KANSAS HOUSE STANDING COMMITTEE ON FEDERAL AND STATE AFFAIRS

Informational Hearing on Marriage

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Rep. Steve Brunk, Committee Chair

Prepared Testimony of Professor Teresa Stanton Collett[*]

Good morning Mister Chairman, Members of the Committee, and other distinguished guests. I am pleased to have been given the opportunity to testify on the importance of legislative support for the formation and support of life-long marriages. I myself am a child of divorced parents and know from personal experience some of the pain and confusion that children experience from the dissolution of their parents' marriage. My testimony represents my professional knowledge and opinion as a law professor, who writes on the subjects of marriage and family, as well as constitutional law. I am the author of over numerous professional articles and book chapters, the co-editor of two books, and an elected member of the American Law Institute. I have testified before committees of the United States Senate, the United States House of Representatives, as well as several state legislatures. My testimony today represents my own views, and is not intended to represent the views of my employer, the University of St. Thomas School of Law, or any other organization or person.

I am delighted to being testifying with Dr. Glenn Stanton who is one of the nation's foremost authorities on the importance of marriage in the lives of children. I will leave for him to discuss the wealth of research evidencing that children do best when raised by their biological mother and father who are married. While it is true that there are single parents doing a wonderful job raising their children alone, this is not the ideal. Society's interest in the wellbeing of children argues for the promotion of marriage, not its decay or destruction.

My testimony today will focus on another group of vulnerable persons who are increasing harmed by the increasing failure of Americans to enter into and maintain stable marriages – our elderly.

It is no secret that America is experiencing an unprecedented increase in the number of citizens over the age of 65. "By 2030, more than 20 percent of U.S. residents are projected to be aged 65 and over, compared with 13 percent in 2010 and 9.8 percent in 1970."[1] "In 2050, the population aged 65 and over is projected to be 83.7 million,

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[1] Ortman, et al., Current Population Reports: An Aging Nation, the Older Population in the United States

almost double its estimated population of 43.1 million in 2012. The baby boomers are largely responsible for this increase in the older population, as they began turning 65 in 2011."[2]

Simultaneous with this increase is older Americans is a decline in the number of people getting married and growth in the number of married couples obtaining divorces. According to researchers at Case Western University, the proportion of older men that were divorced (or separated) doubled between 1980 and 2008 and tripled among older women during the same time period.[3] This phenomena has been dubbed the "gray divorce" and its impact of the need for additional future services to the elderly is becoming a subject of research and concern to policy makers throughout the country.

The US Senate Committee on Aging is among those who have expressed concern about this issue and the reason is clear. Married couples generally rely more upon private resources and utilize fewer public benefits.

> A number of financial benefits associated with the institution of marriage relate to the ability of a couple to pool resources, specialize, and share risk. Specifically, Mary people can pull resources and share costs of whole household goods and services, which reduces the overall cost of items that do not need to be purchased individually and freeze up resources for other types of investment. In addition, within married couples, even those in which both are working, each member can specialize in certain tasks, such as managing household finances. The financial benefits of marriage can into retirement as couples continue to pool resources and assist each other as the risks of disability and deteriorating health increase.[4]

With the shift away from marriage and the increasing number of marriages that end in divorce, the GAO anticipates increased reliance on Social Security and other public benefit programs. This will be equally true of state benefit programs.

Conclusion

By increasing the number of couples who marry and stay married, Kansas can promote the well-being of its seniors while also reducing reliance upon public benefits programs. Both of these important public interests support this committees attempt to strengthen marriage and discourage divorce. Thank you, Mister Chairman, for allowing me the time to appear before the committee and to extend my remarks in the form of this written testimony.

(May 2014) at http://www.census.gov/prod/2014pubs/p25-1140.pdf.

[2] *Id.*

[3] The rate of divorce for men rose from 5% in 1980 to 10% in 2008, and rose from 4% in 1980 for women to 12% in 2008. Manning & Brown, *The Demography of Unions Among Older Americans: 1980 to Present.* Working Paper Series WP-09-14.

[4] GAO Report to the Chairman, Special Committee on Aging, U.S. Senate. Retirement Security: Trends in Marriage and Work Patterns May Increase the Vulnerability For Some Retirees. Jan. 2014.