

Women and the Economic Consequences of Divorce in Manitoba: An Empirical Study¹

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AMERICAN LITERATURE² HAS DOCUMENTED the fact that women are disadvantaged after a divorce. Moreover, divorce has been cited as being one of the most important contributors to the "feminization of poverty." D.A. Abowitz³ looked at 1981 Census material and found that the situation is similar in Canada. In 1985, R. Klodawsky, A. Spector, and D. Rose⁴ also reviewed Census data from 1981 and identified affordability, accessibility, and security of tenure as the three main problems experienced by single female parents in their attempts to secure adequate housing for their families. More recent census material⁵ indicates that the situation is not improving. It was the intention of this study to examine the economic effects of divorce through a review of the divorce records of couples with dependent children who had formerly owned a marital home. Of particular interest, and the main focus of this paper, was the impact of divorce decisions on housing. The disposition of the marital home as a major family

¹ This study was funded by the Legal Research Institute at the University of Manitoba and by the Department of Family Studies, Faculty of Human Ecology, University of Manitoba. This work provided the sample frame for a further in-depth study entitled *The Economic Consequences of Divorce on Families Owning a Marital Home* funded by the Canada Mortgage and Housing Corporation (1990).

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² See, for example, T.J. Epenshade, "Economic Consequences of Divorce" (1979) 41 *J. of Marriage & Fam.* 615; L.J. Weitzman, *The Divorce Revolution: The Unexpected Social and Economic Consequences for Women and Children in America* (New York: The Free Press, 1985); and J.B. McLindon, "Separate But Unequal: The Economic Disaster of Divorce for Women and Children" (1987) 21 *Fam. L.Q.* 351.

³ "Data Indicate the Feminization of Poverty in Canada, Too," (1986) 70 *Sociology & Soc. Res.* 209.

⁴ *Single Parent Families and Canadian Housing Policies: How Mothers Lose* (Ottawa: Canada Mortgage and Housing Corporation, 1985).

⁵ Statistics Canada, *Women in Canada: A Statistical Report* (Ottawa: Statistics Canada, 1990).

asset, and one critical to the social and psychological well-being of the family, was a major variable of interest. Other variables, such as custody of children and income have implications for housing as well.

I. BACKGROUND

LONE-PARENT FAMILIES IN Canada are increasing at a much faster rate than husband-wife families. Between 1966 and 1986, there was a 130% increase in the number of lone-parent families, whereas husband-wife families increased by only 42% during the same period.⁶ Of all families in Canada in 1986, 13% were headed by lone parents. An increasing number of children are being raised in lone-parent families for at least some part of their lives. In 1986, 1.16 million Canadian children lived with only one parent, an increase of 10% over the number in 1976. Over 80% of lone-parent families are headed by women⁷ representing a 19% increase between 1981 and 1986.⁸ For 57% of these women, lone-parenthood was the result of divorce or separation. According to Statistics Canada,⁹ in 1985 one in every three Canadian marriages was expected to end in divorce.

Under the *Divorce Act, 1985*,¹⁰ the Court's only consideration in making any custody or access decision is the best interests of the child. This generally includes maintaining contact with both parents. In assigning custody of children, a number of arrangements can be made ranging from sole physical custody to one parent, joint custody to both parents with physical custody to one, joint custody with a time-sharing arrangement between parents, to a physical split of siblings between parents. Each type of assignment brings with it concomitant costs for shelter, food, clothing, recreation, education and health care. In three-quarters of divorces that were recorded up until 1987, primary custody of the children was awarded to women.¹¹

The majority of current child support legislation in Canada places a legal obligation on both parents to contribute to the support of their

⁶ M. Moore, "Women parenting alone" (1987) Winter Canadian Social Trends 31.

⁷ M. Moore, "Female Lone Parenthood: The Duration of Episodes" (1988) Autumn Canadian Social Trends 40.

⁸ *Supra*, note 5.

⁹ *Marrying and Divorcing: A Status Report for Canada* (Ottawa: Statistics Canada, 1988).

¹⁰ R.S.C. 1985, c. 3 (2nd Supp.).

¹¹ *Supra*, note 5.

children in keeping with their respective ability to do so. A recent review of international literature with respect to child support¹² suggested that, when compared with the actual costs of raising a child, child maintenance awards were inadequate. The majority of awards amounted to less than half the amount needed to provide even a modest standard of living for a child, tended to be less than welfare benefits for dependent children, and were less than the cost of child care for a working parent. Even these inadequate awards were often erratically, or never, paid. F.M. Steel¹³ found, in her international review of compliance levels, that one-quarter to one-third of fathers never paid child support. She did not find a single study in which compliance was more than 50%. The average child support paid in these studies was one-third of the amount that was ordered.

