Decline in Rate of Divorce and Separation Filings in Denmark in 2020 Compared with Previous Years

Peter Fallesen1

Abstract
The radical changes to everyday life brought on by the coronavirus disease 2019 (COVID-19) pandemic and the closure of nonfamily social spheres in particular may have impacted marriage dynamics. The author provides evidence on the monthly rates of initiation of divorce and separation filings in Denmark for the period from 2016 to 2020 to examine how filing behavior changed during 2020 compared with the four previous years. Because filing precedes divorce, rates reflect more precisely the temporal dynamic of divorce initiation. Rates of initiation of divorce filings declined in 2020 to the lowest level across the period from 2016 to 2020. On average, monthly rates in 2020 were 7 percent lower than 2019 rates and 20 percent lower than 2016 rates. There is little indication that the COVID-19 pandemic had an immediate influence on divorce dynamics, although the filing rate was more depressed during lockdown periods.

Keywords
administrative data, COVID-19, divorce

Stay-at-home orders and suggestions following the coronavirus disease 2019 (COVID-19) pandemic have caused substantial changes to everyday life for families, who quite literally are stuck at home together. Although findings on the impact of the pandemic and the measures governments have used to counter it on mental health and relationship quality are mixed (e.g., Andersen, Fallesen, and Bruckner 2020; Kowal et al. 2020; Mari et al. 2020), concerns have been raised on the impact of stay-at-home orders for couples in general (Luetteke et al. 2020; Pietromonaco and Overall forthcoming; Stanley and Markman 2020) and couples with higher levels of conflict in particular (Lebow 2020; Pieh et al. 2020; Zhang forthcoming). On one hand, pandemic-induced stress and anxiety may increase levels of conflict. On the other hand, the external threat posed by the pandemic may cause people to hunker down in familial units to ride out the pandemic.

Initial data from five U.S. states showed that the divorce count declined in 2020 compared with previous years for four of the five states, simultaneously with a decline in the number of marriages (Manning and Payne 2020). Yet a finalized divorce is the last step of a process that starts with an initial legal filing and may or may not, depending on the legal statutes of given state, also entail some period of mandatory separation before a couple’s divorce can be finalized (Moore 2016; Smith 2009). In that sense, divorce rates may provide a delayed picture of couples’ behavior, and the timing of finalization of divorces may also be susceptible to administrative bottlenecks, such as those created by work-from-home orders. Furthermore, a decline in the number of divorces can be driven both by a smaller share of married couples divorcing and by a decline in the number of married couples that can divorce. Raw divorce counts and crude divorce rates cannot distinguish these two dimensions.

In this study, I report findings on the development of the monthly rate of separation and divorce filings and the monthly divorce rate in Denmark for the period from 2016 to 2020 per 1,000 married couples, using newly released data provided by the Danish Agency of Family Law as well as population data provided by Statistics Denmark. During the studied period, the stock of marriages in Denmark remained close to constant, so any change in filing and divorce rates

1ROCKWOOL Foundation, Denmark and Stockholm University, Stockholm, Sweden

Corresponding Author:
Peter Fallesen, ROCKWOOL Foundation, Denmark and Stockholm University, Sweden, Swedish Institute for Social Research, Stockholm University, Stockholm, 106 91, Sweden
Email: peter.fallesen@sofi.su.se
likely reflects a change in divorce behavior. The results show that filing data likely provide a more temporally precise metric of changes in divorce intention than does the rate of finalized divorces, because of nonconstant distortion in time between filing and actualization of divorce. The pandemic year of 2020 had the lowest rate of divorce and separation filings in the past five years, after adjusting for stock of married couples, indicating that the COVID-19 pandemic so far has not influenced divorce behavior in Denmark.

