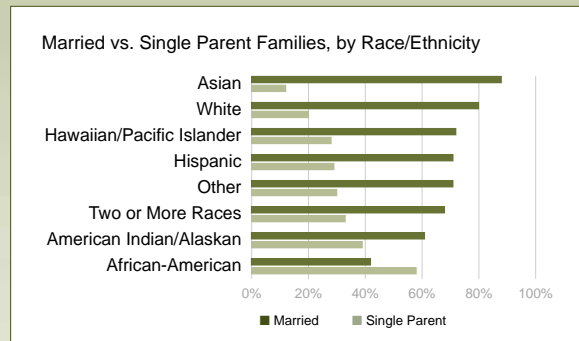
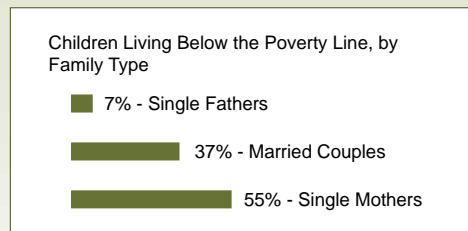
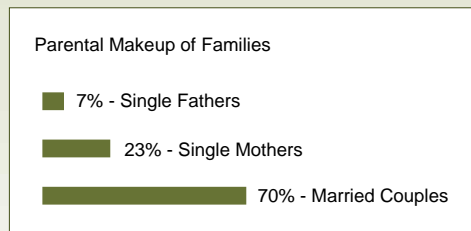


# DOMESTIC RELATIONS

For families with children, the 2000 census shows ...



Source: U.S. Census Bureau, 2000.



Single parent families are common across many racial & ethnic groups.

Roughly 30% of all families are headed by a single parent.

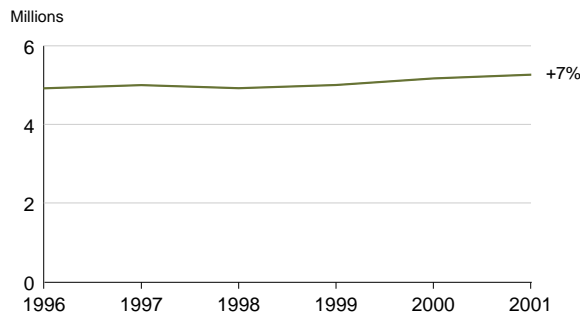
Children in single mother families are more likely to be poor.

## Domestic Relations Caseloads in State Trial Courts

### *Domestic relations filings increased seven percent between 1996 and 2001*

Long-term domestic relations caseload trends are difficult to obtain. However, when restricting the time frame to 1996-2001, data from 47 states (plus D.C. and Puerto Rico) can be merged to show the most general information—total domestic relations filings. The chart below shows that the number of domestic relations filings reached its highest level over the six-year period in 2001, with over 5.2 million case filings reported. With the exception of 1998, domestic relations case filings have increased each year. Case filings increased by almost 2 percent between 2000 and 2001.

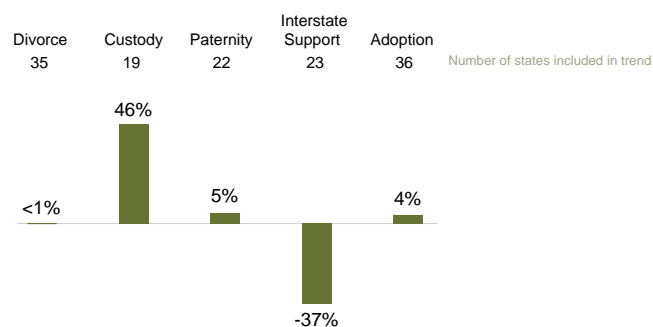
#### Domestic Relations Filings in General and Limited Jurisdiction Courts in 49 States, 1996-2001



### *Between 1996 and 2001, custody filings rose dramatically, while interstate support filings declined*

The bar graph below shows percentage change in domestic relations caseloads for each case type except domestic violence, which will be examined separately. Between 1996 and 2001, custody filings in 19 states increased 46 percent. In 2001, custody case filings rose to over 925,000 filings, compared to a low of nearly 634,000 filings in 1996.

