

SEPARATIONS AND DIVORCES IN ITALY

Year 2010

- In 2010 separations were 88,191 and divorces 54,160; +2.6% and -0.5% year over year, respectively
- Total separation and divorce rates show that both phenomena are constantly growing: while in 1995 there were 158 separations and 80 divorces every 1,000 marriages, in 2010 they rose to 307 and 182, respectively
- The average duration of marriages at the time of separation/divorce proceedings being filed is 15 years for separations and 18 years for divorces.
- The average age at separation is around 45 for husbands and 42 for wives; for divorce it rises to 47 and 44, respectively. These figures are on the increase due to both the postponement of marriage to more mature ages and to the increase in separations with at least one spouse aged over sixty.
- The type of proceeding mainly chosen by couples is the consensual separation: in 2010, 85.5% of separations and 72.4% of divorces ended by mutual consent.
- The share of judicial separations (14.5% on average) is higher in the South and Islands area and in cases where both spouses have low level of education
- 68.7% of separations and 58.5% of divorces involved couples with children born during their marriage. 89.8% of separation agreements provided for joint custody, which has become far more common a procedure since the introduction in 2006 of Law 54/2006.
- 20.6% of separation agreements provided for spousal maintenance payments (in 98% of cases payable by the husband). This share was higher in the Islands (24.9%) and the South (24.1%) while in the North it settled at 17%. The average amounts, however, are higher in the North (520.4 million) than in the rest of the country (447.4 euros).
- In 56.2% of separations, the matrimonial home was assigned to the wife while only in 21.5% to husbands. 19.8% of separation agreements provided for two different and separate houses, other than the matrimonial one.

PROSPECT 1 - MAIN CHARACTERISTICS OF SEPARATIONS AND DIVORCES

2007-2010 (absolute values, percentage values and per 1,000)

| | 2007 | 2008 | 2009 | 2010 |
|---|--------|--------|--------|--------|
| Separations (absolute values) | 81.359 | 84.165 | 85.945 | 88.191 |
| Annual growth rate (%) | 1,2 | 3,4 | 2,1 | 2,6 |
| Divorces (absolute values) | 50.669 | 54.351 | 54.456 | 54.160 |
| Annual growth rate (%) | 2,3 | 7,3 | 0,2 | -0,6 |
| Total separation rate (per 1,000 marriages) | 273,7 | 286,2 | 296,9 | 307,1 |
| Total divorce rate (per 1,000 marriages) | 165,4 | 178,8 | 180,8 | 181,7 |
| Consensual separations (per 100 separations) | 86,3 | 86,3 | 85,6 | 85,5 |
| Consensual divorces (per 100 divorces) | 78,3 | 77,3 | 77,1 | 72,4 |
| Separations with joint custody (per 100 separations with custody of minor children) | 72,1 | 78,8 | 86,2 | 89,8 |
| Divorces with joint custody (per 100 divorces with custody of minor children) | 49,9 | 62,1 | 68,5 | 73,8 |

FIGURE 1. MARRIAGES, SEPARATIONS AND DIVORCES
1995-2010 (absolute values in thousands)