### Methodology and Data

#### Data

I use two sets of data sources: (1) vital statistics provided by Statistics Denmark on the quarterly stock of married individuals reported on the first day of each quarter from 2016 to 2020 (Statistics Denmark 2021b) and monthly data on finalized divorces from January 2016 to September 2020 (Statistics Denmark 2021a, 2021c)1 and (2) monthly data on filings for divorces and separations acquired from the Danish Agency of Family Law covering all filings for the period from January 2016 to December 2020. To obtain the stock of married couples, I divide the number of married individuals by 2.

Table 1 provides an overview of the data. As can be seen from the table, the stock of married couples remained constant across the study period (after considering seasonality), with the last two quarters of 2020 standing out with a smaller number of married couples and an atypical seasonal pattern. This is due to a smaller number of new marriages occurring in the last two quarters of 2020.

**Table 1. Quarterly Stock of Married Couples and Monthly Numbers of Divorce and Separation Filings and Finalized Divorces in Denmark, 2016 to 2020.**

|                      | 2016      | 2017      | 2018      | 2019      | 2020      |
|----------------------|-----------|-----------|-----------|-----------|-----------|
| **Number of married couples** |           |           |           |           |           |
| Quarter 1            | 1,071,270 | 1,070,415 | 1,070,715 | 1,070,852 | 1,073,009 |
| Quarter 2            | 1,067,962 | 1,066,227 | 1,066,837 | 1,068,226 | 1,068,804 |
| Quarter 3            | 1,067,977 | 1,067,804 | 1,068,477 | 1,070,440 | 1,066,046 |
| Quarter 4            | 1,072,770 | 1,072,942 | 1,073,407 | 1,074,969 | 1,069,062 |
| **Number of divorce and separation filings** |           |           |           |           |           |
| January              | 2,351     | 2,409     | 2,417     | 2,250     | 2,071     |
| February             | 2,428     | 1,909     | 2,014     | 1,924     | 1,784     |
| March                | 2,314     | 2,263     | 2,150     | 1,893     | 1,793     |
| April                | 2,275     | 1,972     | 1,943     | 1,928     | 1,660     |
| May                  | 2,258     | 2,080     | 2,001     | 1,835     | 1,725     |
| June                 | 2,207     | 1,999     | 1,943     | 1,706     | 1,738     |
| July                 | 1,958     | 1,827     | 1,920     | 1,846     | 1,828     |
| August               | 2,258     | 2,145     | 2,117     | 1,980     | 1,856     |
| September            | 2,257     | 2,117     | 2,082     | 1,878     | 1,895     |
| October              | 2,201     | 2,063     | 2,082     | 2,003     | 1,896     |
| November             | 2,092     | 2,087     | 1,940     | 1,812     | 1,680     |
| December             | 1,862     | 1,745     | 1,702     | 1,529     | 1,122     |
| **Number of finalized divorces** |           |           |           |           |           |
| January              | 1,157     | 1,431     | 1,404     | 980       | 1,130     |
| February             | 1,608     | 1,250     | 1,252     | 668       | 1,119     |
| March                | 1,361     | 1,732     | 1,242     | 796       | 1,767     |
| April                | 1,815     | 1,089     | 1,334     | 671       | 1,120     |
| May                  | 1,685     | 1,352     | 1,247     | 917       | 1,112     |
| June                 | 1,572     | 957       | 1,311     | 888       | 1,360     |
| July                 | 1,213     | 1,588     | 1,246     | 815       | 1,859     |
| August               | 1,256     | 1,186     | 1,415     | 965       | 911       |
| September            | 1,551     | 1,097     | 1,144     | 1,047     | 1,218     |
| October              | 1,260     | 1,630     | 1,486     | 877       | 1,375     |
| November             | 1,512     | 1,263     | 1,411     | 908       | 1,434     |
| December             | 1,232     | 690       | 922       | 998       | 1,311     |

Source: Statistics Denmark and Danish Agency of Family Law.

1As of January 2021, data on divorces in the final quarter of 2020 were not available yet. Also, I use start of quarter instead of midpoint because data on the stock of married individuals for the first quarter of 2021 are not available yet.
in the second quarter of 2020 (Statistics Denmark 2021a), which was a period with limits on public gatherings because of the pandemic. The monthly numbers of divorce filings and finalized divorces fluctuate more and with less clear seasonality. I discuss the drivers of this in more detail below.

