

*About*  
**FACE**  
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**Fathers' and Children's Equality, Inc.**

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**STOP**  
*the American Family*  
**HOLOCAUST**  
*by Manny Zayas*

The barbarous events which took place during World War II resulting in the murder of millions of Jews and others have been termed "the Holocaust." In one of the darkest episodes of human history men operated under lower than animalistic standards and butchered their fellow man for no reasons other than greed and hate. It is an American tragedy that what goes on in today's divorce courts can be compared to the World War II Holocaust.

During the World War II Holocaust, innocent individuals were identified as

enemies of the government. These individuals were members of various minority groups such as gypsies, Jews, and various others. The Nazi government proceeded to have various laws passed so that they could cloak their misdeeds in so called "justice." One set of these so called "laws" were the Nuremberg Laws. These laws provided for the exclusion of minority members from government posts, professions, jobs, etc., and for the confiscation of property. Since these infamous laws were the "law of the land," government officials could proceed with impunity to enforce them against unfortunate minority group members, who were left with no defense since they could not ignore nor could they escape the "law of the land." By this process, millions

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**The Politics of**  
**Fatherhood**

*Stephen Baskerville, Department of Political Science, Howard University*

Paper presented at the plenary session of the Conference on The Politics of Fatherhood, Howard University, Washington, DC, March 23, 1999

When we first conceived the idea for a conference on "The Politics of Fatherhood" not everyone was sure precisely what it meant. And perhaps we were not sure ourselves. We knew the fatherhood crisis had been addressed by several disciplines and that political science was not one of them. As a student of political thought, I knew that most major political theorists have had something to say about the place of fatherhood in civil society and the role

of father as preparative for that of citizen. We also knew that any social movement inevitably involves politics, both internally among the various strands and externally in connection to the wider society and the public state.

We knew as well that one very politically-charged issue was central to this, as to every problem of American society (if I may be the one to be so direct): race. While the fatherhood crisis has long been felt most acutely in minority communities, it can no longer be dismissed by the majority. As Cornel West and Sylvia Ann Hewlett write, "When it comes to dads,

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*"Courage is doing what you're afraid to do. There can be no courage unless you're scared."*

*-- Eddie Rickenbacker*

*"Good ideas are not adopted automatically. They must be driven into practice with courageous impatience."*

*-- Admiral Hyman G. Rickover*

*"Marriage is the unsuccessful attempt to make something lasting of an incident. All marriages are dangerous."*

*-- Albert Einstein*

**FACE IS A SELF-HELP GROUP. WE ARE NOT LAWYERS. WE DO NOT GIVE LEGAL ADVICE. WE CAN NOT AND DO NOT REPRESENT ANYONE IN COURT.** If you find a competent, capable lawyer who fully understands your and your children's rights, who is willing and able to tenaciously fight to secure those rights, who completely understands the facts in your case, and who you can afford to pay, you should hire him/her. If you can not find or afford to pay such a lawyer, we urge you to seek all available resources to aid yourself in securing these rights.

# President's message

by Michael Fox

If knowledge is said to be power, then the sense of powerlessness one feels in Family Court is a clear reflection one's own ignorance. So, how come a bright person like yourself feels ignorant? Well, I am sure everyone walks into the Courtroom expecting fairness and justice. To one's dismay, that is not what one finds. Gender bias is rampant. Canned solutions are rampant. Arcane rules or "guidelines" control our destinies. How come only symptoms are treated? Where are the clear thinking solutions to the problem?

Very few individuals outside of Family Court have any concept of the Gestapo tactics perpetrated in "the name of the law" and or "the best interests of the children." It is up to us to inform those outside of Family Court, else change will never come.

One way to do that is to be on radio, another is television. Certainly we have not forgotten the print media of which this newsletter is but a small part. Publicizing our cause with flyers, picketing in front of courthouses, public speaking at 4th of July and Fathers' day events and the like. Writing and visiting congressmen are pretty much standard fare. My question to you is if you do not like what is being done to you, have you participated in any of the above remedies alone or with others?

I think you will agree that going it alone does not work. A group is better, but in order to do that one has to be part of an informed organization to affect that change. OK, FACE can help, but you must too.

