

# POLICY BRIEF

APRIL 16, 2002

EXECUTIVE SUMMARY

## MARRIAGE AND PUBLIC POLICY: WHAT CAN GOVERNMENT DO?

By Maggie Gallagher, affiliate scholar, Institute for American Values

A growing consensus confirms that divorce and unmarried childbearing generate high costs to children and taxpayers, including higher rates of poverty, welfare dependency, crime, school failure, Medicaid costs, mental illness, and child abuse. Even small reductions in rates of divorce and unmarried childbearing would carry a big payoff for children and for taxpayers.

Research suggests that two kinds of government programming can be helpful in reducing these costs: 1) Programs to reduce unmarried childbearing (both by increasing the proportion of pregnant couples who decide to marry and by educating teens to delay pregnancy until marriage) and 2) Programs to reduce unnecessary divorce in at-risk couples and communities.

**Recommendation: Fund vouchers and referrals for community and faith-based premarital education programs for cohabiting (or dating) parents interested in marriage.** Cohabiting families are more likely to split up and are four times as likely to be on welfare. The vast majority of cohabiting couples are interested in marriage. Premarital education programs may increase relationship satisfaction, reduce negative interactions, and reduce divorce, in the early years of marriage. Premarital education also appears to reduce the likelihood that married couples experience domestic violence.

**Recommendation: Add an explicit marriage message to all government-funded teen pregnancy programs.** Girls and young women with positive attitudes towards unmarried childbearing are five times more likely to become young unwed mothers. Most Americans of all ethnic and social groups believe that teenagers should strive to delay childbearing until they are married. Yet the majority of teens currently approve of unmarried childbearing, putting them at high risk of unwed pregnancy. A new generation of teen pregnancy programming should

adopt an explicit marriage message: delay pregnancy until you are grown, educated *and married*.

**Recommendation: Fund community and faith-based marriage counseling, marriage mentoring, and marriage education programs for at-risk couples and communities.** Studies show marriage counseling helps about half of all couples, moving about one-third out of the distressed range. Benefits to highest-risk couples may be even greater. A study of alcoholics found that marriage therapy reduced the incidence of male violence

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from 48 percent to 16 percent. Expanding the network of marriage supports in poor communities is likely to strengthen marriage and reduce divorce in at-risk couples.

**Recommendation: Design and evaluate divorce education programs to reduce unnecessary divorce.** A surprisingly high proportion of divorcing couples are ambivalent about their divorce decision. In one major study, one-year after the divorce at least one spouse in three-quarters of divorcing couples reported second thoughts. Less than a third of divorcing parents appear to be in high-conflict or violent marriages. Thus, research suggests a substantial minority of couples filing for divorce may be candidates for successful reconciliation. Government-funded pilot projects testing a variety of strategies and establishing effective divorce education programs could have a profound impact on divorce rates, at relatively low cost.

# **MARRIAGE AND PUBLIC POLICY: WHAT CAN GOVERNMENT DO?**

**By Maggie Gallagher, affiliate scholar, Institute for American Values**

A growing consensus of family scholars confirms that marriage matters: both adults and children are better off living in communities where more children are raised by their own two married parents.<sup>1</sup> Both adults and children live longer, have higher rates of physical health and lower rates of mental illness, experience poverty, crime and domestic abuse less often, and have warmer relationships, on average, when parents get and stay married.

High rates of family fragmentation generate substantial taxpayer costs as well. According to a report by over one hundred family scholars and civic leaders released in 2000: “Divorce and unwed childbearing create substantial public costs paid by taxpayers. Higher rates of crime, drug abuse, education failure, chronic illness, child abuse, domestic violence and poverty among both adults and children bring with them higher taxpayer costs in diverse forms: more welfare expenditure; increased remedial and special education expenses; higher day-care subsidies; addition child-support collection costs; a range of increased direct court administration costs incurred in regulating post-divorce or unwed families; higher foster care and child protection services; increased Medicaid and Medicare costs; increasingly expensive and harsh crime-control measures to compensate for formerly private regulation of adolescent and young-adult behaviors; and many other similar costs. While no study has yet attempted precisely to measure these sweeping and diverse taxpayer costs stemming from the decline of marriage, current research suggests that these costs are likely to be quite extensive.”<sup>2</sup>

This growing consensus on the importance of marriage has led to new efforts to generate public policies that may help reduce rates of unmarried childbearing and divorce. This policy brief, which offers an introductory review of the research on marriage and public policy, is part of a larger NFI report on ways that public policy can strengthen marriage, reduce divorce and unmarried childbearing.

