

Data and legal changes in women's name rights

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I Data

I.1 Data source

For the US, there are a few data sources on marriages and divorces.

NHGIS (IPUMS) Marriage related data sets.

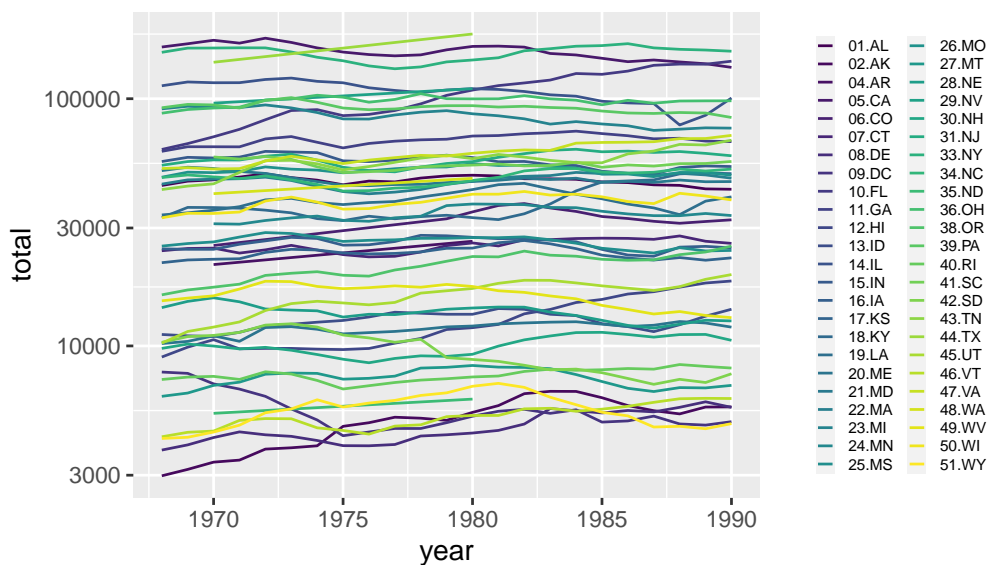
NBER A project that compiled marriage and divorce data between 1968-1988 (<https://www.nber.org/research/data/marriage-and-divorce-data-1968-1995-0>). Marriage data is individual couple entries of 12,055,875 cases. It is sample information and a sampling weight is attached to each entry.

FRED FRED (data portal of St. Louis Fed) releases state level population estimates by year since 1900 (<https://fred.stlouisfed.org/release/tables?rid=118&eid=259194&od=1960-01-01#> for 1960). The code is SSPOP where SS is state FIPS code and can use API to download for all periods.

SEER NIH-NCI (National Cancer Institute) releases county level population (by age and sex) estimates between 1969-2020. <https://seer.cancer.gov/popdata/download.html>

I.2 Plots

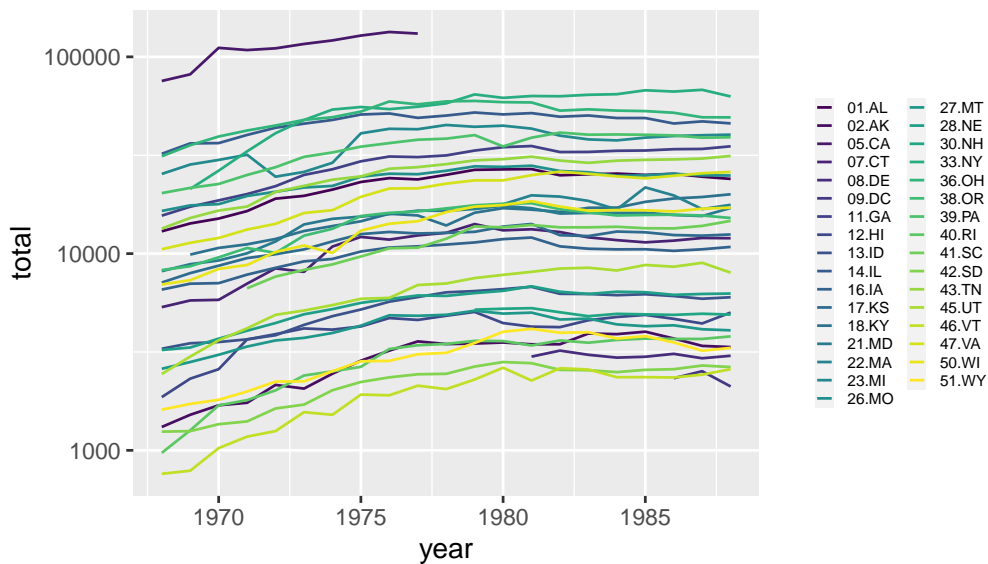
FIGURE 1: NUMBER OF MARRIAGES BY STATE (NBER)



Source: NBER data.

Note: Marriage information is partly sampled data. Sampling weights are used to obtain state level totals.

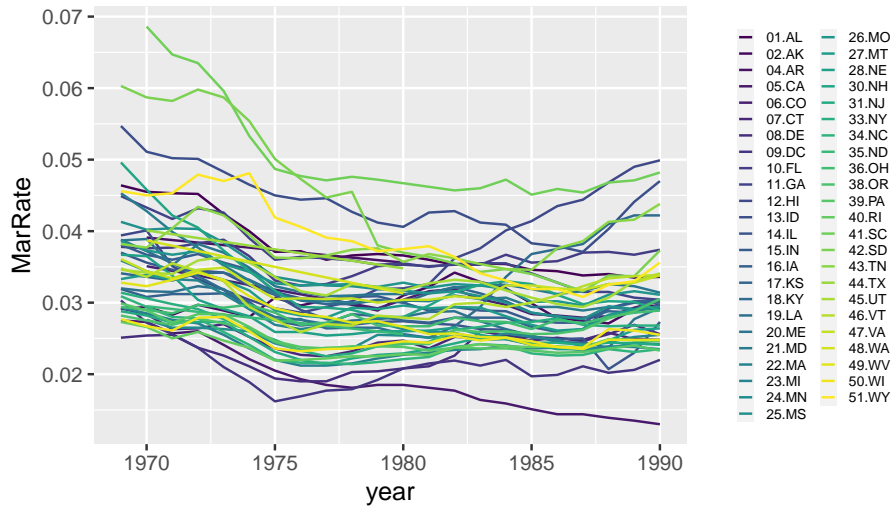
FIGURE 2: NUMBER OF DIVORCES BY STATE (NBER)



Source: NBER data.

Note: Divorce information is partly sampled data. Sampling weights are used to obtain state level totals.

