures, and lost tax revenue caused by fragmented families. *Id.* at 7–8, 12.

⁹ See SCAFIDI, *supra* note 4, at 12, 31; see also Maria Cancian & Deborah Reed, *Family Structure, Childbearing, and Parental Employment: Implications for the Level and Trend in Poverty*, in CHANGING POVERTY, CHANGING POLICIES 92, 109 (Maria Cancian & Sheldon Danziger eds., 2009).

¹⁰ SCAFIDI, *supra* note 4, at 8. Indeed, the “\$112 billion annual estimate includes the costs of federal, state, and local government programs and foregone tax revenues at all levels of government.” *Id.* at 17.

¹¹ A broken family brings higher rates of childhood poverty, government intervention, child distress, inadequate education, substance abuse, teen crime, and teen pregnancy, among other results. NAT’L COMM’N ON AM.’S URBAN FAMILIES, *FAMILIES FIRST* 1, 4, 32–33, 36 (1993).

The family trend of our time is the deinstitutionalization of marriage and the steady disintegration of the mother–father childraising unit. This trend of family fragmentation is reflected primarily in the high rate of divorce among parents and the growing prevalence of parents who do not marry. No domestic

reducing the costs of family fragmentation “is a legitimate concern of government, policymakers, and legislators.”¹² While the 2008 Report did not offer specific formal recommendations, it did mention some state initiatives,¹³ suggesting that state and federal lawmakers consider investing more money in programs intended to bolster marriages to be a combatant to the costs of family fragmentation.¹⁴ As an incentive for reducing the rate of family fragmentation, the 2008 Report advised that “even very small increases in stable marriage rates would result in very large returns to taxpayers. For example, a mere 1 percent reduction in rates of family fragmentation would save taxpayers \$1.12 billion annually.”¹⁵

Now, nearly five years later, we set out to discover if that research was heeded in some way by the various states. This Article provides a more recent snapshot of the costs of family fragmentation on a state-by-state basis by examining states’ efforts to correct the rising costs of family fragmentation. It reviews basic family-welfare costs and legislative and public-policy initiatives directed at reducing family

trend is more threatening to the well-being of our children and to our long-term national security.

Id. at 19.

There is a rich literature on the harm to children or others of non-marital families. See PAUL R. AMATO & ALAN BOOTH, *A GENERATION AT RISK: GROWING UP IN AN ERA OF FAMILY UPHEAVAL* 9–15, 67–83, 106–19, 137–46, 172–81, 195–208, 218–28 (1997); SARA McLANAHAN & GARY SANDEFUR, *GROWING UP WITH A SINGLE PARENT: WHAT HURTS, WHAT HELPS* (1994); KRISTIN ANDERSON MOORE ET AL., *CHILD TRENDS, MARRIAGE FROM A CHILD’S PERSPECTIVE: HOW DOES FAMILY STRUCTURE AFFECT CHILDREN, AND WHAT CAN WE DO ABOUT IT?* (2002), available at <http://www.childtrends.org/files/marriagerb602.pdf>; Paul R. Amato & Rebecca A. Maynard, *Decreasing Nonmarital Births and Strengthening Marriage to Reduce Poverty*, *FUTURE OF CHILDREN*, Fall 2007, at 117; Paul R. Amato, *The Impact of Family Formation Change on the Cognitive, Social, and Emotional Well-Being of the Next Generation*, *FUTURE OF CHILDREN*, Fall 2005, at 75; Cynthia C. Harper & Sara S. McLanahan, *Father Absence and Youth Incarceration*, 14 *J. RES. ON ADOLESCENCE* 369 (2004); Robert I. Lerman, *The Impact of the Changing US Family Structure on Child Poverty and Income Inequality*, 63 *ECONOMICA (SUPPLEMENT)* S119 (1996); Robert J. Sampson et al., *Does Marriage Reduce Crime? A Counterfactual Approach to Within-Individual Causal Effects*, 44 *CRIMINOLOGY* 465 (2006); Adam Thomas & Isabel Sawhill, *For Richer or for Poorer: Marriage as an Antipoverty Strategy*, 21 *J. POL’Y ANALYSIS & MGMT.* 587, 587–88, 594–95, 597 (2002).

¹² SCAFIDI, *supra* note 4, at 20.

¹³ For example, it mentions some federal government-funded programs, an Oklahoma marriage-skills initiative, and Texas marriage-strengthening initiatives. Indeed, no fewer than “nine states have publicly adopted a goal of strengthening marriage.” SCAFIDI, *supra* note 4, at 8–9, 20.

¹⁴ *Id.* at 20. Marriage creates wealth and stability for many sectors of society. See Lynne Marie Kohm, *Does Marriage Make Good Business? Examining the Notion of Employer Endorsement of Marriage*, 25 *WHITTIER L. REV.* 563, 564, 568–69, 573–82 (2004) (discussing the benefits to employers of married employees and the law surrounding marital-status employment discrimination).

¹⁵ SCAFIDI, *supra* note 4, at 20 (emphasis omitted).

fragmentation by state. Consulting with influential persons in the field¹⁶ and utilizing almost the same measurements and indicators originally used to compile the 2008 Report,¹⁷ but not being economists, we endeavor to report the facts and any observable difference in law and policy made in these past five years.

This Article begins with an explanation in Part I of the research included in this study, giving descriptors and indicators for each expense category calculated. Part II offers an overview of various available federal, state, and private-sector family-strengthening initiatives. Part III then examines the raw information by state, providing some straightforward analysis of this raw data. Findings are not necessarily prescriptive but seek to highlight the basic policies that states are using to strengthen families, which can result in decreased family fragmentation costs. Although this brief survey cannot make direct connections, Part IV offers a general analysis as a catalyst for states to appropriately alter policies toward family-strengthening policies. The great expense to states of family fragmentation, whether from divorce or unwed childbearing, reveals that broken families are not simply fixed by providing more federal funding or protecting individual privacy choices but, rather, are a matter of authentic concern for researchers, taxpayers, legislatures, and government officials.

I. FAMILY FRAGMENTATION INDICATORS

“[T]he smooth functioning of families [is] vital for the success of any society.”¹⁸ Healthy marriages tend to foster happiness in individuals

¹⁶ Telephone Interview with Chris Gersten, Co-Chairman, Coal. for Divorce Reform (June 8, 2012); Telephone Interview with Alan Hawkins, Professor, Brigham Young Univ. (June 8, 2012); Telephone Interview with Randy Hicks, President, Ga. Fam. Council (June 2, 2012); Telephone Interview with Benjamin Scafidi, Assoc. Professor, Ga. Coll. (June 8, 2012); E-mail from W. Bradford Wilcox, Assoc. Professor, Univ. of Va. (June 7, 2012, 3:57 PM) (on file with the Regent University Law Review).

¹⁷ See SCAFIDI, *supra* note 4, at 12–13.

¹⁸ DAVID CHEAL, FAMILY AND THE STATE OF THEORY 4 (1991) (describing—although not endorsing—the functionalist theory, which claims, in part, that functional families are essential to an efficacious society). The family unit in the law, or, as Professor Janet L. Dolgin uses the term, the “traditional family,” is “a social construct, forged in the early years of the Industrial Revolution. . . . Ironically, this construct of family was actualized most firmly in the United States during the 1950s, just before it was widely challenged by alternative constructs.” Janet L. Dolgin, *Choice, Tradition, and the New Genetics: The Fragmentation of the Ideology of Family*, 32 CONN. L. REV. 523, 524 (2000) (discussing the relationship between reproductive technologies and the legal family). Professor Dolgin also notes that alternative constructs are based in individual liberty. “[S]ociety and law invoke certain aspects of the ideology of traditional families in some contexts, but not in others. Other aspects are forgotten almost completely in deference to the contemporary obsession in the United States with the preservation of liberty and choice.” *Id.* at 525. That obsession has apparently led to vast family fragmentation.

while simultaneously perpetuating a society with children who will be responsible individuals in future generations.¹⁹ Despite this fact, the legal system in America has unwittingly aided in the breakdown of the family.²⁰ The welfare system attempts to bridge expense gaps created by family fragmentation.²¹ The process of family breakdown, however, is fueled by a subtle devaluing of the family unit, particularly as less significant than individual rights, as evidenced by the high numbers of unwed cohabitants, unwed childbearing, and divorce rates.²² Expansion

We offer, however, that while the family may be a socio-legal construct useful for family law, it is more ontological in nature by Supreme design. See Lynne Marie Kohm, *Response: Reply to Arthur S. Leonard*, in MARRIAGE AND SAME-SEX UNIONS: A DEBATE 78, 80 (Lynn D. Wardle et al. eds., 2003); Lynne Marie Kohm, *Essay Two: Marriage by Design*, in MARRIAGE AND SAME-SEX UNIONS: A DEBATE, *supra*, at 81.

¹⁹ An anthropological perspective views a family relationship as one of “*enduring, diffuse solidarity*.” DAVID M. SCHNEIDER, AMERICAN KINSHIP: A CULTURAL ACCOUNT 52 (2d ed. 1980).

Solidarity because the relationship is supportive, helpful, and cooperative; it rests on trust and the other can be trusted. *Diffuse* because it is not narrowly confined to a specific goal or a specific kind of behavior. Two athletes may cooperate and support each other for the duration of the game and for the purpose of winning the game, but be indifferent to each other otherwise. Two members of the family cannot be indifferent to one another, and since their cooperation does not have a specific goal or a specific limited time in mind, it is *enduring*.

Id.

²⁰ See, e.g., Bruce C. Hafen, *Individualism and Autonomy in Family Law: The Waning of Belonging*, 1991 BYU L. REV. 1, 7–30 (discussing the constitutionally developed concept of autonomy and the decline of family interests toward a favoring of contractual relationships in family law). See generally JUNE CARBONE, FROM PARTNERS TO PARENTS: THE SECOND REVOLUTION IN FAMILY LAW, at xiii, xv (2000) (mentioning the participation of family law in marriage breakdown). “Today, courts and legislatures have largely abolished the definitions of parenthood that depend on marriage, and the law—together with the rest of society—is struggling, one piece at a time, to rebuild the idea of obligation to children.” *Id.* at xiii.

The United States is apparently not alone in experiencing breakdown through domestic relations law. See, e.g., SOC. POLICY JUSTICE GRP., THE STATE OF THE NATION REPORT: FRACTURED FAMILIES 10–13 (2006), available at http://www.centreforsocialjustice.org.uk/client/downloads/BB_family_breakdown.pdf (discussing family breakdown in the UK and suggesting the government do more to strengthen families).

²¹ Those expense gaps include lost support from an absent spouse or parent. See MCLANAHAN & SANDEFUR, *supra* note 11, at 23–26 (explaining the lack of economic resources in single-parent families).

²² See Helen M. Alvaré, *Saying “Yes” Before Saying “I Do”: Premarital Sex and Cohabitation as a Piece of the Divorce Puzzle*, 18 NOTRE DAME J.L. ETHICS & PUB. POL’Y 7, 9 (2004) (discussing the connections among divorce, cohabitation, and premarital sex as well as the growing belief that sexual choices are inherently private). Professor Dolgin also notes that alternative family constructs are based in individual liberty: “[S]ociety and the law invoke certain aspects of the ideology of traditional families in some contexts, but not in others. Other aspects are forgotten almost completely in deference to the contemporary obsession in the United States with the preservation of liberty and choice.” Dolgin, *supra* note 18, at 525.

of individual rights has, therefore, resulted in an increased demand for “state interference”²³ and an increased reliance on state funds.²⁴

Designed by the federal government, many of these support programs meant to stand in the gap for fragmented families are implemented by the states via federal mandate²⁵ and have become a regular part of states’ budgets. As will be seen in Part IV, taxpayer costs are driven by increases in poverty from family fragmentation, the “most widely accepted and best quantified consequence of divorce and unmarried childbearing.”²⁶ These programs result in an increase of expenditures at all levels—local, state, and federal—and present direct costs to taxpayers. “In fiscal year 2011, total federal expenditures on [the Supplemental Nutrition Assistance Program]—\$78 billion—and participation in the program . . . were the highest they have ever been. In an average month that year, nearly 45 million people (or one in seven U.S. residents) received SNAP benefits.”²⁷ This is just one of the programs considered as a cost of family fragmentation.

In addition to the Supplemental Nutrition Assistance Program (“SNAP”) (previously known as “food stamps”),²⁸ taxpayer-funded programs designated as indicators of family fragmentation, as discussed

²³ KOHM, *supra* note 6, at 28.

²⁴ As already discussed, individualism has contributed toward undermining the family. See *supra* note 6 and accompanying text. Of course, this creates demand for state funds. See *infra* Part IV.

²⁵ For an explanatory examination of how federal Temporary Assistance for Needy Families (“TANF”) benefits work with state implementation, see GINA ADAMS ET AL., CHILD CARE SUBSIDIES FOR TANF FAMILIES: THE NEXUS OF SYSTEMS AND POLICIES, at vii, 59–68 (2006), available at http://www.urban.org/UploadedPDF/311305_nexus.pdf.

²⁶ SCAFIDI, *supra* note 4, at 13 (“It is important to recognize that if family fragmentation has additional negative effects on child and adult well-being that operate independently of income—and if these effects increase the numbers of children or adults who need and are served by taxpayer-funded social programs—then our methodology will significantly *underestimate* taxpayer costs.”). For further discussion of costs associated with government programs, see *id.* at 13–16.

²⁷ CONG. BUDGET OFFICE, *supra* note 1, at 1. States typically implement SNAP through the use of Electronic Benefit Transfers or EBT cards, disseminating the benefits electronically; beneficiaries can often make cash ATM withdrawals using these cards. U.S. GOV’T ACCOUNTABILITY OFFICE, GAO-12-535, TANF ELECTRONIC BENEFIT CARDS: SOME STATES ARE RESTRICTING CERTAIN TANF TRANSACTIONS, BUT CHALLENGES REMAIN 1 (2012). Due to reports that individuals were using EBT benefits at liquor stores, adult businesses, or casinos, the federal government and some states have acted to reduce the possibility of abuse. *Id.* at 1–2. In addition, some food stamp recipients unlawfully sell their cards and then request replacements, causing the government to incur even more costs. Sam Hananel, *USDA Cracking Down on Food Stamp Fraud*, WASH. POST, May 29, 2012, at A9.

²⁸ CONG. BUDGET OFFICE, *supra* note 1, at 1.

below, include Temporary Assistance for Needy Families (“TANF”);²⁹ Housing Assistance;³⁰ Low Income Home Energy Assistance Program;³¹ Medicaid;³² Women, Infants, and Children assistance (“WIC”);³³ Children’s Health Insurance Program (“CHIP”);³⁴ Child Welfare programs;³⁵ Head Start;³⁶ School Lunch and Breakfast Programs;³⁷ and the Justice System.³⁸

²⁹ See generally OFFICE OF FAMILY ASSISTANCE, U.S. DEP’T OF HEALTH & HUMAN SERVS., OFFICE OF FAMILY ASSISTANCE (OFA) (2009).

³⁰ See generally U.S. DEP’T OF HOUS. & URBAN DEV., HUD STRATEGIC PLAN: FY 2010–2015 (2010).

³¹ See generally DIV. OF ENERGY ASSISTANCE, U.S. DEP’T OF HEALTH & HUMAN SERVS., LIHEAP HOME ENERGY NOTEBOOK FOR FISCAL YEAR 2009 (2011).

³² See W. Bradford Wilcox, *Suffer the Little Children: Marriage, the Poor, and the Commonweal*, in THE MEANING OF MARRIAGE: FAMILY, STATE, MARKET, AND MORALS 242, 252 (Robert P. George & Jean Bethke Elshtain eds., 2006) (observing that estimates of welfare spending would be significantly larger if they included “the costs of family breakdown for medicaid, housing, family courts, and the criminal justice system”). The recent Supreme Court decision regarding the Patient Protection and Affordable Care Act of 2010 has left states with the option of choosing whether to opt into the Medicaid expansion program. Nat’l Fed’n of Indep. Bus. v. Sebelius, 132 S. Ct. 2566, 2608 (plurality opinion) (Roberts, C.J., op.); see *id.* at 2666–67 (Scalia, Kennedy, Thomas, and Alito, JJ., dissenting). Medicaid expansion would be paid by the federal government for the first several years. *Id.* at 2601 (Roberts, C.J., op.). With such an expansion, it could cost states more when the number of people receiving Medicaid benefits greatly increases. In response, several states are weighing their options and have indicated they will not be opting into the program. Robert Pear & Michael Cooper, *Reluctance in Some States over Medicaid Expansion*, N.Y. TIMES, June 30, 2012, at A1.

³³ See generally WIC, U.S. DEP’T OF AGRIC., NUTRITION PROGRAM FACTS (2011), available at <http://www.fns.usda.gov/wic/WIC-Fact-Sheet.pdf>.

³⁴ See generally JENNIFER RYAN, NAT’L HEALTH POLICY FORUM, THE CHILDREN’S HEALTH INSURANCE PROGRAM (CHIP): THE FUNDAMENTALS (2009), available at http://www.nhpf.org/library/background-papers/BP68_CHIPFundamentals_04-23-09.pdf. CHIP was previously known as SCHIP, the State Children’s Health Insurance Program. *Id.* at 3.

³⁵ For an overview of spending on child welfare programs, see generally CYNTHIA ANDREWS SCARCELLA ET AL., THE URBAN INST., THE COST OF PROTECTING VULNERABLE CHILDREN V: UNDERSTANDING STATE VARIATION IN CHILD WELFARE FINANCING (2006).

³⁶ For a study evaluating the impact of Head Start, see generally ADMIN. FOR CHILDREN & FAMILIES, U.S. DEP’T OF HEALTH & HUMAN SERVS., HEAD START IMPACT STUDY: FINAL REPORT: EXECUTIVE SUMMARY (2010).

³⁷ For information on federal school breakfast and lunch programs, see generally FOOD & NUTRITION SERV., U.S. DEP’T OF AGRIC., THE SCHOOL BREAKFAST PROGRAM (2011), available at <http://www.fns.usda.gov/cnd/breakfast/AboutBFast/SBPFactSheet.pdf>; FOOD & NUTRITION SERV., U.S. DEP’T OF AGRIC., NATIONAL SCHOOL LUNCH PROGRAM (2012), available at <http://www.fns.usda.gov/cnd/Lunch/AboutLunch/NSLPFactSheet.pdf>.

³⁸ See SCAFIDI, *supra* note 4, at 12–13. Scafidi did not feel comfortable including other costs of family fragmentation “such [as] the Earned Income Tax Credit, remedial school programs, and special education programs” because reasonable estimates of costs were not possible based on available literature. *Id.* at 41 n.26.

Specifically regarding the justice system, one report “infer[s] that the annual incidence of crime attributable to poverty is . . . 20 percent.” HARRY J. HOLZER ET AL., THE

In considering the cost fluctuations of family fragmentation, we chose to focus on three main programs. Table A includes TANF costs by state over the past five years, Table B details SNAP costs, and Table C details WIC costs. Each program has unique requirements and objectives in providing resources for fragmented families.

TANF was created by the 1996 welfare-reform legislation.³⁹ Intended to replace previous welfare plans known as the Job Opportunities and Basic Skills Training program, the Aid to Families with Dependent Children program, and the Emergency Assistance program, TANF is a federal block grant to states, territories, and Native American tribes.⁴⁰ TANF has four purposes: (1) “assisting needy families so that children can be cared for in their own homes”; (2) “reducing the dependency of needy parents by promoting job preparation, work and marriage”; (3) “preventing out-of-wedlock pregnancies”; and (4) “encouraging the formation and maintenance of two-parent families.”⁴¹ Effectuating these four main goals through various means, TANF also has a work requirement such that recipients of TANF funds “must work as soon as they are job-ready or no later than two years after coming on assistance.”⁴² With a general five-year maximum benefit period for participants, TANF also requires states to have programs such as on-the-job training, assistance in job searching and job preparedness, community-service opportunities, vocational training, or even child-care services for community-service participants.⁴³

SNAP, formerly known as the “Food Stamps Act,” is run by the Department of Agriculture and has existed in some form since May 16, 1939.⁴⁴ The program has adapted throughout its lifespan to meet the nation’s changing demands, but providing assistance to needy people

ECONOMIC COSTS OF POVERTY IN THE UNITED STATES: SUBSEQUENT EFFECTS OF CHILDREN GROWING UP POOR 13 (2007), *available at* http://www.americanprogress.org/issues/2007/01/pdf/poverty_report.pdf.

³⁹ OFFICE OF FAMILY ASSISTANCE, *supra* note 29, at 1.

⁴⁰ *Id.*

⁴¹ *Id.* at 1–2.

⁴² *Id.* at 2 (describing work requirements of thirty hours a week for a single parent, twenty hours a week for a single parent with a child under the age of six, thirty-five hours a week for a two-parent household, and fifty-five hours a week for a two-parent household that receives Federal child care assistance).

⁴³ *Id.* at 2–3.

⁴⁴ FOOD & NUTRITION SERV., U.S. DEP’T OF AGRIC., SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP): COMMUNITY PARTNER OUTREACH TOOLKIT 10 (2011) [hereinafter SNAP], *available at* http://www.fns.usda.gov/snap/outreach/pdfs/toolkit/2011/Community/toolkit_complete.pdf; U.S. DEP’T OF AGRIC., FROM FOOD STAMPS TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM: LEGISLATIVE TIMELINE 1 [hereinafter LEGISLATIVE TIMELINE], *available at* <http://www.fns.usda.gov/snap/rules/Legislation/timeline.pdf>.

and families has remained SNAP's primary goal.⁴⁵ For example, the Farm Bill of 2008 renewed commitment of federal funds to food assistance with a \$10 billion increase over the next ten years⁴⁶ and changed the name of the program from the "Food Stamp Act" to the "Supplemental Nutrition Assistance Program" to decrease what Congress felt was an increasing stigmatization of recipients.⁴⁷ "[N]early 45 million people (or one in seven U.S. residents) received SNAP benefits" in 2011 for a national cost of \$78 billion.⁴⁸

WIC was established as a pilot program in 1972 and made permanent in 1975.⁴⁹ WIC's mission is "to safeguard the health of low-income women, infants, and children up to age 5 who are at nutritional risk, by providing nutritious foods to supplement diets, nutrition education, and referrals to health care and other social services."⁵⁰ WIC is offered to a subsection of SNAP recipients, including low-income pregnant, breastfeeding, and non-breastfeeding postpartum women who need additional assistance in the form of food, healthcare referrals, and nutrition education.⁵¹

The 2008 Report included several other indicators of family fragmentation.⁵² Although very valuable, such indicators are not included here purely to simplify the understanding of three of the most basic and substantial state costs of family fragmentation.⁵³ Reviewing the initiatives becomes the next focus.