## **WHAT CAN GOVERNMENT DO?**

Give the high costs of unmarried childbearing and divorce, what could government do? While there are a variety of ways public policy may influence rates of divorce and unmarried childbearing (including the tax treatments of marriage and family, divorce law, Medicaid provisions and other dimensions of the welfare system), this preliminary memo focuses on smaller, less expensive interventions that might be implemented by HHS.

Interventions to increase the proportion of children raised by their own two married parents fall into two large categories: targeted provision of services (such as offering referrals or vouchers to faith-based or community marriage education services to at-risk couples) and broader public information campaigns designed to change attitudes about the importance of marriage, especially the importance of delaying childbearing until marriage. An effective marriage plan is likely to involve elements of both.

## **TWO STRATEGIES, FOUR PROGRAMMING AREAS**

### **Strategy One: Reducing Unmarried Childbearing**

Why are so many more American children born out of wedlock? One of the most important reasons for the large increase in unmarried childbearing over the last 30 years is the large drop in the likelihood that a single pregnant woman will marry before the child’s birth.<sup>3</sup> By the early 90s, single, pregnant women in their early twenties were about twice as likely to pick unwed motherhood over marriage as they had been in the early 1970s.<sup>4</sup> Most of the increase in unwed childbearing in the 1990s was not to solo mothers, but to cohabiting couples. About forty percent of births outside of marriage are to cohabiting couples.<sup>5</sup>

According to new research from the Fragile Families study, the vast majority of unmarried mothers in urban neighborhoods are interested in marriage at the time

of the baby's birth. Only 19 percent of all unmarried mothers (and 3 percent of cohabiting unwed mothers) say there is no chance they will marry their baby's father. Thirty-seven percent of all unwed mothers of newborns (and 50 percent of cohabiting mothers of newborns) say that they are almost certain they will marry.<sup>6</sup> Yet relatively few such parents do marry, and cohabiting families are especially fragile: cohabiting biological parents of newborns are much less likely to remain together than married parents of newborns even after controlling for economic hardship, family background, relationship history and many other variables.<sup>7</sup> Cohabiting families are twice as likely as married couples to be poor and more than four times as likely to be on welfare.<sup>8</sup>

How might government programming increase the likelihood that interested unwed parents end up in a successful marriage?

## **a. Funding marriage preparation and education services**

Demonstration or pilot projects can nurture a network of community and faith-based marriage education and preparation services for new parents who say that they are interested in marriage.

Are these programs effective? Research suggests that marriage preparation programs may increase relationship satisfaction, reduce negative interactions, and reduce divorce, at least in the early years of marriage.<sup>9</sup> In an American sample, married couples who had receive PREP, a premarital education program developed by Howard Markman and Scott Stanley at the University of Denver, were only half as likely to have divorced five years later as a control group. Premarital education also appears to reduce the likelihood that married couples experience domestic violence.<sup>10</sup>

These kind of premarital education programs (such as PREP, PAIRS,<sup>11</sup> Couple Communication,<sup>12</sup> Relationship Enhancement<sup>13</sup>) are relatively inexpensive. Clergy and lay leaders appear to be at least as effective as trained psychologists in administering many kinds of skills-based training.<sup>14</sup> The emerging trend in these programs (which are available in secular and religious versions) is to emphasize the importance of sacrifice and commitment, and the need for for-

giveness, reconciliation and acceptance as part of a loving marriage, as well as good communication skills.

Pilot programs or demonstration projects with rigorous research evaluations would provide two enormous potential benefits: 1) increase our understanding of best practices in this field and 2) broaden the existing research base to include low-income and ethnically diverse samples. Demonstration projects and evaluations that accomplished these two goals would not only help guide future government programming they would encourage private community and faith-based groups to pursue their own marriage education, providing the key, but expensive evaluation research out of the reach of most private groups.