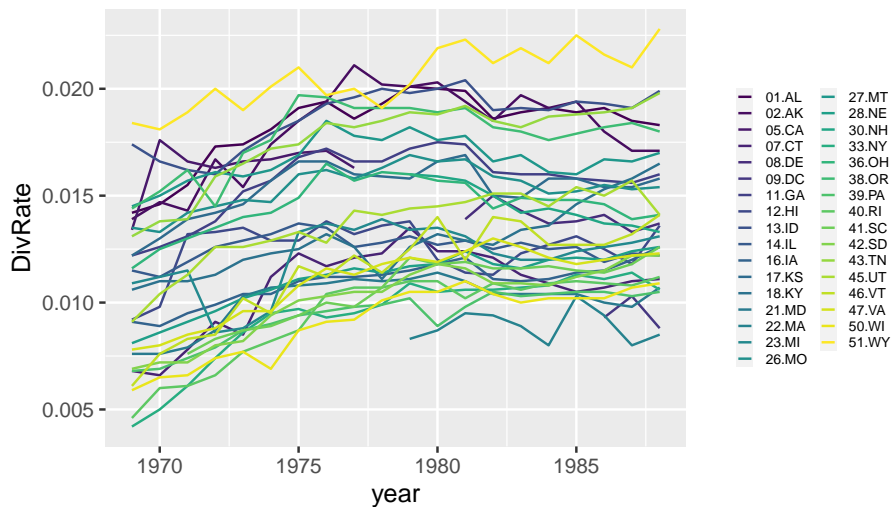
FIGURE 3: MARRIAGE RATE BY STATE



Source: NBER and SEER data.

Note: Marriage rate is $\frac{\text{number of marriages}}{\text{youth population}}$. Youth population is sum of males and females of 15-40 years of age. Marriage information is partly sampled data. Sampling weights are used to obtain state level totals. Population data is based on Census Bureau data and adjustments are applied by NIH.

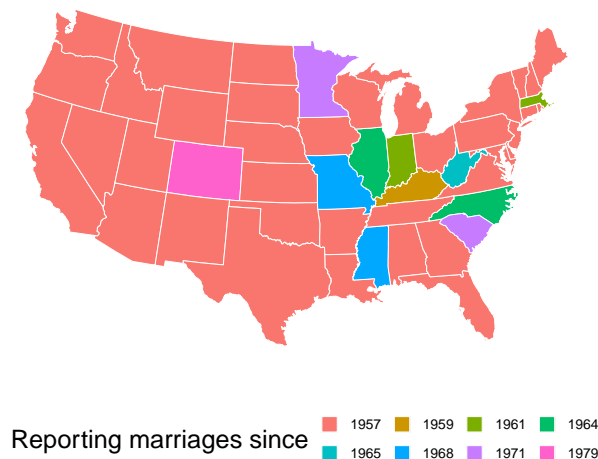
FIGURE 4: DIVORCE RATE BY STATE



Source: NBER and SEER data.

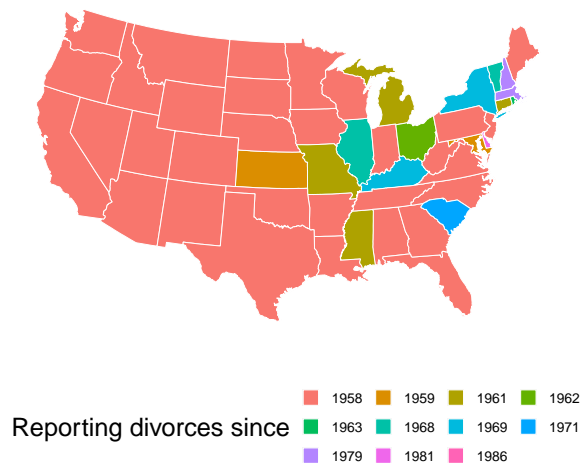
Note: Divorce rate is $\frac{\text{number of divorces}}{\text{youth population}}$. Youth population is sum of males and females of 15-40 years of age. Divorce information is partly sampled data. Sampling weights are used to obtain state level totals. Population data is based on Census Bureau data and adjustments are applied by NIH.

FIGURE 5: MARRIAGE REPORTING BY STATE



Source: NBER data.

FIGURE 6: DIVORCE REPORTING BY STATE



Source: NBER data.

There are a few notable points we see in these figures:

- Irrespective of differences in sampling schemes (census vs. sample), the numbers broadly do not show jumps that may cause alerts.
- Except for a few states, marriage and divorce reporting started well before the changes in women's name rights. Data coverage is long enough to pick up a change, or a lack thereof.
- Number of marriages (and divorces) are increasing due possibly to population growth.
- Economic downturns may cause marriages to decrease, as we see in 1975. Such a temporary decrease seems to be shared among all the states.
- Economic downturns do not seem to decrease the number of divorces.
- When we look at ratios against youth population (defined as ages 15-40), in the long run, marriage rates are decreasing while the divorce rates are increasing.

II Legal cases and political activities

II.1 Legal cases

In the US before the 1960's, it was considered that women need to bear husbands' surnames. In *Chapman v. Phoenix National Bank* of 1881^{*2}:

For several centuries, by the common law among all English speaking people, a woman, upon her marriage, takes her husband's surname. That becomes her legal name, and she ceases to be known by her maiden name. By that name she must sue and be sued, make and take grants and execute all legal documents. Her maiden surname is absolutely lost, and she ceases to be known thereby.

The lack of legal foundation in this legal interpretation was explicitly noted in the 1960's as in *State ex rel. Krupa v. Green*, 177 N.E. 2d 616, 619 (Ohio App. 8 Dist. 1961). In *Forbush v. Wallace* of Alabama in 1971, the District Court for Middle District of Alabama's denied the woman's right to choose her maiden name upon obtaining driver's license, which was affirmed without a separate opinion by the Supreme Court in 1972.

Possibly in tandem with this, in 1971, Department of State's position was negative on the right: "[t]he legal name of a married woman is her husband's surname." In addition, to quote from *Walker v. Jackson*, 391 F. Supp. 1395 (E.D. Ark. 1975),

[T]he Supreme Court of the United States has recognized that a State may constitutionally require a married woman to use her husband's surname as her own for certain purposes, as for example obtaining a driver's license, if the State has a sufficiently compelling interest in imposing the requirement. *Forbush v. Wallace*, Governor, 405 U.S. 970, 92 S. Ct. 1197, 31 L. Ed. 2d 246 (1972), aff'g without opinion, *Forbush v. Wallace*, Governor, 341 F. Supp. 217 (M.D. Ala. 1971).

Such a position in public offices have slowly changed. According to [Augustine-Adams \(1997, p.6\)](#), legal challenges in the 1970's "firmly established that ... her name is unchanged by the fact that marriage had occurred." "By the late 1970's and early 1980's many state legislatures codified a woman's right to name herself."

