# 50/50 Custody Laws and Unmarried Partners' Living Arrangement in the Face of Childcare Shocks during COVID-19[§]

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**Abstract**

The COVID-19 pandemic had generated huge shocks in childcare needs. This paper studies of the effect of COVID-19 and 50/50 custody laws on cohabitation of unmarried parents with young children. My findings indicate a notable rise in the likelihood of cohabitation among unwed parents in response to the sudden childcare shocks triggered by the pandemic. This suggests that some unwed parents may have turned to cohabitation as a pragmatic strategy to navigate the unexpected childcare demands. Intriguingly, unmarried fathers exhibit an increased propensity to cohabit only in states with 50/50 custody laws during and after COVID-19 outbreak, and the results are driven by those with at least a college education. Moreover, the observed upswing in cohabitation likelihood among unmarried parents appears to extend beyond a mere transitory adjustment. This implies that 50/50 custody laws coupled with the childcare responsibilities during the COVID-19 pandemic may have strengthened fathers' commitment to their relationships and contributed to enduring changes in parenting norms among unmarried couples, potentially leading to greater relationship stability.

JEL codes: J12; J13

Keywords 50/50 custody; Cohabitation; Single parenthood; Unwed fathers; Childcare; COVID-19

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## 1. Introduction

The global outbreak of COVID-19 pandemic is one major episode in human history, marked by substantial supply shocks in the childcare market, particularly in the initial months of the crisis (Crouse et al., 2023). In response to the pandemic, childcare providers and schools were mandated to temporarily close in numerous states across the United States. The media extensively covered the profound disruptions inflicted on women's lives, with a particular focus on the severe pressure faced by single mothers. Given their limited resources and the scarcity of available market childcare during mandated school closures, single mothers found themselves grappling with the challenge of securing backup childcare while continuing to work (Parolin & Lee 2022).

To navigate the abrupt challenges posed by the unexpected childcare shock, single mothers may explore various strategies, including establishing multi-adult households by relocating to their parents' homes or building a supportive network with friends, siblings, or neighbors to share childcare responsibilities (see, for instance, Hertz et al., 2021, Amorim & Pilkauskas 2023). Notably, existing media coverage and scholarly studies on the subject seldom delve into the potential involvement of the biological fathers of children born to unmarried or single mothers. The prevailing narrative appears to overlook the possibility of fathers actively contributing by, for instance, moving into the household to provide help in caregiving.

In many instances, fathers of children born out of wedlock are often perceived as absent once they are no longer romantically involved with their unmarried mothers. This assumption may stem, in part, from the economic instability often associated with unwed fathers. Despite challenges in meeting formal child support payments, a significant number of these non-resident fathers continue to make valuable in-kind and informal contributions to their children's lives. These contributions may include purchasing essentials such as diapers, toys, and baby formula. Moreover, some fathers intermittently provide nonpecuniary support, such as transporting their children to and from school and medical appointments, as well as caring for them while their mothers work or attend to errands (Maldonado, 2004). [1]

[1] These non-resident fathers that fail to make child support payments usually do not have stable and well-paying jobs and a lot of them are unemployed.

From a societal perspective, the impact of COVID-19 may have prompted some unwed fathers to reconsider their living arrangements, leading them to move into their children's homes as a means of coordinating care. This includes the formation or re-establishment of cohabitation with their children's mothers, particularly for those engaged in a 'lived apart together' (LAT) arrangement prior to the pandemic. In LAT relationships, couples are committed but do not co-reside, yet they provide physical caretaking for each other (Bowman, 2023). Empirical evidence indicates that certain unwed parents did modify their living situations during the pandemic. For instance, data from the Understanding Society May Covid-19 survey conducted in the UK revealed that, among individuals aged 16 or above reporting changes in living arrangements from March to May 2020, 6.5 percent moved in to live with a partner (Evandrou et al., 2020). Similarly, research conducted in Portugal by Gouveia et al. (2021) found that among lone parents who lived without a partner before the pandemic, 13.6 percent began living with their partners during the lockdown. This aligns with the trend of parents adopting co-residence as a strategy to manage the day-to-day care needs of their children in the early stages of the COVID-19 crisis.

Meanwhile, there has been a surge in fathers' rights movements advocating for equal custody rights (Kitchener, 2014; Chandler, 2017; Subramanian, 2022). Supporters of these movements assert the equal importance of fathers in their children's lives, paralleling the role of mothers. A growing number of states are leaning towards endorsing a 50/50 custody model in custody adjudication. In a study by Wong and Bansak (2025), it was discovered that cohabiting mothers in states with a tendency to grant greater custody rights to fathers, regardless of marital status, were less likely to withdraw from the labor force due to caregiving responsibilities during the COVID-19 rights upon dissolution of their relation. However, when custody rights favor fathers upon relationship dissolution, there may be a potential detriment to children's well-being in these states unless fathers proportionately increase their involvement in parenting. It is conceivable that fathers in 50/50 custody states feel more secure in their custody rights, leading them to be more willing to maintain their partnerships and actively participate in caregiving responsibilities with their children's mothers during the COVID-19 pandemic, in contrast to their counterparts in states where custody laws are more favorable to mothers.

It has been widely believed that single mothers rarely receive any help in caregiving from the fathers of their children prior to COVID-19. The aim of this paper is to investigate whether caregiving duties also adjusted at the "extensive margin" for unmarried parents through cohabitation. In addition, the study aims to explore the economic and legal conditions under which fathers were more inclined to cohabit with the mothers of their children during and after the pandemic.

First, I find that that the outbreak of the pandemic has indeed increased the likelihood of cohabitation among never married parents with children ages 12 or below irrespective of custody arrangements. The increase ranges from 5.5 to 9.2 percent of the sample mean (0.382) depending on specifications. This finding indicates that some unmarried parents who may have otherwise lived separately chose to cohabit in response to the sudden childcare disruptions caused by the pandemic.

Moreover, when considering unmarried fathers, the data reveals an increase likelihood of cohabitation and decline in single fatherhood only in states with 50/50 custody law since the emergence of COVID-19. Notably, these results are particularly pronounced among unwed fathers with at least a college education. In contrast, unwed mothers' decisions to cohabit do not appear to be influenced by shared custody laws.

The observed increases in the likelihood of cohabitation in 50/50 custody states appear to extend beyond mere temporary adjustments, indicating that the COVID-19 pandemic may have induced shifts in parenting norms among unmarried parents in 50/50 custody states. As fathers anticipated that custody would be shared equally in the event of a relationship dissolution, they would be more willing share caregiving responsibilities of their children during the pandemic. These changes can foster more cooperative parenting, which in turn might enhance their relationships.

