



1997 FACE Dues

In the 1st quarter 1996 edition of About FACE-NJ, we reported on the January 1996 Board of Directors meeting. It was decided at that time that all FACE memberships expire on December 31st. For 1996, contributors of \$65.00 or more were granted membership. Beginning in 1997, membership will be granted to contributors of \$75.00 or more. At the September 1996 meeting, the Board of Directors approved two exceptions:

NEW MEMBERS - Up to three extra months of membership for only \$10.00:

For new contributors who donate at least \$75.00 before January 1, 1997, FACE membership will begin immediately and expire on December 31, 1997.

PRESENT MEMBERS - \$10.00 discount for early membership renewals:

For existing members who contribute \$65.00 or more before December 31, 1996, membership expiration will be extended to December 31, 1997.

Membership renewal notices will be mailed soon, but you don't have to wait until you receive yours. Use the coupon in this newsletter to renew now and you save \$10.00! We continue to encourage all who can do so to support FACE by becoming a Patron with a contribution of \$100.00 or more per year.

LIFE AFTER DIVORCE

by Michael Fox

This is the first of a series of articles we will present to help individuals move forward in their lives. This column is dedicated to those individuals who would like to pick up the pieces and run with them and those who would simply prefer to run.

Credit is a necessary fact of life. While one can use cash to pay for a car rental, the rental agency will not rent a car without a credit card. Try It! Several members have called me because they were targeted by a bank for a secured credit card. To understand the reason for this solicitation, you need to know the profiles of the members who called me. All have several things in common: federal tax liens, state tax liens, bankruptcy, delinquencies on the credit report, mortgage foreclosures. That's not exactly the profile of someone to whom anyone would lend money. That's why the card needs to be secured.

The offers presented to me differed slightly, no doubt due to the credit experience of the individuals to whom the offer was targeted. What I do not know is the basis for their selection as an applicant. Normally, one is solicited for either a Visa or a Master Card, with the promise of a \$500.00 credit line in exchange for a \$100.00 or \$200.00 cash deposit. If one does not have the full cash deposit, they will take

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"You can win a war, but in peace you have to compromise."

Shimon Peres
Prime Minister of Israel
July 4, 1996

PRESIDENT'S MESSAGE

by Michael Fox

Congratulations to FACE director Everett Simpson on his acceptance at Thomas M. Cooley Law School in Lansing, Michigan! Ed was positively impacted by attendance at New Jersey Institute for Continuing Legal Education (ICLE) Seminars. I guess we can't tell any more Lawyer jokes in Ed's presence, though if he becomes one, he'll probably know more of them than we do!

On the subject of education, many of our members represent themselves in court because they either had no money to begin with, or they ran out of money. Going to law school, I suspect, is the ultimate in attempting to learn how to do it right. ICLE, operated jointly by the New Jersey State Bar Association, Rutgers Law School and Seton Hall Law School, runs three or four Family Law seminars per year. Prices range from about \$79.00 for a four-hour session to about \$139.00 for a full day session. Normally, one comes home with a rather comprehensive workbook as well as handouts. The schedule is varied. Sometimes meetings are held in the evenings, sometimes in the afternoon, sometimes on Saturdays and sometimes all day. If you are representing yourself, and you want

to understand more, attend a seminar! It won't make a Perry Mason of you, but it will at least keep you from being totally ignorant of the rules that your adversary will use to deprive you of whatever you have left.

If you can't attend ICLE seminars, attend court. That's right, court watch! The most effective thing that you can do to help yourself in Family Court is to observe others in Family Court. Observe the judge that you will come before. One of the things that you will discover in Family Court is that the only difference between the case being tried and your case, is the docket number and the last name. One would think that with the problems virtually the same, and the complaints virtually the same, that the system would get a handle on this, but it fails. Watch . . . Listen . . . Observe! See how others handle violations of their rights. Note the court cases cited by the attorneys and the judges. Look them up at the Rutgers Law Library, or check with FACE to see if we already have them. It's one thing to lose in court because the facts went against you, but it's quite another to lose because you

didn't know enough to figure out how to present your own case. The more you know, the less time you'll spend in court. The judge will appreciate the fact that you are informed even if you are a "pro se litigant." That's worth something, isn't it?

On that note, one final point about judges. I have observed judges state one thing when they teach at an ICLE seminar, but those principals do not necessarily follow them into the courtroom, or onto the bench! This is not solely the observation of your president. Other FACE members who have attended ICLE seminars agree. It is also our observation that in talking with the attorneys during breaks, they too recognize that there is political correctness at the seminars and something other than that in the courtroom. If you do not know enough to hold a judge's feet to the fire on an issue, who is to blame?

At FACE, we have always felt that the laws were fair, but their application has not always been. That is why the evils occur in Family Court. To paraphrase Thomas Jefferson, "All that is needed for evil to triumph is for good men and women to do nothing."



"Better not dawdle. Mr. Dewlap has already started billing."

The Wall Street Journal, July 31, 1996
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Drivers License Update

by Jeff Golden

In the second quarter 1996 edition of About FACE-NJ, we suggested several preemptive tactics to use if your drivers license is at risk for arrears in financial child support, including a Right to Travel card and a Caribbean drivers license. We gave an address for information about the Right to Travel card, and asked those interested in the Caribbean license to contact us:

We passed names of those interested in the Caribbean license on to the agent from whom they could be obtained, but it appears that these licenses are temporarily unavailable.

We have since learned of another alternative to state-issued drivers licenses available through the Washitaw Nation. The Washitaw Nation is a sovereign body of freedom loving indigenous people. Their ancestral native lands are in North America, where Washitaw have lived for thousands of years.