TABLE 1 is tabulation of cases affirming women's name rights listed by [Augustine-Adams \(1997, fn. 18\)](#). The leading case was *Dunn v. Palermo* in Tennessee (1975) that the State Supreme Court affirmed that women can register to vote under her maiden names. Additionally, in 1976, Florida District Court of Appeals noted that women are not compelled to change her name upon marriage (*Marshall v. State*). Another leading case that recognizes the women's right to name is in Nebraska in 1978 (*Simmons v. O'Brien*). In this case, the woman retained her former surnames during the marriage, then filed a divorce (marriage dissolution) to which the District Court denied the appeal because she did not file under husband's surname. The Trial Court reversed the District Court's decision and remanded with directions to accept the filing.

Other scholar notes that a decision in Alabama (*Forbush v. Wallace*) of 1971 that denied the women's name right as a "case inspired a great deal of subsequent litigation" ([MacClintock, 2010, 299](#)), a 1973 case in Maryland (*Stuart v. Bd. of Supervisors of Elections for Howard County*) served as a guide, and a 1975 decision in Wisconsin (*Kruzel v. Podell*) played a pivotal role across

^{*2} 85 N.Y. 437, 449 (1881). The plaintiff purchased stock in the Phoenix National Bank before her marriage under her maiden name. When US Marshalls seized her asset, she sued on the ground that it held the assets under her maiden name, not her legal name, which is her husband's surname. NY Court of Appeals accepted the plaintiff's claim despite no reference to any law.

the US ((MacDougall, 1985, fn 4), (MacClintock, 2010, 300)). TABLE 2 lists all the formal cases and informal opinions by state judicial or state attorney generals affirming the right after 1972. In principle, one can date the year when the official common law practice shifted to affirm the right.^{*3}

According to Augustine-Adams (1997, p.8), state legal codes have been ammended that a married woman has a right to retain her maiden name.^{*4}

1931	1961	1972	1973	1974	1975	1976	1977	1978	1979	1980	1982	1983	1985
1	1	1	3	16	10	3	2	2	1	1	1	1	7

^{*3} *Allen v. Lovejoy*, concluded in October 1975, however, notes that a woman who was suspended without pay due to noncompliance with Health Department's name change policy should not get compensation because she did not follow Department's advice to first change the name and appeal to the internal Merit System Council. Given the uncertainty of how MSC might have responded to plaintiff's appeal, the women's name right had not been fully protected until 1974 when the suspension was decided.

^{*4} Louisiana is unique that it takes a civil law perspective that "[m]arriage does not change the name of either spouse" (Augustine-Adams, 1997, p.8).

TABLE 1: REFERENCES IN AUGUSTINE-ADAMS (1997)

case	ref	state	year	remark
Stuart v. Bd. of Supervisors of Elections for Howard County	295 A.2d 223	Maryland	1972	Holding that marriage did not, as a matter of law, change the wife's surname to that of the husband.
Custer v. Bonadies	318 A.2d 639 Conn. Super. Ct.	Connecticut	1974	Finding that neither common law nor statute compels a married woman to take her husband's surname, although it is the custom.
Marshall v. State	301 So. 2d 477 Fla. Dist. Ct. App.	Florida	1974	Allowing a married woman to claim her non-marital name as her legal name.
In re Hauptly	312 N.E.2d 857	Indiana	1974	Holding that a married woman has the same right to change her name as anyone else.
MAss. Op. ATr'y GEN.	Number 5 at 48	Massachusetts	1974	Finding that Massachusetts law does not compel a woman retaining her maiden name after marriage to assume her husband's surname for any purpose.
In re Halligan	361 N.Y.S.2d 458 App. Div.	New York	1974	Holding that the potential confusion which might arise when a woman bore a name different from her husband's was an insufficient reason to deny her application for judicial name change.
In re Natale	527 S.W.2d 402, 404-05 Mo. Ct. App.	Montana	1975	Noting that restricting a woman's right to use the name of her choice is inconsistent with developments granting women equal legal rights.
In re Lawrence	337 A.2d 49, 51 N.J. Super. Ct. App. Div.	New Jersey	1975	Finding a "woman may retain her maiden name by antenuptial agreement or by holding herself out consistently by that name after marriage."
In re Mohlman	216 S.E.2d 147 N.C. Ct. App.	North Carolina	1975	Stating that at marriage a woman does not give up her right to change her name as anyone else might change his or hers.
In re Strikwerda	220 S.E.2d 245	Verginia	1975	Finding that nothing in the wording of statute purports to exclude a married woman from petitioning the court to change her name from her married name to her maiden name.
Kruzel v. Podell	226 N.W.2d 458,459	Wisconsin	1975	Finding error in an election board's purging of voter registration where a woman did not take her husband's surname at marriage.
Weathers v. Superior Court of Los Angeles	126 Cal. Rptr. 547 Ct. App.	California	1976	Allowing a married woman to sue for divorce in her own name.
FLA. ATr'y GEN. ANN. REP.	§076-66 at 120	Florida	1976	Advising that for purposes of voter registration, the "true" name of a married woman who chooses to retain her birth surname is her given name and her birth surname, not her given name and her husband's surname.
Brown v. Brown	384 A.2d 632, 632	District of Columbia	1977	Finding no limitation in the common law for "any adult or emancipated person" to change his or her name at will.
Secretary of the Commonwealth v. City Clerk of Lowell	366 N.E.2d 717	Massachusetts	1977	Recognizing that a woman may change her name at will, without resort to legal proceedings.

case	ref	state	year	remark
Ball v. Brown	450 F. Supp. 4 N.D.	Ohio	1977	Finding error in an election board's purging of voter registration where a woman did not take her husband's surname at marriage.
ME. Op. ATr'Y GEN.	WL 33940 Me.A.G.	Maine	1978	Ruling that both women and men have option of retaining their surnames after marriage.
Simmons v. O'Brien	272 N.W.2d 273	Nebraska	1978	Finding error in lower court's refusal to grant a divorce in wife's separate surname because common law did not compel married woman to bear the same surname as her husband.
In re Miller	243 S.E.2d 464	Verginia	1978	Noting that no statute in Virginia requires a married woman to assume her husband's surname, despite custom.
Traugott v. Petit	404 A.2d 77	Rhode Island	1979	Upholding the common law right of a divorced woman to use the name of her choice.
Malone v. Sullivan	605 P.2d 447	Arizona	1980	Finding error in a trial court's refusal to entertain a woman's divorce petition unless she amended her pleading to reflect her surname as her husband's.
State v. Taylor	415 So. 2d 1043, 1047	Alabama	1982	Finding that "in view of the fact that the common law regarding 'names' has not been altered by the legislature." Alabama adopts the common law of England that a woman's change of name upon marriage is in fact rather than in law.

Source: Augustine-Adams (1997)

Note: Legal cases and opinions endorsing the women's name rights are listed.