## 2. Children Out of Wedlock, Cohabitation

Non-marital births in the United States are far from uncommon. According National Vital Statistics, there were 40 percent of births that were born to unmarried women (Osterman et al. 2023). Cohabiting parents are more likely to separate than their married counterparts (Musick and Michelmore 2015). This is at least partially related to that cohabitation with children in the

United States has a strong negative selection on socioeconomic status. Also, unmarried single motherhood is much more prevalent among the most disadvantaged groups: nearly two-thirds of non-marital births are to mother without a high school education. Racially, two-thirds of African American children are born to unmarried mothers, whereas the figure is less than one-quarter for white children (Ellwood et al. 2004; Kennedy & Bumpass 2008; McLanahan & Percheski, 2008).

Bumpass and Raley (1995) argued that cohabitation is a distinct family form from marriages and they pointed out that parental commitment to their children and the allocation of household resources could differ between married and unmarried families. Cohabitation tends to be a more flexible form of union and is usually less committed and less long lasting compared to marriage. Unwed women with children can be single (i.e. become single mothers), cohabit with the father, or married the father.[2] It is possible that some fathers who might have otherwise left the relationship chose to stay or moved in to take on greater caretaking responsibilities of their children due to widespread school and childcare disruptions during the early stages of the COVID-19 pandemic in the United States.

## 3. COVID-19 and Parental Time Allocation

Employment in the child care industry has dropped 35 percent in April 2020 compared to February 2020 before the pandemic began in the United States (Crouse et al. 2023). This child care employment contraction is a result of closure of childcare centers. Without childcare facilities provided by the market, most working parents had to take up the caregiving responsibilities which they previously outsourced. Heggeness (2020) found that mothers with jobs in states with early mandated school closures and stay-at-home ordinances were 68.8 percent more likely to have a job but not be working as a result of early shutdowns than mothers in late closure states during the onset of the pandemic.

For coupled households, various studies support that both mothers and father devoted more time caregiving, but mothers' parenting time experienced a disproportionate increase compared to fathers (Augustine and Prickett 2022; Carlson et al. 2022). And despite a trend toward more egalitarian division of childcare time between parents, fathers did not increase time spent on

[2] In fact, at the onset of the pandemic, the process of divorce has slowed down due to that many courts are closed during the lockdown. Similarly legally getting married were also very difficult.

developmental activities of children (Augustine and Prickett 2022). However, it is not well-known how the pandemic might have resulted in compositional changes of coupled households. Conceivably, some unwed parents might have altered their living arrangements to care for their children. Some might have lived separately prior to the pandemic might cohabit so that the fathers can bear more caregiving responsibilities. Noticeably, these fathers tend to be less experienced in caregiving. This might have partially contributed to the insignificant changes in fathers' time spent insignificant in more intensive caregiving activities.

## 4. 50-50 Custody, Fathers' Involvement with Their Children

Since the 1970s, fathers' advocates have fought hard for custody reforms that would give fathers more custody rights. The United States as a whole has been moving towards the direction of increasing shared parenting. Family law scholars and policymakers came to the conclusion that in most cases, it is in the best interests of a child to continue a strong and meaningful relationship with both parents after a divorce or separation (DiFonzo 2014). Many states replaced the legal presumption in favor of the primary caretaker in allocating custody by statutory languages or case law in favor of joint custody (Bartlett 2014).

As women gained more financial independence and the traditional gender roles continue to erode in the United States, fathers' rights groups become increasingly active in their efforts in pushing for shared custody (roughly 50-50 split), irrespective of marital status. Initially these joint-custody campaigns faced stiff opposition. Some states attempted to pass bills creating a statutory presumption for fathers and mothers to have equal time with their children but failed (Scott and Emery 2014). The shared parenting movement only began to gain steam after the mid-2010s (Kitchener 2014; Chandler 2017; Subramanian 2022). Proponents of 50-50 custody argued that fathers and mothers play an equally important role in the lives of their children, and that fathers continued involvement with the lives of their children would be most beneficial for the children.[3]

[3] The Fathers' Right Movement (a group promoting 50/50 custody) states that "the children in shared parenting families had better outcomes on measures of emotional, behavioral, and psychological well-being, as well as better physical health and better relationships with their fathers and their mothers", based on 40 studies (https://tfrm.org/equal-shared-parenting/).

In 2018, Kentucky became the first state in the U.S. to pass a complete 50-50 shared parenting law that creates a rebuttable presumption that joint custody and equally shared parenting is in child's best interests.[4] Arkansas became the second 50-50 state that passed legislature (ACT 604) that went into effect in July 2021, making joint custody the favored custody arrangement in all new cases involving child custody.[5] In June 2022, West Virginia created a new statute that makes equal (50/50) custodial allocation a presumption and would direct court to do so (WV Code § 48-9-102A).[6] In 2023, Florida and Missouri both enacted laws that require judges to start each custody case with the presumption of 50-50 custody.[7]

Custodial parent trends in the data support the trends of fathers increasing custodial rights and involvement with their children, and these legal changes are largely marriage neutral: fathers have become more likely to be custodians over the past 2 decades, from 16 percent in 1994 to 20.1 percent in 2018 (U.S. Census Bureau 2020). In addition, unmarried single fathers in the United States are far from uncommon. In fact, the majority of single fathers are unmarried (41%) in 2022, while the figure is 38% for divorced fathers (U.S. Census Bureau 2022).

## 5. Theoretical Consideration

[4]Similarly, a law passed by the Missouri Legislature in 2016 (HB1550) promoting shared parenting by requiring state courts administrator to create guidelines for parenting plans "to maximize to the highest degree the amount of time the child may spend with each parent"; the 2019-2020 Minnesota Legislature has proposed a legislation for parental custody (HF887), amending Minnesota Statutes 2018, section 518.175, subdivision 1, making it a legal presumption that each parent is entitled to 50 percent of the parenting time: "(g) There is a rebuttable presumption that the court shall award each parent 50 percent of the parenting time for the child. If it is not practicable to award 50 percent parenting time to each parent, the court shall maximize parenting time for each parent as close as possible to the 50 percent presumption." Currently the legal presumption is that each parent was entitled to receive a minimum of 25 percent of the parenting time for the child.

[5] See https://www.arkleg.state.ar.us/Home/FTPDocument?path=%2FACTS%2F2021R%2FPublic%2FACT604.pdf.