The dissemination of information is then the next logical step. On the last page of this newsletter, we invite FACE members to workgroups to gain the knowledge. Power, remember? Beyond that we discovered that the sharing of information between and by members is vital. The newsletter is quarterly, and meetings are monthly, which leaves the week to week pretty dismal. Your Board's problem was two fold. How can we

disseminate information on a more frequent basis without increasing expense or manpower requirements?

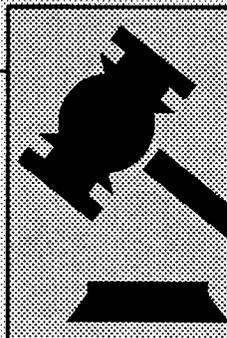
Secondly, how can we respond to a members need, that may be universal, without waiting a month to do it?

Our member population is not homogeneous. Some have phones some don't. Even those that do often have answering machines that accept answers of 30 seconds or less. Telephone tag is the rule, not the exception. Swing shifts and out of town assignments, or overtime makes the timing of contact difficult. Still others, find it difficult to find a place to live.

The Board members had the same problem communicating until we discovered e-mail. it is quick, cheap, and time efficient. Now, before, you start barking about not understanding it, let me give you the 2 requirements.

The first is the ability to use anyone's computer that has a modem. Therefore, the cost is zero. So, no one can say "I don't own a computer" as an excuse not to have e-mail. The second thing one needs is a e-mail account. On page 6 in this newsletter is an article describing how to obtain a free e-mail account. What's more, there is technical support one on one to help anyone and everyone who wants to get started.

Oh, by the way, we have a special e-mail address for everyone who wants to be electronically informed of all events as they are breaking. Further, it serves as a forum for conversation between members that are not even known to each other, but share similar problems, with judges, or opposing attorneys or psychologists. Wish you knew more? All one has to do is subscribe to FACELIST. Our one on one support staff will help you do that over the phone or eyeball to eyeball. The choice and information is yours for the asking. ●



"Fatherhood..." Continued from page 1

the African-American experience prefigures the contemporary mainstream experience, and the results are devastating."

Indeed, given the gravity of the fatherhood crisis, perhaps what we are seeing here is an unexpected validation of the prophecy of Frederick Douglass, who said that "the Negro and the nation are to rise or fall, be saved or lost, together." If this prophecy is indeed still valid, it means that the stakes are high for all of us. It

*...no group in our society today has fewer rights than fathers...*

means that in addressing the destruction of fatherhood in the minority community we are simultaneously addressing it for the majority and throughout society.

It may also mean that the experiences of the minority in recent decades are applicable here. Among the lessons of the civil rights movement that might be profitable for those of us to see our task as creating empowerment for fathers is that no people can be empowered by others; by definition the only way to be empowered is to empower oneself. And power means politics.

This has not been the central approach thus far in the fatherhood movement. Yet sooner or later it is one we must confront. If for no other reason than the rather startling fact that, with the exception of convicted criminals, no group in our

## About FACE

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society today has fewer rights than fathers; not unwed fathers, not divorced fathers, fathers. Even accused criminals have the right to due process, to know the charges against them, to a lawyer, and to a trial. A father can be deprived of his children, his home and life savings, and his freedom with none of these constitutional protections.

It will come as no surprise to some here that the line between fathers and criminals is now becoming thin. This is sometimes owing to what fathers themselves have done. More often it is the result of what our social, political, and legal system has done.

Nowhere is the criminalization of fatherhood more evident than in the politics of the judiciary. It is the courts which, from the days of the civil rights movement, we have looked to as the guardians of the constitutional rights of individuals and minorities. Yet for fathers and families generally, the judiciary has not only failed to protect constitutional rights; it has become their principal violator.

The arm of the state that undeniably reaches deepest into the private lives of individuals and families today is the family court. Malcolm X once described a family court as modern "slavery", and more recently West and Hewlett have written that "the entire process seems to bypass most constitutional protections." The very notion of a "family court" -- now backed up by a vast army of family police -- should alert us to danger. Yet far from scrutinizing these bodies, we give them virtually unchecked power. Shrouded in secrecy and leaving no record of their proceedings, they are accountable to virtually no one. Robert W. Page, Presiding Judge of the Family Part of the

*Predictably with unlimited power, the family courts of this country are now out of control.*

Superior Court of New Jersey, writes that "the power of family court judges is almost unlimited."