#### Percentage Change in Case Filings from 1996 to 2001, by Case Type

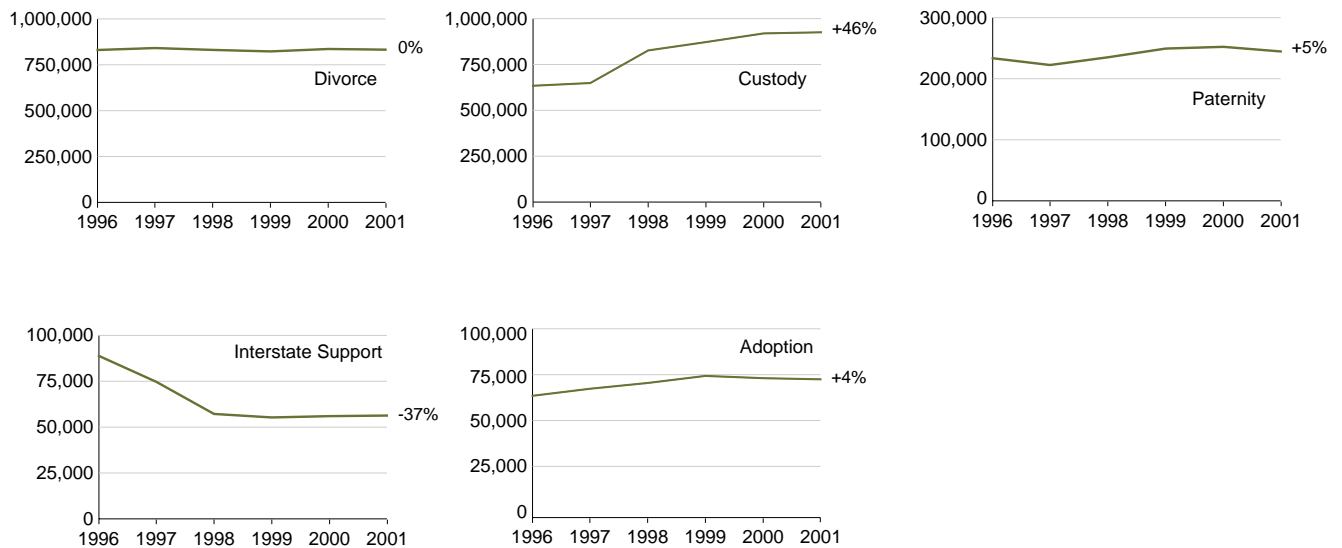


Interstate support filings declined by 37 percent in 23 states over the same six-year period. The steady decrease in interstate support filings can be attributed in part to the enactment of the Welfare Reform Act and the Uniform Interstate Family Support Act (UIFSA). These acts reduced the need to involve the state courts in processing routine interstate support, intrastate support, and paternity cases. In 1996, there were 88,928 interstate support filings, compared to 56,316 in 2001.

The adjacent trend lines demonstrate annual changes in each domestic relations case type from 1996 to 2001. Some of the highlights are:

- Adoption filings rose 11 percent from 1996 to 1998. Since 1999, the number of adoption filings remained stable.
- Divorce filings remained steady throughout the six-year period, with a slight decrease noted between 2000 and 2001.
- Paternity case filings increased 5 percent between 1996 and 2001. However, the number of paternity case filings declined in 2001.