[6] The new statute states that "There shall be a presumption, rebuttable by a preponderance of the evidence, that equal (50-50) custodial allocation is in the best interest of the child. If the presumption is rebutted, the court shall, absent an agreement between the parents as to all matters related to custodial allocation, construct a parenting time schedule which maximizes the time each parent has with the child and is consistent with ensuring the child's welfare" (WV Code § 48-9-102A).

[7] Missouri passed SB 35 (effective date: August 28 23) that adds a rebuttable presumption when determining child custody arrangements that an award of equal or approximately equal parenting time to each parent is in the best interests of the child (see https://senate.mo.gov/23info/BTS_Web/Bill.aspx?SessionType=R&BillID=44511); Florida passed a similar bill (CS/HB1301) in 2023 (see https://www.flsenate.gov/Session/Bill/2023/1301/Analyses/h1301z1.CJS.PDF).

Conceivably, for non-resident unwed fathers that are altruistic towards their children, the childcare shock arising out of COVID-19 will cause some unwed fathers to move into the household of their children's mothers so as to divide childcare responsibilities. Also, during a period of crisis like the spread of COVID-19, cohabiting couples that might have otherwise been dissolved might have stayed together as the pandemic has substantially hindered couples' ability to move out due to the uncertainties and fear of transmission of the unknown disease. And thus, cohabitating unions with children present will likely have gone up, at least during the early stage of the pandemic.

Secondly, as 50/50 custody laws provide more custodial rights to fathers ex-post when a relationship dissolves, unwed fathers residing in 50/50 states can be more willing to spend time and financial resources on their children as they tend to maintain a closer physical contact with their children after relationship dissolution with their partners. And to the extent that unwed fathers are altruistic towards their children and value their custodial rights (i.e. they care the time they spend with their children as well as child quality), unwed fathers under 50/50 regimes would be more likely to co-parent with their children's mothers in the same household relative to their counterparts under non-50/50 custody regimes during the pandemic.

Importantly, these behavioral shifts could have lasting effects. As current behaviors shape future behaviors, fathers may continue to assume more caregiving responsibilities even after the childcare shock from the pandemic subsided. Since caregiving is a household public good valued by both partners, increased paternal involvement could help strengthen the relationship of partners. Consequently, the rise in cohabitation among unwed parents in 50/50 custody states might persist beyond the COVID-19 pandemic.

## 6. Data

I use the monthly Current Population Survey (CPS), as compiled in the Integrated Public Use Microdata Series (Flood, et al., 2024), a nationally representative monthly survey of approximately 60,000 U.S. households, to conduct the empirical analysis. The CPS collects information on the labor force status, and key sociodemographic characteristics of adult household members as well as on relationships between household members. I restrict the sample to unmarried parents aged 18 to 65 with children ages 0 to 12 in the household. These are parents that were most impacted

by the childcare shock brought about by the outbreak of COVID-19, as they are also more likely to be active in the labor force.

The CPS data in this study cover the period January 2018 to December 2023. This allows us to assess the potential short run and post-pandemic impact of the COVID-19 on the living arrangements of households with children. In each state, I take the pandemic start date to be the month after the first COVID-19 death in the state, as in Wong and Bansak (2025).[8]

The data on 50/50 custody states in 2018 come from is Custody X Change (2018) (https://www.custodyxchange.com/maps/dads-custody-time-2018.php),, a leading software tool for creating and managing custody arrangements and schedules for parents. They provided estimates of the average percentage of custody time given to fathers in each state in 2018. The estimates are based on professional legal opinions, state family laws and online published standards by experienced legal professionals from U.S. states, bar associations, attorneys specializing in family law, and custody and county courts.[9]As 50/50 custody states tend to have more clear-cut custody allocation rules, it is reasonable to expect that people in these states are more aware of the expected custody ruling at union dissolution and incorporate that into their decision making. Therefore, my analysis focus on 50/50 states versus non-50/50 states.[10] In the analysis of the effect of 50/50 custody laws, I exclude respondents residing in Arkansas from August 2021 onward, since the state enacted its 50/50 custody law in July 2021. Note that all the results are insensitive to this exclusion. The data on states having early school closure comes from Heggeness (2020).

Table 1 presents the summary statistics for the full sample, which includes household heads who are cohabiting, as well as unwed single mothers and fathers with children aged 12 or younger. ıTable A1 in Appendix I also presents the summary statistics by unwed mothers and fathers. Figure 1 displays the geographic distribution of 50/50 custody states. There is no evident geographic concentration for the tendency to award 50/50 joint custody and it appears that the variation in custody regimes is largely exogenous.

[8] In 48 states and the District of Columbia, the first COVID-19 death occurred in March 2020; in Washington it occurred in February while in Wyoming the first death happened in April.

[9] For detail on the methodology of how fathers' custody time by state was estimated, see https://www.custodyxchange.com/topics/research/dads-custody-time-2018-appendix.php

[10] The results in Wong and Bansak (2025) are found to be primarily driven by 50/50 versus. Non-50/50 states.

## 7. Empirical Specifications

To test the hypotheses outlined in Section 5, I perform the following OLS model of the living arrangement of unwed parents:

$$Cohabit_{ismy} = \beta_0 + \beta_1 COVID_{ismy} + \boldsymbol{X}'_{ismy}\boldsymbol{\gamma} + f_m + f_y + f_s + \varepsilon_{ismy}, \quad (1)$$

where $Cohabit_{ismy}$ is 1 if the unwed parent $i$ (where $i$ = *mother*, *father*) is residing in state $s$ in month $m$ and year $y$ in a cohabiting union (the household head if in a cohabitation), and zero otherwise; $COVID$ takes 1 after the first COVID-19 death occurred in a state and zero otherwise; the vector $\boldsymbol{X}$ stands for a vector of demographic controls that include age and age squared of parent $i$; dummy variables that take 1 if at least one child is under 6 years, and zero otherwise; dummies for the education (less than a high school diploma <12, high school graduates and some college 12-15, a college degree of more 16+) , whether the resident lives in an urban area, had early school closure during Covid-19, the nativity and race/ethnic group (White, Black, Hispanic, Asian, other races) of the parent; $f_m$, $f_y$ and $f_s$ are the month, year and state fixed effects.

If more unwed parents turned to cohabitation to cope with the childcare shocks, $\beta_1$ is positive; otherwise it is statistically not different from zero.