Predictably with unlimited power, the family courts of this country are now out of control. They are not tribunals for redressing injustice; they are more of a racket for plundering fathers and funneling money into the pockets of lawyers.

Though their lips are dripping with the words "best interest of the child," they are in fact using our children as weapons and as commodities for the increase of their own power and profit.

We have in our history seen the consequences of treating an entire class of citizens as if the Bill of Rights did not apply to them. We have tried to live in a "house divided" in a political system that operates "half slave" and "half free". And we have found, as Lincoln warned, that sooner or later it must be all one or all the other.

As a society we are always in danger of forgetting what we have learned, and I think it is the appropriate role of this University, with its role in the history of civil rights, to remind us. For it is the responsibility of scholars, perhaps more than others, to point out and criticize the

*In fact, what we are witnessing today may be the most massive institutionalized witch hunt in this country's history.*

abuse of power. "The neutral scholar is an ignoble man," wrote Frederick Douglass. "The future public opinion of the land must redound to the honor of the scholars or cover them with shame."

What we are now seeing, to paraphrase Douglass, is the authoritarian power of the courts advancing, "poisoning, corrupting, and perverting the institutions of the country." In fact, what we are witnessing today may be the most massive institutionalized witch hunt in this country's history.

Never before have we seen, on such scale, mass incarcerations without trial, without charge, and without counsel -- while the media and civil libertarians look the other way.

Never before have we seen the spectacle of the highest officials in our land -- including the President of the United States, the Attorney General and major cabinet secretaries, and leading members of Congress from both parties -- using their office as a platform to publicly vilify private citizens who have been convicted of nothing and who have no opportunity to reply.

Never before have we seen government officials walk so freely into the homes of

private citizens who are accused of nothing and help themselves to whatever they want, including their children, their life savings, their private papers and effects, and eventually their persons.

Not since the days of Communist Eastern Europe and Nazi Germany have we seen the regular use of children as informers against their parents.

Never before have we seen the stealing of children systematized to a bureaucratic routine. To find the forced separation of children from their parents on such a scale we must go back before the days of Communism and Nazism. Though both these regimes routinely took children from their parents, they did so on a scale that was minuscule compared to what is now practiced in the United States. Indeed, we must return to the days of American slavery to find a time when state power was used to forcibly break up families on a scale comparable to what is taking place today.

It is not lightly that I invoke the slave system. It is to illustrate our experience that any system of domestic dictatorship -- no matter how apparently "private" and apolitical -- poses a serious threat to a democratic society. Nowhere is this more destructively seen than in the impact on our children themselves. Politically, the decisive argument against slavery was not so much its physical cruelty as the corruption it wrought in the political system and in the minds and souls of what should have been free citizens. It fostered

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## YOU SHOULD KNOW

# Dealing with court-appointed mental health professionals



by Barbara LaMarra

**We all have been troubled, at one time or another,** when the word "expert" or "court recognized psychologist" is mentioned by the judge in the courtroom. It means that we will have to subject ourselves to having an examination, probably by someone that we would never go to if we had a choice. It is scary because we know that judges use these professionals as tie-breakers in most child custody cases.

However, there is a statute 5:3-3 on the books that is never told to us by our lawyers and that judges never refer to. It seems they are trying to keep it a secret. 5:3-3. Appointment of Experts states:

"(a) Medical, Psychological and Social Experts. Whenever the court, in its discretion, concludes that disposition of an issue will be assisted by expert opinion, and whether or not the parties propose to offer or have offered their own experts' opinions, the court may order any person under its jurisdiction to be examined by a physician, psychiatrist, psychologist or other health or mental health professional designated by it. The court may also direct who shall pay the cost of such examination. The court may also require a social investigation by a probation officer or other person at any time during the proceeding before it."