II. AN OVERVIEW OF THE INITIATIVES

Several private entities have taken the lead in studying the problem of family fragmentation.⁵⁴ Through research, analysis, and education,

⁴⁵ See SNAP, *supra* note 44, at 13; see generally LEGISLATIVE TIMELINE, *supra* note 44.

⁴⁶ RENÉE JOHNSON & JIM MONKE, CONG. RESEARCH SERV., RS22131, WHAT IS THE "FARM BILL"? 1–2, 4 (2011).

⁴⁷ See SNAP, *supra* note 44, at 1–2.

⁴⁸ See CONG. BUDGET OFFICE, *supra* note 1, at 1. SNAP has also become fairly accessible, has grown dramatically over the past four years, and is expected to see substantial growth into 2014. *Id.* at 1, 5.

⁴⁹ VICTOR OLIVEIRA ET AL., U.S. DEP'T OF AGRIC., THE WIC PROGRAM: BACKGROUND TRENDS, AND ISSUES, at iii (Sept. 2002) [hereinafter WIC], available at http://www.ers.usda.gov/media/327957/fanrr27_1_.pdf.

⁵⁰ *Id.* at 1.

⁵¹ *Id.* at 2–4.

⁵² See SCAFIDI, *supra* note 4.

⁵³ Those areas offer a significant field of research for state social scientists to explore cost effects.

⁵⁴ The Institute for American Values is one of the foremost national organizations active in family public policy. *The Marriage Index* reports and tracks marital stability in the United States. See INST. FOR AM. VALUES AND NAT'L CTR. ON AFRICAN AM. MARRIAGES & PARENTING, THE MARRIAGE INDEX: A PROPOSAL TO ESTABLISH LEADING MARRIAGE

these private actors influence and shape state public policy.⁵⁵ Some government agencies have noted the value of grass-root efforts advocating family-strengthening public policy and proposing ways to curb family fragmentation.⁵⁶ As shown in Part III, a few initiatives have led the way.

Federally-funded family programs are administered by the Department of Health and Human Services (“HHS”) through the Administration for Children and Families (“ACF”).⁵⁷ The federal Healthy Marriage Initiative (“HMI”) is featured in the quest to make family strengthening a federal priority.⁵⁸ National programs offer resources across the United States through the National Healthy Marriages Resource Center.⁵⁹ A specific example of one of these national programs is the HMI for African–American families by which the federal government recognized the need for minority-family support and provided initiatives focused on strengthening families.⁶⁰

INDICATORS (2009), *available at* http://www.nationalmarriageweekusa.org/images/research/IAV_Marriage_Index_09_25_09.pdf. Offshoots from the work of the Institute for American Values are numerous and include efforts like the National Marriage Week. *See* SHEILA WEBER, NAT’L MARRIAGE WEEK, FEBRUARY 7–14 NATIONAL MARRIAGE WEEK USA: LET’S STRENGTHEN MARRIAGE, *available at* http://app.razorplanet.com/acct/42355-8789/resources/2012_Marriage_Week.pdf.

The National Marriage Project at the University of Virginia in conjunction with the Institute for American Values has put out an annual report that details what is happening with marriage aspects of family fragmentation. *See* THE STATE OF OUR UNIONS: WHEN BABY MAKES THREE: HOW PARENTHOOD MAKES LIFE MEANINGFUL AND HOW MARRIAGE MAKES PARENTHOOD BEARABLE, at iii (W. Bradford Wilcox ed. 2011), *available at* <http://www.stateofourunions.org/2011/SOOU2011.pdf>; THE STATE OF OUR UNIONS: WHEN MARRIAGE DISAPPEARS: THE NEW MIDDLE AMERICA, at iii–iv (W. Bradford Wilcox et al. eds., 2010), *available at* <http://stateofourunions.org/2010/SOOU2010.pdf>.

⁵⁵ The Family Research Council is one of the most active private family policy groups with organizations in a vast majority of states. *See* FAMILY RESEARCH COUNCIL, 25 PRO-FAMILY POLICY GOALS FOR THE NATION, at Introduction (2008), *available at* <http://downloads.frc.org/EF/EF08H78.pdf>. The Family Foundation of Virginia has been very active in legislation relating to families and their strength or instability. *See About The Family Foundation of Virginia*, THE FAMILY FOUND. VA., <http://familyfoundation.org/about/> (last visited Oct. 18, 2012).

⁵⁶ *See infra* Part III.

⁵⁷ *See* ADMIN. FOR CHILDREN & FAMILIES, DEP’T OF HEALTH & HUMAN SERVS., JUSTIFICATION OF ESTIMATES FOR APPROPRIATIONS COMMITTEES 1 (2012).

⁵⁸ *See* THEODORA OOMS, CTR. FOR LAW & SOC. POLICY, ADAPTING HEALTHY MARRIAGE PROGRAMS FOR DISADVANTAGED AND CULTURALLY DIVERSE POPULATIONS: WHAT ARE THE ISSUES? 1 (2007), *available at* http://www.clasp.org/admin/site/publications_archive/files/0211.pdf.

⁵⁹ *See* NAT’L HEALTHY MARRIAGE RES. CTR., DEP’T OF HEALTH & HUMAN SERVS., HEALTHY MARRIAGE AND RELATIONSHIP PROGRAMS: PROMISING PRACTICES GUIDE 1 (2009).

⁶⁰ “The [African American Healthy Marriage Initiative (‘AAHMI’)] is a component of the ACF Healthy Marriage Initiative and more specifically promotes a culturally competent strategy for fostering healthy marriage and responsible fatherhood, improving child well-being, and strengthening families within the African American Community.”

From HMIs to Responsible Fatherhood Initiatives, ACF has worked to provide a framework for public education and public support.⁶¹ Various grants have provided the support necessary to develop Fatherhood Initiatives across the country.⁶² Fatherhood programs have existed since the late 1980s,⁶³ and there have been significant studies to evaluate the effect of these and other programs.⁶⁴ One study in particular found positive associations between marital stability and strong fathering.⁶⁵ The National Responsible Fatherhood Clearinghouse, established by the HHS, has launched several state affiliates.⁶⁶ Other private national initiatives have been influential in public policy debates surrounding family strengthening, foremost among which has been the National Fatherhood Initiative, a community resource designed to support fatherhood for the betterment of children's lives.⁶⁷ Using facts, statistics, and research to show the effect of father absence in the lives of children, the National Fatherhood Initiative has called absent fatherhood the "most consequential social problem of our time."⁶⁸ While

What Is the African American Healthy Marriage Initiative (AAHMI)?, ADMIN. FOR CHILD. & FAMILIES., http://www.acf.hhs.gov/healthymarriage/aa_hmi/AAHMI.html (last visited Sept. 7, 2012); see also AFRICAN AM. HEALTHY MARRIAGE INITIATIVE, FRAMING THE FUTURE: A FATHERHOOD AND HEALTHY MARRIAGE FORUM 3–5 (2005) [hereinafter AAHMI].

⁶¹ See ALAN J. HAWKINS & THEODORA OOMS, NAT'L HEALTHY MARRIAGE RES. CTR., WHAT WORKS IN MARRIAGE AND RELATIONSHIP EDUCATION? A REVIEW OF LESSONS LEARNED WITH A FOCUS ON LOW-INCOME COUPLES 2, 4–5, 8 (n.d.).

⁶² See MARGUERITE ROULET, FATHERHOOD PROGRAMS AND HEALTHY MARRIAGE FUNDING 7–8 (2009), available at http://www.cffpp.org/publications/policy_marriage.pdf.

⁶³ *Id.* at 7.

⁶⁴ See, e.g., Alan J. Hawkins et al., *Increasing Fathers' Involvement in Child Care with a Couple-Focused Intervention During the Transition to Parenthood*, 57 FAM. REL. 49, 49–50, 58 (2008) (discussing research on fatherhood intervention). But see Erin K. Holmes et al., *Meta-analysis of the Effectiveness of Resident Fathering Programs: Are Family Life Educators Interested in Fathers?*, 59 FAM. REL. 240, 240, 249 (2010) (finding the need for more father-education research because such approaches afford reason for optimism).

⁶⁵ Kay Bradford & Alan J. Hawkins, *Learning Competent Fathering: A Longitudinal Analysis of Marital Intimacy and Fathering*, 4 FATHERING 215, 215 (2006) (finding associations between competent fathering and marital intimacy and commitment).

⁶⁶ JUSTPARTNERS, INC., 40+ TOP FATHERHOOD RESOURCES (2011), available at <http://www.aecf.org/~media/Pubs/Topics/Special%20Interest%20Areas/Responsible%20Fatherhood%20and%20Marriage/40TopResources/40TopResourcesFINAL5%2011%2011.pdf>; *Connect with Programs*, NAT'L RESPONSIBLE FATHERHOOD CLEARINGHOUSE, <http://www.fatherhood.gov/for-dads/connect-with-programs> (last visited Oct. 18, 2012).

⁶⁷ JUSTPARTNERS, *supra* note 66 ("National Fatherhood Initiative . . . works in every sector and at every level of society to engage fathers in the lives of their children.").

⁶⁸ *For the Media*, NAT'L FATHERHOOD INITIATIVE, <http://www.fatherhood.org/media> (last visited Oct. 18, 2012).

Children who live absent their biological fathers are, on average, at least two to three times more likely to be poor, to use drugs, to experience educational, health, emotional and behavioral problems, to be victims of child

research programs reveal the financial impact of absentee fathers,⁶⁹ individual programs fight for specific goals, such as the rehabilitation of incarcerated fathers.⁷⁰ The National Center for Fathering, a private resource, research, and educational organization based in Kansas City, Missouri, has established programs around the country that promote responsible fatherhood.⁷¹ The Family Strengthening Policy Center, funded by the Annie E. Casey Foundation, is another private national initiative focusing on child welfare.⁷² In addition, independent private actors influence new approaches for social and economic stability for families.⁷³

Research and policy-relevant studies for family strength are underway,⁷⁴ followed by requests for more inquiry and analysis. “The association between marriage and well-being has led to policies that promote marital interventions and discourage divorce,” including “federal initiatives specifically targeting poor couples and couples of color.”⁷⁵ Informative and instructive research is still needed in the quest

abuse, and to engage in criminal behavior than their peers who live with their married, biological (or adoptive) parents.

NAT'L FATHERHOOD INITIATIVE, A RAPID ETHNOGRAPHIC ASSESSMENT OF PROGRAMS AND SERVICES (REAPS) FOR FATHERS IN STARK COUNTY, OHIO 1 (2011), *available at* <http://www.fatherhood.ohio.gov/LinkClick.aspx?fileticket=FgFU5LwqUBM%3D&tabid=93>.

⁶⁹ See, e.g., STEVEN L. NOCK & CHRISTOPHER J. EINOLF, NAT'L FATHERHOOD INITIATIVE, THE ONE HUNDRED BILLION DOLLAR MAN: THE ANNUAL PUBLIC COSTS OF FATHER ABSENCE 13 (2008), *available at* <http://www.fatherhood.org/Document.Doc?id=136> (reporting that federal services to fatherless households cost taxpayers \$99.8 billion per year).

⁷⁰ See, e.g., RUTGERS UNIV., ASSESSING THE IMPACT OF INSIDEOUT DAD™ ON NEWARK COMMUNITY EDUCATION CENTERS (CEC) RESIDENTIAL REENTRY CENTER RESIDENTS: EXECUTIVE SUMMARY 2 (2011), *available at* <http://www.fatherhood.org/document.doc?id=296>.

⁷¹ FATHERS.COM, NATIONAL CENTER FOR FATHERING, *available at* http://fathers.com/documents/pressroom/National_Center_for_Fathering_Overview.pdf.

⁷² NAT'L HUMAN SERVS. ASSEMBLY, FAMILY STRENGTHENING POLICY CTR., INTRODUCTION TO FAMILY STRENGTHENING 1–2 (2004), *available at* <http://www.aecf.org/upload/publicationfiles/ec3655k740.pdf>.

⁷³ For example, the Family Independence Initiative (“FII”) uses qualities of self-determination, mutuality, and choice in their private family-strengthening initiative. ANNE STUHLREHER & ROURKE O'BRIEN, THE FAMILY INDEPENDENCE INITIATIVE: A NEW APPROACH TO HELP FAMILIES EXIT POVERTY 1, 5 (2011), *available at* <http://www.fiinet.org/writable/resources/documents/newamericafiipaper-1.pdf>; see also programs discussion *infra* Part III, California.

⁷⁴ See, e.g., UNIVERSITY-BASED CHILD & FAMILY POLICY CONSORTIUM, <http://childpolicyuniversityconsortium.com> (last visited Oct. 18, 2012) (providing a forum designed to foster social, behavioral, and health research toward effective child and family policy engagement).

⁷⁵ Matthew D. Johnson, *Healthy Marriage Initiatives: On the Need for Empiricism in Policy Implementation*, 67 AM. PSYCHOLOGIST 296, 296 (2012) (detailing concerns with past initiatives that have largely focused on empirical evidence from white middle-class

to understand how family fragmentation affects future national strength. A review of various state initiatives and basic costs of family fragmentation is informative and allows government officials to evaluate past successes and determine a state's future direction.

III. STATE BY STATE

States have created their own programs in an effort to address the issue of increasing fragmentation of households and the documented rising costs to taxpayers incurred as a result. This Part gives an overview of legislation and public policy initiatives in each state that are directly dedicated to addressing the issue of family fragmentation. This research is not meant to be an exhaustive list of all programs in each state. Rather, this information is offered as a picture of state activity addressing marriage strength, divorce reduction, and needs of father-absent households in efforts to tackle family-fragmentation concerns. Using the same coefficient as the 2008 Report's research presupposing that family fragmentation is responsible for 31.7% of the costs expended,⁷⁶ we calculate the overall cost of family fragmentation for each state for the three categories of TANF, SNAP, and WIC for the past five years.⁷⁷

families and recommending ways to "enhance the effectiveness" of initiatives for poor and minority couples); *see generally* AAHMI, *supra* note 60, at 2, 4 (recognizing efforts made by ACF, as part of the HHS, to work with AAHMI).

⁷⁶ SCAFIDI, *supra* note 4, at 14.

[T]he proportion of poverty that can be attributed to family fragmentation is equal to the proportion of expenditures on a variety of government programs that are caused by family fragmentation. . . . [I]f marriage would lift 60 percent of single-mother households out of poverty, then the total number of persons in poverty would decline by 31.7 percent and the total number of children in poverty would decline by 36.1 percent. By virtue of [this assumption], marriage would reduce the costs of some government programs by 31.7 percent and the costs of government programs that are exclusively for children by 36.1 percent. Put another way, this assumption suggests that family fragmentation is responsible for 31.7 percent of the costs of government antipoverty programs and is responsible for 36.1 percent of the costs of government programs that are exclusively for children.

Id. (footnotes omitted). The 2008 Report also notes that this "crucial assumption seems cautious not only because single-parent households have higher rates of poverty and other negative outcomes but also because, at the same income level, single-parent households are much more likely than married households to make use of government benefits." *Id.* As the 2008 Report clarifies, these costs are conservative and more likely are lower than actual costs. *Id.* We use the 31.7% coefficient because our statistics are tracking anti-poverty programs.

⁷⁷ In other words, we have calculated the costs by state and then multiplied that total by 31.7% to get a closer (but very conservative) measure of the costs that family fragmentation is responsible for in each state. *See infra* Table D.

Alabama

Alabama has a marriage and family initiative known as the “Alabama Healthy Marriage and Relationship Education Initiative.”⁷⁸ The initiative, formerly known as the “Alabama Community Healthy Marriage Initiative,”⁷⁹ was started in 2002 due to Alabama’s “persistent history of high levels of marital and family instability.”⁸⁰ The initiative has been funded by several grants from the HHS Office of Family Assistance and is “a partnership between Auburn University, Family Resource Centers, Mental Health Centers, and many other agencies and individuals at the [s]tate and [l]ocal levels who have joined together to build and sustain healthy relationships and stable marriages throughout Alabama.”⁸¹ The research arm of Auburn University has been integral in addressing state concerns⁸² and operates in conjunction with national research scholars focusing on marriage and relationship education.⁸³ In 2004, the Governor’s Task Force to Strengthen Alabama Families was created through a grant from the Annie E. Casey Foundation to “redesign and strengthen” health and human services.⁸⁴ That task force recommended “the creation of family service centers in every Alabama county” for ease of resource distribution.⁸⁵ “Six state agencies in these counties are using an automated common benefits and services screening tool to create a one-stop entry point for services regardless of which

⁷⁸ *The Initiative*, ALA. HEALTHY MARRIAGE & RELATIONSHIP EDUC. INITIATIVE, <http://www.alabamamarriage.org/initiative.php> (last visited Oct. 18, 2012).

⁷⁹ *Id.*

⁸⁰ ALA. CMTY. HEALTHY MARRIAGE INITIATIVE, LET’S GET REAL: HEALTHY TEENS, HEALTHY FAMILIES, AND RESPONSIBLE FATHERHOOD REGIONAL SUMMIT (2010), *available at* <http://alabamamarriage.org/2010summit/2010program.pdf>.

⁸¹ *The Initiative*, *supra* note 78. Its objectives have been to invest in curricula to target at-risk populations for training in building healthy relationships for strong marriages and strong families. Amy Weaver, *Auburn’s College of Human Sciences Receives \$7.5 Million Grant to Continue Alabama Healthy Marriage and Relationship Education Initiative*, AUBURN UNIV. (Oct. 12, 2011, 9:27 AM), <http://wireagle.auburn.edu/news/3919>.

⁸² Auburn was awarded a three-year \$7.5 million grant in 2011 to continue the Healthy Marriage and Relationship Education Initiative, which follows a 2006 grant for \$9.2 million, with an additional \$1 million grant, all from the HHS. Weaver, *supra* note 81.

⁸³ *The Science Behind Healthy Marriage*, ALA. HEALTHY MARRIAGE & RELATIONSHIP EDUC. INITIATIVE, <http://www.alabamamarriage.org/research.php> (last visited Oct. 18, 2012).

⁸⁴ NAT’L HUMAN SERVS. ASSEMBLY, FAMILY STRENGTHENING POLICY CTR., STATE AND LOCAL GOVERNMENT FAMILY STRENGTHENING INITIATIVES 1 (2006), *available at* <http://www.nationalassembly.org/fspc/documents/PolicyBriefs/Brief16.pdf>. The focus of this report was to summarize government support for families in their quest for financial stability, concluding that “[l]ow-income families face many barriers to accessing government programs that can help lift them out of poverty.” *Id.* at 7.

⁸⁵ *Id.* at 1–2.

agency a family first contacts.”⁸⁶ Alabama has also made efforts to strengthen African–American families.⁸⁷ The Alabama Legislature has made some proposals to strengthen families by putting forward legislation toward these ends. For example, one resolution proposed recognition of a “National Marriage Week”⁸⁸ while another bill proposed the creation of covenant marriage in the state.⁸⁹ Additionally, the Alabama Policy Institute studies and publishes reports to strengthen families.⁹⁰ Since 2007, Alabama had a 21% increase in TANF expenditures,⁹¹ households had a 148% increase in annual SNAP,⁹² and the state had an 18% increase in food costs for WIC.⁹³ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Alabama is \$1,862,132,119.⁹⁴

⁸⁶ *Id.* at 2.

⁸⁷ See ALA. CMTY. HEALTHY MARRIAGE INITIATIVE, HAPPY, ENDURING AFRICAN AMERICAN MARRIAGES (2010), available at <http://www.alabamamarriage.org/documents/lovenotes/africanamericanmarriages.pdf> (discussing how to deal with family-related stress, and how to see marriage as a source of strength).

⁸⁸ H.R. Res. 75, 2012 Reg. Sess. (Ala. 2012) (recognizing “the sacred bond that enhances personal growth, mutual fulfillment, and family well-being”). This seems to offer more legitimate authority as a “State Marriage Week,” but we did not make the proposal.

⁸⁹ S. 270, 2012 Reg. Sess. (Ala. 2012), available at <http://alisondb.legislature.state.al.us/acas/searchableinstruments/2012rs/bills/sb270.htm>. Although the concept has not created a sustained legislative movement, covenant marriage generally consists of four elements including an oath of lifetime declaration, premarital counseling, pre-divorce counseling, and an extended waiting period for no-fault divorce. Alabama’s proposal includes all of these elements with a two-year waiting period. *Id.* For a comprehensive review of the concept of covenant marriage and related state legislation, see Lynne Marie Kohm, *A Comparative Survey of Covenant Marriage Proposals in the United States*, 12 REGENT U. L. REV. 31 (1999); Samuel Pyeatt Menefee, *The “Sealed Knot”: A Preliminary Bibliography of “Covenant Marriage,”* 12 REGENT U. L. REV. 145 (1999). Other states have considered covenant marriage legislation as well. See James L. Musselman, *What’s Love Got to Do with It? A Proposal for Elevating the Status of Marriage by Narrowing Its Definition, While Universally Extending the Rights and Benefits Enjoyed by Married Couples*, 16 DUKE J. GENDER L. & POL’Y 37 (2009); Daniel W. Olivas, Comment, *Tennessee Considers Adopting the Louisiana Covenant Marriage Act: A Law Waiting to Be Ignored*, 71 TENN. L. REV. 769 (2004). For another view on marriage-strengthening efforts, see James Herbie DiFonzo, *Customized Marriage*, 75 IND. L.J. 875 (2000).

⁹⁰ See *About Us*, ALA. POL’Y INST., www.alabamapolicy.org/about.php (last visited Oct. 18, 2012).

⁹¹ See *infra* Table A.

⁹² See *infra* Table B.

⁹³ See *infra* Table C.

⁹⁴ See *infra* Table D.

Alaska

In 2006, Alaska touted the federal TANF award to assist families,⁹⁵ and it appears the state had some movement to promote a healthy-marriage initiative in 2004 through its Department of Public Assistance.⁹⁶ Also, some efforts for strengthening marriages among Native Americans were put forth in 2008.⁹⁷ Our research, however, did not reveal any other relevant initiatives to report. Since 2007, Alaska had a 23% decrease in TANF expenditures,⁹⁸ households had a 105% increase in annual SNAP costs,⁹⁹ and the state had a 10% increase in food costs for WIC.¹⁰⁰ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Alaska is \$274,886,637.¹⁰¹

Arizona

Arizona adopted covenant-marriage legislation in 1998 in an effort to strengthen marriage.¹⁰² The Center for Arizona Policy advocates implementation of family-strengthening policies.¹⁰³ During the past decade, Arizona has also offered financial-literacy services in Phoenix through its Department of Human Services, mostly designed to educate residents on using their Earned Income Tax Credit refunds to pay off

⁹⁵ See Clay Butcher, *Welfare Reform Reauthorized*, DPAWEB (Feb. 13, 2006, 3:19 PM), <http://dpaweb.hss.state.ak.us/node/373>; see also OFFICE OF THE ASSISTANT SEC'Y FOR PLANNING & EVALUATION, U.S. DEPT OF HEALTH & HUMAN SRVS., CHARACTERISTICS OF AMERICAN INDIANS AND ALASKA NATIVES PARTICIPATING IN TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAMS 1-6 (2009), available at <http://aspe.hhs.gov/hsp/09/AI-NA-TANF/rb.pdf>.