To further investigate whether 50/50 custody influences the living arrangements of unwed parents, I estimate the following OLS model:

$$Cohabit_{ismy} = \beta_0 + \beta_1 COVID_{ismy} + \beta_2 50/50\_custody_s + \beta_3 50/50\_custody_s * COVID_{ismy} + \boldsymbol{X}'_{ismy}\boldsymbol{\gamma} + f_m + f_y + f_s + \varepsilon_{ist}, \quad (2)$$

where $50/50\_custody$ stands for states that have implemented 50/50 custody, and other variables follow equation (1). $\beta_3$ will be positive if 50/50 custody provides stronger incentives for unwed

fathers to care about the wellbeing of their children when they can secure 50 percent custodial time with their children in expectation. And consequently, they might be more likely to move (remain) in the household with their mothers to take up more childcare responsibilities amid the pandemic; otherwise it is statistically not different from zero.

Note that in the full specification that includes the state fixed effects, $\beta_2$ cannot be identified because $50/50\ Custody_s$ is measured at a state level. But since the objective of this paper is to study how 50/50 custody might affect cohabitation decision *during and after COVID-19*, it is not the variable of interest. And arguably any effect potentially found from $\beta_3$ is causal as the interacting effect between 50/50 custody and COVID-19 comes from the pandemic shock that is exogenous, even though households might adopt different living arrangements based on the pre-existing custody laws.

I also examine whether 50/50 custody affects the likelihood of single fatherhood among unwed households with children under age 12 by estimating the following regression:

$$SingleFather_{ismy} = \beta_0 + \beta_1 COVID_{ismy} + \beta_2 50/50\_custody_s + \beta_3 50/50\_custody_s * COVID_{ismy} + \boldsymbol{X}'_{ismy}\boldsymbol{\gamma} + f_m + f_y + f_s + \varepsilon_{ist},$$

(3)

Where $SingleFather$ a binary variable equal to 1 if the unwed household is headed by a single father, and 0 otherwise. All other variables and controls are the same as in regression (2).

In addition, to evaluate the potential time dynamics of the COVID-19 pandemic, cohabitation and 50/50 custody on cohabitation:

$$Y_{ismy} = \rho_1 + \sum_{j=1}^{k} \beta_j\, pandemic_j + \sum_{j=1}^{k} \theta_j\, pandemic_j * 50/50\_custody_s + \boldsymbol{X}'_{\boldsymbol{ismy}}\,\boldsymbol{\gamma} + f_m + f_y + f_s + \varepsilon_{ismy},$$

(4)

where $Y$ stands for the outcome variables being examined including cohabitation and single fatherhood; $pandemic_j$ represents a series of dummy variables that takes one in the jth period (6-

month period intervals) of the pandemic, and zero otherwise. Other controls are the same as in regression (1).[11] This specification enables us to trace out the adjustment path of cohabitation in response to COVID-19 over time. If the COVID-19 affects paternal responsibilities of unwed parents persistently, and particularly under shared custody regimes, the effect of $\theta_j$ will not fade out quickly over time.

## 8. The Results

### 8.1 The Main Results

Table 2 reports estimates of the impact of the COVID-19 outbreak on the likelihood that unwed fathers and mothers with children aged 12 or younger cohabit. The sample includes single fathers, single mothers, and householders in cohabiting arrangement.[12] Specification 1 controls only for individual characteristics. Specifications 2 and 3 introduce month and state fixed effects. The point estimates are very similar across these specifications and suggest that the pandemic has significantly increased the likelihood of cohabitation among unwed parents with children age 12 and under. This corresponds to about 2.8 percent of the sample mean. Specification 4 includes year fixed effects and the effect of the magnitude appears to be even higher. However, the result should be interpreted with caution, as the pandemic period is defined primarily as months following March 2021. This overlap may limit the ability to separately identify the effects of the pandemic from year fixed effects. Figure 2 visualizes the dynamic effect of pandemic of the likelihood of cohabitation. Overall, the data suggest an upward trend in cohabitation following the onset of the pandemic. This likely reflects an initial response in which unwed couples chose to stay together to share caregiving responsibilities. Notably, this increase in cohabitation does not appear to reverse in the years following the initial outbreak, suggesting that the pandemic may have had a lasting positive effect on relationship stability among some unmarried parents.

Turning to the effects of custody laws of the living arrangement of unwed parents, Table 3 reports the effects of the COVID-19 pandemic and 50/50 custody laws on the likelihood of

[11] A similar specification is found in Courtemanche et al. (2020).

[12]The U.S. Census Bureau defines the *householder* as "the person (or one of the people) in whose name the housing unit is owned or rented (maintained)."See https://www.census.gov/programs-surveys/cps/technical-documentation/subject-definitions.html#householder.

cohabitation among unwed fathers. The sample is restricted to unwed fathers: single or cohabiting. The sample design focuses on unwed fathers as the decision unit. Columns 1–4 specifically exclude the interaction term between COVID-19 and 50/50 custody. These are estimates of regression (1) using unwed fathers as the sample. The effect of the pandemic is no longer statistically significant in this sample across all specifications.

Columns 5–8 report the estimated key coefficients of regression (2). Specification 5 only controls for individual characteristics while specification 6 additionally introduces month fixed effects. 50/50 custody appears to reduce the likelihood of cohabitation but during the pandemic it significantly increases the likelihood of cohabitation among unwed fathers. Interestingly, the magnitude of the two effects appear to be very similar. That said, the direct effect of 50/50 custody should be interpreted with caution, as the adoption of such laws may have influenced parental behavior even prior to the pandemic. For example, unwed fathers may have been more likely to exit cohabiting relationships when their custodial rights were better secured under 50/50 arrangements before the pandemic. Also, understandably fathers whose living arrangement were influenced by the 50/50 custody laws prior to the pandemic are likely to have stronger custody concern and a greater desire to care for their children. This might explain why the direct effect of 50/50 custody on father's decision to cohabit is negative. However, it is important to note that in specifications 7 and 8, we cannot identify the direct effect of 50/50 custody as the measure is defined at the state level based on 2018 data. The primary objective of this paper is to examine the interaction effect between 50/50 custody laws and the COVID-19 pandemic. The interaction effect of 50/50 custody and the pandemic appear to be very robust across specifications, corresponding to about 6 percent of the sample mean.