The Washitaw have documented proof that disputes the validity of the Louisiana Purchase, which covers about one third of the total land area of the lower 48 United States. They contend that all the United States actually purchased was the streets of New Orleans and a nearby military barracks, and the U.S. government stole the remainder of this territory.

The Washitaw Nation petitioned the International Court of Justice in Geneva and the Hague to gain autonomy from the U.S. and in 1993 received international recognition as a sovereign body and an indigenous nation.

The Washitaw Nation will grant citizenship to anyone who believes in the Washitaw principles -- the principles of Natural Law which makes common sense.

The Washitaw respect the environment. They believe in treating all humanity as equal regardless of race, creed, color, sex or personal beliefs, and believe in treating others as you would expect to be treated yourself. They believe in self-rule, self-responsibility, and self-determination.

That gets us to drivers licenses.

Since the Washitaw are an internationally recognized sovereign indigenous nation, they can issue drivers licenses to their citizens. This is an International Motorist Certificate (IMC) which, by international treaty, is recognized by every nation including the United States.

To learn more about the Washitaw nation and the benefits of Washitaw citizenship, send \$7.00 to:

Rightway Travel Association
8175 S. Virginia, Suite 850-402
Reno, NV 89511

They will also send information on the Washitaw IMC, the Washitaw Motorized Conveyance Registration (MCR) for your car, truck or motorcycle, the Washitaw passport, and benefits of transferring ownership of your vehicle to a leasing company based in a state that does not require safety inspection, pollution inspection or proof of insurance.

If your license is in jeopardy, we recommend that you take action to preserve your rights to drive and to travel before your license is suspended. Please keep in mind that to get a Washitaw IMC, you must be a Washitaw citizen. Obtaining Washitaw citizenship will probably require you to renounce your U.S. citizenship, a very serious act that may effect other aspects of your life. Your decision to do this should not be taken lightly.

The Child Support "Promiscuity Bonus"

A married couple has three children. The parents divorce. Mom, who does not work, is awarded custody of the children. Dad has an "available income" of \$500 per week. Under the present New Jersey child support guidelines, Dad is ordered to pay 42% of his "available income" -- \$210 per week -- to Mom as child support for his three children.

Another woman was never married. She also has three children, but each has a different father. She also does not work. Each of the fathers has an "available income" of \$500 per week. Under the present child support guidelines, each of them is ordered to pay 22% of his "available income" -- \$110 per week -- to the woman for child support. She receives a total of \$330 per week. Compared to the first woman, she receives a 50% bonus for her promiscuity!

The folks at the probation office will tell the fathers of the second woman's children that each of the children constitutes a separate one-child family, and that each father is paying the appropriate amount of support for one child under the guidelines. But we know that it does not cost three times as much to raise three children in one household as it does to raise one. If you need one apartment for one child to live in, you don't need three apartments for three children. You only need one bigger apartment. The incremental costs for the second child are less than for the first, and costs for the third child are even less. At least two of those fathers are overpaying.

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Bias Patterns in New Jersey Family Court

by Jeff Golden

Who gets custody? Lawyers or lawyers' ex-wives?
Male police officers or female police dispatchers?
Male nurses or female nurses? And why?

Most fathers who have had the misfortune of being victimized by it think they know all about bias in New Jersey's Family Courts. In 90 to 95 percent of the cases, women get the house, the car, alimony and custody of the kids. Men get to pay child support and be mere visitors to their own kids.

But what about the other 5 percent? Every once in a while we hear from a non-custodial mother. She is not a drunk or a drug addict or a child molester, but she does not have custody of her children. To try to try to prove that they are not biased, every once in a while judges have to give custody of children to a father. But how do they decide in which cases to do this?

FACE has a database of nearly 2,000 members and other contacts. 14 percent of them are women, but most of them are wives, girlfriends, mothers, sisters and others who are supportive of the men who come to us.

1.3 percent of the people in the database are non-custodial mothers. We recently conducted an informal survey of them. We wanted to find if there is any common denominator among them that disqualified them for residential custody of their children.

In 50 percent of these cases, the custodial father was connected in some way with the justice system. The fathers were court reporters, court administrators and, mostly, lawyers!

It seems unfair to imply that male lawyers somehow have a better chance of getting custody of their children than other professions. In fact, our contact list includes a few male lawyers who do not have residential custody. But it does seem odd that, of the small number of non-custodial mothers in the list, half have ex-husbands who are lawyers or

otherwise connected with the justice system.

At some time in his career, every good salesman learns that people like to do business with people who are like themselves. A good salesman will try to find out about his prospect's interests and let him know what they have in common. If he likes baseball, the salesman might give him some tickets or take him to a game. If he likes golf, take him out golfing. If he likes drinking, take him out for a drink.

All judges -- the people who make custody decisions -- are ex-lawyers. By awarding custody to lawyers, maybe they just expressing their kinship, and taking care of people who are like themselves.

Researching the demographics of our database revealed some other curious coincidences. For example, our list includes several male police officers. None has been awarded physical custody of his children. The ex-wives of several of our contacts are police dispatchers. All of these female police dispatchers were awarded child custody.

Our database also includes several male nurses. None has physical custody. But all of the ex-wives who are nurses were awarded custody.

Let's look closer at each of these examples. One of the keys to getting custody of children is in the domestic violence laws. Temporary custody is supposed to be awarded to the victim of domestic violence. The longer the temporary custody is in effect, the more permanent it becomes. The male lawyers and the female police dispatchers are familiar with this law and engineer situations in which they can use it to their advantage. They all created, instigated or fabricated an incident that, under the law, is

considered an act of domestic violence.