TABLE 2: REFERENCES IN MACDOUGALL (1985)

state	year	case	reference
Alabama	1982	State v. Taylor	415 So. 2d 1043 (Ala. 1982)
Alaska	1976	Op. Att’y Gen.	Alaska (May 5, 1976)
Arizona	1975	Laks v. Laks	25 Ariz. App. 58, 540 P.2d 1277 (1975) [Seiro added: Divorced mother’s right to rename children as MotherMaidenName-FatherSurName was rejected by the court.]
Arizona	1980	Malone v. Sullivan	124 Ariz. 469, 605 P.2d 447 (1980)
Arkansas	1974	Op. Att’y Gen.	Ark. No. 74-123 (Oct. 8, 1974) [Seiro added: Under Arkansas law a married woman may retain her maiden name, and if Pamela Walker did not change her name when she married she was entitled to be registered under her maiden name. https://law.justia.com/cases/federal/district-courts/FSupp/391/1395/1494569/]
Arkansas	1974	Op. Att’y Gen.	Ark. No. 74-75 (April 19, 1974)
Arkansas	1975	Walker v. Jackson	391 F. Supp. 1395 (E.D. Ark. 1975)
California	1974	Op. Atty Gen.	Cal. (March 12, 1974)
California	1976	Weathers v. Superior Court	54 Cal. App. 3d 286, 126 Cal. Rptr. 547 (1976)
Connecticut	1974	Custer v. Bonadies	30 Conn. Supp. 385, 318 A.2d 639 (Super. Ct. 1974)
Connecticut	1975	Op. Att’y Gen.	Conn. (Jan. 23, 1975)
Delaware	1974	Op. Att’y Gen.	Del. (Aug. 7, 1974)
District of Columbia	1975	Op. Corp. Counsel D.C.	(1975)
District of Columbia	1978	Brown v. Brown	382 A.2d 1038 (D.C. 1978), vacating 384 A.2d 632 (D.C. 1977)
Florida	1974	Marshall v. State	301 So. 2d 477 (Fla. Dist. Ct. App. 1974)
Florida	1976	Davis v. Roos	326 So. 2d 226 (Fla. Dist. Ct. App. 1976)
Florida	1976	1976 Op. Att’y Gen.	Fla. 076-66 (March 24, 1976)
Florida	1983	In re Hooper	436 So. 2d 401 (Fla. Dist. Ct. App. 1983)
Florida	1984	Pilch v. Pilch	447 So. 2d 989 (Fla. Dist. Ct. App. 1984)
Georgia	1975	Op. Att’y Gen.	Ga. No. 75-49 (June 3, 1975)
Georgia	1985	Ga. Code Ann.	§19-3-33.1 (Supp. 1985)
Hawaii	1976	Hawaii Rev. Stat.	§574-1 (1976)
Hawaii	1979	Jech v. Burch	466 F. Supp. 714 (D. Hawaii 1979)
Illinois	1974	Op. Att’y Gen.	Ill. No. S-711 (Feb. 25, 1974)
Illinois	1974	Op. Att’y Gen.	Ill. S-695 (Feb. 13, 1974), both opinions indicating that Illinois does not follow Rago v. Lipsky, 327 Ill. App. 63, 63 N.E.2d 642 (1945) (country’s sole case holding that a married woman takes her husband’s surname as her “legal” name at common law)
Indiana	1974	In re Hauptly	262 Ind. 150, 312 N.E.2d 857 (1974)

state	year	case	reference
Iowa	1980	Op. Att’y Gen.	Iowa (March 25, 1980)
Iowa	1981	Iowa Code Ann.	§595.5 (West 1981)
Kansas	1973	Op. Att’y Gen.	Kan. No. 73-47 (Feb. 1, 1973) following Gallop v. Shanahan No. 120, 456 (Dist. Ct. Shawnee County, Nov. 2, 1972), noted in Note, Constitutional Law-Equal Protection and Right of Suffrage Prohibits State From Cancelling Voter Registration of Newly Married Woman-Women Upon Marriage Do Not Necessarily Abandon Maiden Name, 21 U. Kan. L. Rev. 588 (1972-73)
Kentucky	1974	Op. Att’y Gen.	Ky. No. 74-902 (Dec. 26, 1974)
Kentucky	1974	Op. Att’y Gen.	Ky. No. 74-349 (May 14, 1974)
Kentucky	1977	Op. Att’y Gen.	Ky. No. 77-334 (May 23, 1977)
Kentucky	1977	Op. Att’y Gen.	Ky. No. 77-239 (April 13, 1977)
Kentucky	1981	Memorandum Ky. Dept. Transportation	(Oct. 30, 1981) (Kentucky Department of Transportation relinquishes position that a married woman must obtain driver’s license in her husband’s surname unless she has a court-ordered name “change”)
Louisiana	1931	Succession of Kneipp	172 La. 411, 134 So. 376 (1931)
Louisiana	1975	Boothe v. Papale	No. 74-939 (E.D. La. Feb. 12, 1975) (Order granting plaintiffs Motion for Summary Judgment) [Seiro added: Affirms that, in Louisiana, it is customary for women to use the maiden name after marriage. (Gorence, 1976, fn 54)]
Louisiana	1977	Pugh v. Theall	342 So. 2d 274 (La. Ct. App. 1977), cert. denied 344 So. 2d 1055 (La. 1977) [Seiro added: Affirms that, in Louisiana, it is customary for women to use the maiden name after marriage. https://www.casemine.com/judgement/us/591494baadd7b049345c1e1e]
Louisiana	1984	La. Rev. Stat. Ann.	§40:34.A.(1)(a)(iii) (West 1984) (statute relating to naming children at birth)
Maine	1974	Op. Atty. Gen.	Me. (April 12, 1974)
Maine	1975	In re Reben	342 A.2d 688 (Me. 1975)
Maine	1978	Op. Att’y Gen.	Me. (April 4, 1978)
Maryland	1972	Stuart v. Board of Supervisors	266 Md. 440, 295 A.2d 223 (1972), noted in The Right of a Married Woman To Use Her Birth-Given Surname For Voter Registration, 32 Md. L. Rev. 409 (1973)
Maryland	1972	Op. Att’y Gen.	Md. (Nov. 30, 1972)
Maryland	1974	Op. Att’y Gen.	Md. (May 7, 1974)
Maryland	1974	Op. Atty. Gen.	Md.(March 30, 1974)
Maryland	1977	Klein v. Klein	36 Md. App. 177, 373 A.2d 86 (Ct. Spec. App. 1977)
Maryland	1981	Goldin v. Goldin	48 Md. App. 154, 426 A.2d 410 (Ct. Spec. App. 1981)