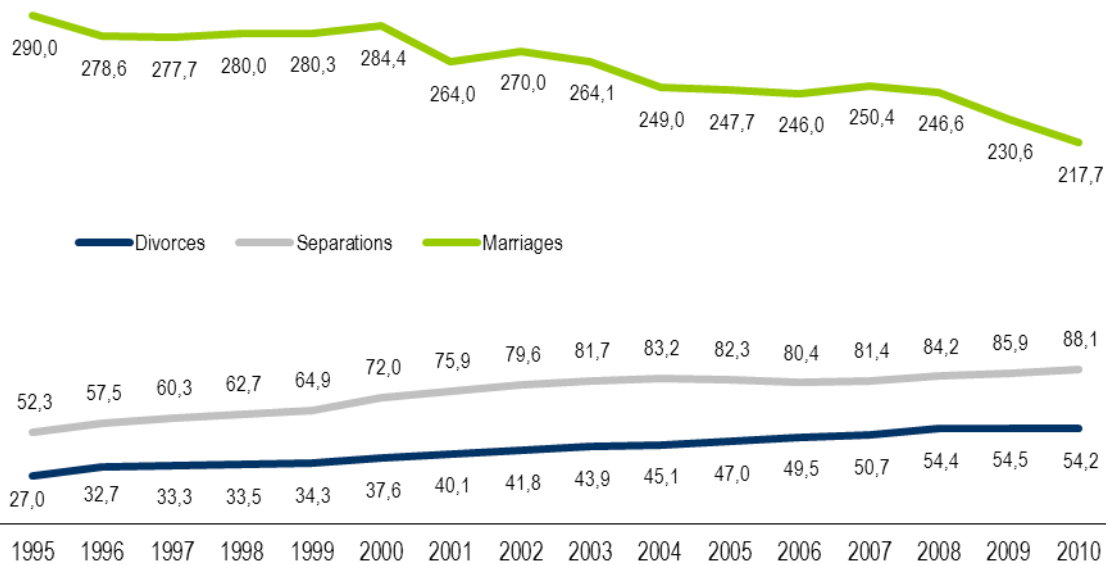


FIGURE 2. AVERAGE NUMBER OF SEPARATIONS PER 1,000 MARRIAGES
1995-2010 (total separation and divorce rates)

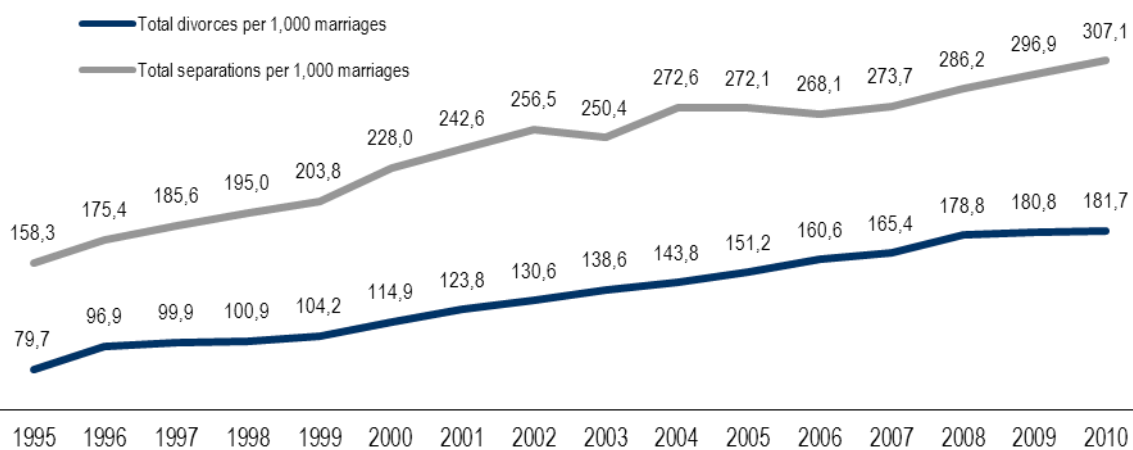
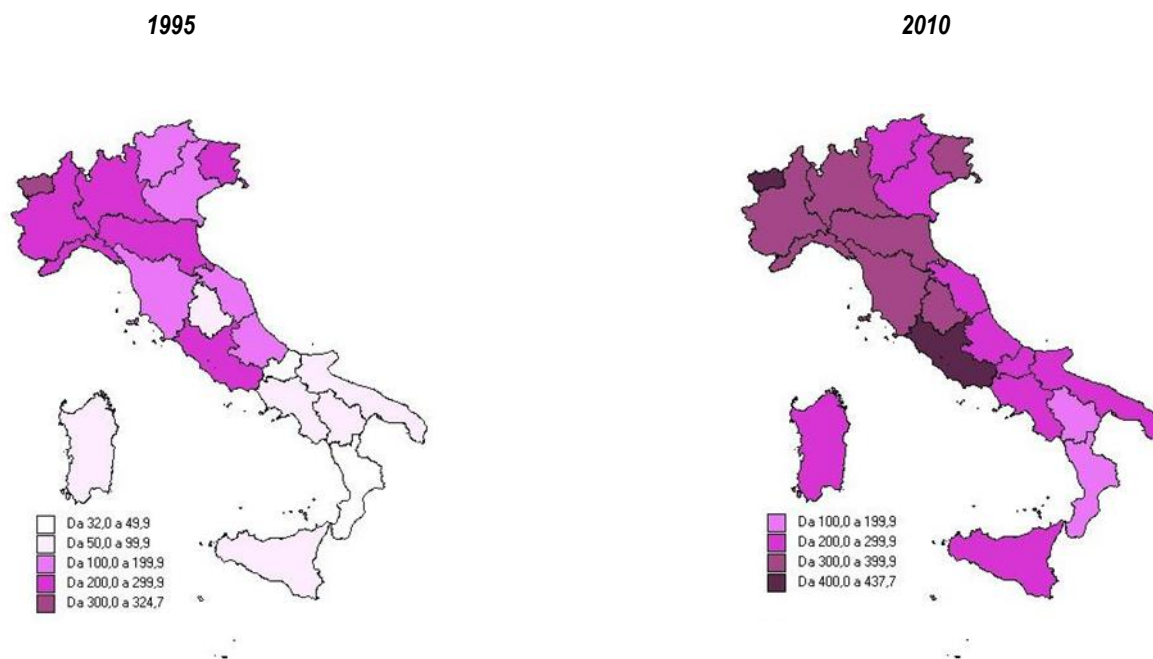