The current divorce legislation has had an impact on the awarding of spousal maintenance.¹⁴ When spousal support is ordered, its purpose tends to be rehabilitative to overcome some disadvantage or dependency caused by the marriage, and to be limited to a period of time during which the spouse is expected to attain some level of self-sufficiency. Both American and Canadian studies showed that spousal support was seldom awarded. When it was, the amounts tended to be minimal, and for very limited periods of time.¹⁵

In spite of child and spousal maintenance awards, female lone-parent families are much more likely than other families to have low incomes. In 1987, the income of female lone-parents was about one-half of the income of their male counterparts¹⁶ and 57% of female lone-parent families were considered to have low-incomes, as compared to 17% of male lone-parent families and 8.3% of husband-wife

¹² M.L. McCall, J.P. Hornick & J.E. Wallace, *The Process and Economic Consequences of Marriage Breakdown* (Calgary: Canadian Research Institute for Law and the Family, 1988).

¹³ "Alimony and Maintenance Orders" in S.K. Martin & K.E. Mahoney, eds, *Equality and Judicial Neutrality* (Toronto: Carswell, 1987) at 155-167.

¹⁴ *Ibid.*

¹⁵ See e.g., *supra*, note 3; W. Binchy, *Is Divorce the Answer?* (Blackrock: Irish Academic Press, 1984); C.S. Bruch & N.J. Wikler, "The Economic Consequences" (1985) 36:3 *Juvenile and Fam. Ct J.* 5.; Manitoba Advisory Council on the Status of Women, *The Economic Realities of Women Under the Manitoba Family Maintenance Act* (Winnipeg: The Council, 1985).

¹⁶ *Supra*, note 5.

families. More than one-third of all families with low-income are headed by females.¹⁷

The changing composition of Canadian households coupled with the increasing incidence of poverty among female-headed lone-parent families has implications for housing. According to 1986 Census material, lone-parent families headed by females were less likely than either husband-wife families or lone-parent families headed by males to own their own home. In addition, whether renting or owning, the female lone-parent was more likely to experience affordability problems.¹⁸ Among owners, 27% of female lone-parents had a shelter cost to income ratio in excess of 30%¹⁹ compared with 16% of male lone-parents and 11% of husband-wife families. The figures for tenants are even more alarming. Among female lone-parents, 59% had affordability problems, compared with 31% of male lone-parents. Only 22% of husband-wife families shared this problem.

For many Canadians, the ownership of a home represents their single greatest asset.²⁰ This is often the means by which they secure their future. Thus, the disposition of a marital home after a divorce may be critical in the future security of the individuals involved in the marital breakdown. Further, the reduced circumstances of women after divorce may make it difficult for them to maintain ownership of a home after the divorce. American studies²¹ suggested that after the introduction of "no-fault" divorce legislation, women were less likely to be awarded the marital home, and, when they did receive the home, there were more restrictions attached. Previous to the "no-fault" legislation, the home was traditionally awarded to the custodial parent, usually the wife.

II. THE STUDY

THE PURPOSE OF THIS study was to assist lawyers, judges, and policy makers in their decision making by providing a more accurate picture

¹⁷ S. Methot, "Low Income in Canada" (1987) Spring Canadian Social Trends 2.

¹⁸ *Supra*, note 5.

¹⁹ A shelter cost to income ratio (i.e. the proportion of total household income devoted to securing shelter) of 30% is the criterion used by Canada Mortgage and Housing to assess affordability.

²⁰ *Supra*, note 4.

²¹ See for example, McLindon, *supra*, note 2; *supra*, note 15; H.R. Wishik, "Economics of Divorce: An Exploratory Study" (1984) 20 Fam. L.Q. 79.

of the results of divorce decisions for individuals, particularly those with dependent children. This was accomplished through the examination of information that was recorded in the divorce files of persons divorced in Manitoba after the introduction of "no fault" divorce, January 1, 1986 up to the early spring of 1989. This information, although not always consistent throughout, usually included: demographic characteristics of the divorced individuals, such as the length of the marriage, their ages at both the time of marriage and at divorce, and their previous marital status; their use of the legal process; the division of the marital property including the home; custody decisions affecting dependent children; and, the allocation and quantum of spousal and child support. Using the information collected within this larger framework, this paper examines those variables that were considered to be particularly relevant to the post-divorce housing situation of the subjects.

Because the presence of children has a direct impact on the housing requirements of a family, custody was included as a variable. In addition, given that housing affordability has been cited as a major problem for female lone-parents, variables affecting affordability, such as income, spousal and child maintenance, and employment status were examined. Information on the housing costs faced by the subjects was not available. Lastly, this paper looks at the disposition of the marital home.