But what about the nurses? The custody decisions in these cases can only be attributed to old-fashioned gender-based stereotypes and bias. Judges think of female nurses as kind, caring, nurturing, and . . . well, motherly. Visions of Clara Barton, Molly Pitcher, "Hot-Lips" Houlihan and Mother Theresa come to their minds. How could the children possibly be better served, he thinks, than by awarding custody of them to their mother?

But what about the male nurses? Male nurses? Nursing is a relatively new profession for men. There are no mental images of them. Can you imagine a male nurse cradling a wounded soldier's head in his arms on a battlefield? No. A male neo-natal intensive care nurse? No. A male obstetric nurse? Of course not. The doctor might be male, but not the nurse. "So," the judge thinks, "who is this guy that claims he's a nurse, and just what does he do, anyway? Is he gay? I certainly can't entrust children to him."

So, child custody continues to be awarded to female nurses almost automatically, while male nurses have almost no chance. He may even be suspected of being gay, and while it may be politically incorrect to discriminate against lesbians in custody decisions, no such prohibitions against bias exist for homosexual males.

The male police officers are obviously dangerous characters. They chase and overpower criminals. They are trained to take command of dangerous situations. They sometimes intimidate civilians. And they carry guns! Are these safe people to whom to give custody of children? Too often, judges think not.

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New Jersey's Families Legislative Update

December 1996

On September 26, 1996, the New Jersey Assembly passed four more Divorce Reform bills. These were part of the package of bills introduced as a result of the recommendations of the Commission to Study the Laws of Divorce.

A-80 would allow the courts to retroactively modify child support. FACE supports this bill. In most family dissolution cases, custody of children is awarded to the mother. Often, when the children get to be teenagers, they decide that they want to live with Dad. Sometimes, Mom just decides she can no longer control the kids, and she gives them to Dad. Usually, they don't go to court; custody is just informally transferred. Under present law, when Dad does go back to court for a child support modification after the children having lived with him for months or even years, he is told that support can not be retroactively modified, and that even though the children were living with him, he still owes support to Mom. This bill will rectify this situation.

A-81 and A-82 would add two new factors to be considered when deciding equitable distribution: responsibilities for children and deferral of career goals. FACE opposes both of these bills. We are concerned that 'responsibilities for children' will only be interpreted to be Mom's time with children, and Dad's monetary earnings. Dad's nurturing of children will not count. Similarly, 'deferral of career goals' will be interpreted to be time Mom took off work to give birth to and raise children. Dad passing up a transfer and promotion so the family would not have to move will never be considered. If Mom must be compensated for deferred career goals, this can be done with short-term rehabilitative alimony to get her back on track in her career. These two bills are just ways to give Mom a bigger piece of the equitable distribution pie.

A-83 would require that alimony be counted as income when calculating child support. FACE is in favor. As New Jersey 101.5 FM radio put it the many times they featured this issue, this is so basic that it is unbelievable that this is not already the law! Of course alimony is income! And it is also a credit against income for the person who is ordered to pay it. This bill will make this mathematical law also law in Family Court.

Bills A-81, A-82 and A-83 passed unanimously. A-80 passed by a majority of 59 to 13. To become law, each of these bills must also be passed by the state Senate, then signed by the governor.

FACE continues to monitor the voting records of each New Jersey legislator. We will publish a score card showing who voted for and against our positions of these bills before the next election.

Committee Report

All of the current family legislation action seems to be in the New Jersey Senate Women's Issues, Children and Family Services Committee. At their November 18, 1996 meeting three more bills were released for a vote by the full Senate.

S-1492 and A-72 provides all parents the right to access to their children's records, regardless of marital status and regardless of who has custody. This includes educational records, medical records, etc. FACE is in favor of this bill.

S-1494 and A-79 would require recipients of alimony to notify their ex-spouse of their re-marriage, which is an event that would, in most cases, terminate alimony. It is unbelievable that this is not already included in the law, and the comments on talk shows like New Jersey 101.5 unanimously upheld this belief. FACE supports this bill.

S-1495 and A-74/76 provides for limited duration alimony and reimbursement alimony in addition to permanent and rehabilitative alimony. FACE opposes this bill. Reimbursement alimony or rehabilitative alimony may be justified in some cases, but ALL alimony should be for some limited time period. This bill does not eliminate permanent alimony, and FACE can not support it unless it does.

Here are two real life examples of the inequity of permanent alimony. (Names are changed to preserve anonymity.): Andy and Andrea are divorced. Andy is ordered to pay her \$100 a week permanent alimony. Andrea was 32 years old at the time of the divorce so, over her life expectancy of 50 or so more years, he will pay her \$250,000! They have two children, and Andy pays Andrea child support for them. Andrea has another, unmarried relationship with another man, and they have a child together. This child qualifies Andrea to receive welfare, and since Andy's children also live with her, they are on welfare too. Although she is able-bodied, Andrea has no incentive to work because the alimony eases her financial need and, if she does work, she will lose her welfare. She also has no incentive to marry her new child's father because that will cut her off from a quarter of a million dollar privately funded welfare plan she is receiving from Andy. So Andy and the rest of the citizens of New Jersey will continue to support Andrea.

Harry and Harriet were divorced years ago. They are both in their early sixties. Harry was ordered to pay Harriet \$200 per week permanent alimony. Harriet is a teacher. She earns about \$50,000 a year. She is planning a comfortable retirement for

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Assaults on Judges

by Jeff Golden

New Jersey Senate bill S-356, sponsored by Senator Bubba of Passaic County, has recently come to our attention. If passed, this bill would amend New Jersey's assault law (N.J.S.C. 2C:12-1) to raise a simple assault against a judge to the level of aggravated assault.