Temporal Validity of Measures

At the start of 2019, the jurisdiction for divorce cases was moved from the Danish State Administration to the Danish Agency of Family Law. This caused substantial delay in processing of divorce cases (Ret&Råd Advokater 2020) but did not influence the possibility to file for divorce or separation. In uncontested cases in which both partners agreed to the divorce decision, couples did not have to undergo a mandatory period of separation (see Fallesen 2021; Rosenbeck 2017 for details). Thus, the divorce rate is likely a poor measure of actual dissolution behavior within a more fine-grained measure of time because of administrative delays, whereas filings for divorce and separation provide a more timely measure. The downside is that filing for divorce or separation is not equal to the later divorce rate, because couples may reconcile before finalizing their divorce decisions (Fallesen 2021; Kabátek 2019; Lee 2013). But when the aim is to study relationship behavior during rapid changes such as the COVID-19 pandemic, when work-from-home orders might also cause further administrative bottlenecks for finalizing divorce cases, filing rates may provide more precise indications of trends if not of magnitudes. Furthermore, mortality (and outmigration) may intercede between filing and divorce, which can be relevant to consider during a pandemic with substantial excess mortality that cuts life courses short, such as has been the case with the COVID-19 pandemic (Piíarré i Arolas et al. 2021).  

Methodology

To calculate rates for filings for divorce and separation and for finalized divorces, I use the following formula:

\[ R_{m,y} = \frac{n_{m,y}}{M_{q,y}} \times 1,000, \]

where \( R \) is the rate expressed as occurrences per 1,000 married couples for month \( m \) in year \( y \), \( n \) is the number of events (either filings or finalized divorces) occurring in a month, and \( M \) is the stock of married couples at the beginning of a quarter \( q \). One source of imprecision is that couples that already have filed for separation or divorce, but not yet finalized their divorces, remain in the denominator until their divorces are finalized. When comparing the development in filing rate with the development in divorce rate, I report \( \log(R_{m,y}) \), so I compare relative gradients between the two. I further adjust for monthly seasonality using the X-13ARIMA-SEATS seasonal adjustment program (Sax and Eddelbuettel 2018).

To evaluate how the divorce filing rate in 2020 compared with previous years’ rates, I follow a similar approach as Manning and Payne (2020) and calculate the percentage change (\( P \) score) between a given month in 2020 and the same month in the four preceding years using the monthly rates for each of the four preceding years:

\[ P_{m,y} = \left( \frac{R_{m,2020} - R_{m,y=2020}}{R_{m,y>2020}} \right) \times 100\%, \]

where \( P_{m,y} \) measures the percentage difference between the monthly rate in 2020 and the monthly rate for one of the preceding years. A negative \( P \) score indicates a lower rate in 2020, and a positive \( P \) score indicates a higher rate. I also calculate annual \( P \) scores and monthly \( P \) scores measured against the average rates for each month of the past four years. Because I rely on full population data, I dispense with calculating confidence intervals.

Results

Figure 1 shows log transformations of the divorce rate and the divorce and separation filing rates for the period from 2016 to 2020 at a monthly level adjusted for seasonality, as well as the unadjusted rates and a linear smoothed fit with confidence intervals. The filing rate decreases monotonically and close to linearly across the period. In contrast, the divorce rate appears more stochastic but still declines linearly until the end of 2018, then takes a discrete decline in the first half of 2019, to then begin increasing until the end of the observation window in September 2020. As discussed in the “Methodology and Data” section, the agency that administers Danish family law underwent restructuring in 2019, which as seen from the data led to substantial delay in finalizing divorces. However, across the whole period, the overall linear development in both rates appears close to parallel, indicating the same relative decrease in both rates on average.