It was expected that the study would show that, consistent with the literature reviewed, women in Winnipeg were leaving marriage in a less advantaged position than their former spouses. Related to this, several sub-hypotheses were examined. The researchers expected to find that:

1. consistent with census trends, custody decisions would be largely decided in favour of the women:
2. fewer women than men would be employed outside the home on a full-time basis and the income of women, even when employed, would be less than that of men;
3. spousal support awards would be rare, and that child support would not adequately cover the costs of raising children;
4. consistent with the literature reviewed, the disposition of the marital home would not necessarily be associated with the custody of the children.

A. Method

1. Subjects

The study reviewed the divorce files of 253 couples who had obtained a final divorce judgement at the Court of Queen's Bench, in Winnipeg, Manitoba. Thus the study examined information on 506 individuals. To be included in the study, the couples must have owned a marital home before separation, and have had dependent children, 18 years of age or under, on January 1, 1989.

2. Data Collection

As there is no computer-generated listing of divorce cases in the Province of Manitoba, it was necessary to manually review every divorce file or pocket that was held in the active storage area of the Court of Queen's Bench. Starting with the files from early 1989, data were recorded on cases containing final judgments and meeting the study criteria in the order in which they were filed, back to the spring of 1986. All cases would have been settled under the no-fault divorce legislation that came into effect January 1, 1986.

Objective data were taken from the petition, the final judgement, and the separation agreement when available. The amount of material, and the specific nature of the material in each pocket, was dependent upon the information given by the person who filed for the divorce, and the nature and degree of conflict involved in the proceedings. If the divorce was uncontested, and the settlement agreement reached before filing, there may have been very little information given, other than the arrangement at the time of filing. Additional information, such as specific division of assets, arrangements for custody, changes in address was sometimes found in various documents and may have been amended by the final decree.

3. Data Analysis

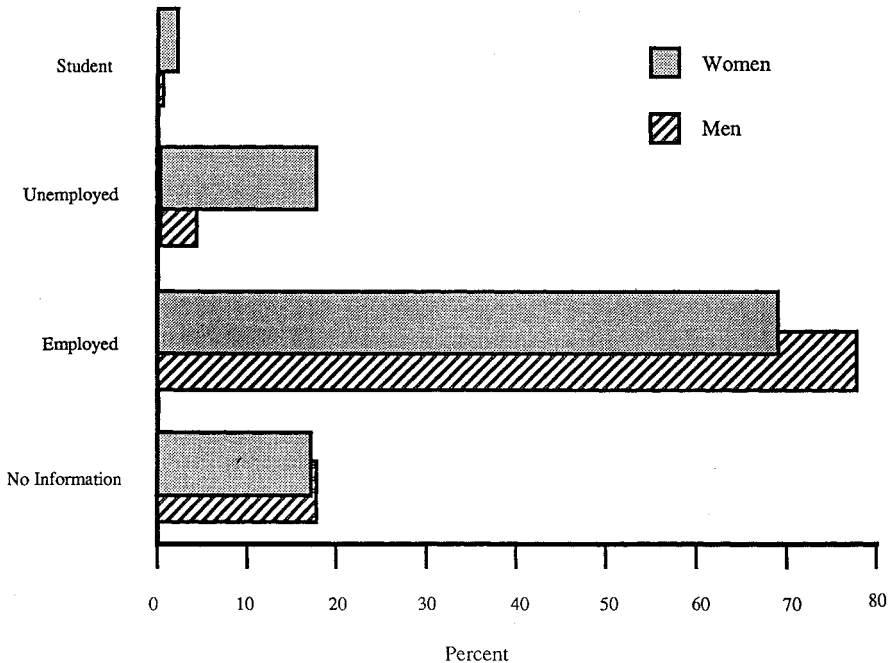
Data from divorce pockets indicating that the couple met the study criteria were recorded on a single, specifically designed, information form for each divorce file. The information for each individual was coded and entered into the mainframe computer using SPSS-X statistical programming. Frequency distributions for all of the variables were tested for normality. When distributed normally, the appropriate parametric tests of significance were performed; otherwise, non-parametric tests were used.

B. Results

1. Income and Employment Status

Data on employment status and income was particularly affected by the unevenness of the material recorded in the divorce pockets. In almost 20% of the cases there was no information given on the employment status of the male spouse (n=45) or for the female spouse (n=43). Of the remaining cases, 93.8% (n=195) of the men and 82.3% (n=174) of the women were employed full-time. Fifteen percent (n=31) of the women were unemployed at the time of the divorce, and 2.0% (n=5) were reported as students. Figure 1 details the employment status of the spouses.