**Domestic Relations Cases by Type, 1996-2001**



## Domestic Relations Caseload Composition in 27 States, 2001

	Filings per 100,000 Population	Total DR Filings	Percent of Caseload					
			Divorce	Custody	Paternity	Interstate Support	Adoption	Misc.
Delaware <sup>2</sup>	4,867	38,751	13%	61%	2%	0%	1%	16%
Vermont <sup>2</sup>	3,448	21,137	35	37	5		2	2
New York	3,378	642,200	11	60	13	2	1	4
District of Columbia	3,018	17,260	24	4	13	6	4	
Pennsylvania <sup>2,3</sup>	2,847	349,787	12	72			1	2
North Dakota <sup>1,2</sup>	2,594	16,457	25	55	10		2	
New Mexico <sup>1,2</sup>	2,230	40,785	33	5	5		2	4
Ohio	2,202	250,399	23	46	11	2	2	9
Massachusetts	2,010	128,199	17	1	24		3	21
Arkansas	1,963	52,837	42	19	12		4	7
Missouri <sup>1,5</sup>	1,773	99,808	32	1	9	2		15
Alaska <sup>1</sup>	1,770	11,236	33		5	1	5	5
South Dakota <sup>3</sup>	1,560	11,806	37	21		14	4	1
Tennessee	1,544	88,640	40	35	5	3	3	6
Indiana <sup>1</sup>	1,538	94,070	44		17	3	4	2
Oregon	1,538	53,405	37	7	5	1	4	19
Michigan	1,449	144,771	36	14	14	3	4	4
Washington <sup>2,3</sup>	1,329	79,575	41	4	12		4	3
Kansas <sup>1,4</sup>	1,301	35,068	48		9	2	5	11
Minnesota <sup>1,3</sup>	1,296	64,458	27			20	3	5
Rhode Island <sup>1</sup>	1,274	13,492	32		10	29	4	2
Hawaii <sup>1</sup>	1,169	14,310	39		16	3	5	8
Utah	996	22,604	56	3	6	1	7	
Connecticut <sup>2</sup>	996	34,103	42	24	8		3	6
Wisconsin	983	53,104	41	16	29	4	5	5
Puerto Rico	881	33,827	59	35	1		1	4
Louisiana	619	27,651	6	53	25	3	5	3

<sup>1</sup>Custody filings are underrepresented and may be counted in other categories.

<sup>2</sup>Interstatesupport filings are underrepresented and may be counted in other categories.

<sup>3</sup>Paternity filings are underrepresented and may be counted in other categories.

<sup>4</sup>Divorce filings are underrepresented and may be counted in other categories.

<sup>5</sup>Adoption filings are underrepresented and may be counted in other categories.

Note: Totals may not sum due to rounding.

### *Most states have difficulty reporting more detailed domestic relations data*

The adjacent table presents the composition of domestic relations cases for the states that provided information by case type. However, differences in reporting practices impact the comparability of domestic relations data across states and over time. This lack of consistent reporting practices makes it difficult to accurately differentiate the types of domestic relations cases processed. In some types of cases that frequently involve modification hearings, such as custody, a number of states report each hearing as a separate case. Although this practice helps in the understanding of court *workload*, it tends to exaggerate the *caseload* of those types of cases. Another practice that impacts the consistency of national domestic relations trend data is the way in which cases are classified. For example, the variation in divorce and custody filings may result from some states classifying part of their custody proceedings with divorce filings, while other states consistently distinguish the two case types.

### *Variations in state reporting practices call for uniform data collection*

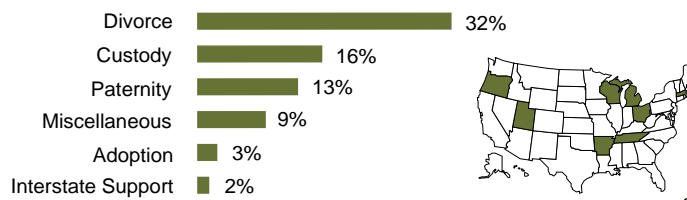
This variation in domestic relations caseloads is illustrated in several states, such as Minnesota, Kansas, and Alaska, where custody cases are subsumed under other categories, such as divorce. In fact, six of the 27 states reporting domestic relations data could not provide separate custody data. Of the remaining states, the percentage of custody cases as a proportion of the domestic relations caseload varies from one percent (Massachusetts, Missouri) to 72 percent (Pennsylvania).