⁹⁶ See Clay Butcher, *My Turn: Healthy Relationships Help Alaska's Children*, DPAWEB (Sept. 9, 2004, 11:18 AM), <http://dpaweb.hss.state.ak.us/node/300>; see also ALASKA DEPT OF HEALTH & SOCIAL SRVS., HEALTHY MARRIAGE INITIATIVE PROJECTS HELP STRENGTHEN MARRIED TWO PARENT FAMILIES (2005), available at <http://www.hss.state.ak.us/press/2005/pdf/pr071205healthymarriagesfactsheet.pdf>.

⁹⁷ *Native American Healthy Marriage Initiative*, U.S. DEPT. OF HEALTH & HUM. SRVS., <http://www.hhs.gov/grantsforecast/cfda/employment/job/acf37.html> (last visited Sept. 1, 2012).

⁹⁸ See *infra* Table A.

⁹⁹ See *infra* Table B.

¹⁰⁰ See *infra* Table C.

¹⁰¹ See *infra* Table D.

¹⁰² ARIZ. REV. STAT. ANN. §§ 25-901 to -906 (2011); see also CTR. FOR ARIZ. POLICY, HOW TO: PROMOTE COVENANT MARRIAGE IN ARIZONA; ARIZ. SUPREME COURT, COVENANT MARRIAGE IN ARIZONA 1, available at <http://www.supreme.state.az.us/dr/pdf/covenant.pdf>.

¹⁰³ CTR. FOR ARIZ. POLICY, MARRIAGE AND FAMILY: WHY MARRIAGE MATTERS (2011), available at http://www.azpolicypages.com/wp-content/uploads/Marriage-Family_WhyMarriageMatters.pdf (“[The center] successfully supported legislation that requires marital status to be considered in adoption placements and establishes a preference for children to be adopted by a married man and woman when all other relevant factors are equal.”).

debt and “potentially move toward economic stability.”¹⁰⁴ Since 2007, Arizona had a 16% increase in TANF expenditures,¹⁰⁵ households had a 155% increase in annual SNAP,¹⁰⁶ and the state had a 27% increase in food costs for WIC.¹⁰⁷ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Arizona is \$2,354,438,823.¹⁰⁸

Arkansas

The National Extension Relationship and Marriage Education Network¹⁰⁹ started the Arkansas Healthy Marriage Initiative.¹¹⁰ Past efforts include the 2006–2008 Marriage and Fatherhood Education for Arkansans project and the 2005–2006 Arkansas Healthy Marriage Study, both through the state’s Cooperative Extension System.¹¹¹ Additionally, the Arkansas Family Council promotes family-strengthening public policies.¹¹² Since 2007, Arkansas had a 12% increase in TANF expenditures,¹¹³ households had a 75% increase in annual SNAP costs,¹¹⁴ and the state had a 32% increase in food costs for WIC.¹¹⁵ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Arkansas is \$1,097,417,263.¹¹⁶

California

The California Healthy Marriage Coalition has achieved significant results in marriage education and family strengthening by providing resources and tools for couples and families and by being awarded with

¹⁰⁴ Heidi Goldberg, *Cities Visit Phoenix to Learn About Financial Education Programs*, NATION’S CITIES WKLY., Oct. 31, 2005, at 4, 4.

¹⁰⁵ See *infra* Table A.

¹⁰⁶ See *infra* Table B.

¹⁰⁷ See *infra* Table C.

¹⁰⁸ See *infra* Table D.

¹⁰⁹ See NAT’L EXTENSION RELATIONSHIP & MARRIAGE EDUC. NETWORK, WHO IS NERMEN?, available at http://www.nermen.org/documents/whoisnermen_web.pdf.

¹¹⁰ See *State Initiatives – Arkansas*, NERMEN, <http://www.nermen.org/StateInitiatives-Arkansas.php> (last updated July 7, 2011) (“Arkansas Cooperative Extension is working with faith, university, and community partners across the state to improve the health of marriages by providing common vision, up to date research, and information on proven marriage resources.”). We were unable to confirm these efforts and results in our research, which may simply mean the program is not well-publicized yet.

¹¹¹ See *id.*

¹¹² *About*, ARK. FAM. COUNCIL, https://familycouncil.org/?page_id=13 (last visited Oct. 18, 2012) (emphasizing, for instance, its success in “secur[ing] passage of a state law that prevents adoptive or foster children from being placed with unmarried couples”).

¹¹³ See *infra* Table A.

¹¹⁴ See *infra* Table B.

¹¹⁵ See *infra* Table C.

¹¹⁶ See *infra* Table D.

large federal grants accordingly.¹¹⁷ Another private program in California is the Family Independence Initiative (“FII”), a group founded by a researcher and adapted for a small group of struggling families.¹¹⁸ “[I]ts approach is radically different from the American social service model. Although it is still quite small—working with a few hundred families—its results are so striking that the White House has taken notice.”¹¹⁹ FII provides “a structure for families that encourages the sense of control, desire for self-determination, and mutual support that have characterized the collective rise out of poverty for countless communities in American history”¹²⁰ in order to strengthen struggling families economically and socially. Similarly, the California Family Council is a private, not-for-profit, family-strengthening policy organization.¹²¹ Since 2007, California had a 13% increase in TANF expenditures,¹²² households had a 152% increase in annual SNAP costs,¹²³ and the state had a 51% increase in food costs for WIC.¹²⁴ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for California is \$13,889,399,807.¹²⁵

Colorado

Colorado participated in a demonstration for Healthy Marriage and Responsible Fatherhood with ACF,¹²⁶ developing a “Partner Up” program.¹²⁷ In 2008, Colorado received federal funding for the Promoting Responsible Fatherhood programs, which have yielded some fairly good results in terms of “increas[ing] father involvement through

¹¹⁷ *Mission & Purpose*, CAL. HEALTHY MARRIAGES COALITION, <http://www.camarriage.com/home/index.ashx?nv=3> (last visited Oct. 18, 2012) (noting a 2006 federal grant of \$2.4 million per year for marriage education).

¹¹⁸ See STUHLREHER & O'BRIEN, *supra* note 73, at 1–3.

¹¹⁹ David Bornstein, *Out of Poverty, Family-Style*, N.Y. TIMES OPINIONATOR (July 14, 2011, 9:15 PM), <http://opinionator.blogs.nytimes.com/2011/07/14/out-of-poverty-family-style/>.

¹²⁰ *Id.*; see also STUHLREHER & O'BRIEN, *supra* note 73, at 1.

¹²¹ *About CFC*, CAL. FAM. COUNCIL, <http://www.californiafamilycouncil.org/about-us> (last visited Oct. 18, 2012) (“Our mission is to protect and promote Judeo-Christian principles in California’s culture for the benefit of its families.”).

¹²² See *infra* Table A.

¹²³ See *infra* Table B.

¹²⁴ See *infra* Table C.

¹²⁵ See *infra* Table D.

¹²⁶ See PAMELA JOSHI ET AL., U.S. DEP’T OF HEALTH & HUMAN SERVS., PILOTING A COMMUNITY APPROACH TO HEALTHY MARRIAGE INITIATIVES IN FIVE SITES: MINNEAPOLIS, MINNESOTA; LEXINGTON, KENTUCKY; NEW ORLEANS, LOUISIANA; ATLANTA, GEORGIA; AND DENVER, COLORADO, at ES-1, ES-6 (2010), available at http://www.acf.hhs.gov/sites/default/files/opre/piloting_five.pdf.

¹²⁷ *Id.* at ES-6.

relationship- and parenting-skills education.”¹²⁸ The Colorado Department of Human Services launched the “Be There for Your Kids” campaign in 2007 to promote healthy parent stability and provide web resources and hotline support.¹²⁹ The private Colorado Family Institute offers public-policy guidance,¹³⁰ and Focus on the Family, a national, privately funded organization located in Colorado Springs, provides “help and resources for couples to build healthy marriages.”¹³¹ Since 2007, Colorado had a 66% increase in TANF expenditures,¹³² households had a 146% increase in annual SNAP costs,¹³³ and the state had a 41% increase in food costs for WIC.¹³⁴ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Colorado is \$1,133,294,089.¹³⁵

Connecticut

Connecticut’s Fatherhood Initiative is part of the national family-strengthening effort promoted by ACF.¹³⁶ Connecticut has also focused on child-support enforcement¹³⁷ and made efforts to lower expenditures for family programs as well as for other social services to women,

¹²⁸ NAT’L RESPONSIBLE FATHERHOOD CLEARINGHOUSE, U.S. DEP’T OF HEALTH & HUMAN SERVS., RESPONSIBLE FATHERHOOD STATE PROFILE: COLORADO 1 (2008), *available at* <http://www.coloradodads.com/UserFiles/File/NFclearinghouse%20colorado%20profile.pdf>; *Colorado Promoting Responsible Fatherhood Initiative Releases Report Revealing Significant Gains in Paternal Involvement in the State*, FRESHINK (June 20, 2011, 2:27 PM) [hereinafter FRESHINK], *available at* <http://www.csfreshink.com/group/oldcoloradocity/forum/topics/colorado-promoting-responsible-178> (noting that the Promoting Responsible Fatherhood Initiative “has helped thousands of fathers in the state be there for their kids”).

¹²⁹ *See* THE LEWIN GRP., COLORADO’S PROMOTING RESPONSIBLE FATHERHOOD COMMUNITY ACCESS GRANT: WINTER 2011 EVALUATION REPORT, at iv, 17–18 (2011), *available at* <http://www.coloradodads.com/UserFiles/File/s%20PRF%20Community%20Access%20Grant%20-%20Winter%202011%20Evaluation%20Report%202.3.11.pdf>.

¹³⁰ *Mission*, COLO. FAM. INST., <http://www.cofamily.org/mission/> (last visited Oct. 18, 2012) (“Our goal is to support families by restoring the foundational values essential for the wellbeing of society.”).

¹³¹ *About Focus on the Family*, FOCUS ON FAM., http://www.focusonthefamily.com/about_us.aspx (last visited Oct. 18, 2012).

¹³² *See infra* Table A.

¹³³ *See infra* Table B.

¹³⁴ *See infra* Table C.

¹³⁵ *See infra* Table D.

¹³⁶ *See* JOHN S. MARTINEZ FATHERHOOD INITIATIVE OF CONN., TEACH LOVE INSPIRE: PROMOTING RESPONSIBLE FATHERHOOD 1 (2011), *available at* http://www.cga.ct.gov/coc/PDFs/fatherhood/2011_fatherhood_directory.pdf; *Promoting Responsible Fatherhood (PRF) Grant*, FATHERHOOD INITIATIVE CONN., <http://www.ct.gov/fatherhood/cwp/view.asp?a=4122&q=481670&fatherhoodNav=|> (last modified June 22, 2011).

¹³⁷ *See* S. 791, Jan. 2011 Sess. (Conn. 2011) (“To establish a network of private employers and other entities to help noncustodial parents meet their child support obligations.”).

children, and families (in addition to other government services delivery).¹³⁸ The private Family Institute of Connecticut encourages implementation of “marriage strengthening projects, educational efforts, and research.”¹³⁹ Our research, however, did not reveal any other relevant initiatives to report. Since 2007, Connecticut had only a 4% increase in TANF expenditures,¹⁴⁰ households had a 156% increase in annual SNAP costs,¹⁴¹ but the state had only a 7% increase in food costs for WIC.¹⁴² The conservative five-year cost of family fragmentation for TANF, SNAP, and WIC for Connecticut is \$1,130,062,178.¹⁴³

Delaware

Delaware has followed the model for building family financial stability by establishing several programs offering financial education to satisfy the work activity requirement for TANF recipients as well as programs promoting economic self-sufficiency by adopting “an economic self-sufficiency standard to calculate what it takes to raise a family without any public support.”¹⁴⁴ Since 2007, Delaware had a 28% increase in TANF expenditures,¹⁴⁵ households had a 175% increase in annual SNAP costs,¹⁴⁶ and the state had a 52% increase in food costs for WIC.¹⁴⁷ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Delaware is \$274,502,219.¹⁴⁸

District of Columbia

Washington, D.C. was the other beneficiary of a 2008 federal grant for the strengthening of families and the father–child relationship.¹⁴⁹ Current research on funding for HMIs has indicated positive outcomes of marriage education, particularly for Washington D.C. residents.¹⁵⁰ The

¹³⁸ See H.R. 5557, 2012 Reg. Sess. (Conn. 2012).

¹³⁹ *About FIC*, FAMILY INST. CONN., <http://www.ctfamily.org/about.html> (last visited Oct. 18, 2012).

¹⁴⁰ See *infra* Table A.

¹⁴¹ See *infra* Table B.

¹⁴² See *infra* Table C.

¹⁴³ See *infra* Table D.

¹⁴⁴ FAMILY STRENGTHENING POLICY CTR., NAT’L HUMAN SERVS. ASSEMBLY, INDIVIDUAL DEVELOPMENT ACCOUNTS: A TOOL FOR ACHIEVING FAMILY ECONOMIC SUCCESS 6 (2005), available at <http://www.nassembly.org/fspc/documents/PolicyBriefs/Brief11.pdf>.

¹⁴⁵ See *infra* Table A.

¹⁴⁶ See *infra* Table B.

¹⁴⁷ See *infra* Table C.

¹⁴⁸ See *infra* Table D.

¹⁴⁹ See FRESHINK *supra* note 128.

¹⁵⁰ Alan J. Hawkins et al., *Are Government-Supported Healthy Marriage Initiatives Affecting Family Demographics? A State-Level Analysis* (May 2012) (unpublished manuscript) (on file with the Regent University Law Review).

private Coalition for Marriage, Family and Couples Education is located in Washington, D.C. and focuses on making marriage education “user-friendly, affordable, and accessible.”¹⁵¹ Since 2007, the District of Columbia had a 45% increase in TANF¹⁵² expenditures, households had a 121% increase in annual SNAP costs,¹⁵³ and the District of Columbia had a 31% increase in food costs for WIC.¹⁵⁴ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for the District of Columbia is \$418,487,815.¹⁵⁵

Florida

In 2003, Florida passed Senate Bill 480 to promote healthy family initiatives throughout the state,¹⁵⁶ but that program was abandoned in 2008 due to budgetary constraints.¹⁵⁷ Notwithstanding such budgetary constraints, help for low- and moderate-income families is available in Hillsborough and Pinellas Counties to offer tax preparation and educational assistance for families to encourage investment in safe housing and to eliminate debt.¹⁵⁸ Similarly, the Florida Family Policy Council advocates family-strengthening public policy.¹⁵⁹ Florida also “mandates relationship education for high-school students with the hope of helping youth set a positive trajectory toward a healthy marriage in the future.”¹⁶⁰ Since 2007, Florida had a 7% increase in TANF

Cumulative per capita funding for HMIs between 2005–2010 was positively associated with small changes in the percentage of married adults in the population and children living with two parents, and it was negatively associated with the percentage of children living with one parent, non-marital births, and children living in poverty.

Id. at 2.

¹⁵¹ See *About the Coalition*, SMART MARRIAGES, http://www.smartmarriages.com/about_cmfce.html (last visited Oct. 18, 2012).

¹⁵² See *infra* Table A.

¹⁵³ See *infra* Table B.

¹⁵⁴ See *infra* Table C.

¹⁵⁵ See *infra* Table D.

¹⁵⁶ FLA. STAT. ANN. § 383.0115 (West 2007) (creating the Commission on Marriage and Family Support Initiatives) (repealed 2011).

¹⁵⁷ OFFICE OF PROGRAM POLICY ANALYSIS & GOV'T ACCOUNTABILITY, THE FLA. LEGISLATURE, THE COMMISSION ON MARRIAGE AND FAMILY SUPPORT INITIATIVES DISBANDED DUE TO STATE BUDGET REDUCTIONS (2009), *available at* <http://www.floridasunsetreviews.gov/UserContent/docs/File/Marriage%20and%20Family%20Support%20Initiatives.pdf>.

¹⁵⁸ NAT'L HUMAN SERVS. ASSEMBLY, *supra* note 84, at 5.

¹⁵⁹ *Who We Are*, FLA. FAM. POL'Y COUNCIL, <http://ffamily.org/who-we-are/> (last visited Oct. 18, 2012) (“Our mission is to strengthen Florida’s families through public policy education, issue research, and grassroots advocacy.”).

¹⁶⁰ Alan J. Hawkins et al., *Recent Government Reforms Related to Marital Formation, Maintenance, and Dissolution in the United States: A Primer and Critical Review*, 8 J. COUPLE & RELATIONSHIP THERAPY 264, 266–67 (2009).

expenditures,¹⁶¹ households had a massive 268% increase in annual SNAP costs,¹⁶² and the state had a 22% increase in food costs for WIC.¹⁶³ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Florida is \$6,094,667,526.¹⁶⁴

Georgia

The Georgia Family Council (“GFC”), a private, not-for-profit organization,¹⁶⁵ led the way in family, marriage, and fatherhood initiatives long before it provided the impetus to the 2008 Report.¹⁶⁶ Before the release of the 2008 Report, the GFC initiated the Georgia Healthy Marriage Initiative, partnering with Georgia’s Department of Human Services to secure state funding for marriage education and to develop strategies for providing fragmented families with services and resources.¹⁶⁷ The GFC took the lead with a host of state agencies involved in the project.¹⁶⁸ Pivotal in this effort was the community of

¹⁶¹ See *infra* Table A.

¹⁶² See *infra* Table B.

¹⁶³ See *infra* Table C.

¹⁶⁴ See *infra* Table D.

¹⁶⁵ See JOSHI ET AL., *supra* note 126, at ES-5.

¹⁶⁶ See, e.g., Randy Hicks, *Mr. President, Please Tell the Whole Story*, GA. FAM. COUNCIL, <http://www.georgiafamily.org/press/column/mr-president-please-tell> (last visited Oct. 18, 2012) (discussing the message of marriage as essential to the message of healthy fatherhood); see also Telephone Interview with Benjamin Scafidi, *supra* note 16.

¹⁶⁷ See JOSHI ET AL., *supra* note 126, at ES-5, 5-3, 5-12. See *id.* at 5-5 fig. 5-1, for a flow chart illustrating the partnership and its objectives.

¹⁶⁸ HHS describes the efforts of GFC:

The Georgia Healthy Marriage Initiative (GAHMI) is a first-time partnership between the Georgia Department of Human Services (DHS), Division of Child Support Services (DCSS), and the Georgia Family Council (GFC), which is based in Atlanta. The GFC is a nonprofit research and education organization that engages in family-focused public policy development and advocacy, disseminates information about marriage and families in the media, and develops community coalitions and organizational capacity focused on healthy marriage and relationship educational services. The GFC leads responsibility for carrying out the project.

The GFC’s approach to the Community Healthy Marriage Initiative (CHMI) program focused on developing a large-scale community saturation effort of healthy marriage and relationship (HMR) services in multiple counties utilizing three core strategies:

- using media outlets and public information campaigns, raise individual and community awareness about family issues, such as the negative consequences of divorce and out-of-wedlock births;
- coordinating and building capacity among local communities to provide HMR educational activities known as the “My Thriving Family” program; and
- building a network of certified HMR trainers.

faith-based participants.¹⁶⁹ In addition, the state court system has implemented policies to help fragmented families. In 2006, the Georgia Supreme Court, then under the leadership of Chief Justice Leah Ward Sears, established the Georgia Supreme Court Commission on Children, Marriage and Family Law, to deal more effectively and comprehensively with broken families in the judicial context.¹⁷⁰ Since 2007, Georgia had a 19% increase in TANF expenditures,¹⁷¹ households had a 157% increase in annual SNAP costs,¹⁷² and the state had a 53% increase in food costs for WIC.¹⁷³ The conservative five-year cost of family fragmentation in TANF, SNAP, and WIC for Georgia is \$4,003,132,943.¹⁷⁴

Hawaii

Established in 2003,¹⁷⁵ Hawaii's Commission on Fatherhood operates without any government funding and provides numerous resources to promote healthy families.¹⁷⁶ The not-for-profit Hawaii Family Forum encourages implementation of family-strengthening public policy.¹⁷⁷ Since 2007, Hawaii held the line on TANF costs with a 0.3% decrease in TANF expenditures,¹⁷⁸ but households had a 164% increase in annual SNAP costs,¹⁷⁹ and the state had an 8% increase in

Reflecting the GFC philosophy that "there is no one-size-fits-all approach" to HMR service delivery, the GAHMI emphasizes tailoring initiatives to reflect community needs.

Id. at 5-1 (footnotes omitted). Atlanta and several surrounding Georgia counties were targeted communities. *Id.* at 5-3.

¹⁶⁹ *Id.* at 5-13 tbl.5-2.

¹⁷⁰ Leah Ward Sears, *The "Marriage Gap": A Case for Strengthening Marriage in the 21st Century*, 82 N.Y.U. L. REV. 1243, 1263 (2007). These types of court-affiliated programs are very likely to produce positive results. *See generally* Tamara A. Fackrell et al., *How Effective are Court-Affiliated Divorcing Parents Education Programs? A Meta-analytical Study*, 49 FAM. CT. REV. 107 (2011) (noting that, given the success of divorcing-parents education programs, "we probably know enough to justify continuing and even increasing support for this recent social policy innovation").

¹⁷¹ *See infra* Table A.

¹⁷² *See infra* Table B.

¹⁷³ *See infra* Table C.

¹⁷⁴ *See infra* Table D.

¹⁷⁵ H.R. 689, 26th Leg. (Haw. 2011).

¹⁷⁶ *See* HAWAII COMMISSION ON FATHERHOOD, <http://hawaii.gov/dhs/fatherhood/> (last visited Sept. 8, 2012).

¹⁷⁷ HAW. FAM. FORUM, <http://www.hawaiifamilyforum.org/> (last visited Oct. 18, 2012) ("Our Mission is to strengthen and defend Hawaii's families . . . by mobilizing Hawaii's Christian churches and people of good will through research, education and communication.").

¹⁷⁸ *See infra* Table A.