Table 4 focuses on how unwed children and how their fathers' decision to stay single to be affected by 50/50 custody laws and the pandemic. The sample is limited to households with nonmarital children age 12 and below. This includes household heads of cohabitation, single fathers and single mothers. The results reveal a very similar pattern from an opposite perspective. Across all specifications, 50/50 custody laws reduce the likelihood of children aged 12 and under living being raised in an unwed single-father household by approximately 1 percentage point, which corresponds to about 14.2 percent of the sample mean.

All these results are in line with the hypothesis that fathers perceive their custody rights as more secure in states with 50/50 custody law, leading them to be more willing cohabit with their children's mothers to share caregiving responsibilities during COVID-19.

In Table II.1 of Appendix II, I provide estimates of the effects of COVID-19, 50/50 custody on cohabitation decision of unwed mothers. The results consistently indicate a significant increase in the probability of unwed mothers to be in a cohabitation after the pandemic, but 50/50 custody laws do not produce any statistically significant effect on the likelihood to cohabit for unwed mothers.

### 8.2 Heterogeneity Test

Many of the fathers' rights movements' participants are middle-class fathers (Dinner 2016). Conceivably educated fathers are more concerned about their custody rights and possess a stronger desire to spend quality time with their children. Research indicates that fathers with higher education levels tend to invest more engaged time in their children's lives, focusing on developmental childcare, compared to their less-educated counterparts (Altintas 2015). Despite the higher opportunity cost of time faced by educated parents, there has been a documented positive education gradient in childcare in recent decades (Guryan et al. 2008; Sullivan 2010). Iztayeva (2021) also found that white collar-workers who are likely to be better educated faced less work-family conflict than men with blue-collar jobs. The latter group encountered greater challenges in committing to caregiving responsibilities and may have had fewer concerns for custody.

Furthermore, as education is positively correlated with egalitarian gender role attitudes (Thornton et al. 1983), better-educated fathers tend to be more concerned with their access to children after the dissolution of a union. Conceivably, their decisions regarding their children, such as the time spent with them or whether to continue cohabiting with the children's mother, may be more responsive to their custody and parenting rights.

If the estimated effects of 50/50 custody during the pandemic indeed capture the impact of such custody arrangements on fathers' cohabitation choices after the pandemic, the interaction term between 50/50 custody and the pandemic is expected to be stronger for educated fathers. In Table

5, the sample is split into fathers with at least a college education and fathers with less than a college education. The results indicate that the effects observed in Table 3 are primarily driven by educated fathers. Unwed fathers with at least a college education are 19.4 percentage points more likely to be in cohabitation after the pandemic began; whereas the impact of 50/50 custody law on the cohabitation status of unwed fathers with less than college education is much smaller and imprecisely estimated.

### 8.3 Falsification

If the observed effects of 50/50 custody on unwed fathers are truly driven by concerns over child custody, then the interaction term between the pandemic and 50/50 custody should not show a statistically significant effect on the cohabitation decisions of childless men. Table 6 presents the results of this falsification test. Notably, childless men also exhibit an increased likelihood of cohabiting during the pandemic; however, the interaction term between 50/50 custody and the pandemic remains statistically insignificant across all specifications and alternative sample selections.

### 8.4 The Dynamic Effects of COVID-19, and Pre-Existing Trend Examination

It is also important to examine whether the effects of COVID-19 on cohabitation behaviors of unwed parents are merely temporary or more enduring. Additionally, it is plausible that cohabitation patterns may have undergone changes before the onset of the pandemic. Table 7 explores the dynamic effects of COVID-19 on the cohabitation of unwed fathers and the likelihood of single fatherhood in households with non-marital children under age 12. The regressions include interaction terms with 50/50 custody and tests for potential pre-existing trends.

In Column 1 and Column 3, the estimated coefficients for the months preceding the pandemic, as well as their interactions with 50/50 custody are statistically indistinguishable from zero. These results provide evidence that the observed changes in cohabitation and single fatherhood are not driven by pre-existing trends. The specification in Column 2 suggests that unwed fathers in 50/50 custody states are more inclined to cohabit 25 months or more after the COVID-19 outbreak. Regarding single fatherhood, unwed fathers are significantly less likely to be raising their children alone 13–18 months after the onset of the pandemic. However, this effect

becomes quantitatively small and statistically insignificant during the 19–24 month period, before becoming strongly significant again 25 months after the outbreak. This persistence implies that the pandemic might have stabilized certain cohabitations, leading to a lower cohabitation dissolution rate. Alternatively, if COVID-19 had not contributed to this stability, we would have expected the estimated coefficients for the impact of COVID-19 in 50/50 custody to significantly diminish over time.

## 9. Discussion and Conclusion

The findings of this paper highlight that, in response to the unforeseen childcare challenges triggered by the outbreak of COVID-19, some unwed parents resorted to cohabitation as a coping mechanism to care for their children. For unwed mothers, there is no evidence that their decision to co-reside with their children fathers after the pandemic has been affected by their expected custody rights. This stands in striking contrast to unwed fathers, who are significantly more likely to co-reside with their children's mothers during and after the pandemic when they reside in 50/50 custody states.

Fagan and Kaufman (2015) suggested that co-parenting could be more challenging for unmarried ex-couples as they tend to have looser ties to others than divorced parents. It is important to note that single fathers are much less common than single mothers. And to this date, they remain a highly selected group. Fathers that are concerned about their custody rights tend to be better educated (Dinner 2016), or they may be navigating situations where the mothers of their children are deemed unfit. The data reveal that 50/50 custody rights matter mostly to better educated fathers when it comes to deciding whether to cohabit with their children's mothers since the pandemic.

Also, the observed upswing in cohabitation fathers appears to extend beyond a mere transitory adjustment. This suggests that the COVID-19 pandemic may have prompted lasting shifts in parenting norms among unwed couples. Unwed fathers could be more willing to co-parent with their children's mother as they recognize the benefits in sharing caregiving during the COVID-19 crisis. This has the potential to bring about a lasting improvement in their relationship with their children's mothers, ultimately benefiting the well-being of their children too.

In Wong and Bansak's study (2025), it was observed that cohabiting mothers were less likely to be out of the labor force due to caregiving responsibilities in 50/50 custody states during

the COVID-19 pandemic. This phenomenon could be attributed to that some unmarried cohabiting mothers were less inclined to compromise their careers for childcare, anticipating a more equitable custody arrangement in the event of union dissolution. The findings of this paper reveal a surge in cohabitation post-pandemic. Taken together with the finding in Wong and Bansak (2025), this implies that certain women in cohabiting relationships managed to sustain their labor force participation by sharing caregiving responsibilities through co-residing with their children's fathers amid the challenges posed by the pandemic. Remarkably, the pandemic may have contributed to an enhancement in the relationships of these cohabiting parents. The data indicates that, even more than two years after the initial outbreak of COVID-19, the likelihood of unwed mothers cohabiting remains significantly higher than pre-pandemic levels.