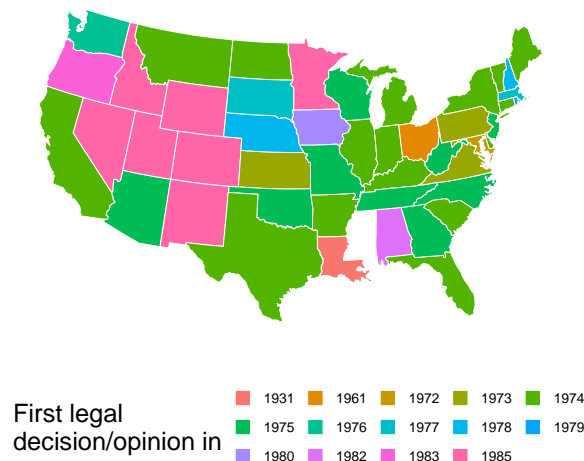
state	year	case	reference
Maryland	1983	Op. Att’y Gen.	Md. (Jan. 20, 1983)
Massachusetts	1977	Secretary of the Commonwealth v. City Clerk of Lowell	373 Mass. 178, 366 N.E.2d 717 (1977)
Massachusetts	1983	Mass. Ann.	Laws ch. 46 §1D (Law. Co-op. Supp. 1983)
Michigan	1974	Op. Att’y Gen.	Mich. No. 4834 (Oct. 2, 1974)
Michigan	1976	Piotrowski v. Piotrowski	71 Mich. App. 213, 247 N.W.2d 354 (1976)
Michigan	1980	Wood v. Detroit Edison	409 Mich. 279, 294 N.W.2d 571 (1980)
Michigan	1980	Mich. Comp. Laws Ann.	§333.2824(1) (West 1980) (statute relating to naming children at birth)
Michigan	1983	Jones v. Sanilac County Road Comm’n	128 Mich. App. 569, 342 N.W.2d 532 (1983)
Minnesota	1985	Minn. Stat. Ann.	§517.08 (West Supp. 1985)
Missouri	1975	In re Natale	527 S.W.2d 402 (Mo. Ct. App. 1975)
Missouri	1983	Johnson v. Pacific Intermountain Expr. Co.	662 S.W.2d 237 (Mo. 1983), cert denied 104 S. Ct. 2349 (1984)
Missouri	1984	Miller v. Miller	670 S.W.2d 591 (Mo. Ct. App. 1984)
Montana	1974	Op. Att’y Gen.	Mon. (May 1, 1974)
Nebraska	1978	Simmons v. O’Brien	201 Neb. 778, 272 N.W.2d 273 (1978)
Nebraska	1984	Neb. Rev. Stat.	§71-640.01 (1984) (statute relating to naming children at birth)
New Hampshire	1978	Moskowitz v. Moskowitz	118 N.H. 199, 385 A.2d 120 (1978)
New Hampshire	1983	N.H. Rev. Stat. Ann.	§126.6-a (1983) (statute relating to naming children at birth)
New Jersey	1975	In re Lawrence	133 N.J. Super. 408, 337 A.2d 49 (1975)
New Jersey	1975	Op. Att’y Gen.	N.J. No. 20-1975 (Aug. 26, 1975)
New York	1974	In re Halligan	46 A.D.2d 170, 361 N.Y.S.2d 458 (App. Div. 1974)
New York	1985	N.Y. Dom. Rel. Law	§§14-a(1), 15(1), 240-a (McKinney Supp. 1985)
New York	1985	N.Y. Civ. Rights Law	§§64, 65 (McKinney Supp. 1985)
North Carolina	1975	In re Mohlman	26 N.C. App. 220, 216 S.E.2d 147 (1975)
North Carolina	1981	O’Brien v. Tilson	523 F. Supp. 494 (E.D.N.C. 1981)
North Carolina	1983	N.C. Gen.	Stat. §130-A-101(c) (Supp. 1983) (statute relating to naming children at birth)
North Dakota	1974	Op. Att’y Gen.	N.D. (March 20, 1974)
Ohio	1961	Krupa v. Green	144 Ohio App. 497, 177 N.E.2d 616 (1961)
Ohio	1977	Ball v. Brown	450 F. Supp. 4 (N.D. Ohio 1977)
Oklahoma	1975	Op. Att’y Gen.	Okla. (Nov. 14, 1975)
Oklahoma	1978	Sneed v. Sneed	585 P.2d 1363 (Okla. 1978)
Oregon	1983	Ore. Rev. Stat.	§106.220 (1983)
Pennsylvania	1973	Op. Att’y Gen.	Pa. No. 72 (Oct. 25, 1973)

state	year	case	reference
Pennsylvania	1973	Op. Att’y Gen.	Pa. No. 62 (Aug. 20, 1973)
Pennsylvania	1974	Op. Att’y Gen.	Pa. No. 8 (Jan. 31, 1974)
Rhode Island	1979	Traugott v. Petit	122 R.I. 60, 404 A.2d 77 (1979)
South Carolina	1974	Op. Att’y Gen.	S.C. (Dec. 12, 1974)
South Carolina	1975	Op. Atty. Gen.	S.C. (June 6, 1975)
South Dakota	1977	Op. Att’y Gen.	S.D. No. 77-31 (April 15, 1977) (interpreting Ogle v. Circuit Court 89 S.D. 18, 227 N.W.2d 621 (1975))
Tennessee	1975	Dunn v. Palermo	522 S.W.2d 679 (Tenn. 1975)
Tennessee	1983	Tenn. Code Ann.	§68-3-305 (1983) (statute relating to naming children at birth)
Texas	1897	Rice v. State	37 Tex. Crim. 36, 38 S.W. 801 (1897)
Texas	1974	Op. Att’y Gen.	Tex. No. H-432 (Oct. 25, 1974)
Texas	1980	Op. Att’y Gen.	Tex. No. MW-225 (Aug. 21, 1980) (says that a married woman may vote under a hyphenated last name, of her "maiden name" and her husband's name)
Vermont	1974	Op. Att’y Gen.	Vt. No. 179 (Feb. 4, 1974)
Virginia	1973	Op. Att’y Gen.	Va. (June 6, 1973) (re voting)
Virginia	1975	In re Strikwerda	216 Va. 470, 220 S.E.2d 245 (1975)
Virginia	1978	In re Miller	218 Va. 939, 243 S.E.2d 464 (1978)
Washington	1927	Op. Att’y Gen.	Wash. 507 (1927-28) (right of married woman to use husband's name even though she is not living with him)
Washington	1976	Doe v. Dunning	87 Wash. 2d 50, 549 P.2d 1 (1976)
West Virginia	1975	Op. Att’y Gen.	W. Va. (April 30, 1975)
Wisconsin	1975	Kruzel v. Podell	67 Wis. 2d 138, 226 N.W.2d 458 (1975)
Wisconsin	1977	Op. Att’y Gen.	Wis. No. 7-77 (Jan. 31, 1977)
Wisconsin	1982	Op. Att’y Gen.	Wis. (Sept. 21, 1982)

Source: MacDougall (1985).