As domestic relations case type definitions and reporting strategy refinements continue, a clearer picture of domestic relations caseloads will emerge. Positive changes are occurring. For example, the Welfare Reform Act of 1996 and the Adoption and Safe Families Act of 1997 encourage states to develop more detailed and comparable reporting procedures. Still, for the period 1996 to 2001, only 10 states could report complete data for each of the five key domestic relations categories: divorce, custody, paternity, interstate support, and adoption.

### *Divorce cases comprise 32 percent of domestic relations caseloads*

In the 10 states reporting data for all categories, divorce comprises three of every 10 domestic relations cases filed, custody accounts for 16 percent, and paternity 13 percent of cases. These three types of cases together accounted for 61 percent of the domestic relations caseload.

#### **Domestic Relations Caseload Composition in 10 States, 2001**



### *Domestic violence data will be refined in future data collection practices*

The reporting of national domestic violence data has suffered from similar levels of inconsistency in data collection practices across states. Moreover, the category has historically encompassed both civil acts, such as protection orders, and criminal acts, including misdemeanors and felonies. For this reason, the forthcoming *State Court Guide to Statistical Reporting* will delineate criminal domestic violence filings and civil/criminal protection order filings.

### *Courts are often unable to provide complete statewide data, despite an improvement in data collection efforts*

In 1994, Congress enacted the Violence Against Women Act (VAWA), which provided states with funds to address domestic violence, sexual assault, and stalking issues. The Act prompted legislative activity—many states reformed their criminal codes by labeling domestic violence a separate crime and increasing criminal penalties. At the same time, the Act emphasized the importance of civil protection orders and their interstate enforcement.

As a result of VAWA and the availability of federal funding, states have increasingly automated their protection order process. For instance, Louisiana's Protective Order Registry has recorded almost 61,000 protection orders since its inception in 1997, with the number of filings increasing each year. Similarly, Pennsylvania's Protection from Abuse Database, operational in 45 of 67 counties, has increased the quality of data on protection from abuse filings within the state.

## Domestic Violence Caseloads in 36 States, 1998-2001

State	Filings per 100,000 population	Domestic Violence Filings				Population Rank
		1998	1999	2000	2001	
<b>Unified Courts</b>						
District of Columbia	1,484	9,481	8,771	9,093	8,485	51
Missouri	730	39,574	38,264	40,409	41,095	17
Minnesota	583	29,785	28,438	28,510	28,964	21
Illinois	411	41,549	47,450	50,205	51,241	5
South Dakota	346	1,911	2,204	2,562	2,616	47
Kansas	309	8,503	7,488	7,660	8,325	33
North Dakota	211	1,164	1,300	1,336	1,341	49
Iowa	202	5,638	5,137	5,359	5,907	31
Connecticut	175	5,328	5,502	5,538	6,002	30
<b>General Jurisdiction Courts</b>						
New Mexico	1,145	18,912	19,601	19,914	20,951	37
West Virginia	931	14,774	14,307	16,563	16,775	38
Alaska	905	5,750	5,856	5,997	5,746	48
New Jersey	840	71,518	71,647	71,977	71,252	9
Kentucky	716	28,732	27,452	27,980	29,102	25
Colorado	687	27,573	26,463	28,350	30,355	24
New Hampshire	676	8,184	7,715	7,955	8,511	42
Massachusetts	670	46,609	44,516	44,011	42,757	13
Vermont	649	4,091	4,182	4,238	3,978	50
Florida	593	86,442	86,944	90,262	97,288	4
Maryland	570	21,145	21,420	22,126	30,665	19
Maine	554	7,062	6,980	7,489	7,127	41
Arizona	498	22,371	22,721	23,160	26,444	20
Virginia	476	29,659	33,978	32,947	34,200	12
Washington	472	29,715	29,233	29,557	28,263	15
Indiana	446	20,228	21,131	24,487	27,242	14
Idaho	433	6,286	5,700	5,508	5,723	40
Oregon	421	14,598	13,995	14,528	14,622	28
Delaware	393	3,327	3,362	3,361	3,125	46
Michigan	360	30,411	31,812	35,027	35,925	8
Hawaii	329	3,275	3,055	3,570	4,027	43
Arkansas	316	8,001	8,052	8,578	8,513	34
New York	311	58,958	56,073	56,937	59,137	3
Rhode Island	297	3,779	3,565	3,498	3,140	44
Utah	267	7,370	6,254	6,183	6,052	35
Ohio	135	10,495	11,649	13,295	15,401	7
Tennessee	123	6,493	7,112	7,734	7,083	16