¹⁷⁹ *See infra* Table B.

food costs for WIC.¹⁸⁰ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Hawaii is \$649,633,231.¹⁸¹

Idaho

The not-for-profit Cornerstone Family Council in Idaho works “to provide . . . up-to-date resources that target issues affecting the family,”¹⁸² but our research did not reveal any relevant initiatives to report. Since 2007, Idaho had a strong 47% decrease in TANF expenditures,¹⁸³ households, however, had the highest increase in SNAP expenditures at a shocking 277% increase,¹⁸⁴ and the state had a 37% increase in food costs for WIC.¹⁸⁵ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Idaho is \$402,577,760.¹⁸⁶

Illinois

The Illinois legislature made some comprehensive amendments to several state acts for more efficient and economical delivery of social services, particularly to children.¹⁸⁷ The private, not-for-profit Illinois Family Institute “works to reduce the[] factors that threaten family stability and strives to create a political and social environment where families can thrive and prosper.”¹⁸⁸ Similarly, the Illinois Fatherhood Initiative is a private organization “promoting responsible fatherhood.”¹⁸⁹ Since 2007, Illinois had an 11% increase in TANF expenditures,¹⁹⁰ households had a 91% increase in annual SNAP costs,¹⁹¹ and the state had a 27% increase in food costs for WIC.¹⁹² The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Illinois is \$4,804,827,434.¹⁹³

¹⁸⁰ See *infra* Table C.

¹⁸¹ See *infra* Table D.

¹⁸² CORNERSTONE FAM. COUNCIL, <http://www.cfcidaho.org/> (last visited Oct. 18, 2012).

¹⁸³ See *infra* Table A. It is not clear what factors may have worked to bring about this substantial decrease.

¹⁸⁴ See *infra* Table B. These substantial increases may have resulted from TANF decreases, but that connection could not be made for certain from our research.

¹⁸⁵ See *infra* Table C.

¹⁸⁶ See *infra* Table D.

¹⁸⁷ See, e.g., H.R. 5363, 97th Gen. Assemb., Reg. Sess. § 2 (Ill. 2012).

¹⁸⁸ *About*, ILL. FAM. INST., <http://illinoisfamily.org/about/> (last visited Oct. 18, 2012).

¹⁸⁹ *Illinois Fatherhood Initiative*, ILL. DEPT. HUM. SERVS., <http://www.dhs.state.il.us/page.aspx?item=31981> (last visited Oct. 18, 2012).

¹⁹⁰ See *infra* Table A.

¹⁹¹ See *infra* Table B.

¹⁹² See *infra* Table C.

¹⁹³ See *infra* Table D.

Indiana

The Indianapolis Family Strengthening Coalition, funded by the city government, was designed to convene “Family Circles” to facilitate small community discussions on family strength in order to support health, safety, community engagement, and financial security for families.¹⁹⁴ The ACF helped establish a Fatherhood Collaboration Network.¹⁹⁵ The Indiana Family Institute, a private not-for-profit organization,¹⁹⁶ which has led the way on strengthening family policy in Indiana with the *Hoosier Family Fragmentation* report,¹⁹⁷ has been endorsed by the state of Indiana as a “collaborative partner” in administering the state’s federally funded Healthy Marriages program since 2008.¹⁹⁸ Since 2007, Indiana had a 17% decrease in TANF expenditures,¹⁹⁹ households had a 105% increase in annual SNAP costs,²⁰⁰ and the state had a 36% increase in food costs for WIC.²⁰¹ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Indiana is \$2,029,611,213.²⁰²

¹⁹⁴ NAT’L HUMAN SERVS. ASSEMBLY, *supra* note 84, at 6.

¹⁹⁵ See NOTES ON THE FATHERHOOD COLLABORATION NETWORK CALL – JULY 18, 2006, at 3–4 (2006), *available at* <http://www.opnff.net/Files/Admin/Notes%20for%20July%2018%202006%20Collaboration%20Call.pdf>.

¹⁹⁶ See IND. FAMILY INST., INDIANA FAMILY REPORT 12.

¹⁹⁷ IND. FAMILY INST., HOOSIER FAMILY FRAGMENTATION: IMAGINE INDIANA WITH STRONGER FAMILIES AND A STRONGER ECONOMY (2010), *available at* www.hoosierfamily.org/docs/Final-Report-4-30-10.doc. This very thorough task force report is complete with graphs, charts, statistics, findings, collaboration suggestions, state policy recommendations, and recommendations for the Indiana Family Institute to undertake; it was rendered almost in direct response to the 2008 Report and made some pointed suggestions for state government in the face of family fragmentation:

We suggest that because the bureaucracy to-date has compartmentalized social service programs and spending to certain committees, commissions, or departments and fiscal policy issues to others . . . this de-coupling effect has thwarted a complete picture as to the decimation of both families and the budget. We also do not adequately see the impact on families and children when we have allowed issues of political correctness to block discussion of one of the most fundamental reasons these programs are necessary: couples who have children do not marry or stay married. It is a costly denial on not just taxpayer wallets but Hoosier hearts.

Id. at 8. The report proffers that government programs like ACF have operated to further fragmented families. *See id.*

¹⁹⁸ DCS GRANTS, <http://www.in.gov/dcs/2873.htm> (last visited Oct. 18, 2012).

¹⁹⁹ *See infra* Table A.

²⁰⁰ *See infra* Table B.

²⁰¹ *See infra* Table C.

²⁰² *See infra* Table D.

Iowa

The Iowa Family Policy Center, established by the Family Leader,²⁰³ appears to be the only active and relevant initiative in the state and educates in family breakdown.²⁰⁴ The center receives federal funds for its work on marriage in a program called “Marriage Matters.”²⁰⁵ The center also has created the Iowa Family PAC to help elect pro-family state officials.²⁰⁶ Since 2007, Iowa had a 25% increase in TANF expenditures,²⁰⁷ households had a 113% increase in annual SNAP costs,²⁰⁸ and the state had a 19% increase in food costs for WIC.²⁰⁹ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Iowa is \$876,553,765.²¹⁰

Kansas

The Kansas Healthy Marriage Initiative is part of the Kansas Family Strengthening Coalition, a grassroots movement to “better support and improve the adult relationships that children depend on for positive futures.”²¹¹ In 2011, Governor Sam Brownback and executives at the Kansas Department of Social and Rehabilitation Services shared marriage program ideas to strengthen marriage and cut divorce rates,²¹² revealing that Kansas is at the beginning of a road toward family initiatives to decrease family-fragmentation costs.²¹³ Since 2007, Kansas

²⁰³ See *Iowa Family Policy Center (IFPC)*, FAM. LEADER, <http://www.thefamilyleader.com/inside-tfl/ifpc> (last visited Oct. 18, 2012).

²⁰⁴ *Id.*

²⁰⁵ MARRIAGE MATTERS, <http://www.healthy-marriage.com/> (last visited Oct. 18, 2012). The IFPC received over \$3 million in federal funds for its work. *Tracking Accountability in Government Grants System*, DEP’T HEALTH & HUM. SERVS., <http://taggs.hhs.gov/RecipInfo.cfm?SELEIN=LCYqVy0%2FPPF5KQzxWFFaOEsK> (last visited Oct. 18, 2012).

²⁰⁶ See *Iowa Family PAC*, FAM. LEADER, <http://www.thefamilyleader.com/inside-tfl/iowa-family-pac> (last visited Oct. 18, 2012).

²⁰⁷ See *infra* Table A.

²⁰⁸ See *infra* Table B.

²⁰⁹ See *infra* Table C.

²¹⁰ See *infra* Table D.

²¹¹ *About the Coalition*, KAN. FAM. STRENGTHENING COALITION, <http://www.kansasfamilycoalition.org/about-the-coalition> (last visited Oct. 18, 2012).

²¹² Tim Carpenter, *Brownback Program Promotes Marriage*, TOPEKA-CAPITAL J. (July 2, 2011, 5:37 PM), <http://cjonline.com/news/2011-07-02/brownback-program-promotes-marriage>.

²¹³ On July 1, 2012, Kansas reorganized its Department for Social and Rehabilitation Services, renaming it the “Department for Children and Families.” KAN. DEP’T FOR CHILDREN & FAMILIES, DEPARTMENT FOR CHILDREN AND FAMILIES FACT SHEET (2012) (on file with Regent University Law Review); KAN. DEP’T FOR CHILDREN & FAMILIES, DEPARTMENT FOR CHILDREN AND FAMILIES: MISSION (on file with the Regent University Law Review).

had a 46% increase in TANF expenditures,²¹⁴ households had a 135% increase in annual SNAP costs,²¹⁵ and the state had a 31% increase in food costs for WIC.²¹⁶ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Kansas is \$678,390,943.²¹⁷

Kentucky

Kentucky's Bluegrass Healthy Marriage Initiative ("BHMI") "is a . . . partnership between the University of Kentucky's (UK) Department of Family Studies, the Kentucky Cabinet of Health and Family Services' (CHFS) Department of Income Support (DIS) Division of Child Support Enforcement (CSE)," and IDEALS of Kentucky, a nationally known "marriage education provider," and has been heralded as a national model to some extent.²¹⁸ "The BHMI [aims] to improve family stability and child well-being by increasing access to marriage and relationship education, promoting awareness of the importance of healthy marriages and relationships among a coalition of community organizations, and improving child-support outcomes among program participants."²¹⁹ BHMI works with targeted families to develop strategies for strengthening those families within their communities rather than reacting to the crisis of an individual family.²²⁰ The Kentucky Marriage Movement, a private actor in the state, is also taking the initiative to strengthen marriages and the institution of marriage.²²¹ Since 2007, Kentucky had a 22% increase in TANF expenditures,²²² households had an 87% increase in annual SNAP costs,²²³ and the state had only a 4% increase in food costs for WIC.²²⁴ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Kentucky is \$1,886,020,365.²²⁵

²¹⁴ See *infra* Table A.

²¹⁵ See *infra* Table B.

²¹⁶ See *infra* Table C.

²¹⁷ See *infra* Table D.

²¹⁸ See JOSHI ET AL., *supra* note 126, at 3-1 to -23.

²¹⁹ *Id.* at ES-3.

²²⁰ *Id.* at 3-22. These families were connected to the local police force and local National Guard civil servants. *Id.*

²²¹ *About*, KY. MARRIAGE MOVEMENT, <http://kentuckymarriage.org/about/> (last visited Oct. 18, 2012) (explaining its mission to "serve couples, church and community leaders with the resources to strengthen marriage and reduce divorce and out-of-wedlock pregnancies").

²²² See *infra* Table A.

²²³ See *infra* Table B.

²²⁴ See *infra* Table C.

²²⁵ See *infra* Table D.

Louisiana

Louisiana's Healthy Marriage and Responsible Fatherhood Community Demonstration Initiative participated in the ACF-sponsored program, Families Matter!, which provides low-income individuals with family-strengthening services through marriage and relationship education.²²⁶ "Based on research indicating that children in two-parent families have a lower incidence of childhood poverty, the [Families Matter!] educational program . . . was designed to improve relationships and family stability in low-income families."²²⁷ Louisiana's Department of Children and Families has submitted a funding request for commencing this program.²²⁸ In addition, the private, not-for-profit Louisiana Family Forum works on "issues affecting the family through research, communication and networking."²²⁹ Since 2007, Louisiana had a 46% increase in TANF expenditures,²³⁰ households had an 86% increase in annual SNAP costs,²³¹ and the state had a 41% increase in food costs for WIC.²³² The conservative five-year cost of family

²²⁶ See JOSHI ET AL., *supra* note 126, at 4-1.

The Louisiana Healthy Marriage and Responsible Fatherhood Community Demonstration Initiative is a first-time partnership between the Louisiana Department of Social Services (DSS), Office of Family Support (OFS), Support Enforcement Services (SES), and Total Community Action (TCA) of New Orleans, a nonprofit community-based agency providing multiple services to low-income families. Families Matter! (FM), TCA's healthy marriage and education program, uses a case management model to provide two principal services: (1) healthy marriage and relationship (HMR) educational classes for mothers, fathers, and couples with incomes below the Federal poverty line and (2) access to TCA's comprehensive services and referrals.

Id.

²²⁷ *Id.* In 2005, Hurricane Katrina forced the program to shut down for over a year. *Id.* at 4-2.

²²⁸ *NGO Funding Request*, LA. ST. LEGISLATURE, <http://www.legis.state.la.us/Ngo/NgoDoc.aspx?NgoId=342&search> (last visited Oct. 18, 2012).

Families Matter! Is [sic] a community demonstration project whose primary objective is to create a program and to continue providing services in the area that supports healthy relationships and healthy marriages, as well as, promote responsible fatherhood which will help ensure youths receive parental emotional support necessary for proper development and the financial support to which they are entitled. The overall goal is to increase the involvement of fathers and mothers in the emotional development of their children to provide healthier connections with their fathers and reduce the risk of early parenting, poor academic achievement, substance abuse, and juvenile delinquency.

Id.

²²⁹ *About*, LA. FAM. F., <http://www.lafamilyforum.org/about/> (last visited Oct. 18, 2012).

²³⁰ See *infra* Table A.

²³¹ See *infra* Table B.

²³² See *infra* Table C.

fragmentation of TANF, SNAP, and WIC for Louisiana is \$2,148,942,689.²³³

Maine

Maine implemented a pilot program to adopt a Children's Cabinet and has worked to eliminate confusion and duplication over child and family welfare services.²³⁴ Similarly, the Christian Civic League of Maine advocates family-strengthening public policy.²³⁵ Our research, however, did not reveal any relevant marriage initiatives to report.²³⁶ Since 2007, Maine had a 27% increase in TANF expenditures,²³⁷ households had a 124% increase in annual SNAP costs,²³⁸ and the state had a 19% increase in food costs for WIC.²³⁹ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Maine is \$589,978,032.²⁴⁰

Maryland

The private, not-for-profit Maryland Family Alliance advocates public policy to strengthen families.²⁴¹ The City of Baltimore has established some programs designed to assist families in homeownership stability.²⁴² Although our research did not reveal any relevant marriage

²³³ See *infra* Table D.

²³⁴ NGA CTR. FOR BEST PRACTICES, A GOVERNOR'S GUIDE TO CHILDREN'S CABINETS 13 (2004), available at <http://www.nga.org/files/live/sites/NGA/files/pdf/0409GOVGUIDECHILD.pdf>.

²³⁵ *About the League*, CHRISTIAN CIVIC LEAGUE ME., <http://www.cclmaine.org/about-the-league/> (last visited Aug. 22, 2012) (endeavoring "to bring a Biblical perspective to public policy issues" to support "the preservation of the family and Christian family values").

²³⁶ Maine's marriage initiatives were all focused on and consumed with deciding whether to legalize gay marriage; the legislature passed a "gay marriage bill" in 2009 that was eventually overturned. The debate continues to consume Maine marriage energy. See Clarke Canfield, *Obama's Support for Same-Sex Marriage Adds Fuel to Debate*, BANGOR DAILY NEWS (May 18, 2012, 3:42 PM), <http://www.bangordailynews.com/2012/05/18/politics/obamas-support-for-same-sex-marriage-adds-fuel-to-debate/>. For a review of what Maine is considering regarding marriage in the 2012 election, see Lynne Marie Kohm, *Marriage and Grassroots Democracy in 2012*, JURIST (June 26, 2012), <http://www.jurist.org/forum/2012/06/lynne-kohm-marriage-referendum.php>.

²³⁷ See *infra* Table A.

²³⁸ See *infra* Table B.

²³⁹ See *infra* Table C.

²⁴⁰ See *infra* Table D.

²⁴¹ *About Us*, MD. FAM. ALLIANCE, <http://www.mdfamilies.org/about/index.html> (last visited Oct. 18, 2012).

²⁴² These programs were the Employee Homeownership Program, the Healthy Neighborhoods Initiative, and the Live Near Your Work Program. NAT'L HUMAN SERVS. ASSEMBLY, *supra* note 84, at 4.

initiatives to report,²⁴³ Maryland proposed legislation designed to encourage couples to seek premarital counseling.²⁴⁴ Since 2007, Maryland had a 7% increase in TANF expenditures,²⁴⁵ households had a 190% increase in annual SNAP costs,²⁴⁶ and the state had a 52% increase in food costs for WIC.²⁴⁷ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Maryland is \$1,569,619,542.²⁴⁸

Massachusetts

The Massachusetts Department of Public Health has some family initiatives but none that deal with family-fragmentation issues.²⁴⁹ The Massachusetts Family Institute, however, is dedicated to strengthening families.²⁵⁰ Since 2007, Massachusetts had a 7% increase in TANF expenditures,²⁵¹ households had a 174% increase in annual SNAP costs,²⁵² and the state had a 7% increase in food costs for WIC.²⁵³ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Massachusetts is \$2,096,000,653.²⁵⁴

Michigan

The Michigan Family Forum, a private organization promoting public policy to strengthen families in Michigan, encourages responsible fatherhood²⁵⁵ and advocates legislation to strengthen and encourage

²⁴³ Maryland is currently debating the definition of marriage and its constitutional protection, similar to Maine in 2009. See Rebecca Berg, *In Maryland, Gay Marriage Seeks a 'Yes' at the Polls*, N.Y. TIMES, Aug. 26, 2012, at N16. For a review of what Maryland is considering regarding marriage in the 2012 election, see Kohm, *supra* note 236.

²⁴⁴ H.D. 57, 2000 Leg., Reg. Sess. (Md. 2000); see also Hawkins et al., *supra* note 160.

²⁴⁵ See *infra* Table A.

²⁴⁶ See *infra* Table B.

²⁴⁷ See *infra* Table C.

²⁴⁸ See *infra* Table D.

²⁴⁹ See *Family Initiatives*, HEALTH & HUM. SERVS., <http://www.mass.gov/eohhs/consumer/community-health/family-health/special-health-needs/info-referral-support/family-initiatives.html> (last visited Oct. 18, 2012).

²⁵⁰ See *About MFI*, MASS. FAM. INST., <http://www.mafamily.org/about-mfi/> (last visited Oct. 18, 2012) (focusing on such initiatives as strengthening marriage and “[p]roviding resources to help fathers meet the financial and emotional needs of their young families”).

²⁵¹ See *infra* Table A.

²⁵² See *infra* Table B.

²⁵³ See *infra* Table C.

²⁵⁴ See *infra* Table D.

²⁵⁵ See *Our Purpose: Promoting Responsible Fatherhood*, MICH. FAM. F., <http://www.michiganfamily.org/fatherhood.html> (last visited Oct. 18, 2012).

adoption of children by married couples.²⁵⁶ Michigan has dedicated some TANF funds to strengthening marriage.²⁵⁷ Since 2007, Michigan had a 12% increase in TANF expenditures,²⁵⁸ households had a 130% increase in annual SNAP costs,²⁵⁹ and the state had a 27% increase in food costs for WIC.²⁶⁰ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Michigan is \$4,753,524,945.²⁶¹

Minnesota

Minnesota's legislative work on family strengthening is a model approach for other states. The research of Professor William J. Doherty at the University of Minnesota has resulted in some important proposed legislation affecting family policy.²⁶² Professor Doherty's research received national recognition in the Research Triangle Institute's 2010 report—regarding a community approach to healthy marriage initiatives—for its community approach:

The Minnesota Healthy Marriage and Responsible Fatherhood (HMRF) Initiative's Family Formation Project (FFP) is a partnership between the University of Minnesota's Department of Family Social Science and the Minnesota Department of Human Services' Child Support Enforcement Division (CSED). The FFP aimed to improve child well-being, child support outcomes, and healthy marriages and relationships among couples who were unmarried when they enrolled in the program, were in committed relationships, had recently had a child and established paternity, and lived in the Minneapolis/St. Paul metropolitan area. The program developers chose to target unmarried parents identified as "fragile families" because, despite their initial interest in maintaining their relationships, once their child is born, research shows that these couples are at high risk of breaking up.²⁶³

The Second Chances Act, legislation to reduce unnecessary divorce and resulting family fragmentation, included three proposals to work toward that objective.²⁶⁴ The first was a bill to require a mandatory one-year waiting period for divorce,²⁶⁵ an effort to curb marital breakdown in

²⁵⁶ See *Purpose and Core Beliefs: Protecting Our Children*, MICH. FAM. F., <http://www.michiganfamily.org/children.htm> (last visited Sept. 15, 2012).

²⁵⁷ Hawkins et al., *supra* note 160, at 269. It is unclear whether there has been a sustained commitment to these efforts.

²⁵⁸ See *infra* Table A.

²⁵⁹ See *infra* Table B.

²⁶⁰ See *infra* Table C.

²⁶¹ See *infra* Table D.

²⁶² WILLIAM J. DOHERTY & LEAH WARD SEARS, INST. FOR AM. VALUES, SECOND CHANCES: A PROPOSAL TO REDUCE UNNECESSARY DIVORCE 42–48 (2011), available at <http://www.americanvalues.org/pdfs/dl.php?name=second-chances>.

²⁶³ JOSHI ET AL., *supra* note 126, at ES-2 to -3.

²⁶⁴ DOHERTY & SEARS, *supra* note 262, at 42–47.

²⁶⁵ *Id.* at 42–44.

a move away from a unilateral rush to divorce.²⁶⁶ The second proposal—which became state law on July 1, 2010—was a bill to establish a center preventing unnecessary divorce,²⁶⁷ under the guidance and endorsement of the University of Minnesota, called the “Minnesota Couples on the Brink Project.”²⁶⁸ The third proposal was a bill on education requirements for divorcing parents designed to protect minor children by educating their divorcing parents on the harm of divorce to children and

²⁶⁶ John Crouch, *An Early Warning/Prevention System for Divorce: The Divorce Early Warning and Prevention Act*, AMS. FOR DIVORCE REFORM (June 24, 2005), <http://www.divorcereform.org/CPAFull.html>. This proposal discusses how it is “fundamentally different” from a waiting period and is designed to confront the culture of divorce. *Id.*

Awaiting [sic] period is typically a burden placed by the government on people who have already decided to do something, in hopes that they will change their minds. It is between the government and the individual. In contrast, the early warning and prevention period is mostly a social and legal duty that married people owe to each other, not to the state. It is a notice requirement, like the widely-accepted norms of two weeks’ notice for quitting a job, or one month’s notice for eviction. Thus it has the potential to move from the statute books into the realm of common law that people carry around in their heads, that they think of as the rules of life. That is our best hope for using the law to influence decisions people make in their private lives, before they come into contact with the legal system.

Id.

This type of public policy is “intended to make individuals’ decisions be more deliberate, considered, and informed.” *Id.* Alteration of modern acceptable divorce structures also includes attempts to restore mutuality to the divorce bargain as a matter of fairness in the contractual dialogue of divorce. *See, e.g.*, Lynne Marie Kohm, *On Mutual Consent to Divorce: A Debate with Two Sides to the Story*, 8 APPALACHIAN J.L. 35, 35 (2008) (discussing the mutual contractual obligation in marriage).

²⁶⁷ DOHERTY & SEARS, *supra* note 262, at 44.