Note: Legal cases and opinions endorsing the women’s name rights are listed. Some negative cases are also listed for earlier dates. The six states not listed, Colorado, Idaho, Nevada, New Mexico, Utah, and Wyoming, all recognize the right but have not circulated the opinions by 1985. State level recognition of women’s name right led to a federal level consensus in 1982 that women should not be denied to open financial accounts under her birth-given surname as an interpretation of Equal Opportunity Credit Act [12 C.F.R. §202.7 (b) Designation of names].

FIGURE 7: FIRST LEGAL DECISION/OPINION AFFIRMING THE RIGHT BY STATE



Source: Author's compilation based on MacDougall (1985, fn 9).

Note: The six states, Colorado, Idaho, Nevada, New Mexico, Utah, and Wyoming, are displayed as 1985 for expositional convenience. They all recognize the right but have not circulated the opinions by 1985. Mississippi is not listed in MacDougall (1985, fn 9) and is left as blank.

FIGURE 7 suggests:

- In using DID, it is staggered implementation so one should use Callaway and Sant'Anna (2020) and/or Rambachan and Roth (2023).
- Synthetic control method may not be usable.

II.2 Political activities

Following is a summary of political activities that promote women's name rights (MacDougall, 1985, fn 5):

- The Center for a Woman's Own Name was established in 1973 after *Kruzel v. Podell* case was appealed, and started distributing *Booklet For Women Who Wish To Determine Their Own Names After Marriage*.
- In 1974, Olympia Brown League was formed to aid women in Milwaukee affected by the lower court's ruling. In 1972, Massachusetts women formed Name-Change at the time of *Forbush* case^{*5}. They also distributed a booklet titled *Fact Sheet For Women Who Wish To Retain Their Own Name After Marriage*.
- In 1973, the *Committee To Encourage Richard H. Austin To Give Michigan Women Their Middle Names For The Holidays (CERHA)* was formed with Attorney Jean L. King to support the right of women to obtain drivers' licenses using their birth names as middle names.
- In California, the *Name Choice Center* distributed a fact sheet and promoted the issue with the Attorney General and the Legislature. The Center had a mailing list of over 15,000 by 1974.
- In 1974, *The Women's Legal Defense Fund* in Washington, D.C. established a committee on

^{*5} *Forbush v. Wallace* (1972): A supreme court case that conceded that a woman's legal name is her husband's name.

names which published and distributed a booklet on women's names for D.C. area residents.

TABLE 4: CHANGES IN STATE CODES

Year	State	Law
1997	Georgia	GA Code Annex 19-3-33.1
1996	Guam	Code 3018-3109
1996	Iowa	Code Annex 595.5
1995	North Dakota	Cent. Code 14-03-20.1
1995	Oregon	Revised Statute 106.220
1993	Hawaii	Revised Statute 574-1
1993	Massachusetts	General Law Annex Chapter 46, 1D

TABLE 4 lists state level legal code changes. One notes that, under a common law, code change follows the legal decisions in the court. This explains why the formal code change takes longer than legal practice changes.

References

- Augustine-Adams, Kif**, "The beginning of wisdom is to call things by their right names," *Southern California Review of Law & Women's Studies*, 1997, 7, 1.
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A Codes

There are 14 code chunks. We list only up to 7 in the below.

TABLE A1: IPUMS FILE NAMES AND READ

```
foldername ← list.dirs(path = pathsource, recursive = T, full.names = T)
fn ← unique(list.files(path = foldername, pattern = ".csv$",
  recursive = T, full.names = T))
fnd ← gsub("^.*000\\d_", "", fn)
# There will be warnings due to duplicated factor levels in dta which
# should be a fair warning but suppress them.
Z0 ← lapply(fn, fread)
Z0 ← lapply(Z0, function(x) x[-1, ])
Z0 ← lapply(Z0, function(x) setnames(x, colnames(x), tolower(colnames(x))))
lapply(1:length(Z0), function(i)
  fwrite(Z0[[i]], paste0(pathsave, "Z", i, ".prn"), sep = "\t", quote=F))
Z ← lapply(1:length(Z0), function(i) fread(paste0(pathsave, "Z", i, ".prn")))
rm(Z0)
lapply(Z, function(x) {
  faccols ← grepout("^state$|^county$|^name$|^cty_sub$|^gis", colnames(x))
  x[, (faccols)] := lapply(.SD, as.factor), .SDcols = faccols
})
# year is a string including entries such as 2015-2019.
lapply(1:length(Z), function(i) saveRDS(Z[[i]], paste0(pathsave, "Z", i, ".rds"))))
```

TABLE A2: STATE POP DATA FROM FRED

```
library(fredr)
# API key: masked
fredr_set_key("masked")
fred.states <- c("AK", "AL", "AR", "AZ", "CA", "CO", "CT", "DC", "DE",
  "FL", "GA", "HI", "IA", "ID", "IL", "IN", "KS", "KY", "LA", "MA", "MD",
  "ME", "MI", "MN", "MO", "MS", "MT", "NC", "ND", "NE", "NH", "NJ",
  "NM", "NV", "NY", "OH", "OK", "OR", "PA", "RI", "SC", "SD", "TN",
  "TX", "UT", "VA", "VT", "WA", "WI", "WV", "WY")
fred.pop <- lapply(1:length(fred.states), function(i)
  fredr(series_id = paste0(fred.states[i], "POP"),
    observation_start = as.Date("1900-01-01"),
    observation_end = as.Date("2022-01-01")
  )
)
fred.pop <- lapply(fred.pop, data.table)
fred.pop <- lapply(1:length(fred.pop), function(i) fred.pop[[i]][,
  State := fred.states[i]])
fred.pop <- rbindlist(fred.pop)
qsave(fred.pop, paste0(pathsave, "FredPop.qs"))
```