**Figure 1
Employment Status**



Information on income was available for 67% (n=169) of the men and 64% (n=163) of the women. The median income was \$30,000 for men and \$18,360 for women. As Table 1 shows, the figures for both male and female subjects were considerably higher than the figures

published by Statistics Canada²² for men and women over the age of 15 in Winnipeg. This difference is likely affected by two facts. First, the income information for Winnipeg would include a higher proportion of younger workers earning lower wages. Second, the criterion of homeownership may contribute to selecting out divorced couples with a somewhat higher degree of financial security than the general population.

Table 1
Income Comparison

	Mean		Median	
	Men	Women	Men	Women
*Subjects:	\$34,290	\$20,672	\$30,000	\$18,360
**Canada (1985):	23,265	12,615	19,797	9,540
**Manitoba (1985):	21,488	11,803	18,184	9,101
**Winnipeg (1985):	23,319	12,826	20,337	10,247

*Range: Women \$2,400-\$150,000
Men \$7,200-\$139,446

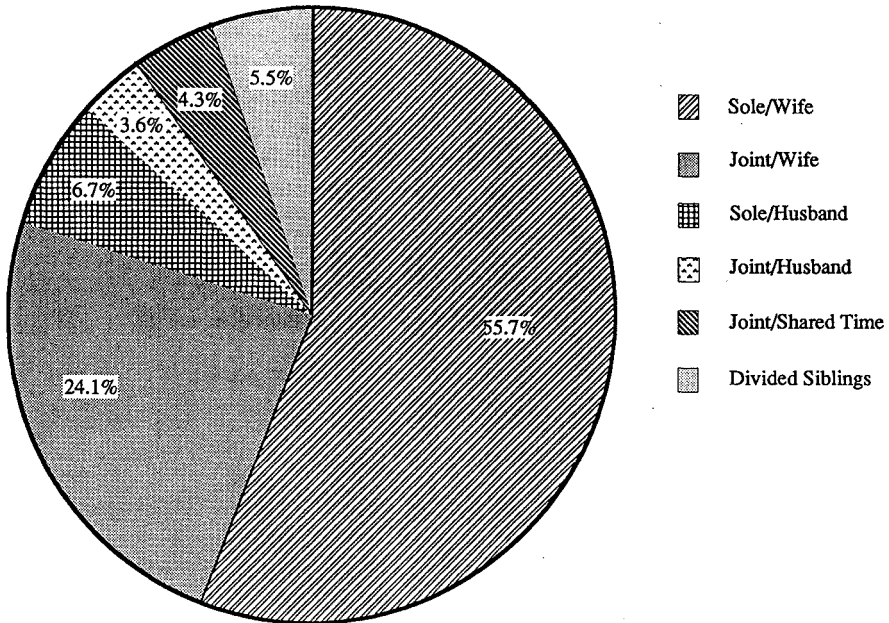
**Statistics Canada, *Marrying and Divorcing: A Status Report for Canada* (Ottawa, Statistics Canada, 1988)

2. Custody

In this study, the two most common custody arrangements were sole custody to the wife (55.7%), and joint custodial situations with physical custody to the wife (24.1%). In 10.3% of cases the children resided primarily with their father. Siblings were divided between parents 5.5% of the time, and jointly shared between the parents 4.3% of the time. The break-down of the custody arrangements are illustrated in Figure 2.

²² Statistics Canada, *Profiles: Census Metropolitan Areas and Census Agglomerations* Part 2 (Ottawa: Statistics Canada, 1988).

Figure 2
Custody Arrangement



3. Child maintenance

Child maintenance was awarded in 79.8% (n=202) of the divorces studied. This includes both maintenance paid by husbands to wives with custody, and by wives to husbands with custody. The median amount of child maintenance per child paid per month was \$200 (mean \$239, range \$25–\$1,200). There were 26 cases where the husband had sole or physical custody of the children. In six of those cases, child maintenance was paid by the wife to the husband. The median amount paid by wives was \$150 per month (mean \$225, range \$100–\$400).

The amount of the maintenance award was examined with respect to the income of the payer. In looking at those cases where child maintenance was paid to wives, the most significant factor in determining the amount of maintenance paid was the income of the husband. As the income of the husband increased, so did the support payment either as a monthly total or as an amount per child ($p < .05$). However, when the per child maintenance was looked at as a percen-

tage of the father's income, the proportion paid in child support is significantly less in the highest income group than in the lowest income group. This relationship is illustrated in Table 2.