²⁶⁸ MINN. STAT. ANN. § 137.32 (West 2011). For a description of the legislation, see Sheri Stritof & Bob Stritof, *Minnesota Couples on the Brink Project*, ABOUTMARRIAGE.COM (May 26, 2010), <http://marriage.about.com/b/2010/05/26/minnesota-couples-on-the-brink-project.htm>. For a fair scholarly discussion of the bill, see *Minnesota “Couples on the Brink” Bill*, FAM. LAW PROF BLOG (Apr. 20, 2010), http://lawprofessors.typepad.com/family_law/2010/04/minnesota-couples-on-the-brink-bill.html. “Doherty . . . said that with better training for counselors and clergy, 10 percent of couples headed for divorce might be able to restore their marriages,” while also noting that “[c]ouples with a history of domestic violence would not qualify” for the project. *Id.* It is also noteworthy that divorce lawyers in Minnesota would not back the project, arguing that “there are better uses for this public money. The Minnesota State Bar Association family lawyers narrowly voted against supporting Couples on the Brink, said Pamela Waggoner, chairwoman of the bar’s family law section.” *Id.* It is disingenuous not to recognize that family law and divorce lawyers tend to profit from family fragmentation, though it is laudable that apparently some (though not enough) in the Minnesota Bar saw the great public policy benefits to reducing family fragmentation through decreased divorce rates. This should cause one to consider honestly the inherent conflict of interest family law lawyers have with reducing state costs of family fragmentation due to their personal conflicting economic interest in the notions such projects present.

their families.²⁶⁹ Combined with additional legislation designed to encourage couples to seek premarital counseling,²⁷⁰ these efforts reveal that Minnesota is very active in promoting marriage legislation that strengthens families. The Minnesota Family Council also advocates family-strengthening public policy.²⁷¹ Since 2007, Minnesota's TANF expenditures decreased by 2%,²⁷² households had a 136% increase in annual SNAP costs,²⁷³ and the state had a 24% increase in food costs for WIC.²⁷⁴ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Minnesota is \$1,228,507,696.²⁷⁵

Mississippi

Mississippi has a Healthy Marriage Initiative that supported legislation instituting a National Marriage Week.²⁷⁶ The initiative also works in cooperation with the Department of Human Sciences at Mississippi State University to provide family-strengthening resources.²⁷⁷ Mississippi proposed abstinence education designed to reduce unmarried pregnancy.²⁷⁸ In addition, the Mississippi Center for

²⁶⁹ DOHERTY & SEARS, *supra* note 262, at 45–46. The proposed bill required divorcing parties to complete “a four-hour marriage dissolution education program.” *Id.* at 45. This section was also adopted by the Minnesota Legislature and would have been effective January 1, 2013. *Id.* at 48. However, Minnesota Senate Bill S.F. 1161 was referred to the Judiciary and Public Safety Committee rather than passed. *See* S. 1161, 87th Leg. Sess., (Minn. 2011); *SF 1161 Status in Senate for Legislative Session 87*, MINN. STATE LEGISLATURE, https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=Senate&f=SF1161&ssn=0&y=2012 (last visited Oct. 18, 2012).

²⁷⁰ *See* DOHERTY & SEARS, *supra* note 262, at 38. For a review of what Minnesota is considering regarding same-sex marriage in the 2012 election, see Kohm, *supra* note 236.

²⁷¹ MINN. FAM. COUNCIL, *IGNITE: AN ENDURING CULTURAL TRANSFORMATION* (on file with Regent University Law Review) (promoting family strength through its primary tenets of education, legislation, and accountability).

²⁷² *See infra* Table A. The causal connection between Minnesota's marriage legislation and the small decrease in TANF may be related, but further monitoring over a greater length of time would be critical to support that surmise.

²⁷³ *See infra* Table B.

²⁷⁴ *See infra* Table C.

²⁷⁵ *See infra* Table D.

²⁷⁶ H.R. Res. 24, 2012 Reg. Sess. (Miss. 2012); *see also* MISS. HEALTHY MARRIAGE INITIATIVE, *DEVELOPING STRONG COUPLES & HEALTHY CHILDREN IN MISSISSIPPI* (2008), available at <http://msucare.com/marriage/hmi/healthymarriagebrochure.pdf> (explaining the mission of the Mississippi Healthy Marriage Initiative).

²⁷⁷ *See* THE NAT'L HEALTHY MARRIAGE INST., *MARRIAGE: INCREASE THE JOY* (2006) (advising couples on how to strengthen and develop a happy marriage).

²⁷⁸ H.R. 999, 2011 Reg. Sess. (Miss. 2011). *But see* *Mississippi Sex Education Bill: New Strategy to Address the State's Poor Adolescent Sexual and Reproductive Health Outcomes Maintains Ineffective Abstinence-Only-Until-Marriage Approach*, SEXUALITY INFO. & EDUC. COUNCIL U.S. (Feb. 2010), available at <http://www.siecus.org/index.cfm?fuseaction=Feature.showFeature&featureid=1867&pageid=483&parentid=478> (describing the bill as convoluted and ineffective).

Public Policy promotes strong family policy initiatives.²⁷⁹ Since 2007, Mississippi had a 44% increase in TANF expenditures,²⁸⁰ households had a 108% increase in annual SNAP costs,²⁸¹ and the state had a 23% increase in food costs for WIC.²⁸² The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Mississippi is \$1,298,827,950.²⁸³

Missouri

The Missouri Healthy Marriage Initiative is sponsored by the University of Missouri and Missouri Families, providing resources to strengthen marriages and families.²⁸⁴ Missouri's Department of Social Services sponsored a Strengthening Families initiative as part of the Center for the Study of Social Policy, mostly designed to protect children from child abuse.²⁸⁵ Since 2007, Missouri had only a 3% increase in TANF expenditures,²⁸⁶ households had a 93% increase in annual SNAP costs,²⁸⁷ and the state had a 35% increase in food costs for WIC.²⁸⁸ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Missouri is \$2,132,161,200.²⁸⁹

Montana

The Montana Family Institute is a private organization dedicated to protecting and strengthening Montana's families.²⁹⁰ Our research, however, did not reveal any other relevant initiatives to report. Since 2007, Montana had a 13% increase in TANF expenditures,²⁹¹ households

²⁷⁹ NAT'L FATHERHOOD INITIATIVE & MISS. CTR. FOR PUB. POLICY, WITH THIS RING ... A SURVEY ON MARRIAGE IN MISSISSIPPI 1 (2005) (working to "improve the well-being of children by increasing the proportion that grow up with involved, responsible and committed fathers").

²⁸⁰ See *infra* Table A.

²⁸¹ See *infra* Table B.

²⁸² See *infra* Table C.

²⁸³ See *infra* Table D.

²⁸⁴ *Missouri Healthy Marriage Initiative*, MISSOURIFAMILIES.ORG, <http://missourifamilies.org/marriage/index.htm> (last updated May 10, 2010).

²⁸⁵ CTR. FOR THE STUDY OF SOC. POLICY, MISSOURI: STATE INITIATIVE PROFILE, available at <http://www.cssp.org/reform/strengthening-families/national-network/Missouri-New-Template.pdf>.

²⁸⁶ See *infra* Table A.

²⁸⁷ See *infra* Table B.

²⁸⁸ See *infra* Table C.

²⁸⁹ See *infra* Table D.

²⁹⁰ *Why Do We Exist?*, MONT. FAM. INST., <http://institute.montanafamily.org/why-we-exist/> (last visited Oct. 18, 2012) ("Strong families get stronger when they are around other strong families. Therefore, we are building local communities of families across the state with the intention of connecting them through local events and online social media.").

²⁹¹ See *infra* Table A.

had a 116% increase in annual SNAP costs,²⁹² and the state had a 21% increase in food costs from WIC.²⁹³ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Montana is \$278,496,678.²⁹⁴

Nebraska

Nebraska participates in the Families Matter Initiative sponsored by ACF²⁹⁵ and operated by the Nebraska Division of Children and Family Services.²⁹⁶ The Nebraska Children and Families Foundation is a federally funded private agency that protects against child abuse,²⁹⁷ and the Fatherhood-Family Initiative is a private community-education initiative that promotes the role of fathers in families.²⁹⁸ Both the Nebraska Family Forum and Nebraska Family First promote public policy initiatives for family strength.²⁹⁹ Since 2007, Nebraska had a national high 134% increase in TANF expenditures,³⁰⁰ households had a 103% increase in annual SNAP costs,³⁰¹ and the state had a 29% increase in food costs for WIC.³⁰² The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Nebraska is \$386,563,774.³⁰³

Nevada

Our research did not reveal any relevant family policy initiatives in Nevada. Since 2007, Nevada had a 35% increase in TANF

²⁹² See *infra* Table B.

²⁹³ See *infra* Table C.

²⁹⁴ See *infra* Table D.

²⁹⁵ See DIV. OF CHILDREN & FAMILY SERVS., DEP'T OF HEALTH & HUMAN SERVS., FAMILIES MATTER ACTION PLAN: 2010 THROUGH 2012, *available at* http://dhhs.ne.gov/children_family_services/Documents/Families_Matter_Action_Plan.pdf.

²⁹⁶ *Id.*

²⁹⁷ NEB. DEP'T OF HEALTH & HUMAN SERVS., NEBRASKA'S CHILDREN AND FAMILY SERVICES 5 YEAR PLAN (2009–2014), at 29–30 (2009), *available at* <http://www.fosteringconnections.org/tools/assets/files/Nebraska-IV-B-Plan-2010-2014.pdf>; *Who We Are*, NEB. CHILD. FAMS. FOUND., <http://www.nebraskachildren.org/who/index.html> (last visited Oct. 18, 2012).

²⁹⁸ OMAHA MASONIC CMTY. CTR. FOUND., FATHERHOOD-FAMILY INITIATIVE, *available at* <http://www.mwsite.org/omccf/Brochure.pdf>.

²⁹⁹ See Stephanie Morgan, *The GOALS Initiative: How All the Pieces Fit*, NEB. FAM. F. (Nov. 17, 2011), <http://www.nebraskafamilyforum.org/2011/11/goals-initiative-how-all-pieces-fit.html>; *About Family First*, FAM. FIRST, <http://www.familyfirst.org/about-us> (last visited Oct. 18, 2012).

³⁰⁰ See *infra* Table A.

³⁰¹ See *infra* Table B.

³⁰² See *infra* Table C.

³⁰³ See *infra* Table D.

expenditures,³⁰⁴ households had a 272% increase in annual SNAP costs,³⁰⁵ and the state had a national-high 85% increase in food costs for WIC.³⁰⁶ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Nevada is \$603,150,892.³⁰⁷

New Hampshire

New Hampshire's Child and Family Services is a private child welfare organization dedicated to protecting children and strengthening family life³⁰⁸ through child-advocacy legislation and public policy.³⁰⁹ The organization also promotes a Responsible Fatherhood Initiative.³¹⁰ The Couch Family Foundation is a private research-grant organization dedicated to family welfare in New Hampshire,³¹¹ and Cornerstone Action advocates family-strengthening public policy.³¹² Since 2007, New Hampshire had a 0.1% decrease in TANF expenditures,³¹³ households had a 160% increase in annual SNAP costs,³¹⁴ and the state had a 4% decrease in food costs for WIC.³¹⁵ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for New Hampshire is \$258,125,286.³¹⁶

New Jersey

The State of New Jersey Department of Children and Families sponsors a "Father Time" program to encourage responsible fatherhood,³¹⁷ and Compassion New Jersey, a faith-based organization,

³⁰⁴ See *infra* Table A.

³⁰⁵ See *infra* Table B.

³⁰⁶ See *infra* Table C.

³⁰⁷ See *infra* Table D.

³⁰⁸ CHILD & FAMILY SERVS., ANNUAL REPORT 2010, at 2 (2010), available at <http://www.cfsnh.org/downloads/AR2010.pdf>.

³⁰⁹ *Advocacy: General Overview of NH Children's Lobby*, CHILD & FAM. SERVS., <http://www.cfsnh.org/pages/advocacy/index.html> (last visited Oct. 18, 2012).

³¹⁰ CHILD & FAMILY SERVS., *supra* note 308, at 26.

³¹¹ See *Our Mission*, COUCH FAM. FOUND., <http://www.couchfoundation.org/ourmission.html> (last visited Oct. 18, 2012) (serving upper New England with a focus on New Hampshire and Vermont).

³¹² See *Mission*, CORNERSTONE ACTION, <http://www.nhcornerstone.org/about/mission> (last visited Oct. 18, 2012).

³¹³ See *infra* Table A.

³¹⁴ See *infra* Table B.

³¹⁵ See *infra* Table C.

³¹⁶ See *infra* Table D.

³¹⁷ See Press Release, N.J. Dep't of Children & Families, Men Involved in Fatherhood Support Group Organize Annual Fishing Derby (May 24, 2011), available at http://www.state.nj.us/dcf/news/press/2011/approved/110524_fishingderby.html.

coordinates a fatherhood program.³¹⁸ Likewise, the New Jersey Family Policy Council encourages family-strengthening policy.³¹⁹ Since 2007, New Jersey had a 12% decrease in TANF expenditures,³²⁰ households had a 151% increase in annual SNAP costs,³²¹ and the state had a 50% increase in food costs for WIC.³²² The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for New Jersey is \$2,002,722,681.³²³

New Mexico

New Mexico State University runs the Strengthening Families Initiative,³²⁴ and New Mexico is one of at least sixteen states to establish a Children's Cabinet to increase the availability of child care to parents "working their way off welfare."³²⁵ New Mexico established the Fatherhood Initiative Partnership coordinated by its Human Services Department in 2003.³²⁶ In 2010, the New Mexico Fatherhood Forum partnered locally with the New Mexico Alliance for Fathers and Families to hold a federally sponsored forum at the University of New Mexico.³²⁷ Since 2007, New Mexico had a 64% increase in TANF expenditures,³²⁸ households had a 154% increase in annual SNAP costs,³²⁹ and the state had a 2% decrease in food costs for WIC.³³⁰ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for New Mexico is \$875,294,005.³³¹

³¹⁸ *National Fatherhood Initiative Awards Compassion New Jersey the 24/7 Dad™ Program*, COMPASSION N.J., http://www.compassionnj.org/Compassion_New_Jersey,_Inc./Fatherhood.html (last visited Oct. 18, 2012).

³¹⁹ *About Us*, N.J. FAM. POL'Y COUNCIL, <http://www.njfpc.org/know-more> (last visited Oct. 18, 2012) ("Our mission is to intervene and respond to the breakdown that the traditional family, the cornerstone of a virtuous society, is experiencing.").

³²⁰ *See infra* Table A.

³²¹ *See infra* Table B. There may be some connection between New Jersey's TANF decreases and SNAP increases, but that link requires further study.

³²² *See infra* Table C.

³²³ *See infra* Table D.

³²⁴ N.M. STATE UNIV., STRENGTHENING FAMILIES INITIATIVE, *available at* http://extension.nmsu.edu/documents/ces-insert_strengthening-families.pdf.

³²⁵ NGA CTR. FOR BEST PRACTICES, *supra* note 234, at 7, 15.

³²⁶ Jacqueline Baca, *Fatherhood Initiative Partnership Meeting*, N.M. FATHERHOOD INITIATIVE PARTNERSHIPS, Oct. 2003, at 1.

³²⁷ N.M. FATHERHOOD FORUM, CULTIVATING A CULTURE OF VIBRANT FATHER ENGAGEMENT: NEW PERSPECTIVES FROM RURAL AMERICA 5 (2010), *available at* <http://www.earlychildhoodnm.com/images/stories/file-upload/FullNMAFFReport.pdf>.

³²⁸ *See infra* Table A.

³²⁹ *See infra* Table B.

³³⁰ *See infra* Table C.

³³¹ *See infra* Table D.

New York

New York City's Department of Youth and Community Development implements a fatherhood initiative connected with the National Fatherhood Initiative.³³² The Mayor of the City has worked to promote child support responsibility among fathers,³³³ and Forestdale Inc., a private foster-services agency, actively supports responsible fatherhood.³³⁴ In addition, the New York State Office of Children and Family Services conducts a fatherhood-education program.³³⁵ Since 2007, New York had a 7% increase in TANF expenditures,³³⁶ households had a 130% increase in annual SNAP costs,³³⁷ and the state had a 29% increase in food costs for WIC.³³⁸ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for New York is \$9,948,102,542.³³⁹

North Carolina

With an objective of preventing child abuse, the Durham Family Initiative collaborates with the Duke Center for Child and Family Policy.³⁴⁰ Recent preliminary research findings by the Duke Center for Child and Family Policy show that economic standards act as a barrier to marriage, but not to fertility, when studying marriage and parenthood

³³² Press Release, Nat'l Fatherhood Initiative, National Fatherhood Initiative Awarded Contract by New York City to Deliver Fatherhood Curriculum and Training (Sept. 27, 2011), *available at* <http://www.fatherhood.org/Document.Doc?id=299>.

³³³ Press Release, Office of the Mayor, N.Y.C., Mayor Bloomberg and Human Resources Administration Commissioner Robert Doar Announce New York City Collected Record-Breaking \$731 Million in Child Support in 2011 (Feb. 8, 2012), *available at* http://www.nyc.gov/html/hra/downloads/pdf/press_releases/2012/pr_february_2012/record_breaking_child_support_collection.pdf.

³³⁴ Press Release, Forestdale, Inc., Forestdale's Fathering Initiative Celebrate 'Stepping Up' Graduation with Fathers, Friends and Staff (Mar. 27, 2012).

³³⁵ N.Y. STATE OFFICE CHILD & FAMILY SERVS., ANNUAL PROGRESS AND SERVICES REPORT 46-47 (2010), *available at* <http://ocfs.ny.gov/main/reports/New%20York%20State%202010%20APSR%20Final.pdf>.

³³⁶ *See infra* Table A.

³³⁷ *See infra* Table B.

³³⁸ *See infra* Table C.

³³⁹ *See infra* Table D.

³⁴⁰ *See* Kenneth A. Dodge et al., *The Durham Family Initiative: A Preventative System of Care*, 83 CHILD WELFARE 109, 109-10 (2004). As a part of the university-based Child and Family Policy Consortium, the Duke Center for Child and Family Policy has noted that since the inception of its work with the Durham Family Initiative, child maltreatment has decreased by 50%. Their collaboration provides support for children and families by fostering integration of public and private services to effectively promote child wellbeing. *Durham Family Initiative*, DUKE CTR. FOR CHILD & FAM. POL'Y, http://childandfamilypolicy.duke.edu/project_detail.php?id=27 (last visited Oct. 18, 2012).

in the lives of adolescents and young adults.³⁴¹ Likewise, the North Carolina Family Policy Council is a private, public-policy organization that promotes strengthening families.³⁴² Since 2007, North Carolina had a 27% increase in TANF expenditures,³⁴³ households had a 144% increase in annual SNAP costs,³⁴⁴ and the state had a 26% increase in food costs for WIC.³⁴⁵ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for North Carolina is \$3,235,401,330.³⁴⁶

North Dakota

The North Dakota Family Alliance works to strengthen marriage and families,³⁴⁷ and the Dakota Fatherhood Initiative launched an annual summit conference in 2002.³⁴⁸ North Dakota appears to be at the forefront of foster-care reform to keep children out of foster care with a family-preservation initiative.³⁴⁹ Since 2007, North Dakota had a 3% decrease in TANF expenditures,³⁵⁰ households had an 85% increase in annual SNAP costs,³⁵¹ and the state had a 9% increase in food costs for WIC.³⁵² The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for North Dakota is \$176,339,791.³⁵³

³⁴¹ *Projects: Marriage and Parenthood in the Lives of Adolescents and Young Adults*, DUKE CTR. FOR CHILD & FAM. POL'Y, http://www.childandfamilypolicy.duke.edu/project_detail.php?id=19 (last visited Oct. 18, 2012).

³⁴² *About Us*, N.C. FAM. POL'Y COUNCIL, <http://ncfpc.org/who.html> (last visited Oct. 18, 2012) ("Our mission is to strengthen the family by educating North Carolinians on public policy issues that impact the family and equipping citizens to be voices of persuasion on behalf of traditional family values in their localities.")

³⁴³ See *infra* Table A.

³⁴⁴ See *infra* Table B.

³⁴⁵ See *infra* Table C.

³⁴⁶ See *infra* Table D.

³⁴⁷ *NDFC Enhances Ability to Carry Out Mission*, NDFC NEWS (N.D. Family Alliance, Fargo, N.D.), Sept. 2010, at 1, 4.

³⁴⁸ SEAN E. BROTHERRSON, DAKOTA FATHERHOOD INITIATIVE, *THE DAKOTA FATHERHOOD SUMMIT III: EXECUTIVE SUMMARY AND REPORT 2-5* (2003), available at <http://www.nd.gov/dhs/services/childfamily/headstart/docs/dfs-3-executive-summary-report.pdf>.

³⁴⁹ See Andi Murphy, *ND Officials Aim to Restructure Foster Care System*, WDAY NEWS (Sept. 4, 2010, 11:35 AM), <http://www.wday.com/event/article/id/38054/group/homepage/>.

³⁵⁰ See *infra* Table A.

³⁵¹ See *infra* Table B.

³⁵² See *infra* Table C.

³⁵³ See *infra* Table D.

Ohio

The Ohio Family and Children First Cabinet Council “was created in 1993 to help families and their children by coordinating existing government services.”³⁵⁴ Montgomery County committed \$440,000 of TANF funds in 2006 for community outreach and education to reduce predatory lending.³⁵⁵ Ohio also has the Commission on Fatherhood designed to “enhance the well-being of Ohio’s children by increasing and promoting involved, nurturing and responsible fatherhood,”³⁵⁶ and Citizens for Community Values, based in Cincinnati, promotes family-strengthening public policy.³⁵⁷ Since 2007, Ohio had a 21% decrease in TANF expenditures,³⁵⁸ households had a 131% increase in annual SNAP costs,³⁵⁹ and the state had a 7% increase in food costs for WIC.³⁶⁰ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Ohio is \$4,976,310,252.³⁶¹

Oklahoma

Oklahoma has been a leader in family-strengthening through marriage initiatives and policy since 1999.³⁶² For example, the Oklahoma Marriage Initiative (“OMI”)³⁶³ has been endorsed and followed by the federal government in several ways.³⁶⁴ It was funded through TANF

³⁵⁴ See OHIO FAMILY & CHILDREN FIRST CABINET COUNCIL, OHIO FAMILY AND CHILDREN FIRST CABINET COUNCIL, *available at* <http://www.fcf.ohio.gov/dotAsset/12246.pdf>.

³⁵⁵ *History of the Project*, PREDATORY LENDING SOLUTIONS, http://www.mvfairhousing.com/PredatoryLendingSolutions_files/frame.htm (last visited Oct. 18, 2012).