TABLE A3: COUNTY POP DATA FROM SEER

```

library(iotools)
srdic ← fread(paste0(pathsource, "SEER/SEERDictionaryFile.prn"), sep = "\t")
SP ← input.file(paste0(pathsource, "SEER/us.1969_2020.19ages.adjusted.txt"),
  formatter = dstrfw, # this is fixed length formatter
  col_types = c("integer", "character", rep("integer", nrow(srdic)-2)),
  widths = srdic[, length])
SP ← data.table(SP)
setnames(SP, tolower(unlist(srdic[, variable])))
qsave(SP, paste0(pathsave, "SEERPop.qs"))
# SEER pop estimates are modified data on Census Bureau estimates
# only on less than 1 and 1-4 years old.
# "A modification was also made to the 1969-1989 Census Bureau estimates
# in order to meet requirements for age-adjustment according to the year 2000
# U.S. standard population. The methodology used to develop population
# estimates for two new age groups (less than one year-olds and one to four
# year-olds) for the 1969-1989 estimates is described below.
# https://seer.cancer.gov/popdata/modifications.html"
sp ← SP[, .(pop = sum(population)), by = .(state, year, sex, age)]
qsave(sp, paste0(pathsave, "SEERPopByStateAgeSex.qs"))
# ysp: youth pop, 15-39 years of age (04 ≤ age ≤ 07)
# population total for state/sex
ysp ← sp[age ≥ 4 & age ≤ 07, .(pop = sum(pop)), by = .(state, year, sex)]
ysp[, sex := factor(sex, labels = c("m", "f"))]
ysp[, state := factor(state)]
yspW ← reshape(ysp, direction = "wide", idvar = c("state", "year"),
  timevar = "sex", v.names = "pop")
qsave(yspW, paste0(pathsave, "SEERYouthPopByStateSex.qs"))

```

TABLE A4: NBER MARRIAGE DATA

```
# This takes a long time even using the iotools package. Do only once.
foldername ← list.dirs(path = pathsource, recursive = T, full.names = T)
fn ← unique(list.files(path = foldername, pattern = "^marr.*dat$",
  recursive = T, full.names = T))
source(paste0(path, "DictionaryMarriage.R"))
# field length for 1968, 1969
#endpos ← cumsum(fdlen[1:3])
#begpos ← c(1, endpos[-length(endpos)] + 1)
endpos ← cumsum(fdlen)
begpos ← c(1, endpos[-length(endpos)] + 1)
dicmarr ← data.table(vnames, begpos, endpos)
dicmarr[, length := endpos - begpos + 1]
dicmarr0 ← dicmarr[1:58, ]
library(iotools)
Z1 ← lapply(fn[1:2], input.file, formatter = dstrfw,
  col_types = rep("integer", nrow(dicmarr0)), widths = dicmarr0[, length])
Z2 ← lapply(fn[-(1:2)], input.file, formatter = dstrfw,
  col_types = rep("integer", nrow(dicmarr)), widths = dicmarr[, length])
Z1 ← lapply(Z1, data.table)
Z2 ← lapply(Z2, data.table)
Z1 ← lapply(1:length(Z1), function(i) Z1[[i]][, year := (1968:1969)[i]])
Z2 ← lapply(1:length(Z2), function(i) Z2[[i]][, year := (1970:1990)[i]])
Z1 ← rbindlist(Z1)
Z2 ← rbindlist(Z2)
Z ← rbindlist(list(Z2, Z1), use.names = T, fill = T)
setnames(Z, c(dicmarr[, vnames], "year"))
setkey(Z, year)
#saveRDS(Z, paste0(pathsave, "mar.rds"))
#r1 ← system.time(mar ← readRDS(paste0(pathsave, "mar.rds")))
library(qs)
qsave(Z, paste0(pathsave, "mar.qs"))
# qs is faster, file size for Z is smaller than rds. Dominance.
#r2 ← system.time(mar ← qread(paste0(pathsave, "mar.qs")))
```

TABLE A5: NBER DIVORCE DATA

```
# This takes a long time even using the iotools package. Do only once.
foldername ← list.dirs(path = pathsource, recursive = T, full.names = T)
fn ← unique(list.files(path = foldername, pattern = "^d.*dat$",
  recursive = T, full.names = T))
source(paste0(path, "DictionaryDivorce.R"))
# field length for 1968, 1969
endpos ← cumsum(fklen)
begpos ← c(1, endpos[-length(endpos)] + 1)
dicdiv ← data.table(names = vnames, begpos, endpos, length = fdlen)
dicdiv0 ← dicdiv[1:56, ]
library(iotools)
Z1 ← lapply(fn[1:2], input.file, formatter = dstrfw,
  col_types = rep("integer", nrow(dicdiv0)), widths = dicdiv0[, length])
Z2 ← lapply(fn[-(1:2)], input.file, formatter = dstrfw,
  col_types = rep("integer", nrow(dicdiv)), widths = dicdiv[, length])
Z1 ← lapply(Z1, data.table)
Z2 ← lapply(Z2, data.table)
Z1 ← lapply(1:length(Z1), function(i) Z1[[i]][, year := (1968:1969)[i]])
Z2 ← lapply(1:length(Z2), function(i) Z2[[i]][, year := (1970:1988)[i]])
Z1 ← rbindlist(Z1)
Z2 ← rbindlist(Z2)
Z ← rbindlist(list(Z2, Z1), use.names = T, fill = T)
setnames(Z, c(dicdiv[, names], "year"))
setkey(Z, year)
library(qs)
qsave(Z, paste0(pathsave, "div.qs"))
```

TABLE A6: NBER US STATES

```

library(qs)
# Wikipedia's US states abbreviations
# https://en.wikipedia.org/wiki/List_of_U.S._state_and_territory_abbreviations
usst <- fread(paste0(pathsource, "NBER/docs/USStates.prn"))
nst <- fread(paste0(pathsource, "NBER/docs/NBERStates.prn"), sep = "\t")
nst <- data.table(nst[!(1:46)], as.numeric(unlist(nst[1:46])))
setnames(nst, c("StateName", "StNum"))
# StateNum: 2-letter (and 2-digit) codes from the ANSI
# standard INCITS 38:2009 (supersedes FIPS 5-2)
usst <- usst[, .(num, v3, name)]
setnames(usst, c("StateNum", "State", "StateName"))
# StNum: Code used in NBER DivMar data. Look up Marr90.pdf, p.8
usst[, StNum := StateNum]
usst[grepl("Ari", StateName):nrow(usst), StNum := StateNum-1]
usst[grepl("Colo", StateName):nrow(usst), StNum := StateNum-2]
usst[grepl("Haw", StateName):nrow(usst), StNum := StateNum-3]
usst[grepl("Rho", StateName):nrow(usst), StNum := StateNum-4]
# Washington is not in NBER marriage data
usst[grepl("Was", StateName):nrow(usst), StNum := 48]
usst[grepl("West", StateName):nrow(usst), StNum := 49]
usst[grepl("Wis", StateName):nrow(usst), StNum := 50]
usst[grepl("Wyo", StateName):nrow(usst), StNum := 51]
usst[grepl("Pue", StateName), StNum := 52]
usst[grepl("Virgin Is", StateName), StNum := 53]
# YearDRA: year admitted to divorce registration area
usst[, YearDRA := 1958]
usst[grepl("Ka|Mary", StateName), YearDRA := 1959]
usst[grepl("Conn|Mich|Miss", StateName), YearDRA := 1961]
usst[grepl("Oh", StateName), YearDRA := 1962]
usst[grepl("Rh", StateName), YearDRA := 1963]
usst[grepl("Ill|Ver", StateName), YearDRA := 1968]
usst[grepl("Ken|Yor", StateName), YearDRA := 1969]
usst[grepl("South Ca", StateName), YearDRA := 1971]
usst[grepl("Mass|Ham", StateName), YearDRA := 1979]
usst[grepl("Del", StateName), YearDRA := 1981]
usst[grepl("D.*C", StateName), YearDRA := 1986]
# YearMRA: year admitted to marriage registration area
usst[, YearMRA := 1957]
usst[grepl("Ken", StateName), YearMRA := 1959]
usst[grepl("D.*C|Ind|Mass", StateName), YearMRA := 1961]
usst[grepl("Ill|N.*C", StateName), YearMRA := 1964]
usst[grepl("West", StateName), YearMRA := 1965]
usst[grepl("Miss", StateName), YearMRA := 1968]
usst[grepl("Minn|S.*C", StateName), YearMRA := 1971]
usst[grepl("Colo", StateName), YearMRA := 1979]
# Merge usst and nst using StNum
unst <- merge(usst, nst, by = "StNum", all = T)
unst[is.na(StateName.y), ]
unst <- merge(usst, nst, by = c("StNum", "StateName"), all = T)
# New York has New York City (code 33) and
# New York State (code 33) entries in NBER states.
# Drop these rows and retain only New York (code 33) from usst data.
qsave(usst, paste0(pathsave, "usst.qs"))
qsave(unst, paste0(pathsave, "unst.qs"))