How can government policy serve at-risk couples interested in marriage? There are many potential points of referral for such programs from initial welfare, food stamp and Medicaid applications, Head Start, home-visit programs and paternity identification programs. Such services need not and should not be coercive. For example, case workers who visit hospitals to encourage paternity identification could also ask new parents whether they are interested in marriage, and if so, whether or not they would like vouchers or referrals to community or faith-based premarital education services.

Marriage preparation programs may encourage and strengthen marriage in three different ways: 1) by signaling to young parents and parents-to-be that the community perceives marriage as an important protection for them and their children; 2) by stimulating the growth of a supportive network of faith-based and other community marriage programs that can serve couples through the life cycle; and 3) to provide at-risk couples with strategies and skills for handling conflict that increase relationship satisfaction, reduce violence, and may reduce future divorce risk.

## **b. Adding a marriage message to teen-pregnancy prevention**

Currently, teen pregnancy prevention programs educate teenagers on the need to delay childbearing—but delay until when? Research confirms that in terms of the best outcomes for parents and children, teens should delay pregnancy until they are

grown, educated *and married*.

Yet very little teen pregnancy programming now carries this marriage message. Teen pregnancy programs routinely imply to teenagers that the only issue is age: they should wait until they are 20 and/or finish their education before having children. Marriage is not usually mentioned (except to warn teens about the dangers of marrying too young).<sup>15</sup> Adults may hear these warnings against early childbearing as an implicit warning against unwed childbearing, but teenagers often do not. (Abstinence education programs do carry a marriage message: marriage is the only appropriate context for sexuality.) All government-funded teen pregnancy prevention programs (whether or not they include contraceptive information) should be required to carry a related but distinct message: teens should strive to delay pregnancy until they are grown, educated *and married*.

Research shows that deferring childbearing until marriage is important for building warm, effective family relationships. Children raised in intact marriages have on average warmer relationships with both mothers and fathers.<sup>16</sup> Single mothers (including cohabiting mothers) have elevated rates of depression<sup>17</sup> and poverty,<sup>18</sup> and other stressors that can interfere with warm and effective parent-child relationships. Children raised outside of intact marriages are at increased risk of many serious problems, including infant mortality, child abuse, school dropout, poverty, suicide, juvenile delinquency, and substance abuse.<sup>19</sup>

Would making the marriage message explicit help teen pregnancy programs be more effective? There are strong reasons for believing so. For years, teen pregnancy programs failed to make a dent in teen pregnancy rates. Then in the early Nineties, teen pregnancy rates declined, as a new generation of more effective public-private partnerships to prevent teen-pregnancy spread. What happened?

Research evaluations revealed the difference between effective and ineffective teen pregnancy programs. *Effective programs explicitly told teens it was a bad idea to have a baby while a teenager.* Every other strategy no matter how ideologically or theoretically appealing (including better access to contraceptives, values-clarification, or strategies to increase school-commitment) failed. By contrast, many

diverse sorts of programs built around a strong anti-teen pregnancy message were successful at reducing teen pregnancy rates.<sup>20</sup>

Similarly, research shows that the attitudes and values of teens are an important predictor of early, unwed pregnancy.<sup>21</sup> In one study, girls and young women who had positive attitudes towards unmarried childbearing are five times more likely to become young unwed mothers.<sup>22</sup> When it comes to preventing unwed childbearing (whether through sexual abstinence or effective contraception), developing a strong commitment to avoiding pregnancy is key. Only girls and young women who are firmly committed to avoiding unwed pregnancy actually succeed in doing so. Yet attitude surveys suggest the majority of teens currently approve of unmarried childbearing, putting them at high risk of both teenage and unwed pregnancy.<sup>23</sup>

This research suggests government policy can set a relatively clear and measurable goal for a new generation of teen pregnancy programming: to increase the proportion of young women who, when asked, ‘would you personally consider deliberately conceiving an out-of-wedlock child?’ answer firmly: No.

Our success at turning around the teen pregnancy crisis suggests an opportunity: Adding a marriage message to teen pregnancy programs would likely have a measurable effect on the proportion of children born outside of marriage. If we would like teenagers to wait until they are grown, educated, *and married* before getting pregnant, our best bet is to tell them so and tell them why.