Simple assault is a minor "disorderly persons" offense, while aggravated assault, depending upon circumstances, is a second, third or fourth degree crime, with far more severe penalties.

Why should an assault against a judge be treated more harshly than an assault against any other citizen. Aren't we, here in the United States, all created equal?

In researching this bill, we learned that assaults against members of certain other professions already get special treatment. Currently, simple assaults against police officers, volunteer firemen, emergency first-aid or medical technicians, school board members, school administrators, teachers, other school board employees, and employees of the Division of Youth and Family Services (DYFS) are considered aggravated assaults. Judges would be the latest additions to this list of special people who get extra protection under our laws.

On September 22, 1996, a New Jersey Transit bus driver was shot in an attempted hold-up in Cherry Hill. During the week following that incident, one of our legislators proposed raising assaults against mass transit bus drivers to aggravated assault, too. Who's next? Who else deserves a higher level of legal protection?

We have some suggestions: First, let's give equal protection to everyone in the same profession. Let's protect paid, professional firefighters just as well as volunteer firemen. School bus drivers are protected if they are school board employees or if they drive a mass transit bus, but not if they work for a private school bus service. But some kids car pool to school, so let's make assaults against any driver an aggravated assault. An assault against a driver could result in an accident.

Let's protect trash collectors! If the trash is not picked up, the whole neighborhood is going to stink. Plumbers! It's a serious emergency when your pipes are clogged up, and anyone assaulting a plumber might delay the blockage from being cleared. Plumbers deserve at least as much protection as judges.

Let's also protect all sales people. If products are not sold, commerce stops, which will have a serious negative impact on our whole economy.

And let's not forget about people who have to pay child support. An assault against a child support obligor might result in a payment being late.

We can understand the intent of some of this law. Volunteer firefighters and emergency medical technicians peacefully put their own lives at risk while saving the lives of others. No one would want them to be hurt while doing their job, but why do the others deserve special protection? Police officers are trained to control unruly people. They carry guns to protect themselves. When they go to work, they know that some nut

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More New Family Law Legislation

by Jeff Golden

Senators James S. Cafiero and John H. Ewing have introduced three new bills that are sure to warm the hearts of New Jersey's angry ex-wives:

S-1284 corresponds with Assembly bill A-78, which would provide for payment of alimony by income withholding. FACE is opposed to both of these bills.

S-1285 would provide for the prorating of alimony payments among multiple ex-spouses if the withholding amount is insufficient to pay all of them. FACE is opposed.

S-1286 would seize New Jersey lottery prizes over \$1,000 to pay alimony. FACE is opposed.

FACE's position is that everyone should assume responsibility for his/her own support, and alimony is only rarely necessary at all. In those few cases where alimony is justified, it should be for only a limited duration to provide for vocational training or some other specific program to help the ex-spouse become self-supporting, and should only be payable if the ex-spouse actually received the training it is intended for. Since alimony should only be payable for a limited time, income withholding would be an unreasonable invasion of privacy, and it would be highly unlikely that anyone could have so many different alimony obligations that his income would need to be prorated among them.

Senator Cafiero is the chairman of the Senate Women's Issues, Children and Family Services Committee. Senator Ewing is also on this committee. To make sure that these bills could sweep through his committee without even any opposition testimony, Cafiero scheduled them for a special hearing in Princeton on October 3, 1996, when the New Jersey legislature was in special joint session at Princeton University to commemorate its 250th anniversary. Can fathers expect their welfare to even be considered by a committee that, while including all the other members of the family, has even excluded them from its name?

Cafiero is a lawyer and civic leader from Wildwood, New Jersey, which was recently featured in a Philadelphia Inquirer article. Wildwood, which was once a seashore playground for New Yorkers and Philadelphians, has been in steady decline for the past fifteen years. Canadians used to flock there in the summer, taking advantage of a favorable exchange rate. When the exchange rate reversed, the Canadians left. (Why drive from Montreal to Wildwood in the summer when for the same money you can fly to Florida in the winter?) In an attempt to make up for lost profits, hotel owners and merchants raised prices and deferred maintenance. As the town became shabbier and shabbier, tourists found other destinations. Unemployment skyrocketed. The infrastructure is crumbling. Now, the Inquirer says, Wildwood is only a breath away from becoming the next Asbury Park, a slum at the shore.

Hey! Jim Cafiero! Instead of allowing yourself to be used as a pawn of the women's groups, why don't you go home and take care of the problems in your own backyard? And you! John Uwing!

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"More" continued from page 2

You just come own to Trenton once a week from the rolling hills and opulent gentlemen's horse farms of Bernardsville and vote on how the lowly common people should live. Listen to them for a change.

Alimony is a gender bias issue. In the vast majority of cases men pay it and women are the beneficiaries of it. This may once have been necessary, but now women's capability of supporting themselves is equal to men's. New Jersey already has too many laws. We need to get rid of some, simplify the rest, acknowledge gender equality, and let New Jersey recognize the realities of the 21st century.

"Injustice anywhere is a threat to justice everywhere."

Johnnie Cochran, Jr. Esq.,
quoting Dr. Martin Luther King,
Jr., in the opening statement of
the O.J. Simpson trial

"Every great change must expect opposition because it shakes the very foundation of privilege."

Lucretia Mott



"We're both making money, so how could anyone call this a frivolous lawsuit?"