```

```

# nber.states ← c(
#   01, "Alabama", "AL",
#   02, "Alaska", "AK",
#   05, "California", "CA",
#   06, "Colorado", "CO",
#   07, "Connecticut", "CT",
#   08, "Delaware", "DE",
#   09, "DistrictofColumbia", "DC",
#   10, "Florida", "FL",
#   11, "Georgia", "GA",
#   12, "Hawaii", "HI",
#   13, "Idaho", "ID",
#   14, "Illinois", "IL",
#   15, "Indiana", "IN",
#   16, "Iowa", "IA",
#   17, "Kansas", "KS",
#   18, "Kentucky", "KY",
#   19, "Louisiana", "LA",
#   20, "Maine", "ME",
#   21, "Maryland", "MD",
#   22, "Massachusetts", "MA",
#   23, "Michigan", "MI",
#   24, "Minnesota", "MN",
#   25, "Mississippi", "MS",
#   26, "Missouri", "MO",
#   27, "Montana", "MT",
#   28, "Nebraska", "NE",
#   30, "NewHampshire", "NH",
#   31, "NewJersey", "NJ",
#   33, "NewYork", "NY",
#   36, "Ohio", "OH",
#   38, "Oregon", "OR",
#   39, "Pennsylvania", "PA",
#   40, "RhodeIsland", "RI",
#   41, "SouthCarolina", "SC",
#   42, "SouthDakota", "SD",
#   43, "Tennessee", "TN",
#   45, "Utah", "UT",
#   46, "Vermont", "VT",
#   47, "Virginia", "VA",
#   50, "Wisconsin", "WI",
#   51, "Wyoming", "WY"
# )

```

TABLE A7: CREATE STATE NAMES AND MERGE WITH STATE POP

```

# Create state names in divorce and marriage data with a reference
# to marr88.pdf. \textsf{StNum} in usst data is \textsf{state} in divorce data.
library(qs)
unst ← qread(paste0(pathsave, "unst.qs"))
mar ← qread(paste0(pathsave, "mar.qs"))
div ← qread(paste0(pathsave, "div.qs"))
pop ← qread(paste0(pathsave, "FredPop.qs"))
unst ← unst[!grepl("Yo.*State|Yo.*City", StateName), ]
pop[, tee := 1:N, by = State]
setnames(div, "state", "StateID")
setnames(unst, "StNum", "StateID")
setkey(div, StateID); setkey(unst, StateID)
unst[, grepout("StateNu", colnames(unst)) := NULL]
# attach state names
div2 ← merge(div, unst, by = "StateID", all.x = T, allow.cartesian = T)
dw89 ← fread(paste0(pathsource, "NBER/docs/weights89.prn"),
  sep = "\t", skip = 1)
div2[, DateDivorced :=
  as.IDate(paste0(year, "-", month, "-1"), format = "%Y-%m-%d")]
div2[, DateMarried :=
  as.IDate(paste0(19, maryear, "-", marmonth, "-1"), format = "%Y-%m-%d")]
div2[, Duration := DateDivorced - DateMarried] # in days
div2[, HusResAway := "different"]
div2[resstate.g == StateID, HusResAway := "same"]
div2[grepl("55|56|57|59", resstate.g), HusResAway := "outside US"]
div2[grepl("99", resstate.g), HusResAway := NA]
div2[, WifResAway := "different"]
div2[resstate.b == StateID, WifResAway := "same"]
div2[grepl("55|56|57|59", resstate.b), WifResAway := "outside US"]
div2[grepl("99", resstate.b), WifResAway := NA]
addmargins(table0(div2[, .(WifResAway, HusResAway)]))
qsave(div2, paste0(pathsave, "div2.qs"))
setnames(mar, "state", "StateID")
mar2 ← merge(mar, unst, by = "StateID", all.x = T, allow.cartesian = T)
mar2[, DateMarried :=
  as.IDate(paste0(year, "-", month, "-", day), format = "%Y-%m-%d")]
qsave(mar2, paste0(pathsave, "mar2.qs"))
# marriage, divorce by state, year
# Drop Puerto Rico (State=NA) from marriage data
mr ← mar2[!is.na(State),
  .(StateID = StateID[1], NumMar = .N, w=w[1]), by = .(State, year)]
# Drop Virgin Islands from marriage data
mr ← mr[!grepl("VI", State), ]
# weight 100 is given number 1, weight 2 given 50, so it is
# an inverse of weight that is given. So we just multiply with w.
mr[, total := NumMar*w]
mr[grepl("NY", State) & year ≥ 1974 & year ≤ 1978, ]
mr[, .(year, dNM=diff(total)/shift(total, n = 1L, type = "lag")),
  by = State][dNM > 1.2, ]
mr[, .(year, dNM=diff(total)/shift(total, n = 1L, type = "lag")),
  by = State][dNM < -.2, ]
dv ← div2[!is.na(State), .(StateID = StateID[1], NumDiv = .N, w=w[1]),
  by = .(State, year)]
dv ← dv[!grepl("VI", State), ]

```

```
dv[, total := NumDiv*w]  
qsave(mr, paste0(pathsave, "StateLevelMarriage.qs"))  
qsave(dv, paste0(pathsave, "StateLevelDivorce.qs"))
```