## Strategy Two: Divorce Prevention

High rates of divorce and unmarried childbearing tend to go hand-in-hand. In communities where marriage appears unlikely to succeed, young women see little reason to postpone childbearing until marriage. As Fragile Families researcher Maureen Waller put it, “[M]ost unmarried parents hope to marry. At the same time, unmarried parents perceive marriage as a risk, and they frame the decision not to marry in terms of minimizing the high likelihood of divorce.”<sup>24</sup>

Efforts to reduce unmarried childbearing that ignore the high rates of divorce in low-income communities are unlikely to succeed over the long run. If one goal of public policy should be to help

more at-risk low-income married couples succeed at marriage, what kind of interventions are likely to prove helpful?

## **a. Vouchers for low-income marriage counseling and marriage education**

Research suggests that marriage counseling and marriage education may help many couples improve relationship satisfaction and avoid divorce.<sup>25</sup> A recent review of the literature found behavioral marriage therapy improved the marital satisfaction for about half of couples. About one-third of these couples moved from the distressed to the normal range, and sixty percent maintained these gains at six-month follow up.<sup>26</sup>

Many different (but not all) kinds of marriage counseling appear to be effective.<sup>27</sup> Many marriage counselors use eclectic approaches, drawing on elements of behavioral (“skills-based”) marriage therapy along with emotion-focused, insight-oriented and cognitive strategies. New research has focused on the importance of integrating acceptance<sup>28</sup> and forgiveness (or reconciliation)<sup>29</sup> into marriage counseling and marriage education.

Effective marriage interventions share at least one common trait: Marriage counselors or educators who play an active role in helping couples improve satisfaction and avoid divorce.<sup>30</sup> New research suggests that with time, many unhappy marriages improve even without outside intervention.<sup>31</sup> One important function of marriage counseling or marriage education, then, may be to offer distressed couples hope,<sup>32</sup> delaying the divorce decision long enough for marriage problems to dissipate, or for couples to put problems into perspective. If providing hope and support for staying married is one key therapeutic variable, faith-based and community marriage educator may be as effective as therapists and counselors.

Is there any reason to believe that marriage counseling and/or marriage education might be helpful in low-income, at-risk populations many of whom face the additional stresses of poverty, high-crime, unemployment, substance abuse issues, and discrimination? While marriage counseling has been a mostly middle-class activity, there are indications in the research literature that marriage interventions may be at least as effective in high-risk as in middle-class populations.

A burgeoning literature finds benefits to behavioral or other marriage interventions in high-risk circumstances including alcoholics<sup>33</sup>, drug users<sup>34</sup>, domestic violence<sup>35</sup> and depression.<sup>36</sup> For example, a study of 88 male alcoholics and their wives found that the proportion of wives reporting any violence by husband dropped from 48 percent before a special alcohol-focused behavioral marriage therapy to 16 percent two years later. Reports of severe violence dropped from 24 percent before therapy to 2.7 percent. Levels of violence among alcoholics who remained sober dropped to a level not significantly different than a demographically matched comparison group.<sup>37</sup>

Creating and infrastructure of marriage counseling and marriage education in low-income and at-risk communities shows significant promise for reducing divorce and improving relationships even among high-risk couples. Faith-based or community marriage education and counseling programs would expand the support available to married couples in low-income communities, benefiting not only the specific recipients but others in the community as well. Referrals (or vouchers) for couples interested in marriage counseling, marriage mentoring, or marriage education could be offered through Head Start, unemployment offices, drug rehab centers, child support enforcement, and TANF offices, fatherhood programs, youth shelters, child care centers, disability programs for parents of children, refugee resettlement programs, refugee support organizations, community and faith-based marriage organizations.

## **b. Divorce education/mediation designed to reduce unnecessary divorce**

Court-connected divorce mediation and education programs are now commonplace. A recent survey found that half of U.S. counties have court-connected divorce education programs. In many jurisdictions divorce education programs are mandatory.<sup>38</sup> However the goals of existing divorce education and mediation programs are too limited. Most programs aim at 1) reducing acrimony and/or encouraging co-parenting in divorcing families and 2) reducing rates of litigation.