While 50/50 custody laws appear to primarily benefit fathers who value maintaining contact with their children after a relationship ends, this paper finds that a notable positive effect of the law brought about by the pandemic is its potential to encourage greater commitment from fathers—both to their partners and to their caregiving responsibilities. Yet it remains to be investigated whether these behavioral changes among unwed fathers during the pandemic will lead to lasting shifts in parental norms, such that men who become fathers after the pandemic may also be influenced similarly under 50/50 custody arrangements and become more devoted parents.

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**Table 1: Summary Statistics: Never Married Parents with Children Ages 12 or Less**

| Variable | Mean* | Stand. Dev. |
|---|---|---|
| Single Mothers | 0.548 | (0.498) |
| Single Fathers | 0.070 | (0.255) |
| Cohabit | 0.382 | (0.486) |
| Pandemic | 0.624 | (0.484) |
| 50/50 Custody | 0.281 | (0.500) |
| Age | 32.89 | (7.512) |
| Urban | 0.695 | (0.460) |
| Immigrant | 0.149 | (0.356) |
| With children ages 6 or less | 0.682 | (0.466) |
| White | 0.345 | (0.475) |
| Black | 0.327 | (0.469) |
| Hispanic | 0.267 | (0.442) |
| Asian | 0.016 | (0.124) |
| Other races | 0.046 | (0.209) |
| Less than high school | 0.134 | (0.340) |
| High school graduates and some college | 0.721 | (0.448) |
| College graduates or above | 0.145 | (0.352) |
| Number of Observation | 96,216 | |

Data: IPUMS CPS (Jan 2018–Dec 2023). Means are population-weighted using individual sample weights.

**Table 2: COVID-1D and Cohabitation of Unwed Parents with Children Age 12 and under**

| | Probability of Cohabitation | | | |
|---|---|---|---|---|
| | (1) | (2) | (3) | (4) |
| Pandemic | 0.021*** | 0.021** | 0.022** | 0.035*** |
| | (0.009) | (0.009) | (0.009) | (0.099) |
| Individual Characteristics | X | X | X | X |
| Month Fixed Effects | | X | X | X |
| State Fixed Effects | | | X | X |
| Year Fixed Effects | | | | X |
| Sample Mean of Dependent Variable | 0.382 | 0.382 | 0.382 | 0.382 |
| N | 96,948 | 96,948 | 96,948 | 96,948 |

Notes: *** variable is statistically significant at 1% level; ** variable is statistically significant at 5% level; * variable is statistically significant at 10% level. Robust standard errors clustered at the state level are in parentheses.

**Table 3: Effects of COVID-19, 50/50 Custody on Cohabitation Decision of Unwed Fathers**

| | Probability of Cohabitation | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| Pandemic | 0.006 | 0.005 | 0.006 | -0.003 | -0.007 | -0.007 | -0.006 | -0.014 |
| | (0.010) | (0.011) | (0.011) | (0.032) | (0.012) | (0.013) | (0.013) | (0.020) |
| 50/50 custody | - | - | | - | -0.044** | -0.044** | - | - |
| | | | | | (0.018) | (0.018) | | |
| Pandemic*50/50 custody | - | - | | - | 0.045** | 0.044** | 0.041** | 0.045** |
| | | | | | (0.019) | (0.019) | (0.019) | (0.019) |
| Individual Characteristics | X | X | X | X | X | X | X | X |
| Month Fixed Effects | | X | X | X | | X | X | X |
| State Fixed Effects | | | X | X | | | X | X |
| Year Fixed Effects | | | | X | | | | X |
| Mean of Dependent Variable | 0.720 | 0.720 | 0.720 | 0.720 | 0.720 | 0.720 | 0.720 | 0.720 |
| N | 25,265 | 25,265 | 25,265 | 25,265 | 25,265 | 25,265 | 25,265 | 25,265 |

Notes: The sample is confined to unwed fathers (single or cohabiting) with children age 12 and under. *** variable is statistically significant at 1% level; ** variable is statistically significant at 5% level; * variable is statistically significant at 10% level. Robust standard errors clustered at the state level are in parentheses.

## Table 4: Effects of COVID-19, 50/50 Custody on Unwed Single Fatherhood

| | Probability of Unwed Single Fatherhood | | | |
|---|---|---|---|---|
| | (1) | (2) | (3) | (4) |
| Pandemic | -0.002 | -0.001 | -0.002 | 0.003 |
| | (0.004) | (0.004) | (0.004) | (0.010) |
| 50/50 custody | 0.012** | 0.012** | - | - |
| | (0.005) | (0.006) | | |
| Pandemic*50/50 custody | -0.011** | -0.011** | -0.010** | -0.010** |
| | (0.005) | (0.004) | (0.005) | (0.005) |
| Individual Characteristics | X | X | X | X |
| Month Fixed Effects | | X | X | X |
| State Fixed Effects | | | X | X |
| Year Fixed Effects | | | | X |
| Mean of Dependent Variable | 0.070 | 0.070 | 0.070 | 0.070 |
| N | 96,216 | 96,216 | 96,216 | 96,216 |

Notes: The sample is to cohabitation, unwed fathers and unwed mothers with children age 12 and under. *** variable is statistically significant at 1% level; ** variable is statistically significant at 5% level; * variable is statistically significant at 10% level. Robust standard errors clustered at the state level are in parentheses.

**Table 5: Heterogeneity Test: Effects of COVID-19, 50/50 Custody on Cohabitation Decision of Unwed Fathers by Education Level of Fathers**

| | Probability of Cohabitation | | | |
|---|---|---|---|---|
| | Fathers with at least college education | | Fathers with less than college education | |
| | (1) | (2) | (1) | (2) |
| Pandemic | -0.058 | -0.066 | -0.010 | -0.010 |
| | (0.048) | (0.080) | (0.035) | (0.022) |
| Pandemic*50/50 custody | 0.194*** | 0.196*** | 0.020 | 0.020 |
| | (0.062) | (0.062) | (0.023) | (0.038) |
| State Fixed Effects | X | X | X | X |
| Year Fixed Effects | | X | | X |
| Mean of Dependent Variable | 0.682 | 0.682 | 0.726 | 0.726 |
| N | 3,418 | 3,418 | 21,847 | 21,847 |

Notes: *** variable is statistically significant at 1% level; ** variable is statistically significant at 5% level; * variable is statistically significant at 10% level. Robust standard errors clustered at the state level are in parentheses.