FIGURE 3. AVERAGE NUMBER OF SEPARATIONS PER 1,000 MARRIAGES BY REGION
1995 and 2010 (total separation rates)



PROSPECT 2. SEPARATIONS BY AGE CLASSES OF SPOUSES AT SEPARATION
2000, 2005 and 2010 (absolute and percentage values)

| Age classes | Husbands | | | Wives | | |
|-------------------|---------------|---------------|---------------|---------------|---------------|---------------|
| | 2000 | 2005 | 2010 | 2000 | 2005 | 2010 |
| Absolute values | | | | | | |
| 14-24 | 565 | 424 | 310 | 2.275 | 1.635 | 1.240 |
| 25-29 | 4.723 | 3.418 | 2.589 | 9.839 | 7.832 | 5.926 |
| 30-34 | 13.157 | 11.573 | 9.183 | 16.161 | 16.183 | 13.595 |
| 35-39 | 16.123 | 17.267 | 15.697 | 16.576 | 19.160 | 18.047 |
| 40-44 | 13.982 | 18.197 | 18.452 | 10.899 | 15.748 | 19.063 |
| 45-49 | 9.063 | 12.574 | 16.760 | 6.698 | 9.405 | 13.301 |
| 50-54 | 6.435 | 7.788 | 10.283 | 4.557 | 5.181 | 7.430 |
| 55-59 | 3.674 | 5.002 | 6.191 | 2.409 | 3.291 | 3.912 |
| 60 and over | 4.247 | 6.048 | 8.726 | 2.555 | 3.856 | 5.677 |
| Total | 71.969 | 82.291 | 88.191 | 71.969 | 82.291 | 88.191 |
| Percentage values | | | | | | |
| 14-24 | 0,8 | 0,5 | 0,4 | 3,2 | 2 | 1,4 |
| 25-29 | 6,6 | 4,2 | 2,9 | 13,7 | 9,5 | 6,7 |
| 30-34 | 18,3 | 14,1 | 10,4 | 22,5 | 19,7 | 15,4 |
| 35-39 | 22,4 | 21 | 17,8 | 23 | 23,3 | 20,5 |
| 40-44 | 19,4 | 22,1 | 20,9 | 15,1 | 19,1 | 21,6 |
| 45-49 | 12,6 | 15,3 | 19 | 9,3 | 11,4 | 15,1 |
| 50-54 | 8,9 | 9,5 | 11,7 | 6,3 | 6,3 | 8,4 |
| 55-59 | 5,1 | 6,1 | 7 | 3,3 | 4 | 4,4 |
| 60 and over | 5,9 | 7,3 | 9,9 | 3,6 | 4,7 | 6,4 |
| Total | 100,0 | 100,0 | 100,0 | 100,0 | 100,0 | 100,0 |