Divorce mediation has been shown to lead to dramatic reductions in litigation, especially around the time of divorce.<sup>39</sup> Research suggests that divorce edu-

cation can reduce parents' negative behaviors after divorce (although generally not enough to improve the psychological adjustment of children).<sup>40</sup>

Can appropriate mediation or divorce education programs help some divorcing couples reconcile? Judges in western Michigan are currently seeking to launch such a pilot program. If some forms of divorce education or mediation are more conducive to reconciliation, the social and legal costs of divorce could be substantially reduced at relatively little extra costs (since court-connected mediation and education programs are already commonplace and often self-funding). Money for research and evaluation of such pilot programs should be a high priority.

Some have argued that any divorce intervention will prove futile in altering the behavior of people determined to split. Certainly in some cases, divorce or separation may be inevitable, or the best alternative. But are *all* couples who file for divorce absolutely determined or locked in the kind of angry conflict that makes divorce the best or only realistic alternative?

Research suggests otherwise. Well into the divorce process, a surprisingly high proportion of divorcing couples are ambivalent about their divorce decision. In one major study of divorcing couples, one-year after the divorce at least one spouse in three-quarters of divorcing couples reported second thoughts.<sup>41</sup> Various state polls confirm that even many years later, a significant proportion of divorced people believe their divorce may have been a mistake. In New Jersey, for example, 46 percent of divorced people reported that they wished that they and their ex-spouse had tried harder to work through their differences.<sup>42</sup> In one Minnesota poll, 40 percent of currently divorced people say they have at least some regrets about their divorce.<sup>43</sup> Sixty-six percent of currently divorced Minnesotans answered yes to the question "Looking back, do you wish you and your ex-spouse had tried harder to work through your differences?"<sup>44</sup>

Qualitative research suggests that even among married couples who eventually choose to divorce, divorce was not necessarily inevitable or the best outcome: "At the same time that they listed complaints, however, divorcing people easily reported good things about their marriage. They liked having someone at home, someone to talk to about their day. They described camping trips, holidays and birthdays, the dream of having one's own family and

home. They loved their children. They described feelings of security, safety, and comfort . . . It seemed that many outcomes were possible in nearly every marriage that I learned about. The partners might have stayed together, for example. Or the noninitiating partner might have been the one to call the marriage off."<sup>45</sup> The majority of divorces today appear to be taking place in relatively low-conflict marriages. Less than a third of divorcing parents appeared to be in violent or high-conflict marriages.<sup>46</sup> One nationally representative study found that even absent any known intervention about a third of physically separated married couples successfully reconcile.<sup>47</sup>

Thus, research suggests a substantial minority of couples filing for divorce may be candidates for successful reconciliation. Timing of interventions may be crucial. Standard divorce education programs, for example, appeared to be more effective if parents attended within a few weeks of filing rather than at a later period. In a pilot study of the influence of divorce education, 12.5 percent of parents attending a program within 3 weeks of the initial court hearing relitigated within two years, compared to 60 percent who attended a program at a later date. A replication study found a similar effect of timing of the intervention.<sup>48</sup>

Government-funded pilot projects testing a variety of strategies and establishing best practices for meeting all three of these goals (reducing acrimony, litigation, and unnecessary divorce) could have a profound impact on divorce rates, at relatively low cost. Court-connected programs are often self-funding, and can generally be spread by family court judges, or appended to existing court-connected divorce education programs. Evaluation research to establish effective practices, by contrast, is outside the reach of many local communities and private organizations.

## CONCLUSION

Can government policy help strengthen marriage and reduce unmarried childbearing and divorce? Research suggests a variety of promising, non-coercive strategies to help young parents interested in marriage succeed, to educate young Americans on the importance of delaying childbearing until marriage, and to provide new support for at-risk couples in low-income communities. Marriage interventions work by signaling

the importance of marriage, by helping build a wider infrastructure of marriage supports in at-risk communities, and by offering young parents the encouragement, hope, and skills that help make marriages succeed.

Even small reductions in rates of divorce and unmarried childbearing would carry a big payoff down the road: for children, who suffer when mothers and fathers fail to forge a good-enough marital bond; for taxpayers, who currently pay enormous costs for programs addressing problems generated (in part) by high rates of family fragmentation: including child support enforcement, TANF, Medicaid, food stamps, foster care, criminal justice programs, drug abuse, teen mothers, special education, drop-out prevention.