³⁵⁶ See OHIO COMM’N ON FATHERHOOD, REPORT TO THE COMMUNITY 1 (2011), *available at* <http://fatherhood.ohio.gov/LinkClick.aspx?fileticket=liz4-IOjxIg%3D&tabid=68>.

³⁵⁷ *About Us*, CITIZENS FOR COMMUNITY VALUES, <http://www.ccv.org/about-us/> (last visited Oct. 18, 2012) (focusing on efforts to “encourage and affect legislation that protects family[] and [to] oppose legislation that is harmful to those Judeo-Christian moral values upon which this country was founded”).

³⁵⁸ See *infra* Table A. This is a significant decrease that could warrant further study for causal connections with state policy.

³⁵⁹ See *infra* Table B.

³⁶⁰ See *infra* Table C.

³⁶¹ See *infra* Table D.

³⁶² See Rick Lyman, *Prison Marriage Classes Instill Stability*, N.Y. TIMES, Apr. 16, 2005, at A10 (“Perhaps no state program is as ambitious or multifaceted as the Oklahoma Marriage Initiative. . .”).

³⁶³ See OFFICE OF THE ASSISTANT SEC’Y FOR PLANNING & EVALUATION, U.S. DEP’T OF HEALTH & HUMAN SERVS., THE OKLAHOMA MARRIAGE INITIATIVE 1–2 (2008), *available at* <http://aspe.hhs.gov/hsp/06/omi/Guide/rb.pdf> (discussing how Oklahoma’s work is a pioneer in marriage initiatives).

³⁶⁴ *Id.* at 1.

funds to support marriage-strengthening strategies³⁶⁵ and has served as a model for many state and federal marriage initiatives.³⁶⁶ With ACF assistance, the OMI has provided workshops on how other states can begin marriage initiatives.³⁶⁷ Oklahoma has “dedicated noticeable amounts of TANF dollars to strengthening marriage,”³⁶⁸ passing legislation designed to encourage couples to seek premarital counseling³⁶⁹ and to foster better efficiency in benefits distribution.³⁷⁰ Oklahoma has accomplished many of its objectives through public policy implementation foremost under the Oklahoma Department of Health and Human Services and by working with other agencies.³⁷¹ The OMI focus on marriage was based on a desire to make the State of Oklahoma “a more prosperous state.”³⁷² Its programs are also educational in nature and are delivered in the form of workshops facilitated through pre-established public and private institutions.³⁷³ Oklahoma allocated TANF funds toward these initiatives “to strengthen marriage and reduce divorce.”³⁷⁴ Such initiatives become accessible by making and sustaining significant programs.³⁷⁵

The Oklahoma Family Expectations program, an Oklahoma City-based service providing support to financially vulnerable families at the birth of a child, was also determined to be a national leader in family-policy impact, according to a national study on Building Strong Families.³⁷⁶ Family Expectations, a program designed to provide “relationship skills education throughout the state,” is administered by

³⁶⁵ See THE WELFARE PEER TECHNICAL ASSISTANCE NETWORK, OKLAHOMA MARRIAGE INITIATIVE WORKSHOP 4 (2003), available at https://peerta.acf.hhs.gov/pdf/ok_marriage2.pdf.

³⁶⁶ See *id.* at 1.

³⁶⁷ See *id.* at 1–2.

³⁶⁸ Hawkins et al., *supra* note 160, at 269.

³⁶⁹ *Id.* at 266–67.

³⁷⁰ See THE WELFARE PEER TECHNICAL ASSISTANCE NETWORK, *supra* note 365.

³⁷¹ *Id.* The Oklahoma Department of Health and Human Services was part of a state consolidation effort promoting better economic efficiency in state agencies. See H.R. 1220, 53d Leg., 1st Sess. (Okla. 2011).

³⁷² *Issues in TANF Reauthorization: Building Stronger Families: Hearing Before the S. Fin. Comm.*, 107th Cong. 1 (2002) (statement of Howard H. Hendrick, Okla. Cabinet Sec’y of Health & Human Servs., and Dir., Okla. Dep’t of Human Servs.).

³⁷³ See *What We Do*, OKLA. MARRIAGE INITIATIVE, <http://www.relationshipsok.com/what-we-do.php> (last visited Oct. 18, 2012).

³⁷⁴ Hawkins et al., *supra* note 160, at 267.

³⁷⁵ *Id.*

³⁷⁶ See Press Release, PRWeb, Rigorous Federal Study Shows Oklahoma’s Family Expectations Program Strengthens New Parents’ Relationships and Helps Families Stay Together (Aug. 27, 2010), available at <http://www.prweb.com/pdfdownload/4428104.pdf>.

the Oklahoma Department of Human Services.³⁷⁷ Since 2007, Oklahoma had a 22% increase in TANF expenditures,³⁷⁸ households had a 106% increase in annual SNAP costs,³⁷⁹ and the state had a 19% increase in food costs for WIC.³⁸⁰ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Oklahoma is \$1,381,356,038.³⁸¹

Oregon

The Black Parent Initiative supports black families in Portland, Oregon by encouraging educational excellence for their children.³⁸² Since 2007, Oregon had a 10% increase in TANF expenditures,³⁸³ households had a 149% increase in annual SNAP costs,³⁸⁴ and the state had a 24% increase in food costs for WIC.³⁸⁵ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Oregon is \$1,687,572,911.³⁸⁶

Pennsylvania

Pennsylvania has focused on economic initiatives to achieve family strength³⁸⁷ and has a fatherhood initiative in seventeen counties.³⁸⁸ The Pennsylvania Family Institute advocates for public policy to strengthen families.³⁸⁹ Since 2007, Pennsylvania had a 19% increase in TANF expenditures,³⁹⁰ households had a 110% increase in annual SNAP

³⁷⁷ M. ROBIN DION ET AL., THE BUILDING STRONG FAMILIES PROJECT: IMPLEMENTATION OF EIGHT PROGRAMS TO STRENGTHEN UNMARRIED PARENT FAMILIES, at xvi (2010), available at http://www.mathematica-mpr.com/publications/PDFs/family_support/BSF_Final_Impl_Rpt.pdf.

³⁷⁸ See *infra* Table A.

³⁷⁹ See *infra* Table B.

³⁸⁰ See *infra* Table C.

³⁸¹ See *infra* Table D.

³⁸² *Our Work*, BLACK PARENT INITIATIVE, <http://thebpi.org/work.html> (last visited Oct. 18, 2012).

³⁸³ See *infra* Table A.

³⁸⁴ See *infra* Table B.

³⁸⁵ See *infra* Table C.

³⁸⁶ See *infra* Table D.

³⁸⁷ GOVERNOR'S TASK FORCE FOR WORKING FAMILIES, DOLLARS AND SENSE: REALISTIC WAYS POLICYMAKERS CAN HELP PENNSYLVANIA'S WORKING FAMILIES 7 (2005), available at <http://www.pahouse.com/evans/newsletters/Governors-TaskForce-for-Families.pdf>.

³⁸⁸ PA. CHILD WELFARE RES. CTR., PENNSYLVANIA FATHERHOOD INITIATIVE (2004), available at <http://www.pacwcbt.pitt.edu/familycenters/FatherhoodOverview.pdf>.

³⁸⁹ *About PFI*, PA. FAM. INST., <http://www.pafamily.org/index.php?pID=6> (last visited Oct. 18, 2012).

³⁹⁰ See *infra* Table A.

costs,³⁹¹ and the state had a 53% increase in food costs for WIC.³⁹² The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Pennsylvania is \$4,035,892,088.³⁹³

Rhode Island

The State of Rhode Island's Office of Child Support Services has several fatherhood initiatives to educate and equip men for better fathering,³⁹⁴ and the Rhode Island Council for Muslim Advancement has established a Healthy Families Initiative.³⁹⁵ Since 2007, Rhode Island had a 7% increase in TANF expenditures,³⁹⁶ households had a 207% increase in annual SNAP costs,³⁹⁷ and the state had a 16% increase in food costs for WIC.³⁹⁸ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Rhode Island is \$417,408,285.³⁹⁹

South Carolina

Palmetto Family encourages implementation of family-strengthening public policy.⁴⁰⁰ Similarly, the South Carolina Center for Fathers and Families is a faith-based, private organization supporting strong families through successful fatherhood engagement.⁴⁰¹ Since 2007, South Carolina had a 13% increase in TANF expenditures,⁴⁰² households had a 117% increase in annual SNAP costs,⁴⁰³ and the state had a 33% increase in food costs for WIC.⁴⁰⁴ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for South Carolina is \$1,850,403,452.⁴⁰⁵

³⁹¹ See *infra* Table B.

³⁹² See *infra* Table C.

³⁹³ See *infra* Table D.

³⁹⁴ See *Fatherhood Initiatives*, R.I. OFF. CHILD SUPPORT, <http://www.cse.ri.gov/initiatives/fatherhood/> (last visited Oct. 18, 2012).

³⁹⁵ See *generally* HEALTHY FAMILIES INITIATIVE, <http://healthyfamiliesinitiative.blogspot.com> (last visited Sept. 5, 2012).

³⁹⁶ See *infra* Table A.

³⁹⁷ See *infra* Table B.

³⁹⁸ See *infra* Table C.

³⁹⁹ See *infra* Table D.

⁴⁰⁰ See PALMETTO FAMILY, SOUTH CAROLINA CULTURAL INDICATORS, *available at* <http://www.palmettofamily.org/Indicators.pdf> (discussing Palmetto Family's core values in light of cultural conditions in the state).

⁴⁰¹ *About*, S.C. CENTER FOR FATHERS & FAMILIES, <http://www.scfathersandfamilies.com/about/> (last visited Oct. 18, 2012).

⁴⁰² See *infra* Table A.

⁴⁰³ See *infra* Table B.

⁴⁰⁴ See *infra* Table C.

⁴⁰⁵ See *infra* Table D.

South Dakota

The South Dakota Family Policy Council promotes public policy that strengthens families.⁴⁰⁶ There was a Dakota Fatherhood Initiative in 2002,⁴⁰⁷ and Fatherhood First is an active private, initiative connected with the National Fatherhood Initiative.⁴⁰⁸ Since 2007, South Dakota had a 12% increase in TANF expenditures,⁴⁰⁹ households had a 130% increase in annual SNAP costs,⁴¹⁰ and the state had a 45% increase in food costs for WIC.⁴¹¹ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for South Dakota is \$231,602,765.⁴¹²

Tennessee

Tennessee passed legislation encouraging couples to seek premarital counseling.⁴¹³ In addition, the Family Action Council of Tennessee advocates family-strengthening public policy,⁴¹⁴ the Center for the Study of Social Policy has established the Strengthening Families initiative to prevent child abuse,⁴¹⁵ and the Greer Campaign is working in conjunction with the National Fatherhood Initiative on education in fatherhood responsibility.⁴¹⁶ Since 2007, Tennessee had a 68% increase in TANF expenditures,⁴¹⁷ households had a 104% increase in annual SNAP costs,⁴¹⁸ and the state had a 4% decrease in food costs for WIC.⁴¹⁹ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Tennessee is \$2,872,307,831.⁴²⁰

⁴⁰⁶ S.D. FAM. POL'Y COUNCIL, <http://www.sdfamily.org/welcome> (last visited Oct. 18, 2012).

⁴⁰⁷ BROTHERSON, *supra* note 348, at 2.

⁴⁰⁸ FATHERHOODFIRST.ORG, <http://www.fatherhoodfirst.org/> (last visited Oct. 18, 2012).

⁴⁰⁹ *See infra* Table A.

⁴¹⁰ *See infra* Table B.

⁴¹¹ *See infra* Table C.

⁴¹² *See infra* Table D.

⁴¹³ Hawkins et al., *supra* note 160.

⁴¹⁴ *Our Organization*, FAM. ACTION COUNCIL TENN., www.factn.org/about-us/ (last visited Sept. 1, 2012).

⁴¹⁵ CTR. FOR THE STUDY OF SOC. POLICY, TENNESSEE: STATE INITIATIVE PROFILE, available at <http://www.cssp.org/reform/strengthening-families/national-network/other-resources/Tennessee-New-Template.pdf>.

⁴¹⁶ *The Greer Campaign's Fatherhood Program*, GREER CAMPAIGN (Sept. 14, 2011), <http://thegreercampaign.wordpress.com/2011/09/14/the-greer-campaigns-fatherhood-program/>.

⁴¹⁷ *See infra* Table A.

⁴¹⁸ *See infra* Table B.

⁴¹⁹ *See infra* Table C.

⁴²⁰ *See infra* Table D.

Texas

Texas allocated about one percent of unrestricted TANF funds toward “initiatives to strengthen marriage and reduce divorce,” primarily through premarital education.⁴²¹ For example, in 2007, the Texas legislature passed legislation—funded by discretionary TANF funds—encouraging couples to seek premarital counseling by waiving the \$60 marriage-license fee and the 72-hour waiting period for couples who participate in eight hours of premarital education by a state-approved counselor.⁴²² Furthermore, a Family Strengthening Summit was held in Texas that highlighted the work of pre-established state and federal programs focused on family strength and asset-building.⁴²³ The Texas House of Representatives honored a delegation of the Texas Catholic Conference and Catholic Family Life Ministries for their work in building strong, healthy families.⁴²⁴ Texas also has the Faithful Fathering Initiative, which is designed “to encourage and equip men to be faithful fathers.”⁴²⁵ Since 2007, TANF expenditures in Texas increased by 17%,⁴²⁶ households had a 120% increase in annual SNAP costs,⁴²⁷ and the state had a 10% increase in food costs for WIC.⁴²⁸ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Texas is \$8,316,723,945.⁴²⁹

Utah

From 2007 to 2011, Utah allocated about \$750,000 per year in unrestricted TANF funds primarily to promote the use of premarital education services,⁴³⁰ and it has “dedicated noticeable amounts of TANF dollars to strengthening marriage.”⁴³¹ As part of Utah’s Healthy Marriage Initiative, the Utah Commission on Marriage focuses on education and preparation in building strong and healthy marriages by working to “maintain two-parent families and prevent family

⁴²¹ Hawkins et al., *supra* note 160, at 267 (noting the allocation of about \$7.5 million each year from 2007 to 2011 for this purpose).

⁴²² H.R. 2685, 2007 Leg., 80th Reg. Sess. (Tex. 2007).

⁴²³ REGION VI FAMILY STRENGTHENING SUMMIT (2011), <http://www.idaresources.org/servlet/servlet.FileDownload?file=015700000019RaAAI>.

⁴²⁴ See H.R. Res. 1149, 82d Leg. Sess. (Tex. 2011).

⁴²⁵ *About Us*, FAITHFUL FATHERING, http://www.faithfulfathering.org/ABOUT_US.htm (last visited Oct. 18, 2012) (defining “faithful fathers” as those “that prioritize physical presence, are engaged emotionally and lead spiritually by example”).

⁴²⁶ See *infra* Table A.

⁴²⁷ See *infra* Table B.

⁴²⁸ See *infra* Table C.

⁴²⁹ See *infra* Table D.

⁴³⁰ Hawkins et al., *supra* note 160, at 267.

⁴³¹ *Id.* at 269.

breakdown.”⁴³² Another initiative is the Uplift Utah Families Foundation, which promotes solid parenting for strong families.⁴³³ Prevent Child Abuse Utah is an initiative to strengthen families against child abuse from birth.⁴³⁴ Moreover, the private, not-for-profit Foundation for Family Life promotes healthy families,⁴³⁵ and the Fathers & Families Coalition of Utah is an affiliate of a national coalition designed to encourage fatherhood development.⁴³⁶ Since 2007, Utah had a 36% increase in TANF expenditures,⁴³⁷ households had a 201% increase in annual SNAP costs,⁴³⁸ and the state had a 55% increase in food costs for WIC.⁴³⁹ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Utah is \$585,142,665.⁴⁴⁰

Vermont

A fairly new program, the Vermont Fatherhood Initiative, works to educate responsible fathers.⁴⁴¹ Also, Vermont’s Department of Children and Families initiated the *Sibling Bill of Rights* for children in foster care to remain in sibling groups.⁴⁴² Since 2007, Vermont’s TANF expenditures decreased by 0.04%,⁴⁴³ households had a 142% increase in annual SNAP costs,⁴⁴⁴ and the state had a 0.5% increase in food costs for

⁴³² *About*, STRONGER MARRIAGE BLOG, http://utahmarriage.usu.edu/?page_id=2 (last visited Oct. 18, 2012).

⁴³³ *Uplift Utah Families Foundation*, UTAH PTA, <https://www.utahpta.org/uplift-families-foundation> (last visited Oct. 18, 2012).

⁴³⁴ *Healthy Families Utah*, PREVENT CHILD ABUSE UTAH, <http://www.preventchildabuseutah.org/healthyfamiliesutah.html> (last visited Oct. 18, 2012) (describing Utah’s abuse prevention program, which is a part of the national Healthy Families America Initiative).

⁴³⁵ *About Us*, FOUND. FOR FAM. LIFE, <http://foundationforfamilylife.com/about.html> (last visited Oct. 18, 2012).

⁴³⁶ *About Us*, FATHERS & FAMILIES COALITION UTAH, <http://utahfathersandfamilies.org/about-us.html> (last visited Oct. 18, 2012).

⁴³⁷ See *infra* Table A.

⁴³⁸ See *infra* Table B.

⁴³⁹ See *infra* Table C.

⁴⁴⁰ See *infra* Table D.

⁴⁴¹ Press Release, Rep. Mike Mrowicki, Nov. 1 Vt. Fatherhood Conference (Sept. 28, 2011), available at <http://vtdigger.org/2011/09/29/nov-1-vt-fatherhood-conference/print/>; see also *Fatherhood Initiative of Central Vermont*, GOOD BEGINNINGS CENT. VT., <http://centralvt.goodbeginnings.net/> (last visited Oct. 18, 2012).

⁴⁴² *DCF Signs Sibling Bill of Rights for Children & Youth in State Custody*, VT. DEP’T FOR CHILDREN & FAMS. (Apr. 4, 2012), http://dcf.vermont.gov/news_4/4/12.

⁴⁴³ See *infra* Table A.

⁴⁴⁴ See *infra* Table B.

WIC.⁴⁴⁵ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Vermont is \$222,809,577.⁴⁴⁶

Virginia

The Virginia Department of Social Services conducts a Strengthening Families Initiative to support responsible fatherhood and healthy families, marriages, and relationships.⁴⁴⁷ The Virginia Family Strengthening and Fatherhood Initiative is sponsored by the Virginia Department of Social Services to demonstrate the integrated “need for participation, of every division and office in working towards strengthening families and father engagement.”⁴⁴⁸ Within this program, the Richmond Family and Fatherhood Initiative has been the leader among Virginia cities in examining the social and financial impact of father absence and family fragmentation.⁴⁴⁹ The Family Foundation of Virginia is a private, public-policy organization involved in legislation to protect and strengthen families.⁴⁵⁰ Since 2007, Virginia had a 16% increase in TANF expenditures,⁴⁵¹ households had a 142% increase in annual SNAP costs,⁴⁵² and the state had a 22% increase in food costs for WIC.⁴⁵³ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Virginia is \$1,783,957,782.⁴⁵⁴

⁴⁴⁵ See *infra* Table C. These numbers indicate that Vermont has unchanging levels of TANF and WIC compared to dramatic increases in SNAP expenditures.

⁴⁴⁶ See *infra* Table D.

⁴⁴⁷ VA. DEPT. OF SOC. SERVS., VDSS STRENGTHENING FAMILIES INITIATIVE: OVERVIEW DOCUMENT (2011), available at http://www.dss.virginia.gov/files/about/sfi/intro_page/about/overview.pdf.

⁴⁴⁸ *Virginia Department of Social Services (VDSS) Family Strengthening and Fatherhood Initiative (FSFI): Goals and Objectives*, VA. DEPT. SOC. SERVS., <http://www.dss.virginia.gov/form/grants/cvs-10-067.html> (follow “Attachment G” hyperlink) (last visited Oct. 18, 2012).

⁴⁴⁹ See RICHMOND FAMILY & FATHERHOOD INITIATIVE, COST & SOLUTIONS TO FAMILY FRAGMENTATION & FATHER ABSENCE IN RICHMOND, VA (on file with the Regent University Law Review). Five cities have been targeted for state initiatives integrated with faith-based support for implementation of programs: Richmond, Alexandria, Norfolk, Petersburg, and Roanoke. The Child Advocacy Practicum of the Center for Global Justice, Human Rights and the Rule of Law at Regent University School of Law worked with the Virginia Department of Social Services to develop a model similar to the one in Richmond for the cities of Norfolk and Alexandria. This model is designed to assist the state in integrating resources and objectives with faith-based organizations in each city ready to work toward strengthening families and decreasing family fragmentation from father absence in their particular city.

⁴⁵⁰ *About the Family Foundation of Virginia*, FAM. FOUND. VA., <http://familyfoundation.org/about/> (last visited Oct. 18, 2012).

⁴⁵¹ See *infra* Table A.

⁴⁵² See *infra* Table B.

⁴⁵³ See *infra* Table C.

⁴⁵⁴ See *infra* Table D.

Washington

Washington State's Family Policy Council is a government arm partnering with Community Public Health and Safety Networks across the state to involve communities in finding ways to build thriving families.⁴⁵⁵ Similarly, the Family Policy Institute of Washington promotes public policy that strengthens families.⁴⁵⁶ Since 2007, Washington had a 45% increase in TANF expenditures,⁴⁵⁷ households had a 167% increase in annual SNAP costs,⁴⁵⁸ and the state had a 23% increase in food costs for WIC.⁴⁵⁹ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Washington is \$2,327,683,510.⁴⁶⁰

West Virginia

The Family Policy Council of West Virginia promotes public policy to strengthen families.⁴⁶¹ The West Virginia Department of Health and Human Resources established a Healthy Families Initiative to foster good marriages and parenting⁴⁶² and is connected with West Virginia University.⁴⁶³ Since 2007, West Virginia had a 91% increase in TANF expenditures,⁴⁶⁴ households had an 81% increase in annual SNAP costs,⁴⁶⁵ and the state had a 25% increase in food costs for WIC.⁴⁶⁶ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for West Virginia is \$845,688,010.⁴⁶⁷

⁴⁵⁵ THE FAMILY POLICY COUNCIL, THE FAMILY POLICY COUNCIL—COMMUNITY NETWORK PARTNERSHIP EXPLAINED (2010), *available at* <http://www.fpc.wa.gov/publications/PartnershipExplained2010.pdf>.

⁴⁵⁶ FAMILY POLICY INSTITUTE OF WASHINGTON (on file with the Regent University Law Review). Marriage is on the ballot in Washington in 2012. *See* Kohm, *supra* note 236.

⁴⁵⁷ *See infra* Table A.

⁴⁵⁸ *See infra* Table B.

⁴⁵⁹ *See infra* Table C.