PROSPECT 3. SEPARATIONS BY CLASSES OF DURATION OF MARRIAGE AT FILING OF SEPARATION PROCEEDINGS
 1995-2010 (absolute values and percentage compositions)

| YEARS | Duration of marriage (years) | | | | | | Total |
|-------------------------|------------------------------|---------------|---------------|---------------|--------------|---------------|---------------|
| | 0-4 | 5-9 | 10-14 | 15-19 | 20-24 | 25 and over | |
| Absolute values | | | | | | | |
| 1995 | 12.752 | 12.577 | 8.767 | 6.847 | 5.468 | 5.912 | 52.323 |
| 2000 | 14.717 | 17.160 | 14.138 | 9.510 | 6.962 | 9.482 | 71.969 |
| 2001 | 15.480 | 17.917 | 15.040 | 10.116 | 7.065 | 10.272 | 75.890 |
| 2002 | 16.133 | 18.394 | 15.816 | 10.360 | 7.549 | 11.390 | 79.642 |
| 2003 | 16.445 | 18.575 | 16.739 | 11.006 | 7.627 | 11.352 | 81.744 |
| 2004 | 16.158 | 18.292 | 17.281 | 11.499 | 7.966 | 11.983 | 83.179 |
| 2005 | 15.420 | 18.045 | 16.566 | 12.055 | 8.014 | 12.191 | 82.291 |
| 2006 | 14.346 | 17.442 | 16.102 | 12.268 | 7.801 | 12.448 | 80.407 |
| 2007 | 13.677 | 17.421 | 15.607 | 13.123 | 8.397 | 13.134 | 81.359 |
| 2008 | 14.447 | 17.940 | 15.484 | 13.513 | 8.689 | 14.092 | 84.165 |
| 2009 | 15.869 | 18.886 | 15.237 | 13.494 | 8.519 | 13.940 | 85.945 |
| 2010 | 15.589 | 18.514 | 15.470 | 14.256 | 9.241 | 15.121 | 88.191 |
| Percentage compositions | | | | | | | |
| 1995 | 24,4 | 24 | 16,8 | 13,1 | 10,5 | 11,3 | 100 |
| 2000 | 20,4 | 23,8 | 19,6 | 13,2 | 9,7 | 13,2 | 100 |
| 2001 | 20,4 | 23,6 | 19,8 | 13,3 | 9,3 | 13,5 | 100 |
| 2002 | 20,3 | 23,1 | 19,9 | 13 | 9,5 | 14,3 | 100 |
| 2003 | 20,1 | 22,7 | 20,5 | 13,5 | 9,3 | 13,9 | 100 |
| 2004 | 19,4 | 22 | 20,8 | 13,8 | 9,6 | 14,4 | 100 |
| 2005 | 18,7 | 21,9 | 20,1 | 14,6 | 9,7 | 14,8 | 100 |
| 2006 | 17,8 | 21,7 | 20 | 15,3 | 9,7 | 15,5 | 100 |
| 2007 | 16,8 | 21,4 | 19,2 | 16,1 | 10,3 | 16,1 | 100 |
| 2008 | 17,2 | 21,3 | 18,4 | 16,1 | 10,3 | 16,7 | 100 |
| 2009 | 18,5 | 22 | 17,7 | 15,7 | 9,9 | 16,2 | 100 |
| 2010 | 17,7 | 21 | 17,5 | 16,2 | 10,5 | 17,1 | 100 |