Table 2
Maintenance Paid Per Child as a % of Father's Income

	% of Income Paid as Child Support Mean
Father's Income	%
<\$20,000	11.68
>\$20,000 <\$40,000	9.28
>\$40,000 <\$60,000	9.38
>\$60,000	*5.63

*Significance: $p < .05$ Kruskal-Wallace 1-way Anova

There was no significant relationship between the wife's employment status, or her income, and the amount of maintenance that was awarded to her for child support. The income of the father, and presumably his ability to pay, appears to be the determining factor in the quantum of support. The material found in the petition and the judgement, however, gave no indication of additional sources of income, or of the repartnering of either spouse.

4. Spousal Maintenance

Only 10.7% (n=27) of the women in this study were awarded spousal support following divorce.²³ The median amount of support awarded monthly ranged from \$100 to \$2,760 with a median amount of \$266.²⁴

²³ In some files a single maintenance figure only was awarded for both wife and child(ren). In these cases the total amount was divided on a per capita basis as was done by McLindon, *supra*, note 2.

²⁴ The median is used to avoid distortion by the one extremely large maintenance award of \$2,760. The next highest awards were one at \$1,500 and one at \$1,300.

Table 3
Spousal Support as a Function of Husband's Income

	Monthly Spousal Support in \$		Cases
	Mean	S.D.	
Husband's Income			
<\$20,000	\$ 204.00	5.66	2
>\$20,000 <\$40,000	327.27	245.37	11
>\$40,000 <\$60,000	585.00	397.49	5
>\$60,000	1,262.83	832.90	6

Significance: $p < 0.5$ Analysis of Variance

Note: The total number of cases does not add up to 27 (the number women receiving spousal support) because of missing information on the husband's income.

Table 3 shows that the amount of spousal support paid was significantly higher as the husband's income increased. However, the amount paid did not appear to be influenced by either the employment status of the wife, or by her income.

Three variables were chosen to assess the possible "need" for spousal support. Based on the "self-sufficiency" principle, it seems legitimate to believe that wives who were unemployed at the time of the divorce or wives who had lower income might have a greater need for spousal support than wives employed at a higher salary. In addition, previous research suggests that wives are more seriously disadvantaged after a longer period of marriage. The assumption here is that the wife may have been out of the workforce for a considerably longer period of time having married during an era when society expected women to stay at home to raise their children.

The subjects were broken down into two groups; those who received support and those who did not. Looking at each of the three variables shown in Table 4, it appeared that spousal support was more likely to be awarded to wives with greater need. Specifically, wives who were awarded spousal support were married a significantly longer period of time, had significantly lower incomes, and were less likely to be employed at the time of the divorce. It is important to remember, however, that only a very small minority ($n=27$) of wives were awarded any spousal support.

Table 4
Comparison of Wives Receiving and
Not Receiving Spousal Support

	Wives	
	Support	No Support
Employment Status**		
% Employed	48.1	71.2*
% Unemployed	29.6	10.2*
% Students	7.4	1.3*
Length of Marriage		
Mean in years	16.9	13.9*
Mean Annual Gross Income***	\$13,608.37	\$21,331.36*

*Significance: $p < .05$ Kruskal-Wallis N-par test

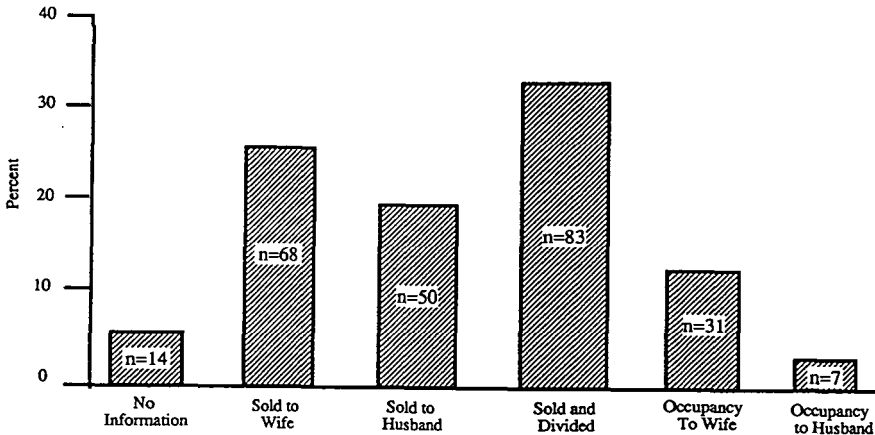
**Employment figures do not add up to 100% because of missing information

***This income figure does not include the maintenance payment

5. Disposition of the marital home

Figure 3 illustrates the disposition of the marital home in this study. Of the 239 cases where this information was available, one-third ($n=83$) of the time the home was sold and the equity was divided between the spouses. In almost another third ($n=68$), the house was sold to the wife. Thirty-one wives and seven husbands were granted occupancy of the marital home, usually with certain conditions applying. For example, one spouse might be granted occupancy until the house was sold or until the residing dependent children reached 18 years (the age of majority in Manitoba).