⁴⁶⁰ *See infra* Table D.

⁴⁶¹ FAMILY POLICY COUNCIL OF W. VA., TRUTH. GRACE. VISION. 1, *available at* <http://www.campaignsitebuilder.com/user/jeremydysgmailcom/download/Case%20Statement.pdf>.

⁴⁶² *West Virginia Healthy Families Initiative*, W. VA. DEP'T HEALTH & HUM. RESOURCES, http://www.wvdhhr.org/bcf/family_assistance/WVHFI.asp (last visited Oct. 18, 2012).

⁴⁶³ W. VA. UNIV. EXTENSION SERV., STRENGTHENING FAMILIES 2009 (2009), *available at* http://programplanning.ext.wvu.edu/2009_program_area_summaries (follow "Strengthening Families" hyperlink).

⁴⁶⁴ *See infra* Table A.

⁴⁶⁵ *See infra* Table B.

⁴⁶⁶ *See infra* Table C.

⁴⁶⁷ *See infra* Table D.

Wisconsin

The Wisconsin State Legislature proposed legislation providing for better public school curriculum regarding sex education, abstinence, “personal responsibility, and the positive connection between marriage and parenting.”⁴⁶⁸ Wisconsin Fathers for Children and Families works to encourage two-parent families,⁴⁶⁹ and the Milwaukee Fatherhood Initiative has held annual summits and provides resources for male city residents to encourage fewer father-absent homes.⁴⁷⁰ The Wisconsin Family Council is a public policy organization that promotes strengthening families.⁴⁷¹ Since 2007, Wisconsin had a 26% increase in TANF expenditures,⁴⁷² households had a 208% increase in annual SNAP costs,⁴⁷³ and the state had a 25% increase in food costs for WIC.⁴⁷⁴ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Wisconsin is \$1,669,252,320.⁴⁷⁵

Wyoming

The Wyoming Healthy Marriage Initiative and the Strong Families, Strong Wyoming organization work to strengthen marriage and families.⁴⁷⁶ In the past, Wyoming has participated with HHS’s national fatherhood initiative.⁴⁷⁷ Since 2007, Wyoming had a 69% increase in TANF expenditures,⁴⁷⁸ households had a 110% increase in annual SNAP

⁴⁶⁸ S. 237, 2011–2012 Leg. (Wis. 2011). The proposed bill failed to pass. Assemb. 337, 2011–2012 Leg. (Wis. 2011).

⁴⁶⁹ *Who We Are*, WIS. FATHERS FOR CHILD. & FAMILIES, <http://www.wisconsinfathers.org> (last visited Oct. 18, 2012). Wisconsin Fathers for Children and Families is connected with the National Center for Fathering. *Links*, FATHERS.COM, http://www.fathers.com/content/index.php?option=com_content&task=view&id=324&Itemid=131 (last visited Oct. 18, 2012).

⁴⁷⁰ LISA LARSON & ERIN MALCOLM, PLANNING COUNCIL FOR HEALTH & HUMAN SERVS., THE 2009 MILWAUKEE FATHERHOOD SUMMIT: FEEDBACK RESULTS FROM SUMMIT PARTICIPANTS, at i (2010), available at http://www.milwaukeefatherhood.com/files/reports/2009_Fatherhood_Summit_Final_Report_REVISED_6-21-10.pdf.

⁴⁷¹ *Wisconsin Family Council*, WIS. FAM. ACTION, <http://www.wifamilyaction.org/wifamilycouncil> (last visited Oct. 18, 2012) (focusing on “informing Wisconsin citizens, churches and policymakers about important pro-family legislative and cultural issues”).

⁴⁷² See *infra* Table A.

⁴⁷³ See *infra* Table B.

⁴⁷⁴ See *infra* Table C.

⁴⁷⁵ See *infra* Table D.

⁴⁷⁶ See generally WHMI STRONG FAMS. STRONG WYO., COUPLES: BUILD ON YOUR STRENGTHS!, available at http://www.wyofams.org/index_htm_files/WHMI%20Couples%20Brochure.pdf.

⁴⁷⁷ *Around the Regions: Region 8, Wyoming*, U.S. DEP’T HEALTH & HUM. SERVS., <http://fatherhood.hhs.gov/regions/region08.shtml#WY> (last visited Oct. 18, 2012).

⁴⁷⁸ See *infra* Table A.

costs,⁴⁷⁹ and the state had a 31% increase in food costs for WIC.⁴⁸⁰ The conservative five-year cost of family fragmentation of TANF, SNAP, and WIC for Wyoming is \$101,532,134.⁴⁸¹

IV. GENERAL ANALYSIS

This survey is offered to states as a reference in considering and analyzing their expenditures and activities in relation to fragmented families. The information presented here does not necessarily allow for a cause-and-effect analysis, but states are free to make connections as they deem appropriate and are encouraged to use this information for internal analysis of the effectiveness of various programs. Although it is unclear whether family initiatives save taxpayer money, it can be safely assumed that the programs outlined here cost very little and are more likely to curb family fragmentation (than increase it), which will, in time, save state taxpayer money.

Some general insights, however, can be made. Stunning were the increases in SNAP expenditures over the past five years. Although SNAP is clearly a taxpayer cost of government support for fragmented families, University of Chicago economist Casey Mulligan links the recent rise in SNAP benefits to high unemployment in a recessed economy and monetary benefits provided under the 2009 Stimulus Act.⁴⁸² Individuals in fragmented families are using SNAP at an incredible pace and at great expense to taxpayers in every state.

In difficult economic times, states are obviously forced to make difficult budgetary decisions.⁴⁸³ States that saw TANF decreases, namely Alaska, Hawaii, Idaho, Indiana, Minnesota, New Hampshire, New

⁴⁷⁹ See *infra* Table B.

⁴⁸⁰ See *infra* Table C.

⁴⁸¹ See *infra* Table D.

⁴⁸² Casey B. Mulligan, *Food Stamps and Unemployment Insurance*, N.Y. TIMES ECONOMIX (May 9, 2012, 6:00 AM), <http://economix.blogs.nytimes.com/2012/05/09/food-stamps-and-unemployment-insurance> (citing to his work regarding the ease of qualifying for food stamps).

[F]ood-stamp eligibility rules have changed markedly in the last several years, bringing the program closer to unemployment insurance. Food stamps effectively no longer have an asset test. States have also received waivers from work requirements during the recession (for a while, the requirements were waived nationwide by the 2009 stimulus law).

As a result, food-stamp participation is now more common among the unemployed.

Id.; see also Casey B. Mulligan, *Testing for Need*, N.Y. TIMES ECONOMIX (Jan. 18, 2012, 6:00 AM), <http://economix.blogs.nytimes.com/2012/01/18/testing-for-need/>.

⁴⁸³ See LIZ SCHOTT & LADONNA PAVETTI, CENTER ON BUDGET & POLICY PRIORITIES, MANY STATES CUTTING TANF BENEFITS HARSHLY DESPITE HIGH UNEMPLOYMENT AND UNPRECEDENTED NEED 5–6 (2011), available at <http://www.cbpp.org/files/5-19-11tanf.pdf>.

Jersey, North Dakota, Ohio, and Vermont,⁴⁸⁴ may have accomplished those results by state budget benefit reductions,⁴⁸⁵ but whether there are any links in those decreases to family initiatives would be useful for state policymakers to contemplate.

TANF funds have been used most widely for marriage education. Although research has not revealed definitively whether premarital education is effective,⁴⁸⁶ such initiatives are certainly not harmful but are unquestionably helpful and creditable. Cost-effective policies to strengthen marriage and reduce divorce rates are another way states are seeking to decrease the cost of family fragmentation.⁴⁸⁷ As this survey revealed, the five states that have pursued those policies were Florida, Maryland, Minnesota, Oklahoma, and Tennessee. Several states were spotlighted by TANF for their activities supporting married, two-parent families: Alabama, Connecticut, Florida, Georgia, Indiana, Louisiana, Mississippi, New Mexico, Oklahoma, Utah, and West Virginia.⁴⁸⁸ Allowing states discretion in allocation of TANF funds has clearly been helpful to the various state initiatives. It has empowered states to target family-fragmentation concerns unique to their citizenry.

Similar to TANF-funded programs that support healthy family initiatives, programs that target WIC recipients for marriage education and resulting marriage benefits can be beneficial. Because the recipients of WIC funding are pregnant women, mothers, and children, some of the most vulnerable people in the welfare system, marriage initiatives and family-strengthening programs would help to decrease that vulnerability by providing support where it is needed most. Strengthening and stabilizing the connections between the two programs makes sense. Furthermore, streamlining TANF, SNAP, and WIC programs together to give families more support for future strength presents a sagacious objective.

⁴⁸⁴ See *infra* Table A.

⁴⁸⁵ See SCHOTT & PAVETTI, *supra* note 483, at 2.

⁴⁸⁶ See Elizabeth B. Fawcett et al., *Do Premarital Education Programs Really Work? A Meta-analytic Study*, 59 FAM. REL. 232, 233, 236 (2010) (“[T]he question of whether premarital education works is not as settled as program developers and practitioners might assume or like it to be.”). Fawcett also noted the need for more longitudinal research. *Id.* at 233.

⁴⁸⁷ See Alan J. Hawkins, *Will Legislation to Encourage Premarital Education Strengthen Marriage and Reduce Divorce?*, 9 J.L. & FAM. STUD. 79, 79–80, 94–95 (2007); Alan J. Hawkins & Tamara A. Fackrell, *Does Relationship and Marriage Education for Lower-Income Couples Work? A Meta-analytic Study of Emerging Research*, 9 J. COUPLE & RELATIONSHIP THERAPY 181, 181–82 (2010) (testing couple-education programs for effectiveness and finding “small-to-moderate effects”).

⁴⁸⁸ ADMIN. FOR CHILDREN & FAMILIES, U.S. DEP’T OF HEALTH & HUMAN SERVS., TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM (TANF): EIGHTH ANNUAL REPORT TO CONGRESS 51–59.

Recognition and understanding of the problem of family fragmentation and its costly results in individual states is half of the battle. Legislative and policy initiatives, like those in Alabama, Georgia, Minnesota, Oklahoma, Utah, and Virginia indicate that those states want to be proactive in addressing needs presented by family fragmentation. Also, governors' initiatives like those in Alabama, Georgia, Kansas, and Utah raise awareness of the issues. Likewise, court initiatives like that in Georgia indicate judicial recognition of the issue of family fragmentation and manifest a desire on the part of the state's top justices to provide solutions that lead to family strengthening rather than habitually reordering broken families when those families may be seeking judicial intervention for alternatives to family fragmentation.

Private initiatives working to combat family fragmentation are supplemental pieces of the puzzle in that such initiatives prime the pump to begin the process of managing the cultural epidemic of domestic breakdown. These private initiatives inform and inspire the public and provide government accountability. Most importantly, they work with grass-root efforts in schools, faith-based organizations, and civic organizations to accurately assess and address the individual needs of the community, acting as the boots on the ground.

State resources do not necessarily rescue fragmented families, nor do those resources solve the problems presented to the states by family fragmentation. Economist Isabel Sawhill notes that "[t]he government has a limited role to play. It can support local programs and nonprofit organizations working to reduce early, unwed childbearing through teen-pregnancy prevention efforts, family planning, greater opportunities for disadvantaged youth or programs to encourage responsible relationships."⁴⁸⁹ Others agree and see a need for integration of public and private efforts. "Government alone cannot change the culture. The private and faith-based communities do not have the resources to build the supports needed to strengthen marriage. But working together, government, community and faith-based organizations can reverse the trends that are destroying marriage."⁴⁹⁰ Many of the initiatives outlined here have come about because of the collaboration between university

⁴⁸⁹ Sawhill, *supra* note 6; see also RON HASKINS & ISABEL SAWHILL, CREATING AN OPPORTUNITY SOCIETY 61–62, 125, 168, 186 (2009) (examining economic opportunity and proposing an agenda for creating opportunity for the young and disadvantaged).

⁴⁹⁰ Chris Gersten, Americans for Divorce Reform, A Long-Term Strategy to End Marital Breakdown of Traditional Marriage 1 (unpublished manuscript) (on file with the Regent University Law Review). The plan outlines an eight-year strategy for government, community, and faith-based organizations to work together to reduce various forms of family fragmentation. See *id.* at 7.

researchers, government officials, and privately funded pro-family advocates.⁴⁹¹

State resources may stand in the gap for women and children in need; however, those recipients and their children are restricted by the very benefits designed to assist them. Economist Derek Neal at the University of Chicago discussed this dilemma in 2001: “During the past four decades, the prevalence of single-parent families has increased dramatically in the United States. The decline of two-parent families is a potential cause for concern since two-parent families may make more efficient investments in their children.”⁴⁹² Professor Neal developed a model showing the interaction between the expansion of welfare programs and the rise in single motherhood, pointing to

the possibility that, prior to the expansion of aid to single mothers, never-married motherhood was not an attractive option, even for women who faced poor marriage prospects. . . . imply[ing] that, without government aid, women who face the worst marriage market prospects may not have the resources required to raise children on their own. Seen in this light, the expansion of welfare programs during the 1960s may be the key event that made never-married motherhood among economically disadvantaged women possible.⁴⁹³

Neal targets the key problem with too much reliance on government support for a fragmented family. “[W]elfare programs restrict the ability

⁴⁹¹ An example is the Child Advocacy Practicum at Regent University School of Law, which was the impetus for this Article. The Child Advocacy Practicum is one of the classes offered at Regent through the Center for Global Justice, Human Rights, and the Rule of Law. The Child Advocacy Practicum offers students at Regent the ability to get firsthand experience working on projects that affect child welfare. LYNNE MARIE KOHM, REGENT UNIV. SCH. OF LAW, A SYLLABUS FOR CHILD ADVOCACY PRACTICUM 1 (2012) (on file with the Regent University Law Review).

⁴⁹² Derek Neal, *The Economics of Family Structure* 1 (Nat’l Bureau of Econ. Research, Working Paper No. 8519, © 2001), available at <http://www.nber.org/papers/w8519.pdf> (discussing marriage rate theories, existing literature, and a developed economic theorem that describes the recent demographic phenomenon of never-married mothers).

⁴⁹³ *Id.* at 24.

However, once a system of aid was put in place, the drastic decline in the supply of marriageable, less educated, black men may have been the driving force behind the observed changes in family structure among black women. In short, while the existing literature puts forth government aid to single mothers and shortages of marriageable men as competing explanations for observed changes in observed family structures among black women, these two factors may have worked together over time to shape changes in black family structure.

Id. Professor Neal has continued his work in economics of black-white inequality, including African-American family structure. See Derek A. Neal, *Chicago Workshop on Black-White Inequality: A Summary*, CHI. FED. LETTER, Apr. 2007, available at http://qa.chicagofed.org/digital_assets/publications/chicago_fed_letter/2007/cflapril2007_237a.pdf.

of participants to use their financial and human wealth to finance private consumption.”⁴⁹⁴ U.S. Labor Statistics mirror this principal: “In 2011, families maintained by women with no spouse present remained less likely to have an employed member (71.7 percent) than married-couple families (81.9 percent) or families maintained by men with no spouse present (80.2 percent).”⁴⁹⁵ In fact, 54.1% of families maintained by women had no employment in 2011.⁴⁹⁶ These labor statistics, combined with the increasing amounts of money states are spending, expose just how costly is the gap created by family fragmentation—and a large portion of that may be perpetuated by the welfare cycle. This research demonstrates that over the past five years, TANF, SNAP, and WIC family support alone has cost the states \$110,747,439,379.⁴⁹⁷

Trends of family fragmentation have taken decades to manifest themselves. Likewise, the restoration of the family will take time to accomplish. Reversing the trend must be a part of a long-term societal commitment. Harvard Law Professor Mary Ann Glendon was an early forecaster of the state of family fragmentation witnessed today when she noted that “[t]he tale currently being told by the law about marriage and family life is probably more starkly individualistic than the ideas and practices that prevail.”⁴⁹⁸ Professor Bruce Hafen saw the correlation between the transformation of family law and the emergence of autonomous individualism, noting the repercussions of that individualism having “implications across the entire spectrum of legal subject matter and political theory” and arguing that autonomous individualism “is relevant to family law because the changes of the past generation have produced what Martha Minow calls ‘[a] body of family law that protects only the autonomous self.’”⁴⁹⁹ This individualism has led to what we now understand to be family fragmentation. Cultural currents combined with expanded individual-focused family law have had devastating results in terms of family strength.

In family law, as in family life, the individualistic cultural currents of the past quarter century have eroded the mortar of personal

⁴⁹⁴ Neal, *supra* note 492, at 9 (illustrating that the value of being on aid is greater than the value of being single without children).

⁴⁹⁵ BUREAU OF LABOR STAT., U.S. DEPT OF LABOR, EMPLOYMENT CHARACTERISTICS OF FAMILIES — 2011, at 2 (2012), available at http://www.bls.gov/news.release/archives/famee_04262012.pdf.

⁴⁹⁶ See *id.* tbl.3; see also *id.* at 2 (noting that the unemployment rate for married mothers is 6% but 15% for mothers “with other marital statuses”).

⁴⁹⁷ See *infra* Table D.

⁴⁹⁸ MARY ANN GLENDON, THE TRANSFORMATION OF FAMILY LAW: STATE, LAW, AND FAMILY IN THE UNITED STATES AND WESTERN EUROPE 312 (1989).

⁴⁹⁹ Hafen, *supra* note 20, at 2–3 (quoting Martha Minow, “Forming Underneath Everything That Grows:” *Toward a History of Family Law*, 1985 WIS. L. REV. 819, 894 (1985)).

commitment that traditionally held the building blocks of family life—people—together in intimate relationships. . . .

....

To probe the assumptions underlying an entire generation of wrenching legal and social change is a daunting task for family law scholarship, if only because those assumptions now seem so widely, even if often uncritically, accepted.⁵⁰⁰

It might be easy to blame the law as the instigator of family fragmentation, but Professor Hafen agrees with Professor Glendon, wisely noting that the “law is clearly not the primary cause of the broad and complex attitudinal changes on this subject during the past quarter century, even if the law’s acquiescence has influenced the pace and nature of change.”⁵⁰¹ Glendon’s observations in 1989 about society are only more serious now; and, “[i]f in fact our societ[y] [is] producing too many individuals who are [not] capable . . . of sustaining personal relationships, it is probably beyond the power of law to reverse the process.”⁵⁰² While state and federal support is important, states do not need to perpetuate the process of family fragmentation in efforts to assist families in need.

This indicates that neither state nor federal governments can completely restore the family or civil society, as “no government program is likely to reduce child poverty as much as bringing back marriage as the preferable way of raising children.”⁵⁰³ Those states, however, which have made headway, are likely holding the line on increased damage. Most active among them in family strength initiatives are Alabama, Georgia, Minnesota, Oklahoma, and Utah. State governments that have effectively set up frameworks conducive to family strength and personal responsibility work to incentivize both marriage and active fatherhood.⁵⁰⁴

⁵⁰⁰ Hafen, *supra* note 20, at 2–3. Professor Hafen notes, however, that he is encouraged by an “emerging body of family law scholarship [that] is beginning to challenge the sources and implications of this trend.” *Id.* at 2; *see, e.g.*, Katherine T. Bartlett, *Re-Expressing Parenthood*, 98 YALE L.J. 293, 296 (1988); Martha Minow, *Weitzman: The Divorce Revolution: The Unexpected Social and Economic Consequences for Women and Children in America*, 84 MICH. L. REV. 900, 915–16 (1986); Carl E. Schneider, *Moral Discourse and the Transformation of American Family Law*, 83 MICH. L. REV. 1803, 1855–60 (1985).

⁵⁰¹ Hafen, *supra* note 20, at 42.

⁵⁰² GLENDON, *supra* note 498.

⁵⁰³ Sawhill, *supra* note 6. Economist Isabel Sawhill notes that there are three reasons to be concerned about this “dramatic shift” in family law: (1) “marriage is a commitment that cohabitation is not”; (2) “a wealth of research strongly suggests that marriage is good for children”; and (3) “marriage brings economic benefits.” *Id.*

⁵⁰⁴ Self-government is the key to true freedom for the individual. This principle of self-government provides a way to establish meaning for the liberty and individual rights that courts struggle to consistently define. We hold that when individuals themselves turn from selfish individualism to a true liberty and freedom in Christ, change and restoration

CONCLUSION

States cannot force healthy family structure, but they can endorse it. Although there is no quick fix, staying the course should yield outcomes that will not only strengthen families but will yield future generations of healthier children and, as a result, provide significant savings to taxpayers and states. States may choose to use the work presented here as a resource to support initiatives toward future family strength and restoration.

This research reveals the great cost borne by each state from the family brokenness of its own citizens. More investigation would be helpful. Follow-up research could include a longitudinal study to discern links between family initiatives in individual states and spending-directions in family-welfare expenses. Studying percentage decreases in various states to discern causal connections with those changes would be helpful.⁵⁰⁵ Whether various factors other than family initiatives cause increases or decreases is important to understand as is how those other factors work with family initiatives to create a stronger society. Numbers as large as those presented here are difficult to grasp, and greater depth of study would be very helpful. This Article affords a beginning to providing further research on the results of family-strengthening initiatives. It is essential to remember that “even very small increases in stable marriage rates would result in very large returns to taxpayers,”⁵⁰⁶ and those small increases make large economic differences over time.

A nation of welfare families fragmented and relying on state and federal financial assistance cannot be sustained. Emergent trends in family fragmentation may be curbed by initiatives that educate individuals and communities on the significance of marriage and fatherhood and may work to present significantly less expense to individual states. Recognizing these facts makes for a great beginning to a stronger state.

are possible. Selfish individualism destroys family strength. *See generally* KOHM, *supra* note 6, at xiii–xviii.

⁵⁰⁵ For example, some decreased costs could be due to budget cuts, population decreases, or family strengthening initiatives. It is unclear what factors caused the Alaska decreases. *See supra* note 98 and accompanying text. A study that would consider all factors, eliminating irrelevant factors and focusing on active causes, would provide excellent state-by-state research.

⁵⁰⁶ SCAFIDI, *supra* note 4, at 20.