FIGURE 5. MARRIAGES SURVIVING SEPARATION BY MARRIAGE'S DURATION AND COHORT
 Years 1972-2010 (survival rates per thousand marriages)

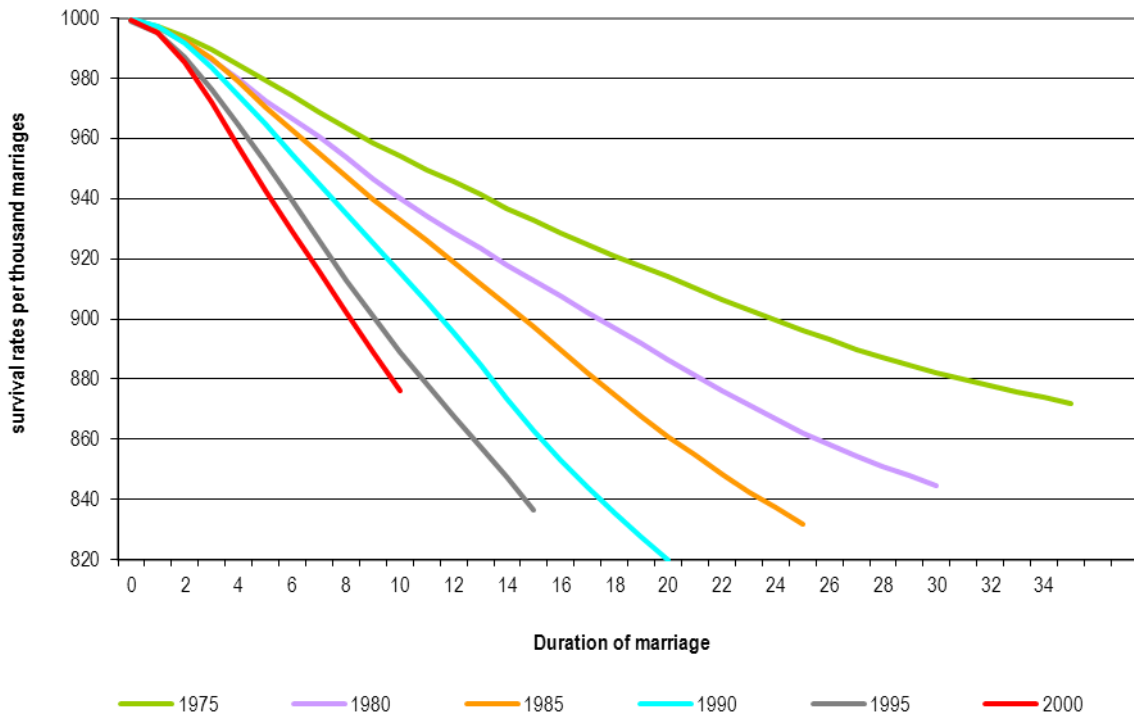


FIGURE 7. MARRIAGES, SEPARATIONS AND DIVORCES WITH MIXED COUPLES
 2000-2010 (absolute values)