"(c) Selection of Experts. Experts appointed hereunder may be selected by the mutual agreement of the parties or independently by the court. The court shall establish the scope of the expert's assignment in the order of appointment. Neither party shall be bound by the report of the expert so appointed."

What this means is that if an organization such as DYFS, (Division of Youth and Family Services) wants to have you, as an individual, examined by a so-called "expert"; you and DYFS must be in agreement of that expert. This eliminates DYFS from stacking the cards against you, as an individual, which they have been known to do.

"(d) Investigation by Experts. Any expert appointed by the court shall be permitted to conduct an investigation independently to obtain information reasonable and necessary to complete his or her report from any source, and may make contact directly with any party from whom information is sought within the scope of the order of appointment. The parties shall be entitled to have their attorneys and/or experts present during any examination by a court-appointed

expert. The expert shall not communicate with the court except on prior notice to the parties and their attorneys who shall be afforded an opportunity to be present and to be heard during any such communication between the expert and the court. A request for communication with the court may be informally conveyed by the expert by letter or telephonic means, whereafter further communications with the court, which may be conducted informally by conference call, shall be done only with the participation of the parties and their counsel."

This section of the rule stipulates that the individual is entitled to have their attorney or another expert with them while they are being examined by the "court appointed expert." Of course, I would suggest another expert go along with the litigant at this point in time since it seems that with another expert, the court appointed "hit man" will not be able to do his job. Also, the court-appointed expert shall have no ex-parte communication with the judge or anyone else without first notifying the other litigants or their lawyers. This ex-parte communication runs rampant in our courts and must be curtailed. There are too many back room conferences with the judges, lawyers and "court appointed experts". According to this statute, behavior of this sort cannot be tolerated.

"(e) Submission of Report. Any finding or report by an expert appointed by the court shall be submitted upon completion to both the court and the parties. The parties shall thereafter be permitted a reasonable opportunity to conduct discovery in regard thereto, including, but not limited to, the right to take the deposition of the expert."

This clearly stipulates that the report by the expert shall be given to the parties involved; not their attorneys, but to them. What usually happens with these evaluations is that the expert submits them to the court but not to the involved parties making it difficult to get of copy of this evaluation from the attorney once they have it. The litigant is entitled to this discovery so that the expert may be put on the stand and cross-examined or be subject to a deposition. The experts are not used to doing this but will have to be shown the rule and made to follow it. It should not have to be appealed.

"(f) Use of Evidence. An expert appointed by the court shall be subject to the same examination as a privately retained expert and the court shall not entertain any presumption in favor of the appointed expert's findings. Any

finding or report by an expert appointed by the court may be entered into evidence upon the court's own motion or the motion of any party in a matter consistent with the rules of evidence, subject to cross examination by the parties."

That means that you as an individual may use any of the report as evidence in your case, as well as the court and the other parties. Your attorney, or you if you are pro se, may cross examine any court appointed expert. He/she is not a privileged character because the court appointed him/her.

"(g) Use of Private Experts. Nothing in this rule shall be construed to preclude the parties from retaining their own experts, either before or after the appointment of an expert by the court, upon the same or similar issues."

The use of a "court appointed" expert has become big business in today's courtrooms. The attorneys for the litigants are either unaware or just reluctant to make known to their clients the rules of the courts. I believe this is done to warrant more litigation and appeals. This is, of course, very costly to the litigant who does not have the funds to keep this type of litigation going. This is why FACE encourages that you go to court pro se, on your own, without an attorney. We must familiarize ourselves with the laws and the rules of the court and fight for the right to have them followed. The courts have been lackadaisical much too long. ●

# E-MAIL/UPDATES FROM FACE

## FREE!

## e-mail for everyone!

> FACE sometimes needs to alert members of important upcoming events on very short notice.

> We often get less than 24 hours notice of legislative hearings, judicial reappointments, etc. Sometimes we need to quickly organize a public demonstration. We now have thousands of names on our contact list. It's impossible to decide who to contact and make phone calls to everyone. The best way we've found to get the word out is by email.

> What's that? You don't have email? You don't have a computer? You're not on the internet? You're computer illiterate? Well, you don't need a computer or the internet to have email!