TABLE A: TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (“TANF”) TOTAL EXPENDITURES (ASSISTANCE AND NON-ASSISTANCE)⁵⁰⁷

State	2007	2008	2009	2010	2011	Percent Change 2007–2011
Ala.	\$90,460,123	\$91,479,709	\$87,396,473	\$140,474,963	\$109,737,857	21%
Alaska	\$37,176,237	\$23,379,222	\$31,928,928	\$21,344,523	\$28,483,329	-23%
Ariz.	\$202,261,794	\$196,591,597	\$245,598,194	\$192,401,576	\$234,417,720	16%
Ark.	\$62,110,116	\$58,141,125	\$72,594,744	\$136,535,898	\$69,485,642	12%
Cal.	\$3,067,233,614	\$3,695,590,270	\$3,346,865,619	\$4,274,296,280	\$3,457,463,001	13%
Colo.	\$105,900,145	\$113,117,032	\$163,150,446	\$205,175,965	\$176,073,168	66%
Conn.	\$235,787,331	\$240,109,297	\$240,109,297	\$267,046,129	\$245,487,055	4%
Del.	\$24,663,538	\$18,003,999	\$33,811,249	\$38,883,044	\$31,612,277	28%
D.C.	\$74,035,532	\$85,383,319	\$96,664,795	\$112,661,281	\$107,505,423	45%
Fla.	\$400,321,679	\$471,363,761	\$467,842,357	\$489,511,905	\$427,834,778	7%
Ga.	\$326,315,145	\$441,602,340	\$348,118,951	\$389,889,938	\$388,134,240	19%
Haw.	\$82,485,639	\$103,873,921	\$121,101,361	\$157,999,693	\$82,230,727	-0.3%
Idaho	\$24,310,311	\$21,711,605	\$20,604,496	\$21,746,124	\$12,862,685	-47%
Ill.	\$545,389,784	\$543,482,849	\$545,384,730	\$724,368,595	\$604,847,837	11%
Ind.	\$163,440,624	\$175,590,731	\$180,186,593	\$178,162,404	\$135,875,967	-17%
Iowa	\$92,516,290	\$89,355,179	\$92,320,104	\$125,162,660	\$115,876,723	25%
Kan.	\$62,123,777	\$67,548,443	\$64,854,859	\$130,440,819	\$90,439,375	46%
Ky.	\$127,381,760	\$120,983,785	\$141,053,878	\$194,813,798	\$155,000,922	22%
La.	\$145,118,959	\$116,046,047	\$135,647,308	\$172,950,395	\$212,368,302	46%
Me.	\$64,182,205	\$82,726,837	\$75,999,004	\$95,996,917	\$81,396,694	27%
Md.	\$205,004,611	\$227,956,047	\$259,996,523	\$323,403,001	\$220,162,019	7%
Mass.	\$322,423,235	\$321,559,779	\$458,393,121	\$420,601,995	\$344,528,334	7%
Mich.	\$592,720,134	\$439,706,506	\$669,852,600	\$1,086,304,097	\$665,119,842	12%

⁵⁰⁷ OFFICE OF FAMILY ASSISTANCE, U.S. DEP’T OF HEALTH & HUM. SERVS., FISCAL YEAR 2011 TANF FINANCIAL DATA tbl.A6 (2012), *available at* http://www.acf.hhs.gov/sites/default/files/ofa/2011_tanf_data_with_states.pdf; OFFICE OF FAMILY ASSISTANCE, U.S. DEP’T OF HEALTH & HUM. SERVS., FISCAL YEAR 2010 TANF FINANCIAL DATA tbl.A5 (2011), *available at* http://www.acf.hhs.gov/sites/default/files/ofa/2010_tanf_data.pdf; *Table A-1 Combined Federal Funds Spent in FY 2009*, ADMIN. FOR CHILDREN & FAMS. (Aug. 2010), http://archive.acf.hhs.gov/programs/ofs/data/2009/table_a1_2009.html; *Table A Combined Federal Funds Spent in FY 2008*, ADMIN. FOR CHILDREN & FAMS. (Oct. 2009), http://archive.acf.hhs.gov/programs/ofs/data/2008/tableA_spending_2008.html; *Table A Combined Federal Funds Spent in FY 2007*, ADMIN. FOR CHILDREN & FAMS. (Mar. 2009), http://archive.acf.hhs.gov/programs/ofs/data/2007/tableA_spending_2007.html.

State	2007	2008	2009	2010	2011	Percent Change 2007-2011
Minn.	\$205,547,447	\$176,582,894	\$261,873,998	\$268,920,842	\$200,744,630	-2%
Miss.	\$61,007,521	\$69,379,735	\$78,994,750	\$83,941,666	\$88,117,247	44%
Mo.	\$184,158,549	\$174,072,498	\$174,530,031	\$212,395,384	\$190,385,828	3%
Mont.	\$26,383,934	\$25,709,017	\$27,581,024	\$33,764,247	\$29,921,743	13%
Neb.	\$22,562,539	\$35,592,060	\$28,975,680	\$33,939,675	\$52,858,929	134%
Nev.	\$41,312,970	\$48,679,947	\$66,502,272	\$52,008,110	\$55,652,188	35%
N.H.	\$40,486,471	\$38,635,243	\$44,093,332	\$45,982,042	\$40,429,955	-0.1%
N.J.	\$345,892,443	\$311,729,908	\$309,503,590	\$577,112,878	\$303,902,545	-12%
N.M.	\$61,732,379	\$86,624,362	\$113,682,413	\$143,757,300	\$101,440,053	64%
N.Y.	\$2,100,310,257	\$1,897,196,186	\$2,019,103,408	\$2,388,094,662	\$2,245,285,831	7%
N.C.	\$247,145,756	\$243,406,301	\$336,547,779	\$248,063,866	\$314,087,897	27%
N.D.	\$26,663,554	\$28,071,058	\$27,250,914	\$27,816,078	\$25,861,453	-3%
Ohio	\$912,258,022	\$1,063,867,710	\$879,648,628	\$804,551,198	\$718,061,644	-21%
Okla.	\$91,995,010	\$115,559,096	\$158,264,840	\$118,879,036	\$112,513,400	22%
Or.	\$159,703,149	\$205,690,173	\$178,845,763	\$250,197,944	\$175,138,560	10%
Pa.	\$440,898,719	\$501,863,848	\$545,122,631	\$534,080,209	\$525,208,208	19%
R.I.	\$70,219,217	\$74,173,912	\$75,201,738	\$74,071,955	\$75,331,611	7%
S.C.	\$93,226,608	\$111,974,400	\$131,658,291	\$129,827,974	\$104,966,214	13%
S.D.	\$20,055,143	\$20,005,277	\$17,213,697	\$22,312,928	\$22,544,340	12%
Tenn.	\$128,286,687	\$144,806,682	\$202,036,915	\$218,505,666	\$215,673,488	68%
Tex.	\$469,191,827	\$570,434,746	\$554,214,846	\$658,557,631	\$550,059,409	17%
Utah	\$63,163,183	\$60,819,298	\$85,987,738	\$97,372,154	\$85,982,970	36%
Vt.	\$33,393,789	\$33,393,789	\$33,393,789	\$46,780,225	\$33,380,075	-0.04%
Va.	\$125,860,673	\$141,938,579	\$111,737,587	\$156,544,998	\$146,161,049	16%
Wash.	\$212,521,579	\$210,619,463	\$392,732,225	\$434,934,155	\$309,214,830	45%
W. Va.	\$72,104,299	\$80,735,391	\$112,923,047	\$164,415,692	\$137,508,964	91%
Wis.	\$236,968,652	\$239,389,316	\$289,698,655	\$318,029,979	\$298,679,480	26%
Wyo.	\$16,138,965	\$17,723,276	\$21,783,923	\$19,699,008	\$27,292,996	69%

TABLE B: SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (“SNAP”):
AVERAGE YEARLY COSTS PER HOUSEHOLD⁵⁰⁸

State	2007	2008	2009	2010	2011	Percent Change 2007–2011
Ala.	\$601,413,135	\$663,901,057	\$970,949,096	\$1,226,018,708	\$1,492,961,298	148%
Alaska	\$86,084,132	\$94,262,437	\$129,624,461	\$159,413,978	\$176,385,311	105%
Ariz.	\$646,750,299	\$772,440,411	\$1,223,845,635	\$1,587,702,249	\$1,648,821,864	155%
Ark.	\$412,445,881	\$431,547,807	\$569,987,431	\$686,400,617	\$722,195,399	75%
Cal.	\$2,569,814,590	\$2,995,179,522	\$4,382,009,712	\$5,691,851,784	\$6,481,947,277	152%
Colo.	\$310,583,982	\$325,104,191	\$502,657,149	\$687,709,379	\$762,800,608	146%
Conn.	\$253,062,794	\$284,829,257	\$417,158,566	\$569,684,382	\$647,390,087	156%
Del.	\$74,729,045	\$86,180,751	\$129,098,106	\$171,155,272	\$205,304,944	175%
D.C.	\$103,950,879	\$112,324,800	\$159,506,975	\$195,893,308	\$229,250,674	121%
Fla.	\$1,400,153,858	\$1,778,641,937	\$2,968,374,682	\$4,416,942,533	\$5,148,715,738	268%
Ga.	\$1,125,954,322	\$1,276,750,098	\$1,943,839,554	\$2,565,169,527	\$2,891,615,163	157%
Haw.	\$156,542,027	\$184,612,461	\$273,683,509	\$358,144,853	\$412,604,147	164%
Idaho	\$95,992,768	\$116,567,714	\$200,937,001	\$299,552,014	\$361,999,149	277%
Ill.	\$1,565,198,255	\$1,718,280,001	\$2,322,771,336	\$2,784,473,892	\$2,995,469,012	91%
Ind.	\$677,097,583	\$772,883,186	\$1,071,248,747	\$1,291,225,153	\$1,386,478,333	105%
Iowa	\$265,450,404	\$305,655,259	\$419,857,396	\$526,119,310	\$566,732,507	113%
Kan.	\$192,850,959	\$211,265,341	\$301,563,664	\$402,630,483	\$452,767,878	135%
Ky.	\$674,261,809	\$742,037,605	\$1,002,094,470	\$1,186,291,238	\$1,260,888,769	87%
La.	\$746,127,346	\$1,025,182,241	\$1,119,136,582	\$1,286,198,597	\$1,386,115,227	86%
Me.	\$170,581,745	\$196,264,502	\$292,704,585	\$356,097,335	\$382,131,426	124%
Md.	\$357,244,132	\$432,043,737	\$668,682,585	\$877,975,713	\$1,035,175,750	190%
Mass.	\$471,901,175	\$586,587,498	\$925,603,583	\$1,165,907,744	\$1,291,609,491	174%
Mich.	\$1,367,629,622	\$1,506,032,208	\$2,106,871,076	\$2,808,763,231	\$3,151,479,174	130%
Minn.	\$296,387,269	\$329,569,307	\$472,689,944	\$624,886,794	\$698,408,893	136%
Miss.	\$443,797,523	\$496,847,694	\$691,067,947	\$846,542,922	\$921,109,139	108%
Mo.	\$745,311,957	\$810,471,619	\$1,135,612,551	\$1,361,300,993	\$1,437,886,768	93%
Mont.	\$89,698,694	\$94,225,210	\$134,564,381	\$176,546,027	\$193,310,950	116%
Neb.	\$126,459,764	\$140,752,738	\$179,068,040	\$237,577,180	\$256,477,504	103%
Nev.	\$133,739,897	\$169,714,444	\$285,773,577	\$414,596,369	\$496,867,234	272%
N.H.	\$62,477,686	\$71,404,026	\$115,948,720	\$151,813,784	\$162,679,478	160%

⁵⁰⁸ Supplemental Nutrition Assistance Program Benefits, FOOD & NUTRITION SERV. (July 26, 2012), [http://www.fns.usda.gov/pd/17SNAPfyBen\\$.htm](http://www.fns.usda.gov/pd/17SNAPfyBen$.htm).

State	2007	2008	2009	2010	2011	Percent Change 2007- 2011
N.J.	\$483,425,319	\$532,944,902	\$750,159,374	\$1,030,292,837	\$1,213,993,288	151%
N.M.	\$248,844,870	\$269,188,961	\$410,844,850	\$541,806,403	\$631,681,353	154%
N.Y.	\$2,324,294,916	\$2,572,842,848	\$3,955,033,246	\$4,984,900,302	\$5,350,660,541	130%
N.C.	\$972,290,890	\$1,104,399,962	\$1,625,497,467	\$2,072,127,398	\$2,377,093,020	144%
N.D.	\$51,891,080	\$59,266,579	\$79,564,871	\$95,014,675	\$95,918,344	85%
Ohio	\$1,292,695,103	\$1,494,661,229	\$2,167,118,474	\$2,733,689,660	\$2,986,317,777	131%
Okla.	\$458,907,034	\$491,362,648	\$666,446,549	\$899,655,548	\$947,338,484	106%
Or.	\$477,442,080	\$542,197,277	\$831,153,110	\$1,066,932,095	\$1,189,269,261	149%
Pa.	\$1,258,604,269	\$1,386,964,117	\$1,900,787,569	\$2,332,575,204	\$2,647,473,519	110%
R.I.	\$89,354,659	\$107,719,391	\$170,463,595	\$237,618,372	\$274,736,117	207%
S.C.	\$618,164,263	\$706,792,219	\$1,001,691,847	\$1,256,298,352	\$1,339,644,859	117%
S.D.	\$70,614,077	\$78,001,007	\$111,278,093	\$153,075,454	\$162,135,500	130%
Tenn.	\$1,003,609,007	\$1,114,791,337	\$1,603,675,536	\$1,966,107,581	\$2,048,637,590	104%
Tex.	\$2,718,158,343	\$3,068,232,722	\$4,399,125,072	\$5,447,397,414	\$5,993,125,493	120%
Utah	\$133,204,438	\$150,960,595	\$263,258,195	\$366,903,456	\$401,261,439	201%
Vt.	\$55,659,902	\$62,169,303	\$99,238,170	\$124,311,833	\$134,856,526	142%
Va.	\$551,446,240	\$610,021,737	\$922,879,649	\$1,213,496,417	\$1,335,038,906	142%
Wash.	\$600,647,715	\$680,799,184	\$1,046,740,870	\$1,386,585,984	\$1,602,557,358	167%
W. Va.	\$274,884,537	\$304,122,744	\$408,456,434	\$486,939,521	\$497,390,191	81%
Wis.	\$363,438,137	\$430,028,455	\$679,971,117	\$1,000,496,070	\$1,117,802,969	208%
Wyo.	\$25,284,892	\$26,389,959	\$37,074,837	\$51,674,879	\$53,162,213	110%

TABLE C: WOMEN, INFANTS, AND CHILDREN (“WIC”) ANNUAL FOOD COSTS⁵⁰⁹

State	2007	2008	2009	2010	2011	Percent Change 2007–2011
Ala.	\$74,210,159	\$82,129,896	\$76,022,244	\$79,839,341	\$87,239,755	18%
Alaska	\$14,830,199	\$15,892,266	\$16,569,253	\$15,506,693	\$16,269,305	10%
Ariz.	\$79,686,234	\$96,973,823	\$105,224,266	\$93,665,889	\$100,870,256	27%
Ark.	\$40,670,480	\$49,082,990	\$47,942,672	\$48,932,442	\$53,810,866	32%
Cal.	\$608,765,814	\$738,758,026	\$757,390,634	\$827,345,241	\$920,629,963	51%
Colo.	\$35,441,943	\$44,628,898	\$46,113,503	\$46,781,507	\$49,822,303	41%
Conn.	\$30,878,226	\$34,092,965	\$35,500,802	\$30,778,425	\$32,950,302	7%
Del.	\$8,039,196	\$10,514,237	\$10,815,265	\$10,891,414	\$12,235,263	52%
D.C.	\$7,171,835	\$8,889,738	\$9,247,588	\$8,273,117	\$9,391,572	31%
Fla.	\$214,966,918	\$258,862,751	\$272,171,534	\$247,390,909	\$262,985,183	22%
Ga.	\$147,858,511	\$176,503,058	\$186,877,035	\$193,582,313	\$225,969,436	53%
Haw.	\$21,977,213	\$24,428,156	\$23,613,339	\$22,246,444	\$23,799,696	8%
Idaho	\$14,661,269	\$19,024,435	\$20,355,036	\$19,527,932	\$20,108,849	37%
Ill.	\$139,961,473	\$154,166,784	\$169,791,276	\$166,396,777	\$177,201,732	27%
Ind.	\$61,333,429	\$73,815,080	\$76,407,408	\$75,139,432	\$83,674,360	36%
Iowa	\$29,382,669	\$35,799,568	\$34,498,197	\$31,513,040	\$34,914,528	19%
Kan.	\$28,306,427	\$33,012,799	\$32,401,154	\$32,880,037	\$36,948,504	31%
Ky.	\$66,238,789	\$73,514,099	\$68,900,666	\$67,268,284	\$68,861,184	4%
La.	\$67,801,639	\$87,810,485	\$93,002,131	\$89,640,638	\$95,853,122	41%
Me.	\$11,333,474	\$12,574,349	\$12,803,014	\$12,871,811	\$13,465,539	19%
Md.	\$53,273,131	\$66,819,066	\$72,637,183	\$70,092,498	\$81,015,210	52%
Mass.	\$57,740,848	\$61,766,095	\$62,562,086	\$58,946,209	\$61,858,249	7%
Mich.	\$107,402,331	\$121,704,763	\$115,202,157	\$120,286,804	\$136,272,286	27%
Minn.	\$59,239,544	\$70,849,413	\$68,682,739	\$67,552,620	\$73,482,264	24%
Miss.	\$52,124,767	\$62,783,464	\$73,704,744	\$63,882,500	\$63,947,436	23%
Mo.	\$52,465,647	\$60,880,339	\$54,913,301	\$60,760,382	\$70,914,720	35%
Mont.	\$8,660,534	\$9,460,491	\$9,186,975	\$9,033,187	\$10,492,002	21%
Neb.	\$18,177,984	\$21,480,373	\$20,971,660	\$21,038,923	\$23,511,032	29%
Nev.	\$19,414,682	\$25,759,369	\$27,028,431	\$29,725,974	\$35,908,738	85%
N.H.	\$7,926,142	\$8,977,934	\$8,693,440	\$7,157,133	\$7,569,965	-4%

⁵⁰⁹ WIC Program: Food Cost, FOOD & NUTRITION SERV. (July 26, 2012), [http://www.fns.usda.gov/pd/24wicfood\\$.htm](http://www.fns.usda.gov/pd/24wicfood$.htm).

State	2007	2008	2009	2010	2011	Percent Change 2007-2011
N.J.	\$71,623,257	\$87,624,385	\$93,879,419	\$98,155,852	\$107,497,168	50%
N.M.	\$30,509,851	\$32,802,772	\$32,158,207	\$26,278,926	\$29,827,126	-2%
N.Y.	\$272,094,470	\$292,296,689	\$311,543,551	\$316,295,403	\$352,074,635	29%
N.C.	\$113,667,969	\$136,418,654	\$141,758,728	\$130,769,295	\$143,038,362	26%
N.D.	\$7,443,565	\$8,361,673	\$7,590,274	\$7,513,762	\$8,103,064	9%
Ohio	\$122,014,284	\$139,031,682	\$133,659,387	\$119,743,626	\$130,821,171	7%
Okla.	\$52,463,978	\$60,615,316	\$61,778,383	\$59,347,355	\$62,463,349	19%
Or.	\$43,506,016	\$50,139,963	\$50,267,983	\$49,217,076	\$53,873,401	24%
Pa.	\$106,122,891	\$121,732,749	\$133,525,020	\$134,635,245	\$161,926,585	53%
R.I.	\$12,649,188	\$13,469,665	\$13,321,840	\$13,731,698	\$14,682,419	16%
S.C.	\$56,749,082	\$71,500,649	\$70,735,574	\$68,642,624	\$75,361,907	33%
S.D.	\$8,859,022	\$10,249,696	\$9,796,081	\$11,638,275	\$12,829,503	45%
Tenn.	\$86,918,047	\$87,957,478	\$78,277,721	\$78,424,170	\$83,200,080	-4%
Tex.	\$334,539,441	\$397,961,910	\$374,594,749	\$332,237,106	\$367,891,514	10%
Utah	\$21,143,562	\$25,980,888	\$26,628,372	\$30,425,445	\$32,784,183	55%
Vt.	\$9,031,133	\$9,645,819	\$9,554,486	\$8,979,947	\$9,080,542	0.5%
Va.	\$56,448,273	\$62,538,023	\$62,652,202	\$62,244,345	\$68,618,393	22%
Wash.	\$80,056,758	\$95,504,212	\$100,061,356	\$91,184,263	\$98,690,238	23%
W. Va.	\$21,646,472	\$26,598,409	\$27,768,532	\$25,244,806	\$27,046,481	25%
Wis.	\$50,630,798	\$58,103,155	\$60,434,561	\$58,924,500	\$63,184,345	25%
Wyo.	\$4,101,430	\$5,068,725	\$4,815,241	\$4,697,951	\$5,382,350	31%

TABLE D: THE COST OF FAMILY FRAGMENTATION⁵¹⁰

State	Total		State	Total
Ala.	\$1,862,132,119		Mont.	\$278,496,678
Alaska	\$274,886,637		Neb.	\$386,563,774
Ariz.	\$2,354,438,823		Nev.	\$603,150,892
Ark.	\$1,097,417,263		N.H.	\$258,125,286
Cal.	\$13,889,399,807		N.J.	\$2,002,722,681
Colo.	\$1,133,294,089		N.M.	\$875,294,005
Conn.	\$1,130,062,178		N.Y.	\$9,948,102,542
Del.	\$274,502,219		N.C.	\$3,235,401,330
D.C.	\$418,487,815		N.D.	\$176,339,791
Fla.	\$6,094,667,526		Ohio	\$4,976,310,252
Ga.	\$4,003,132,943		Okla.	\$1,381,356,038
Haw.	\$649,633,231		Or.	\$1,687,572,911
Idaho	\$402,577,760		Pa.	\$4,035,892,088
Ill.	\$4,804,827,434		R.I.	\$417,408,285
Ind.	\$2,029,611,213		S.C.	\$1,850,403,452
Iowa	\$876,553,765		S.D.	\$231,602,765
Kan.	\$678,390,943		Tenn.	\$2,872,307,831
Ky.	\$1,886,020,365		Tex.	\$8,316,723,945
La.	\$2,148,942,689		Utah	\$585,142,665
Me.	\$589,978,032		Vt.	\$222,809,577
Md.	\$1,569,619,542		Va.	\$1,783,957,782
Mass.	\$2,096,000,653		Wash.	\$2,327,683,510
Mich.	\$4,753,524,945		W. Va.	\$845,688,010
Minn.	\$1,228,507,696		Wis.	\$1,669,252,320
Miss.	\$1,298,827,950		Wyo.	\$101,532,134
Mo.	\$2,132,161,200		Total	\$110,747,439,379

⁵¹⁰ These numbers were obtained by adding—by individual state—the annual numbers for 2007–2011 for TANF, SNAP, and WIC and then multiplying that sum by the co-efficient of 31.7%. We used this co-efficient because it is the one referenced in the 2008 Report as a very conservative estimate of the cost of family fragmentation. SCAFIDI, *supra* note 4, at 14.