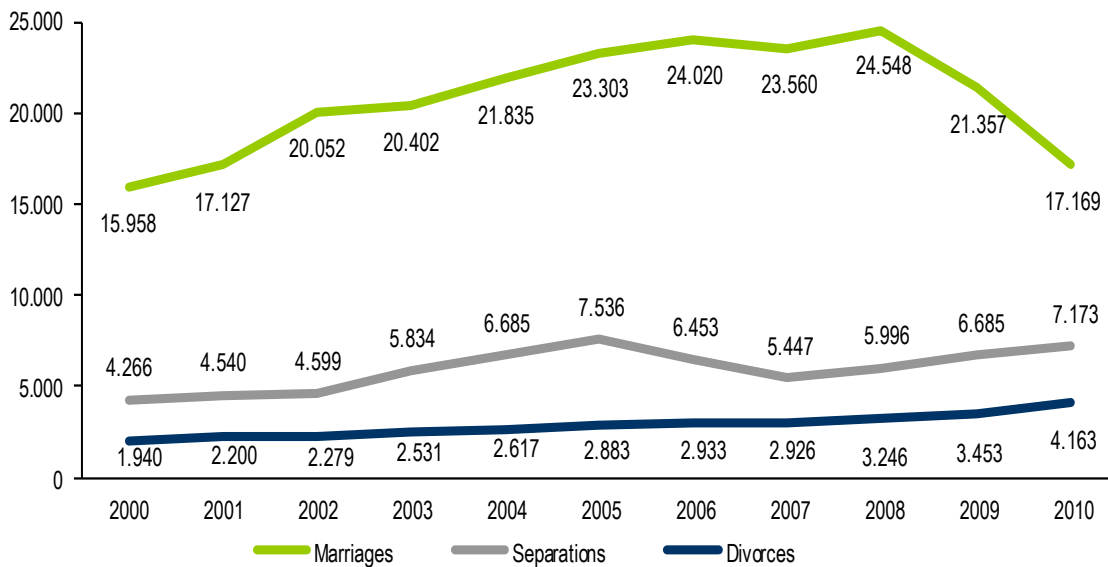


FIGURE 8. SEPARATIONS AND DIVORCES BY TYPE OF PROCEEDINGS
2010 (absolute values)

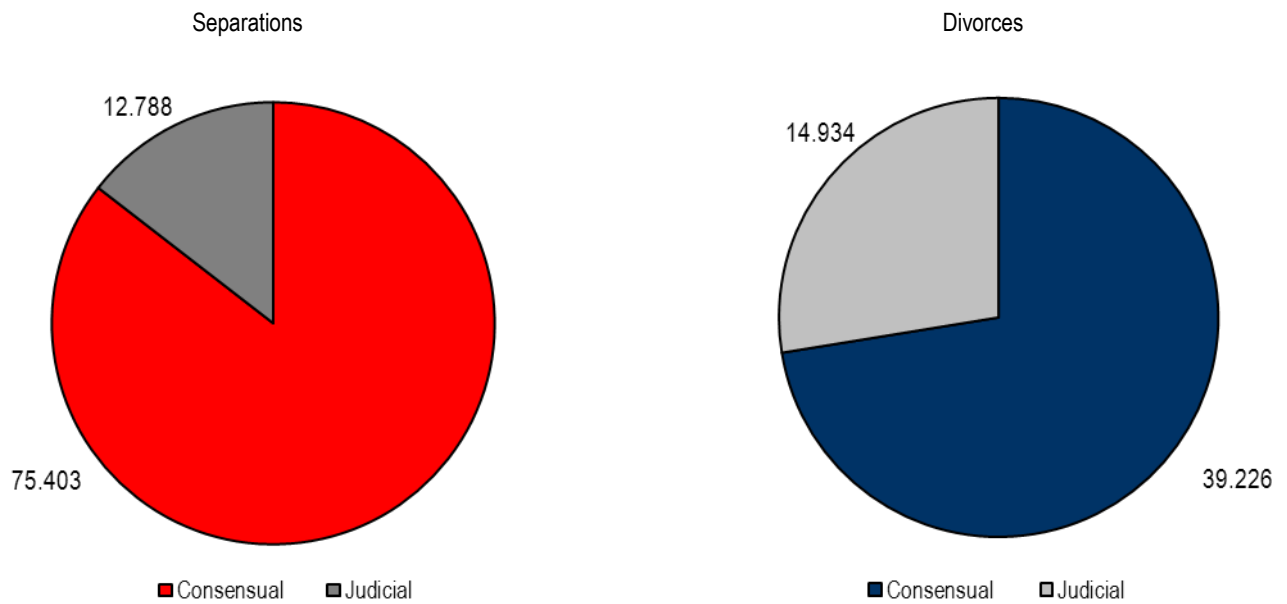
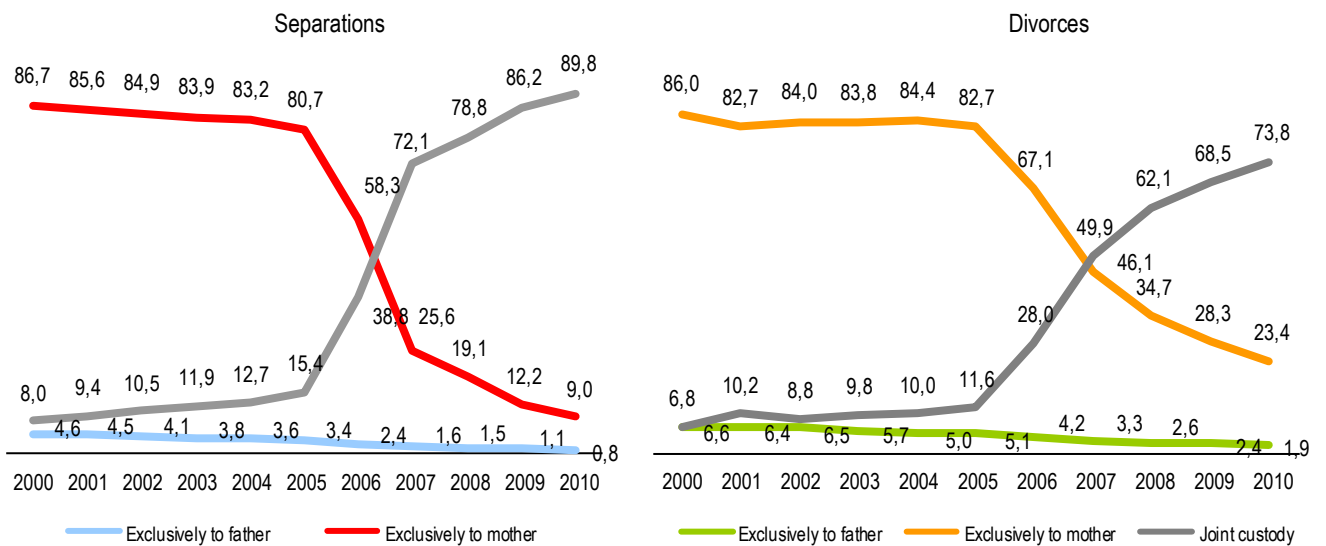