**Table 6: Falsification Test: COVID-19, 50/50 Custody and Cohabitation Decision of Unwed Childless Men**

| | Probability of Cohabitation | | | | | |
|---|---|---|---|---|---|---|
| | All | | Men with at least college education | | Men with less than college education | |
| | (1) | (2) | (1) | (2) | (1) | (2) |
| Pandemic | 0.023*** | 0.002 | 0.023*** | 0.003 | 0.024*** | -0.0002 |
| | (0.003) | (0.005) | (0.005) | (0.010) | (0.003) | (0.006) |
| Pandemic*50/50 custody | 0.002 | 0.002 | 0.009 | 0.010 | -0.003 | -0.003 |
| | (0.008) | (0.008) | (0.018) | (0.018) | (0.007) | (0.007) |
| State Fixed Effects | X | X | X | X | X | X |
| Year Fixed Effects | | X | | X | | X |
| N | 295,325 | 295,325 | 109,322 | 109,322 | 186,003 | 186,003 |

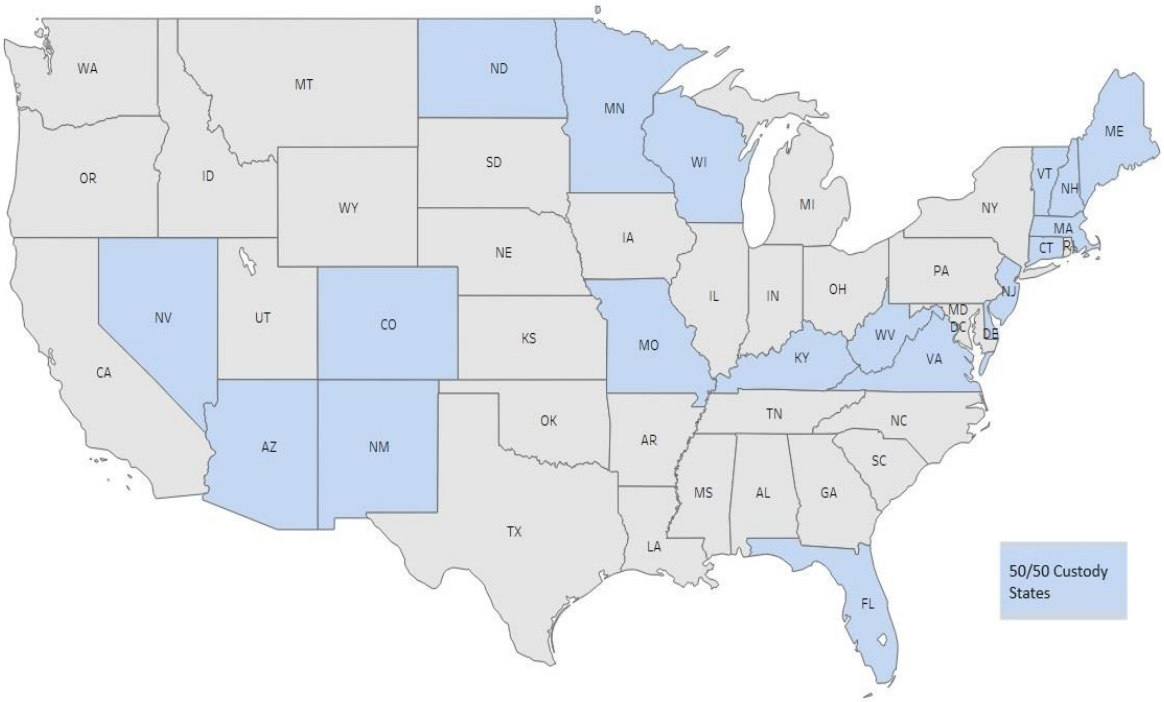
Notes: *** variable is statistically significant at 1% level; ** variable is statistically significant at 5% level; * variable is statistically significant at 10% level. Robust standard errors clustered at the state level are in parentheses.

**Table 7: Dynamic Effects of COVID-19 and 50/50 Custody on Cohabitation Decision of Unwed Fathers and Probability of Unwed Single Fatherhood**

| | Probability of Cohabitation | | Probability of Unwed Single Fatherhood | |
|---|---|---|---|---|
| | (1) | (2) | (1) | (2) |
| 1-6 months prior to COVID-19 | -0.017 | - | 0.003 | - |
| | (0.032) | | (0.006) | |
| COVID-19 1-6 months | -0.047 | -0.019 | 0.006 | 0.0007 |
| | (0.051) | (0.045) | (0.010) | (0.008) |
| COVID-19 7-12 months | -0.010 | 0.025 | -0.0002 | -0.008 |
| | (0.050) | (0.033) | (0.011) | (0.008) |
| COVID-19 13-18 months | 0.010 | 0.046 | -0.004 | -0.012 |
| | (0.060) | (0.040) | (0.013) | (0.011) |
| COVID-19 19-24 months | 0.010 | 0.053 | -0.010 | -0.020 |
| | (0.064) | (0.054) | (0.015) | (0.012) |
| COVID-19 25 months plus | -0.057 | 0.040 | -0.008 | -0.018 |
| | (0.074) | (0.059) | (0.018) | (0.014) |
| 1-6 months prior to COVID-19*50/50 custody | -0.041 | - | 0.015 | - |
| | (0.037) | | (0.009) | |
| COVID-19 1-6 months*50/50 custody | 0.009 | 0.018 | 0.003 | 9.67e-07 |
| | (0.048) | (0.046) | (0.010) | (0.010) |
| COVID-19 7-12 months*50/50 custody | 0.015 | 0.024 | 0.007 | 0.004 |
| | (0.035) | (0.030) | (0.008) | (0.008) |
| COVID-19 13-18 months*50/50 custody | 0.012 | 0.021 | -0.014* | -0.018** |
| | (0.041) | (0.038) | (0.008) | (0.008) |
| COVID-19 19-24 months*50/50 custody | -0.003 | 0.007 | 0.0002 | -0.003 |
| | (0.032) | (0.030) | (0.008) | (0.008) |
| COVID-19 25 months plus*50/50 custody | 0.058** | 0.067** | -0.013** | -0.016*** |
| | (0.027) | (0.027) | (0.005) | (0.005) |
| N | 25,265 | 25,219 | 96,216 | 96,216 |