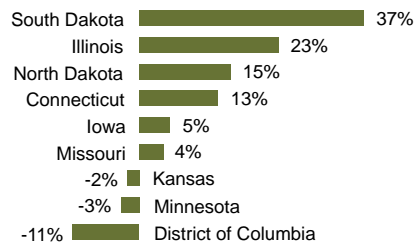


*Domestic violence filings increased 16 percent over the last six years*

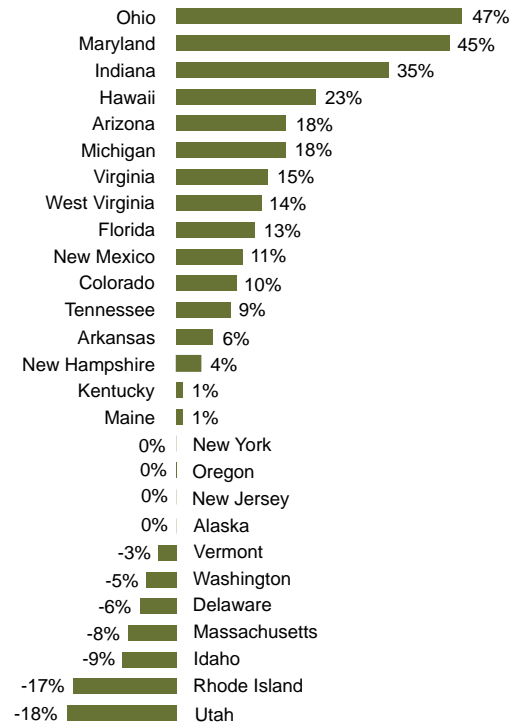
Between 1996 and 2001, the number of domestic violence filings in the 34 states reporting complete data for that period rose from about 521,000 to 606,000, an increase of 16 percent. A closer examination of state trends since 1998 shows that domestic violence filings increased in the vast majority of reporting states (22 of 34 states). Ohio and Maryland reported the highest increases (47 and 45 percent, respectively). Utah recorded the largest decline in domestic violence filings (-18 percent).

**Domestic Violence Caseload Growth in 36 States, 1998 to 2001**

**Unified Courts**



**General Jurisdiction Courts**



Data issues continue to account for much of the wide variation in both the number of domestic violence filings per 100,000 population and the percentage change in filings from 1998 to 2001. As previously noted, states differ in the ways in which they define, identify, and collect domestic violence data. For example, some states include civil protection orders in the domestic violence category, while others do not. Some states report child abuse separately, while others include these cases in a general category of family violence. A further complicating factor is that domestic violence cases can originate in several different jurisdictions or divisions of a state's court system, such as civil, criminal, juvenile, or family jurisdictions. This lack of consistency can lead to inflated filing data (e.g., a protection order could be counted both as a filing for a temporary order and a filing for a final order). Fortunately, the situation should be improved by the introduction and circulation of the new *State Court Guide to Statistical Reporting*. The prototypes contained therein will clarify definitions and include distinct categories of domestic violence criminal caseloads and protection order filings.

**Domestic Violence Filings in General and Limited Jurisdiction Courts, 1996-2001**