FIGURE 11. SEPARATIONS AND DIVORCES BY TYPE OF CUSTODY OF MINORS
2000-2010 (percentage values)



PROSPECT 4. MINOR CHILDREN OF WHOM CUSTODY WAS GRANTED IN SEPARATIONS AND DIVORCES BY TYPE OF CUSTODY, GEOGRAPHICAL MACRO-AREA, TYPE OF PROCEEDINGS AND AGE CLASS OF MINOR CHILD OF WHOM CUSTODY WAS GRANTED
2010 absolute and percentage values

| | Separations | | | | | Divorces | | | | |
|--|--------------------------------------|-------------------------------------|-----------------------|---------------|------------------|--------------------------------------|-------------------------------------|-----------------------|---------------|------------------|
| | Total minors of whom custody granted | Type of custody (percentage values) | | | | Total minors of whom custody granted | Type of custody (percentage values) | | | |
| | | Exclusively to father | Exclusively to mother | Joint custody | To third parties | | Exclusively to father | Exclusively to mother | Joint custody | To third parties |
| Geographical macro-area (a) | | | | | | | | | | |
| North | 30.861 | 0,7 | 7,4 | 91,3 | 0,6 | 12.372 | 1,6 | 19,4 | 77,9 | 1,0 |
| Centre | 14.145 | 0,6 | 7,2 | 91,9 | 0,3 | 5.350 | 1,3 | 24,7 | 73,4 | 0,6 |
| South | 20.421 | 1,4 | 12,2 | 85,9 | 0,5 | 5.823 | 3,2 | 30,7 | 65,4 | 0,7 |
| Type of proceedings | | | | | | | | | | |
| Consensual | 55.534 | 0,5 | 6,3 | 92,9 | 0,3 | 17.375 | 1,4 | 20,2 | 77,9 | 0,6 |
| Judicial | 9.893 | 2,5 | 24,1 | 71,8 | 1,6 | 6.170 | 3,4 | 32,5 | 62,4 | 1,8 |
| Age classes of minors of whom custody was granted | | | | | | | | | | |
| 0-5 | 14.801 | 0,5 | 9,3 | 89,8 | 0,4 | 717 | 1,3 | 24,3 | 74,1 | 0,4 |
| 6-10 | 22.311 | 0,7 | 8,6 | 90,2 | 0,5 | 7202 | 1,4 | 22,8 | 75,1 | 0,7 |
| 11-14 | 16.884 | 0,9 | 8,9 | 89,7 | 0,5 | 8825 | 2,1 | 23,4 | 73,4 | 1 |
| 15-17 | 11.431 | 1,2 | 9,5 | 88,9 | 0,4 | 6801 | 2,3 | 23,9 | 72,9 | 0,9 |
| Totale | 65.427 | 0,8 | 9,0 | 89,8 | 0,4 | 23.545 | 1,9 | 23,4 | 73,8 | 0,9 |