The Wall Street Journal, September 9, 1996
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Pending New Jersey Family Legislation

Assemb. Bill	Senate Bill		FACE's Position
A-66	S-1493*	Maintain insurance coverage (4)	In favor if modified
A-67	S-1497	Parents' Education Act (2)	In favor
A-68	S-709*	Change "visitation" to "parenting time" (6)	In favor
A-69	S-65*	Mandatory Parenting Plan Act (3)	In favor
A-70	S-337	Family Mediation Reform Act of 1995 (5)	In favor if modified
A-71	S-1491	Frivolous motions (14)	Opposed
A-72	S-1492*	Equal access to children's records (7)	In favor
A-73	S-392	Visitation interference sanctions (8)	In favor
A-74/76	S-1495*	Rehabilitative alimony (12) and Limited duration alimony (13)	Opposed
A-75		Emancipation at age 18 (9)	In favor
A-77	S-1498	Review child support for students (11)	In favor
A-78	S-1459	Income withholding for alimony (15)	Opposed
	& S-1284*		
A-79	S-1494*	Mandatory notification of remarriage (16)	In favor
A-80	S-944	Retroactive child support modification (18)	In favor
A-81	S-708*	Equitable distribution - responsibilities for children (19)	Opposed
A-82		Equitable distribution - deferred career goals (20)	Opposed
A-83		Alimony in child support calculation (21)	In favor
A-84		Account for child support	In favor
A-189	S-155	Prorate child support withholding	In favor
A-190		Sheriff to compile child support statistics	In favor
A-191	S-157	Notify employer of health insurance requirement	Opposed
A-261	S-153	Uniform Interstate Family Support Act	Opposed
A-276*	S-462	Irreconcilable differences (1)	Opposed
A-348		Accelerated support arrearage payments	Opposed
A-390	S-156	In-hospital paternity acknowledgement	Opposed
A-533	S-216	Child care credit on state income tax	Opposed
A-552		Parenting for All Parents pilot program	In favor
A-737		Removes employer's liability for children's medical expenses	In favor
A-898		Commission on Child Support Guidelines	In favor
A-1368	S-241	Prohibits court order to pay for college	In favor if modified
	S-1285*	Prorate multiple alimony orders	Opposed
	S-1286*	Collect alimony from lottery prizes	Opposed

Numbers in parentheses are recommendations of the New Jersey Commission to Study the Laws of Divorce.

Bill numbers in *italics* have been passed.

* Released by committee.

"Assaults" continued from page 2

might try to hurt them. That's part of the job. Why do they need extra legal protection?

Why does the DYFS gestapo need extra protection? Why do judges or school board members need it? If these people would just do their jobs fairly and honestly, and treat others as they themselves would want to be treated, no one would even think about assaulting them.

No one should have special protection just because of the kind of job he has. We already have too many laws. We should be simplifying our statutes by repealing the many unnecessary laws, not adding new ones. Rather than adding judges and bus drivers to the aggravated assault law, all of these special protections should be removed. ALL New Jersey citizens deserve to be treated equally and protected equally by our laws.

"Committee" continued from page 1

herself. Harry is an engineer and he also earns about \$50,000 a year. He would also like to retire, but he can't. He wouldn't be able to support himself on what would be left from his retirement income after he pays the alimony. Harry has to just hope that his employer, a defense contractor that has been sold and resold several times in the last few years, will allow him to keep working.

Everyone needs to know that, at some time in his/her life, s/he must take responsibility for him/herself. No one is entitled to a lifetime annuity unless s/he funded it him/herself. If alimony is awarded, both parties must know the time and circumstances under which it will end. S-1495 and A-74/76 do not do this, and these bills must be defeated.

1997 Judicial Reappointments

A New Jersey Judge is appointed for an initial term of seven years. At the end of that term the Senate Judiciary Committee holds a hearing to see if he deserves to be reappointed. If he does, he is "tenured" and will remain a judge until mandatory retirement at age seventy.

By testifying at judicial reappointment hearings for Family Court judges, members of FACE and other New Jersey organizations were instrumental in removing former judge Marianne Espinoza Murphy from Family Court in Morris County and preventing former Gloucester County Family Court Judge Martin J. Herman from being tenured. Following our testimony against Judge Vincent D. Segal, judges were forbidden to solicit lawyers to testify in favor of their reappointment, and he was banished from Camden to Atlantic County.

In an attempt to prevent a reoccurrence of these volatile hearings, the Supreme Court has begun to reassign Family Court judges to other courts prior to their reappointment. The Senate Judiciary Committee has begun holding reappointment hearings months before the end of the judge's term. But FACE has a long memory. Our members will not forget how they were treated, and we will insist upon being allowed to testify.

The following six former Family Court judges are scheduled to be reappointed in 1997. All have already been reassigned to other courts.

Reappointment Date	Name	Current Assignment
March 29th	Kenith D. Bloom	Essex County Civil Court
May 5th	Albert J. Garofolo	Atlantic County Criminal Court
May 19th	Ronald E. Bookbinder	Burlington County Civil Court
June 15th	Joseph J. Riva	Passaic County Criminal Court
June 20th	Marvin E. Schlosser	Burlington County Civil Court
June 25th	Pat Richmond LeBon	Burlington County Civil Court

Hearings for these judges will be held in Trenton a few months before the reappointment dates. They are the ONLY opportunity the public has to be heard on why these judges should or should not be reappointed. If you have an opinion about any of these judges' qualifications (or lack of qualifications), disposition, temperament, or demeanor, or have other information about a judge that will be useful to the Judiciary Committee, tell them you want to testify and ask to be notified of the hearing date. Write or phone:

Mr. John Tumulty, Committee Aid
Senate Judiciary Committee
The State House
Trenton, NJ 08065
(609) 292-5526

If possible, prepare your testimony in writing. Bring at

least ten copies with you to distribute to the committee members and the press. If you are unsure of what to say or how to present your testimony, or just want to know what to expect, contact FACE for guidance and assistance.