From Figure 1, the filing rate for 2020 appears to show similar patterns of seasonality as in previous years, although the filing rate in December 2020 appears even more depressed than observed in previous years. December 2020 saw Denmark initiate the second COVID-19 lockdown, with the first lockdown occurring from mid-March to mid-April 2020 (Roser et al. 2021). Figure 2 shows the \( P \) score
for the monthly filing rate for 2020 compared with the four previous years. This allows a more precise judgment of whether 2020 saw substantially different patterns of seasonality than did previous years.

The annual $P$ score declines in absolute terms as the comparison year moves closer to 2020 (as can be inferred from Figure 1). Compared with 2016, the 2020 filing rate was 20 percent lower, but compared with the 2019 rate, it was only 7 percent lower. The variation across months appears more uniform when 2020 is compared with each of the preceding years. July 2020 stands out, with filing rates close to the average for the four previous years. This coincides with the discontinuation of a required three-month reflection period that parents with children younger than 18 were required to undergo before a divorce filing could be finalized (Lessel 2020). Beyond July, two other periods stand out: March to May and November to December, both periods that saw more stringent lockdown measures to tackle COVID-19 than the other periods of 2020 (Roser et al. 2021). Even compared with 2019, filing rates in December 2020 were 26 percent lower. Thus, there are some indications of further depression of filing rates during lockdown periods compared with the rest of 2020, which has changed the patterns of seasonality.

The COVID-19 pandemic did not arrive precisely at the start of 2020. Instead, Denmark saw its first confirmed case of the disease in late February 2020 and went into the first lockdown on March 11, 2020. In Table 2, the focus is on the filing rate for only the months affected by the pandemic, comparing the total filing rate for March through December 2020 with the same 10-month period for each of the four preceding years. March to December rates were 6 percent lower than in 2019 and 21 percent lower than in 2016. Thus, zeroing in on the pandemic months does not change the overall picture of continuing declining rates throughout the second half of the 2010s.

**Conclusion and Discussion**

There is so far no evidence indicating an increase in people’s intention to divorce during the COVID-19 pandemic in Denmark compared with previous years. Instead, in 2020, filing rates continued a decline that has been ongoing since at least 2016, and the 2020 uptick in the Danish divorce rate was due to administrative delays of finalizing divorces likely

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*Figure 1. The log of monthly rates of divorce and separation filings and finalized divorces per 1,000 married couples in Denmark, 2016 to 2020, with and without adjustment for seasonality and with linear fit.*

*Source:* Author’s calculations using data from Statistics Denmark and the Danish Agency of Family Law.

*Note:* Full lines show the seasonally adjusted rate, faded lines show the unadjusted rate, and confidence intervals show the 95 percent borders for a linear fit of the time series. I adjust for seasonality using the X-13ARIMA-SEATS seasonal adjustment program (Sax and Eddelbuettel 2018). Data on the initiation of divorce and separation filings and on finalized divorces are monthly, while data on the stock of married couples are quarterly.
Figure 2. Monthly percentage difference (P-score) between 2020 rates of divorce and separation filings and rates for 2016 to 2019. 
Source: Author’s calculations using data from Statistics Denmark and the Danish Agency of Family Law.
Note: Data on the initiation of divorce and separation filings are monthly, while data on the stock of married couples are quarterly.

filed for before the onset of the pandemic. Yet although the overall filing rate continued in a steady decline from previous years, the seasonality of filings did change, with less of a decline in July and more of a decline in December compared with previous years’ seasonality.

However, the findings of this study do not necessarily mean that the COVID-19 pandemic ultimately cannot lead to an increase in divorce, only that in Denmark, it has yet to do so. First, stay-at-home orders may cause couples that eventually would have divorced anyway to divorce faster because they gain information about their partners at a faster rate during lockdown (cf. Fallesen and Breen 2016). Second, depending on the long-term economic consequences of the pandemic, divorce rates may also increase as a response to the business cycle, although findings on this are mixed (Schaller 2013; Stevenson and Wolfers 2007). However, lockdown and partial lockdown periods may also function as de facto mandatory separation periods, as the periods provide a substantial practical barrier for effecting a divorce. On the one hand, this may increase the conflict level in couples going through adversarial breakups (as suggested by, e.g., Lebow 2020). On the other hand, more formal versions of such separation periods have previously been found to lower divorce rates (Fallesen 2021; Kabátek 2019; Lee 2013), with some couples likely (re)evaluating their marriages.