(a) Geographical macro-area where separation procedures were concluded in judicial terms in the civil courts.

Glossary

Custody of minor children. Custody of minor children in separation or divorce proceedings until 15th March 2006 was governed by the Civil Code (article 155) and by Law no. 898 of 01st December 1970 as amended by Law no. 74 of 06th March 1987 (article 6). Law no. 54 of 08th February 2006 (in force since 16th March 2006) established that, in separation and divorce cases, the judge's priority must be to assess the possibility of awarding joint custody of minor children to both parents or establish which parent should be awarded custody, ruling on schedules and rules regarding their presence with each parent, as well as setting to what extent and in what way each of them must contribute to their maintenance, care, schooling and education. The judge also takes into consideration any agreements that have been made between the parents – if these are not against the interests of the children – and adopts any other measures regarding the children.

Divorce. The annulment and termination of the civil effects of marriages in the case, respectively, of marriages celebrated with a civil ceremony or marriages celebrated with a religious ceremony. Divorce was introduced in Italy by Law no. 898 of 01st December 1970; Law no. 74 of 06th March 1987 reduced the number of years required for the divorce judgment to be issued from five to three.

Average duration of marriage. The difference, in completed years, between the date on which separation proceedings (or divorce proceedings) are filed and the date of marriage.

Consensual separation. Based on an agreement between the spouses which establishes the rules for custody of children, any family allowances and division of property. In order to have legal validity it must be ratified by the judge.

Judicial separation. Actual legal proceedings initiated at the request of one of the two spouses, the subsequent case and pronouncement of separation judgment.

Specific separation (or divorce) rates by duration of marriage. Calculated as the ratio between the number of separations or divorces recorded during a calendar year t alongside each duration x of the marriage and the number of marriages celebrated $t-x$ years previously (i.e. the cohort of marriages of time $t-x$). They measure the proportion of marriages celebrated in year $t-x$ which end in separation or divorce after a duration of $(t-x)$ years.

Total separation (or divorce) rate. The indicator obtained from the sum, in relation of the durations of marriages, of the specific separation or divorce rates described in the preceding entry. The sum expresses the proportion of marriages that end in separation or divorce during a calendar year t . It may also be defined as average number of separations or divorces per 1,000 marriages.

Methodological note

Every year ISTAT publishes the main results of its surveys of separations and divorces conducted at the registries of the 165 civil courts, collecting data concerning every single procedure which was concluded in judicial terms during the reference year.

These data make it possible to update trends in the two phenomena over time and monitor their main characteristics: the duration of marriages and the age of spouses upon separation, the type and duration of proceedings, the number of children involved and custody of minors.

In-depth datasets with the main results of surveys on separations and divorces are available in Excel format in the data warehouse I.Stat (<http://dati.istat.it/>) and at <http://demo.istat.it> in the “Other data” section.