New Jersey Family Court judges are paid \$115,000 per year. The public, who pays this salary, deserves to have the best qualified and most compassionate people available for this most sensitive position. Some lawyers as well as Family Court litigants have been reluctant to testify against a judge for fear of reprisal if he is reappointed. This is a fallacy. Testimony against a judge can be grounds for the judge's recusal or a change of venue. Your civic obligation to testify is just as strong as your civic duty to vote.

UPCOMING EVENTS

Tuesday, December 10, 1996, 7:00 PM to 9:00 PM:

FACE General Meeting,

Cherry Hill Free Public Library, 1100 Kings Highway North, Cherry Hill, NJ, (609) 667-0300

Guest Speaker: Terry Wernig of the Family Life Center, Camden Diocesan Center

Topic: How to have a meaningful relationship with your children if your time with them is limited.

Tuesday, January 14, 1997, 7:00 PM to 9:00 PM:

FACE General Meeting,

Cherry Hill Free Public Library, 1100 Kings Highway North, Cherry Hill, NJ, (609) 667-0300

Guest Speaker: Katharina R. Stephan, Esq.

Topic: Divorce Mediation - You can get divorced without ruining your life, your family or your pocketbook.

Sunday, January 26, 1997, 3:00 PM to 6:00 PM:

Super Bowl Sunday - Public Demonstration,

One of our favorite Family Court judges will be having a Super Bowl party. Let's go and let his guests, his neighbors and his children know how we feel about him destroying our families.

Meet 3:00 PM and get organized at Olga's Diner rear parking lot, intersection of Routes 70 and 73, Marlton, NJ. We'll be at the judge's house by 3:30 PM and leave by 6:00 PM so we can have our own Super Bowl party if the judge doesn't invite us to his. Bring your own sign for Family Court issues important to you, or use one of ours. (No sticks, please.)

Thursday, March 13, 1997, 7:00 PM:

Town Hall Meeting for Child Support Payers

Haddonfield Municipal Building

242 Kings Highway East, Haddonfield, NJ

Presented by Camden County Probation Department

Continued from Page 4

Several cases with which I am personally familiar come to mind as I write this. I am thinking of four ex-wives of lawyers. None has custody of her children. All are petite in stature. Some of the ex-husbands outweigh the ex-wives by a factor of two or more. Yet all of these women were accused of domestic violence by their lawyer-ex-husbands, who also were awarded temporary custody of children which dragged on until it became permanent.

I am thinking of two police officers. One, who works in a sparsely populated town, told me that when his case was active, he was unable to concentrate on his work. His commanding officer had to ride with him for three years. Even today, five years later, his department does not dispatch him on domestic incident calls.

The other officer works in a big city. Although he is a tough guy when he is on duty on the streets, he broke down in tears when he spoke of his young daughter and the problems he was having getting access to her. He said that every time he strapped on his gun when he went to work, he was worried about what he might do with it that day, especially if he saw his ex-wife.

And I am also thinking of two male nurses. This profession was a mid-life career change for both of them, and both are very committed to it. Their work schedules permit them to spend more time with their children than their ex-wives, but still they are denied physical custody of them.

And I am thinking of my own nurse ex-wife. When I said she was a nurse, my first lawyer exhaled a sigh of defeat and said I would never get custody. She didn't like to take care of anyone who was too sick, contagious, incontinent, of the wrong race, or whose family watched her too closely. She was certified in CPR but wouldn't use it because she didn't want to hurt anyone. She said she didn't know how to use the life support equipment on her floor, and hoped no one "coded out" on her shift, but she was unwilling to go in early and get trained. I remember she used to call me at work and say "Come home and get these kids out of my hair before I kill them." Guess who has custody.

College Expenses Suit Update

by Jeff Golden and Robert W. Braid

Several New Jersey non-residential fathers and Fathers' Rights Action Committee (FRAC) are the plaintiffs in a suit against the State of New Jersey opposing the state's practice of ordering divorced parents, but not married parents, to pay for children's college expenses and support. This is not a class action suit (which would have been far more complicated and expensive) but, if successful, will be set precedent. The suit was dismissed by Judge Anne Thompson of U.S. District Court in Trenton on the "abstention doctrine" which states that federal courts should not interfere in state court matters.

The plaintiffs are in the process of appealing the judge's right to abstain on issues that effect the U.S. Constitutional Rights of New Jersey residents. The issue here is discrimination based upon marital status, a violation of Civil Rights. If the appeal is successful, the case will then be remanded back to Judge Thompson for her to rule on the merits of the suit. At that time, she may rule against the plaintiffs, and they will have to appeal that decision, too.

The good news is that the U.S. District Court ruled that FRAC has standing to sue the State of New Jersey. The state had argued against this.

FRAC has raised enough money to finance the current appeal, but it is inevitable that more money will be needed to finance the ongoing litigation, and the higher they go in the federal judicial system, the more expensive it will get.

Expenses for the original suit and the \$4,000 cost of the current appeal were contributed by a very small group, and more money will be needed. The results of this suit will effect the wallets of every divorced parent in New Jersey as well as in the small minority of other states that still require divorced

parents to pay for college. If your children are approaching college age, and all children are, this means YOU.