In Denmark, the ongoing declining filing rate may also be a function of married couples’ having become a more select, and therefore perhaps more stable, group in Denmark within the past decade. Between 2008 and 2011, the Danish marriage rate declined from 16.3 annual new marriages per 2,000 unmarried individuals aged 15 and older to 11.5, and it had by the end of the 2010s still not returned to the level of previous decades (my own calculation using data from Statistics Denmark 2021a, 2021b). At the same time, divorce risk is generally higher during the first 10 years of a marriage (Kulu 2014). So, with fewer recently married couples, as well as the potential for the lower marriage rate reflecting a more select group of couples that choose to marry, this could explain the ongoing decline in divorce filing rate. Yet even with this in mind, there still is no indication of any uptick in divorce-seeking behavior during the COVID-19 pandemic in Denmark.

In this study I have reported on the development on filing rates for divorce and separation in Denmark. I have argued that during periods of rapid changes that may pose challenges to the bureaucratic systems that manage family affairs, filing rates can provide a more timely but less precise indicator of family processes. However, the value of filing rates as an indicator depends partly on the how access to divorce is regulated in a given country. On one hand,
Manning and Payne (2020) found evidence of a divorce decline in the United States, a country with a markedly higher crude divorce rate and crude marriage rate than Denmark (Ortiz-Ospina and Roser 2020). On the other hand, Italy has reported a 60 percent increase in separation filings during 2020 compared with 2019 (ANSA 2021), while having a crude marriage rate and a crude divorce rate close to half the size of the Danish rates. Yet in Italy, separations are mandatory and may be lengthy, and a substantial share of couples reconcile during separation (Fallesen 2021; Kabátek 2019; Lee 2013). So, the ultimate value of filing rate as an indicator of changes in divorce behavior depends on the context. For a country such as Denmark that allows immediate divorce in uncontested cases and after a six-month separation in contested cases, it likely provides a robust indicator of the ongoing impact of COVID-19 on family processes.

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### ORCID iD

Peter Fallesen [https://orcid.org/0000-0003-0544-9977](https://orcid.org/0000-0003-0544-9977)

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### Table 2. Comparing Filing Rates for the Part of the Year Affected by the Coronavirus Disease 2019 Pandemic.

| Year | Filing Rate per 1,000 Marriages from Start of March to End of December | P Score Relative to 2020 (%) |
|------|-----------------------------------------------------------------------|-------------------------------|
| 2016 | 20.27                                                                 | −21                           |
| 2017 | 18.99                                                                 | −15                           |
| 2018 | 18.59                                                                 | −13                           |
| 2019 | 17.19                                                                 | −6                            |
| 2020 | 16.10                                                                 |                               |

Source: Statistics Denmark and Danish Agency of Family Law.

Note: Denmark saw its first confirmed coronavirus disease 2019 infection in late February 2020 and went into its first lockdown on March 11, 2020.
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**Author Biography**

Peter Fallesen is a director of research with the ROCKWOOL Foundation in Copenhagen, an associate professor of sociology at the Swedish Institute for Social Research at Stockholm University, and research affiliate at the Center for Demography and Ecology at the University of Wisconsin–Madison. His research interests include family demography and the relationship between family living circumstances and social inequality, with specific focus on the link between population processes and social policy. His current research focuses on multigenerational relationships, changes to fertility and family processes in the twenty-first century, and how the organization of family life has implications for mental and somatic health. His recent work has appeared in *Demography, the Journal of Marriage and Family, Health Economics*, and the *Journal of Policy Analysis and Management*.