Figure 3
Disposition of the Marital Home



An examination of the data shows that there were 139 cases where all of the children lived exclusively with one parent, and the marital home was retained by one or the other spouse at the time of the divorce decree. The house followed the children in 90% (n=18) of the 20 cases where the children lived with their father. Where the mother had custody (n=119), the children lived in the marital home in 73.9% (n=88) of the cases. If the marital home was not sold and the equity divided, children living with their fathers were significantly more likely to remain in the pre-divorce home than children living with their mothers ($p < .05$).

An attempt was made to determine if spouses receiving the marital home in the divorce settlement had remained in that home by checking names and addresses with the 1988 and 1989 Winnipeg Telephone Directory and the Henderson Directory. Of the 253 divorced couples, there were 156 cases where one spouse was listed in the divorce documents as living in the marital home at the time of the divorce. At the time of the study (from 1 to 3 years later), 43.6% (n=68) were listed in the directories; 49.4% (n=77) were not. In 21 cases, the marital home was outside of the Winnipeg area, and listings were not available.

Looking at the data separately for the former spouses, there was a significant difference between husbands and wives who appear to remain in the home over time ($p < .05$). Although there were 99 women living in the marital home at the time of the judgement, only 38.5%

(n=38) were still listed at that home. On the other hand, of the 57 men who lived in the marital home at the time of the divorce, 50.9% (n=29) were still listed as living there. This method of tracking has some obvious limitations in that subjects (particularly wives) may have taken an unlisted number after the divorce. In addition, women may have remarried and changed their names, thus changing the listings. The possibility of some women reverting to a maiden name after divorce was considered, and this was checked in the listings.

There did not appear to be a direct relationship between income and remaining listed at the marital home. However, more than half (57.7%) of the wives who were awarded the marital home reported earnings of less than \$20,000 per year at the time of the divorce. In contrast, the majority of the men (90.3%) who were living in the marital home at the time of the divorce reported incomes of greater than \$20,000. This would tend to suggest that women might be less able to maintain long-term residency in the home.

III. DISCUSSION

THE RESULTS OF THIS study indicated that, consistent with the literature reviewed, women in Winnipeg appear to be disadvantaged after divorce in comparison to their former husbands. Each one of the variables presented, income and employment status, custody, spousal and child support, and the disposition of the marital home, has direct implications on the housing situation of the divorced women and her children.

Women in this study were less likely than their spouses to be employed full-time. Further, their income was reported at a level of about half that of their former husbands. This is consistent with the census material presented earlier. The structure of the labour market dictates that even when women are employed full-time, they earn considerably less than men.

Under the current no-fault divorce legislation, there is a growing tendency to support the position that each spouse, where physically and mentally able, has a duty to provide for his or her own support.²⁵ The criteria for self-sufficiency are vague, however, and are therefore subject to judicial discretion. In an attempt at definition, R.S. Abella²⁶ proposed that self-sufficiency should only be considered

²⁵ *Supra*, note 13.

²⁶ *Economic Adjustment on Marriage Breakdown: Support* (Family Law and Social Policy Workshop Series) (Toronto: University of Toronto, Faculty of Law, 1981).

to have been attained when the formerly dependent spouse achieves a standard of living comparable to that of the supporting spouse. The Manitoba Advisory Council on the Status of Women²⁷ states:

Maintenance awards are inadequate because they usually result in the women-headed family unit existing at a much lower standard of living than that headed by the man. This appears to be true regardless of whether the woman works in the home or in the paid labour force, or whether she is undertaking re-training.

Maintenance awards reported in this study tend to be consistent with earlier findings. Although the data suggested that those few wives receiving spousal maintenance tended to be in somewhat greater need, in the long-term, spousal support would appear to make little difference in the ability of the wife to maintain her, and her family's standard of living.

As the study indicates, custody decisions continue to be made primarily in favour of the mother. Thus the single female parent continues to need housing large enough for a family. In addition, women may often feel, especially after the trauma of a divorce, that it is important to maintain a sense of stability and security for their children.²⁸ The presence of familiar friends and neighbours may thus assume greater importance after divorce. Remaining in the marital home may provide that security.