FACE is appealing to all divorced parents everywhere to support FRAC's efforts by contributing to FRAC's legal fund. We should all contribute whatever we can afford. Send your tax deductible contribution to:

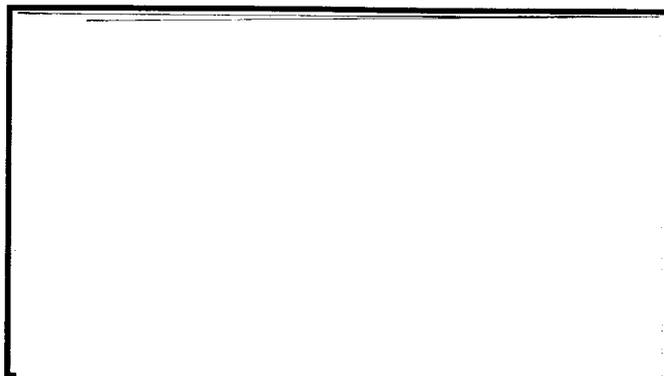
FRAC
P.O. Box 681
Belle Meade, NJ 08502

All donations will be acknowledged. Consider this to be an investment in your financial future.

Continued from Page 1

installments of \$10.00 at a time until you reach that magic number of \$100.00 or \$200.00. Other offers include giving one a credit line equal to 2 ½ times the deposit with a maximum credit line of \$5,000.00. (A \$2,000.00 savings account deposit would qualify one for a MasterCard or Visa with a \$5,000.00 credit line.) Each card has it's own different interest rate for payments that are not made within thirty days. Each has it's own card fee. The interest rate paid on the savings account differs too, depending upon whether one has the \$500.00 credit line or the 2 ½ times the deposit credit line. I called to ascertain the basis for their screen, but was not able to establish that information. They do run promotions periodically so, you may be solicited. In the meantime, you can solicit them if you'd like, and see if you qualify for one of their cards. Call Capital One in Richmond, Virginia at 1-800-588-5636. They may qualify you over the phone.

Advertisement



Family Court Survival Kit

Over the past few years, FACE has helped hundreds of people through their Family Court difficulties. As a result of our collective experiences, we recommend a Family Court Survival Kit that we all should have. Here it is:

ORDERS - Keep copies (not the originals) of all of your court orders in chronological order (most recent ones on top) in a file folder (not a loose leaf book) in your car. If there is a violation of your rights granted in one of those orders, the law enforcement officer you call for assistance will want to see it.

DIARY - This is going to be your documentary evidence of anything that goes wrong with your scheduled parenting time (visitation). At the beginning of each year buy a diary. It should be bound like a book, so pages can't be added and pages can't be removed without it being obvious. Mark in it every time your child(ren) are supposed to be with you, as specified in your court orders.

As the year progresses, write the pick-up and drop-off times of every time your children actually are with you. If there are any problems (late arrival, harassment or assaults by the other parent, evidence of child abuse, etc.) write them in the diary. Write down every time you have any contact with your children (telephone, school, church or just chance encounter), the other parent or any friend or family member of the other parent. If your child(ren) tell you of any abuse or neglect they are being subjected to, or if you observe any evidence of abuse or neglect, write it down.

Keep your diary as neat as possible and make all of your entries as consistent as possible. Do not make any entries in this book for any other purpose.

CAMERA - Keep a camera handy at all times. If you're a photography buff, keep your 35mm SLR in your car. If not, a compact "point-and-shoot" autofocus camera would be best, but one of the Kodak or Fuji "disposables" will suffice.

You (or a companion) should take

photos to document dangerous conditions in your child's living environment, attacks upon you by your opponent or his/her family members or companions, physical evidence of suspected abuse or neglect of your child, or anything else that you may have to prove in court.

Use short (10, 12 or 15 exposure) rolls of high speed (400 ISO) color film. This can be used in low light, and you won't have to waste a lot of film if you have just a few important pictures that must be developed immediately. Know where the local one-hour photo labs are.

A video camera may be better for recording these incidents, but this will require you to have someone else there to operate the camera, preferably from a vantage point where you will also be in the picture. It may be difficult for you to present video tapes in court, while photos can be presented very easily. And someone standing by with a video camera may discourage or delay an incident that will take place if you appear to be there alone.

TAPE RECORDER - A micro-cassette recorder is the Family Court litigant's best friend. It should have voice activation, a remote microphone jack, and a footage counter. Voice activated recorders usually have higher quality circuitry and will record with better fidelity.

If you can't carry it all the time, at least make sure your recorder is handy any time you expect to be in the presence of your opponent. It will be a sure-fire cure for his/her "selective amnesia" about who said what to who and when. You may also want to have it with you when you go to a court ordered custody evaluator or psychologist, or when you meet with your own lawyer. For some unexplainable reason, members of these professions also seem to suffer from a very high incidence of amnesia.

When you use it, put it in a shirt pocket or in your sock. Wear a big, loose fitting shirt with flap pockets. Memorize where the controls are, and learn to turn it on and off through the fabric. Keep only the recorder in that pocket. Pens, spare cassettes or other objects will rattle against the recorder, the built-in microphone will pick them up as loud

background noises, and your recordings will be unusable.

Record the date and time and location at the beginning and/or end of each recording.

There are two questions that are frequently asked concerning use of these recordings in court:

Isn't it illegal to secretly tape-record someone? Of course not! It's done all the time in "sting" operations. There are no legal restrictions against recording a face-to-face conversation.

How do I get the judge to listen to the recording(s)? While a few judges like to listen to tapes, yours may be reluctant to do so. One judge actually orders both parties to record all of their conversations. Be prepared. Make a transcripts of at least the pertinent parts of your recordings and append them to your papers as exhibits. When you go to court, bring your recorder (with fresh batteries). Even if you are not allowed to bring the recorder into the courtroom, bring the tape(s) and display them prominently on the counsel table. You should be able to play the pertinent parts quickly, so use the footage counter to locate them.