Government is deeply involved in the family lives of poor single parents and their children. Government actively instructs youths in the value of contraceptives, sexual abstinence, education, jobs, and delaying childbearing until the post-teen years. In this context, the absence of any government effort to support marriage

does not represent neutrality. Instead the message conveyed by the looming absence of the M-word in programs serving low-income couples and communities is: the government does not believe that marriage matters. Balancing supports and programming for single parents with a powerful marriage message is the minimum obligation a government concerned about the well being of poor children should assume. Absent such an effort, marriage and the powerful advantages it conveys to children and adults are likely to remain another middle-class entitlement, increasing dependency and economic inequality.

Americans are an optimistic people. We believe social problems demand solutions. The new consensus that marriage is a powerful protector of children has led to new calls to spread the benefits of marriage more equally. If public education, community and faith-based marriage interventions can help more youth avoid unwed childbearing, and more at-risk couples succeed in making their marriage dreams come true, it would be pound-foolish to remain content with the status quo.

## FOOTNOTES

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5. Larry Bumpass and Hsien-Hen Lu, 2000. "Trends in Cohabitation and Implications for Children's Family Context in the United States," *Population Studies* 54(1): 29ff.
6. Maureen Waller, 2001. "High Hopes: Unwed Parents' Expectations About Marriage," *Children and Youth Services Review*: 23 (6/7). Available at <http://crcw.princeton.edu/CRCW/papers/papers.htm>.
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10. Howard J. Markman, et al., 1993. "Preventing Marital Distress Through Communication and Conflict Management Training A 4- and 5-Year Follow-Up," *Journal of Counseling and Clinical Psychology* 61(1):70-77. In a German

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  30. Many secular marriage counselors today reject the view that avoiding divorce is one goal of marriage therapy, and relatively little research on marriage counseling tracks the effect of interventions on divorce. Many counselors appear to use intake sessions to make judgments about whether or not a particular marriage is "worth" their time—a practice that is likely to facilitate divorce in troubled couples. In a recent journal article, one such counselor opined that in the initial interview "When I feel that a marriage is bankrupt, I share this view with the couple, but always emphasize that this is just my professional inference. . . . When I reflect back over the years to the many (what have been called) 'gruesome two-somes' I have treated—marriages wherein he partners were at such loggerheads, so fundamentally unsuited to each other—I feel guilty for having wasted their time and my own." Arnold A. Lazarus, 2000. "Working Effectively and Efficiently with Couples," *Family Journal* 8(3): 222ff. More research that tracks the effectiveness of marriage counseling when delivered by counselors who (absent domestic violence) see saving the marriage as the goal of therapy (unless and until clients indicate otherwise) accept or reject the idea of "marriage neutrality" on the therapists' part is needed.
  31. Linda J. Waite et al., (forthcoming). *Does Divorce Make People Happy? New Findings From a National Study of Unhappy Marriages* (New York: Institute for American Values).
  32. On the importance of hope in the therapeutic process, see for example, Lisa L. Christensen et al., 1998. "The Process of Change in Couples Therapy: A Qualitative Investigation," *Journal of Marital and Family Therapy* 24(2):177-188.
  33. Timothy J. O'Farrell et al., 2000. "Verbal Aggression Among Male Alcoholic Patients

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36. Yona Teichman et al., 1995. “A Comparison of Two Modalities of Cognitive Therapy (Individual and Marital) in Treating Depression,” *Psychiatry* 58 (May): 136-148; Edward M. Waring et al., 1995. “A Pilot Study of Marital Therapy as a Treatment for Depression,” *The American Journal of Family Therapy* 23(1): 3-10; Neil S. Jacobson et al., 1991. “Marital Therapy as a Treatment for Depression,” *Journal of Consulting and Clinical Psychology* 59(4): 547-557.
37. Timothy J. O’Farrell et al., 1999. “Domestic Violence before and after Alcoholism Treatment: A Two-Year Longitudinal Study,” *Journal of Studies on Alcohol* (May): 317ff.
38. See for example, Margie J. Geasler and Karen R. Blaisure, 1998 “A Review of Divorce Education Program Materials,” *Family Relations* 47(2): 167ff; Karen R. Blaisure and Margie J. Geasler, 1996. “Results of a Survey of Court-Connected Parent Education Programs in U.S. Counties.” *Family and Conciliation Courts Review* 34:23-40.
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