The custody of children is generally associated with child maintenance payments from the non-custodial parent. Child support payments, theoretically, should constitute the non-custodial parent's share of maintaining a home for those children. According to a Manitoba Dept. of Agriculture publication, "The Cost of Raising a Child in 1989,"²⁹ the average cost of raising a child is in the range of \$570 per month.³⁰ The amount of child maintenance per month reported in this study (median \$200, mean \$239) amounts to a little more than one third of that amount. This means that the custodial parent, usually the wife, is providing disproportionately for the support of her children, and usually on a much lower income than that of her former husband. Further, the awards indicated in the final divorce decree almost never included an allowance for a cost of living increase.

²⁷ *Supra*, note 15 at 5.

²⁸ R.S. Weiss, "Housing for Single Parents" (1979) 8 *Pol'y Stud. J.* 241.

²⁹ (Winnipeg: Department of Agriculture and Marketing Division, 1989).

³⁰ This estimate is considered to be minimal, and is based on a "low average" standard of living.

The study indicated that more than one-third of the couples sold their home and divided the equity between the spouses. The question that remains is whether or not this was in the best interests of the custodial woman and her children. It seems reasonable to assume that, given the lower income levels of most women, a wife's ability to buy out her husband may be problematic, particularly if there was considerable equity in the home. Further, the income levels of the divorced women suggest that women may face financial difficulties in obtaining affordable housing, or, if they remain in the marital home, in maintaining that home. Thus, the equity available from the sale of the home may seem extremely attractive to both parties.

Wishik quotes Weitzman in suggesting that the sale of the marital home may have severe economic implications for custodial women:

Women earn less than men do. As primary caretakers ... they are less likely to be able to earn enough to cover the costs of child care plus the higher monthly housing costs often involved in the newly purchased or rented home, less likely to be able to afford savings to amass capital for the purchase of another home, and less likely to have access to a forced savings source such as a pension fund from which they might borrow or draw in order to make a down payment.³¹

IV. LIMITATIONS AND FURTHER RESEARCH

A MAJOR LIMITATION OF this study was the reliance on court records for data. Reviewing the divorce files was an exhaustive, time consuming process. Furthermore, the quantity and quality of the material gleaned from the files varied from case to case. In addition, several questions arose from the data that could not be answered. For example there was no way of ascertaining what negotiations took place between the spouses (unless they were hotly contested via suit and counter-suit) over such items as custody, child and spousal support, and the division of assets. McLindon³² suggested that often these matters are used as bargaining chips in the negotiation process. For example, wives may sometimes give up any claim to spousal or child support in exchange for the husband's equity in the marital home. Or, one spouse will trade the equity in the home for another asset such as a cottage. These types of exchanges may have long-term implications for the financial security of the single female parent.

³¹ *Supra*, note 21 at 90.

³² *Supra*, note 2.

Further, these data cannot tell us whether custody arrangements, as laid out by the court, were stable over time. One might expect that as circumstances change, custody arrangements change also, and so do their implications for maintenance and housing. In addition, these data cannot indicate the level of compliance with child and spousal support awards, or whether the amount was adjusted over time.

Finally, these type of data can only suggest what the long-term economic effects of the divorce might be. Only longitudinal research that could track the ability of the single female parent to maintain her family's standard of living would provide the answers. Weiss³³ suggested that newly separated and divorced women may experience several moves in close succession. The data presented here points toward that possibility. It is not known whether, if one spouse stays in the marital home, how adequately, and for how long that home can be maintained on one income. Similarly, it is not known how much of a burden finding new accommodations imposes on those leaving the marital home, or whether adequate, affordable housing is available in neighbourhoods that meet the needs of the family.

V. POSTSCRIPT

THIS STUDY PRESENTED A wealth of information not previously compiled. It gave an objective picture of divorcing couples with dependent children, who formerly owned a marital home — a picture of families that could be portrayed as having a “middle-class” standard of living. The picture clearly suggested that divorce can have serious economic repercussions for custodial females and their families. As a follow-up of the data analysis from the court records of the 253 divorced couples, a further in-depth study of 134 individuals was undertaken, including 80 females and 54 males. Twenty-three former couples were included in the study. The sample was drawn from the original population of 506 individual names in the court records. After mail and telephone contact, interviews were conducted with the respondents at the subject's home or place of work as desired, following a procedure approved by the Faculty of Human Ecology Ethics Review Committee.³⁴

³³ *Supra*, note 28.

³⁴ D.G. Stewart & F.M. Steel, *The Economic Consequences of Divorce on Families Owning a Marital Home*. (Ottawa: Canada Mortgage and Housing Corporation, 1990). Published results from this study are available from Canada Mortgage and Housing Corporation.