> Yes, you can have free email without even owning a computer! What you do need is access to a computer that is online. (Online means connected to the Internet.)

> Here are several possibilities: Perhaps your employer will allow you on your own time to use a company computer to access your free email account. (You should be careful about this. Company policy may specify that the employer may also read what you send or receive.) You may be able to use a friend's computer to retrieve and send email. And public libraries now have computers that are on line (but be careful and circumspect when using them for email -- most libraries frown upon use of their computers for email).

> Well gee how do I do this? That's the easy part. Out there in cyberland on the World Wide Web there are lots of free email services. The reason they are free is because companies pay to advertise on them. In exchange for using this free service, you will have to see the advertisements. Not to worry -- the advertisements are usually banners that say "click here if you want more information," or "please visit our sponsor by clicking here," and if you don't want to read every advertisement, you can ignore them.

> So what are these things called and how do I find them? Here is a partial list of services that provide free email. It is by no means complete. There are a lot of these free offers out there. All you need to do is go to that computer we talked

about before, and have someone help you get to any of their websites. Look for the free email link (a link is a "button" that you click the mouse on), and follow the instructions for signing up. We suggest looking at a couple and comparing them prior to settling on one. Caution: read the instructions before you click!

[www.hotmail.com](http://www.hotmail.com)

[www.snap.com](http://www.snap.com)

[www.yahoo.com](http://www.yahoo.com)

[www.myownemail.com](http://www.myownemail.com)

[www.email.ro/](http://www.email.ro/)

And here's where you can get free email without even having internet access:

**www.juno.com** Although you don't need the internet to use Juno, the easiest way to get Juno software is to download it from their website. After you do, you will send and receive email by using your modem to make a local phone call directly to Juno.

So there you have it! What are you waiting for? Questions? Well, FACE members, you can call the FACE hotline for help.

Happy emailing! ●

### CORRECTION:

In the last edition of About FACE, we published an incorrect email address for subscribing to FACE's email news service. Here are the correct instructions:

Send an email to **majordomo@iac.iacnet.net** You may leave the "subject" field blank, or put in anything for the subject if this is a required field for your email system. In the body of the message, type ONLY the following:

**subscribe facenj-list**

**end**

You will receive an email confirming that you have successfully subscribed, and instructions on how to use the service and how to "unsubscribe." ●

# Book Review:

*"Ceasefire! Why women and men must join forces to achieve true equality"*

by Cathy Young

Book Review  
by Jeff Golden

Just what do women want? They reject traditional gender roles. They say their abilities are equal to men's in fighting fires or fighting wars. They enjoy being the beneficiaries of affirmative action in employment. They

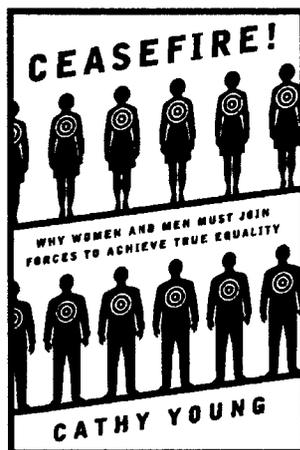
demand equal pay ... yet they still demand that doors be held for them, and to be "supported" financially by their mates, and aren't clamoring at the unfairness of women not being required to register for military draft. They want to "have it all."

Men, too, are rejecting traditional roles. They want to be more involved with their families, but when they do, "bottle-feeding, diaper-changing dads" are criticized for "avoiding the responsibilities of fatherhood ("providing food, shelter and moral authority") as surely as the men who abandon their children."

Feminists whine about every perceived inequity against them. But are they really inequities, or merely manifestations of the differences between the sexes? For example, it is claimed that "girls are victims of gender bias in schools," and this is used as justification for single-sex education. While it may be true that boys get more attention from teachers, "the extra attention comes almost entirely in the form of scolding, even when boys aren't misbehaving more," and women now earn fifty-five percent of all bachelor's and master's degrees.

Acts of domestic abuse are committed about equally by both men and women. When the male is the aggressor, feminists cry out that the woman victim needs to be protected from the male. When the female is the aggressor, these same feminists defend her for striking out after repeatedly suffering acts of abuse in silence.