PHONE PICK-UP - This connects to your tape recorder and lets you record telephone conversations. There are two kinds. The simplest one is a small box with a suction cup and a wire. You plug the wire into your recorder's microphone jack and attach the box to the earphone end of your telephone handset with the suction cup.

Another type has RJ-11 telephone jacks and is wired in-line with the telephone handset. It makes higher quality recordings and, when used with a voice activated tape recorder, will automatically begin recording whenever the telephone handset at any extension is lifted.

Isn't it illegal to record telephone conversations? Maybe. It's not illegal as long as at least one of the parties to the conversation is aware that it is being recorded. Do not set up your voice activated recorder on someone else's telephone, but you can record phone conversations that you are a party to. If you set up the voice activated system on your own phone, be sure to notify everyone else in your household that all calls on your phone will be automatically recorded.

Continued from Page 3

Our government is aware of this inequity. When the government is paying to support the children, they just don't support the later children at all! As part of welfare reform, women who have additional children while they are on welfare now receive no additional benefits for the new children. It's only when they have some poor schnook father to privately fund the welfare payments (called "child support") that the subsequent children get anything at all.

If the father of one of those children tries to get custody of his child transferred to himself, the judge will most likely berate him for trying to separate that child from his/her siblings, and deny his request.

Well, which is it? Are each of these three children in a one-child family, or is this one family with three children? It can't be both ways.

The Supreme Court of New Jersey is now considering new child support guidelines. They are supposed to correct problems of the old guidelines. Under the new guidelines, the first woman would receive \$200 per week. The second woman would get \$117 from each father for a total of \$351 -- 75% more. The child support promiscuity bonus is getting bigger!

Don't the children of responsible parents who marry before they have children deserve to be supported at least as well as those of irresponsible women

who bring more fatherless children into the world? Should women continue to be allowed to support themselves by raising a cash crop of children in the baby farming business instead of becoming productive citizens? How can we remove this incentive for promiscuity?

The answer comes back to whether this is three one-child households or one three-child household, and obviously it is the latter. We propose two possible solutions:

Plan A: Since there are three children in the family, calculate the child support for three children based upon each of the fathers' incomes, and simply require each of them to pay only one third of that amount, or

Plan B: First, require the father of the first child to pay support for a one child family. Then calculate the one-child and two-child support amounts for the father of the second child and require him to pay only the incremental amount for the second child. And last, calculate the two-child and three-child support amounts for the father of the third child and require him to pay the incremental amount for the third child.

If either of these plans were implemented, the mother would receive the same amount of support as she would if all the children had the

same father. Here are the amounts that each of the fathers would pay under each of these plans under both the old and the new guidelines:

	Old Guidelines	New Guidelines
Plan A:		
Father 1	70	67
Father 2	70	67
Father 3	70	67
Total	210	201
Plan B:		
Father 1	110	117
Father 2	55	53
Father 3	45	30
Total	210	200

Either of these plans would put the children of divorce at parity with the children of promiscuous mothers. Plan A would be simple to implement. Plan B would accomplish the same thing that our government is doing in welfare reform. It would take away promiscuous women's financial incentive to indiscriminately keep having babies for their own personal gain, but the children would still have the benefit of their fathers' financial support.

Advertising Contributions

	Single edition	Annual - 4 editions
3 1/2 X 2 inch "business card" (about 1/10th of a page)	125.00	400.00
Classified advertising - per word (10 word minimum)	1.25	4.00
Display advertising - per column/inch	40.00	130.00

"Marriage is an attempt to make something lasting out of an incident."

Albert Einstein

FACE NJ

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Patron membership \$100.00 or more. Amount enclosed \$ _____
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Name _____
Address _____

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County _____
Phones: Home () - () - _____
Where? _____

Are you registered to vote? Yes No I don't know
If not, are you eligible? Yes No I don't know

FACE-NJ may use my name as a supporter for legislative purposes. (please check)

How many children do you have? _____ Date of birth of youngest _____

How many overnights per month do your children spend with you? _____

Jurisdiction of your case? _____ County _____ State _____

Judge(s) _____

Mental health professional(s) involved in your case: _____
Name _____

City _____ State _____

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P.O. Box 2471
Cinnaminson, NJ 08077

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FACE MEETINGS

All meetings begin at 7:00 PM. Phone for information and directions.

Second Tuesday of each month:

FACE General Meeting
OPEN TO THE PUBLIC
Cherry Hill Free Public Library
1100 Kings Highway North
(Next to Richman's Ice Cream)
Cherry Hill, NJ
Directions: (609) 667-0300

Join us at 9:00 PM for refreshments
at a local restaurant following the general
meeting.

Third Thursday of each month:

FACE Board of Directors Meeting
(FACE members and invited guests only.)
Phone FACE Hot-Line for location

Support Meetings:

First Monday of each month:

Mercer County Support Meeting
Hamilton Township, NJ
Contact: Charles Forberg
(609) 584-1887

Third Monday of each month:

Camden County Support Meeting
Westmont, NJ
Contact: George & Barbara LaMarra
(609) 858-4272

First Thursday of each month:

Burlington County Support Meeting
Wrightstown, NJ
(Near McGuire Air Force Base)
Contact: Jane Hubert
(609) 723-5996

Fourth Tuesday of each month:

Gloucester/Salem County
Support Meeting
Mullica Hill, NJ
Contact: Cliff Wenrick
(609) 223-0434

If you will be attending a support meeting, please be courteous to the hosts and phone in advance. Non-members are usually welcome, but it may be necessary to limit attendance.

Renew your membership for 1997 NOW! See page 1 and coupon on page 7.

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