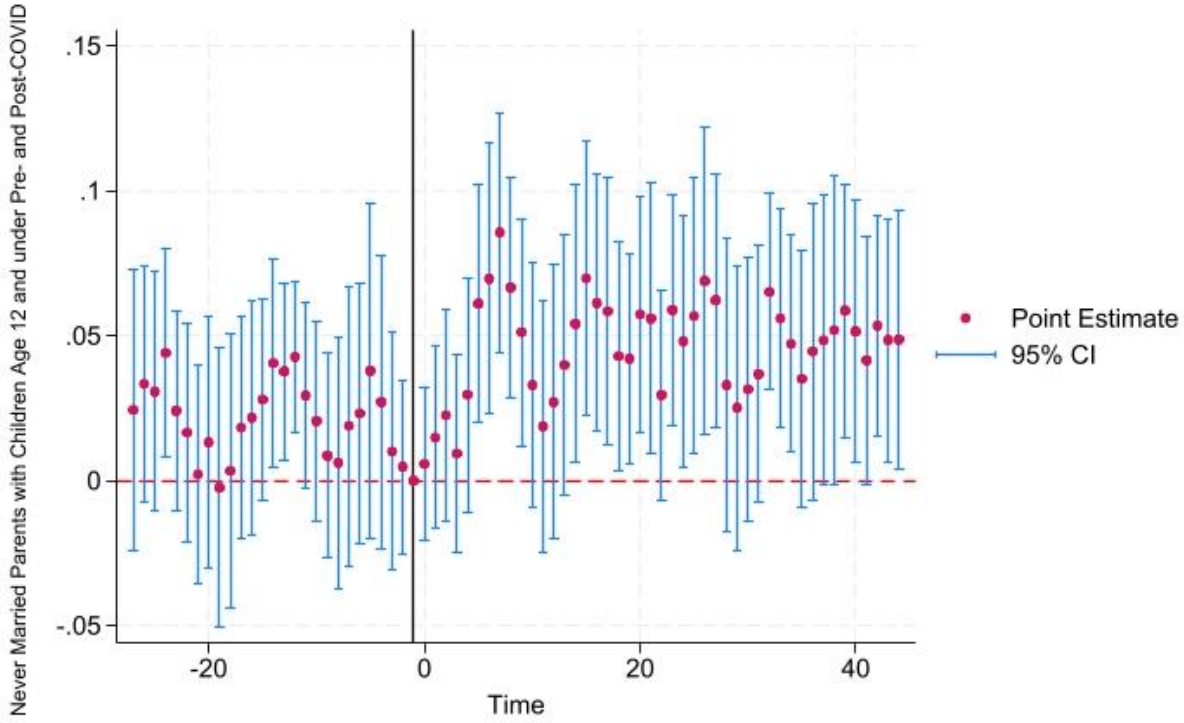
Notes: *** variable is statistically significant at 1% level; ** variable is statistically significant at 5% level; * variable is statistically significant at 10% level.

**Figure 1: Geographic Distribution of 50/50 Custody States: 2018**




Data source: Custody X Change

**Figure 2: Time Trends of Cohabitation of Never Married Parents with Children Age 12 and under Pre- and Post COVID-19**



## Appendix I:

### Table A1: Summary Statistics: Never Married Parents with Children Ages 12 or Less by Sex

| | Unwed Mothers | | Unwed Fathers | |
|---|---|---|---|---|
| **Variable** | **Mean*** | **Stand. Dev.** | **Mean*** | **Stand. Dev.** |
| Cohabit | 0.263 | (0.440) | 0.847 | (0.360) |
| Pandemic | 0.625 | (0.484) | 0.631 | (0.482) |
| 50/50 Custody | 0.278 | (0.448) | 0.294 | (0.456) |
| Age | 32.51 | (7.390) | 33.73 | (7.808) |
| Urban | 0.702 | (0.458) | 0.674 | (0.469) |
| Immigrant | 0.141 | (0.348) | 0.187 | (0.389) |
| With children ages 6 or less | 0.672 | (0.470) | 0.736 | (0.441) |
| White | 0.310 | (0.462) | 0.421 | (0.494) |
| Black | 0.373 | (0.484) | 0.206 | (0.404) |
| Hispanic | 0.259 | (0.438) | 0.305 | (0.460) |
| Asian | 0.014 | (0.116) | 0.018 | (0.134) |
| Other races | 0.045 | (0.206) | 0.050 | (0.217) |
| Less than high school | 0.131 | (0.337) | 0.166 | (0.372) |
| High school graduates and some college | 0.722 | (0.448) | 0.717 | (0.450) |
| College graduates or above | 0.147 | (0.354) | 0.116 | (0.321) |
| Number of Observation | 70,951 | | 45,187 | |

Data: IPUMS CPS (Jan 2018–Dec 2023). Means are population-weighted using individual sample weights.

## Appendix II:

### Table II.1: Effects of COVID-19, 50/50 Custody on Cohabitation Decision of Unwed Mothers

| | Probability of Cohabitation | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| Pandemic | 0.035*** | 0.035*** | 0.036*** | 0.044*** | 0.033*** | 0.034*** | 0.035*** | 0.043*** |
| | (0.006) | (0.007) | (0.007) | (0.011) | (0.008) | (0.008) | (0.008) | (0.011) |
| 50/50 custody | - | - | | - | 0.007 | 0.007 | - | - |
| | | | | | (0.012) | (0.012) | | |
| Pandemic*50/50 custody | - | - | | - | 0.005 | 0.005 | 0.003 | 0.003 |
| | | | | | (0.013) | (0.013) | (0.014) | (0.014) |
| Individual Characteristics | X | X | X | X | X | X | X | X |
| Month Fixed Effects | | X | X | X | | X | X | X |
| State Fixed Effects | | | X | X | | | X | X |
| Year Fixed Effects | | | | X | | | | X |
| Mean of Dependent Variable | 0.270 | 0.270 | 0.270 | 0.270 | 0.270 | 0.270 | 0.270 | 0.270 |
| N | 70,951 | 70,951 | 70,951 | 70,951 | 70,951 | 70,951 | 70,951 | 70,951 |

Notes: The sample is unwed mothers (single or cohabiting) with children age 12 and under. *** variable is statistically significant at 1% level; ** variable is statistically significant at 5% level; * variable is statistically significant at 10% level. Robust standard errors clustered at the state level are in parentheses.