# Article information:

The Impact of a Mandatory Cooling-off Period on Divorce | The Journal of Law and Economics: Vol 56, No 1  
<https://www.journals.uchicago.edu/doi/10.1086/667710>

# Article summary:

1. A mandatory cooling-off period between divorce filing and obtaining a divorce decree has been implemented in many countries to reduce impulsive divorces.

2. The effectiveness of the cooling-off policy was evaluated in South Korea, where local courts voluntarily adopted the policy before it became national law in 2008.

3. The study found that a compulsory cooling-off period significantly decreased the divorce rate, with longer waiting periods having a stronger impact, but did not change the divorce filing rate. Couples were likely rescinding their divorce filings during the cooling-off period.

# Article rating:

Appears moderately imbalanced: The article provides some useful information, but is missing several important points or pieces of evidence that would be required to present the discussed topics in a balanced and reliable way. You are encouraged to seek a more balanced perspective on the presented issues by exploring the provided research topics and looking at different information sources.

# Article analysis:

The article titled "The Impact of a Mandatory Cooling-off Period on Divorce" published in The Journal of Law and Economics evaluates the effectiveness of the cooling-off policy and estimates its impact on the divorce rate. The author uses administrative data from 54 local divorce courts in South Korea from 2000 to 2009 to estimate the causal effect of the cooling-off period on divorce rates.

The article provides a brief historical background of the cooling-off policy in Korea, local courts’ adoption of a cooling-off period, and cooling-off policies becoming national law. The author explains that divorces often arise impulsively as couples enter into a state of fury and thus cannot make prudent decisions. A mandated waiting period between the divorce filing and actually obtaining a divorce decree has been implemented in many countries, including Germany, Switzerland, and France, as well as in several states in the United States, to reduce such impetuous divorces.

The author finds that the divorce rate decreased significantly after the adoption of a compulsory cooling-off period. A sizable number of divorces were avoided because of this mandatory period of legal intervention. Not surprising, a longer cooling-off period is more effective and has a stronger impact. A 3-week waiting policy reduces the refined monthly divorce rate by about .04, which amounts to about 10 percent of the average divorce rate in 2003 before any cooling-off policy had been enacted.

However, there are some potential biases and missing points of consideration in this article. Firstly, while it is true that couples may make impulsive decisions during emotional turmoil leading to regrettable outcomes like divorce; it is also important to consider that some marriages may be abusive or toxic for one or both partners. In such cases, delaying or preventing a divorce could lead to further harm for those involved.

Secondly, while the article presents evidence that shows that mandatory cooling-off periods can reduce divorce rates; it does not explore other potential solutions to address the issue of impulsive divorces. For example, couples counseling or therapy could help couples work through their issues and make more informed decisions about their marriage.

Thirdly, the article does not provide any evidence to support its claim that small unanticipated matching quality shocks should not lead to marital dissolution. It is possible that even small issues can accumulate over time and lead to a breakdown in the relationship.

Finally, the article does not explore any potential negative consequences of mandatory cooling-off periods. For example, delaying a divorce could lead to financial strain for one or both partners if they are unable to separate their finances during this period.

In conclusion, while the article provides some valuable insights into the effectiveness of mandatory cooling-off periods on reducing divorce rates, it is important to consider other potential solutions and potential negative consequences before implementing such policies. Additionally, it is important to acknowledge that every marriage and divorce is unique and may require different approaches.

# Topics for further research:

* Alternative solutions to impulsive divorces
* Couples counseling and therapy for marital issues
* Effects of abusive or toxic marriages on divorce decisions
* Accumulation of small issues leading to marital dissolution
* Financial strain during mandatory cooling-off periods
* Unique approaches to marriage and divorce decisions

# Report location:

<https://www.fullpicture.app/item/281f0a295a27292b5195464c27fd550f>