The 134 interviews collected data on the demographic characteristics of the divorced couples, the use of the legal process, division of property, custody decisions, and the allocation and quantum of spousal and child support. The study focused particularly on the disposition of the marital home in relation to custody arrangements and spousal and child support. In addition, a profile was prepared of the single custodial females from this study as a group, and that was then compared with all of the other individuals, as a group, on a variety of quality of life, housing and neighbourhood satisfaction variables.³⁵

A synopsis of the results from this study showed:

1. *Use of the Legal Process:* The majority of the respondents (75.2%) indicated that they were generally satisfied with their divorce settlement, perhaps related to the fact the 50% of them came to a "kitchen table" agreement with their spouse before using a lawyer for settlement.
2. *Custody:* Almost all (91.8%) of the mothers received all, or some portion, of the custodial responsibility when all forms of custody arrangements were considered. These arrangements were agreed to by non-judicial means in 90.3% of the cases.
3. *Disposition of the Marital Home:* The marital home was sold in 44.0% of the cases. However, in the cases where it was not sold, it was awarded, or occupancy was granted to, the custodial parent in 81.3% of the cases. When not sold, the home was awarded to the wife in 29.1% of the cases; to the husband in 20.9% of the cases; and occupancy granted to one or the other spouse in 6.0% of the cases.
4. *Financial Standing:* There was a drop-off in income after divorce for both men and women. However, the post-divorce financial situation of women in this study was significantly lower than their male counterparts. After divorce, 66.7% of the men and 78.8% of the women were still in home-ownership situations, either retaining the marital home or owning another one. Both men and women increased their security in retirement plans, pension plans, and

³⁵ One section of this study specifically focusing on the 50 custodial females and their families was re-examined and reported on by D.G. Stewart, "Single Custodial Females and their Families: Housing and Coping Strategies after Divorce" (1991) 5 Int'l J. L. & Fam. 296.

dental plans. However, both sexes appeared to liquidate assets such as second vehicles, other real estate and business practices, and they decreased holdings of life insurance policies with cash surrender value. In terms of post-divorce family debt, women not only reduced the dollar value of debt after divorce, but also reported fewer numbers of debts.

5. *Spousal Maintenance*: In this study, which included only women with children, 83.7% of the women received no spousal support following divorce. Only 13 women, or 16.3% were awarded spousal support and all of the awards were time limited.
6. *Child Maintenance*: Child maintenance was paid or received in 79.9% of the cases. The mean amount per child per month was \$227.88 with a median of \$225. In addition, support of another kind — educational, medical, dental, or “other” was often provided or received. The mean maintenance per month per child in this study was approximately 40% of the minimal cost suggested according to “The Cost of Raising a Child in 1989.”³⁶ The incidence of non-compliance was low compared to Canadian standards.
7. *Quality of Life Satisfaction*: Although there was variation between variables and between sexes on variables, a high percentage (89.6%) of the respondents indicated that they were generally satisfied with their life after divorce.
8. *Housing and Neighbourhood Satisfaction*: A high percentage (90.3%) were generally satisfied with their present housing and neighbourhood after divorce. Perhaps due to the ownership of the initial marital home, only 9.4% of the men and 20.1% of the women paid in excess of 30% of their post-divorce household income on housing costs. Questions concerning housing availability, housing type and choice of housing location showed relatively satisfied responses. However, more women than men indicated that custody affected their choice.
9. *Single Parent Custodial Females and their Families*: When the single parent custodial females (n=50) were compared as a group to all others in the sample (n=84), the results presented a profile that is quite disturbing. As a group, these women experienced a substan-

³⁶ *Supra*, note 28.

tially lower post-divorce household income, a decrease in net worth and a significant decline in the value of their assets. They also showed the largest decrease in debt of any group after divorce. Only 11 (22%) of these women received spousal support, and all were time-limited. Most (n=45) of the women received child support; the remaining 5 women were awarded support but had not received it. The mean maintenance per child per month was \$292.89.

VI. CONCLUSION

FOLLOW-UP STUDIES ARE needed to ascertain the long-term effects of divorce so that the courts can work toward more equitable divorce settlements. This article has briefly touched on some of the results of two studies of divorced individuals in Manitoba. The respondents of the smaller interview study indicated that they wished to participate because they felt that research of this nature would assist others going through the divorce process, and would contribute to changes in the divorce system. Many expressed the opinion that the process should be made simpler. Respondents, particularly women, expressed a need for information on financial matters pertaining to their divorce. It is often some time after the formal termination of marriage that the full financial ramifications of divorce are realized. The future of many divorced single parent females and their children depend on revised policies that would aim at equalizing the economic results of divorce taking into consideration the true direct and indirect costs of supporting children while minimizing the stress that economic uncertainty places on custodial families.