In the workplace and in schools, while saying that they want to be treated the same as their male counterparts, women are quick to cry "sexual harassment" -- often for acts to which men are also subjected without complaint. "If traffic laws were modeled on harassment policies," author Cathy Young writes, "there would be no stop signs or speed limits; you could be fined for failing to stop when someone



expected you to, or going at a rate of speed that made another driver uncomfortable."

In the chapter on "Men and Their Children," Young quotes a 1916 court custody ruling: "Mother love is a dominant trait in even the weakest of women, and as a rule far surpasses the paternal affection for the common offspring." She also points out that at that time women's maternalism also disqualified them from

public life. If we accept the premise that women are equal in the public sphere, we should also start from the premise that men are equal as parents.

Young's conclusion is that neither men nor women are inherently bad; we are merely confused by the conflicts of traditional and contemporary gender roles. "The sexes are neither fundamentally different nor exactly the same," she says. Rather than fighting over the differences, we should learn to accept them. To do that, Young proposes a "twelve-step program" to help us "look fairly and compassionately at both sides of these conflicts."

"Ceasefire!" could only have been written by a woman. If authored by a man, it would be dismissed as more inter-gender grumbling. Ms. Young, a journalist, research associate with the Cato Institute, and co-founder of the Women's Freedom Network, has done a highly commendable job of researching the issues. Examples cited in the book help in reaching fair and reasonable conclusions.

**Cathy Young will be the guest speaker at FACE's general meeting at the Cherry Hill Free Public Library at 7:00 PM on Tuesday, May 11, 1999. Copies of "Ceasefire!" will be available for purchase and signing by the author at the "meeting after the meeting" at the Diamond Diner following the meeting.**

*"I Love You More Than..."*

By Elizabeth Hickey and James Cohen

Illustrated by Lynda Smart Brown

Family Connections Publishing Company, Salt Lake City, UT

Book Review  
by Jeff Golden

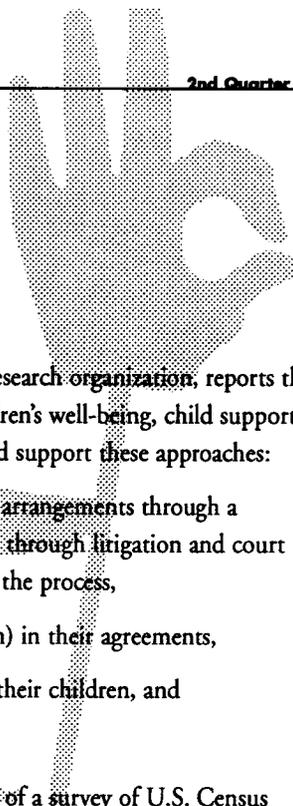
After he reads her a bedtime story, Amanda asks "Daddy, do you love me?" He tells her "I love you more than your wildest dream," and then begins a series of wonderful dream-adventures about how much Amanda's daddy loves her.

Each beautifully illustrated page has another adventure, including: "I love you more than Earth, Mars, asteroids, comets

and bright shooting stars." "I love you more than magical spells, wizards and fairies and gold wishing wells." "I love you more than a fireworks display that sparkles in the sky on a holiday."

In the morning when Amanda wakes, she tells her daddy "I believe in my dream and now I know how much you love me." You and your young child will love reading this bedtime storybook over and over again.

*Elizabeth Hickey is the National Parenting Education Director of Washington, DC based Children's Rights Council. She has previously written "Healing Hearts" and produced two videos on family issues, including "Children, the Experts on Divorce."*



# Voluntary Custody and Support Agreements

Westat, Inc. of Rockville, Maryland, a major national research organization, reports that involvement with children by non-residential parents, children's well-being, child support and custody arrangements will all be enhanced if America would support these approaches:

- Encourage parents to establish financial child support arrangements through a bargaining process and mutual agreement, rather than through litigation and court mandate, and provide services [mediation] to assist in the process,
- Encourage parents to specify parenting time (visitation) in their agreements,
- Encourage contact between non-resident parents and their children, and
- Promote joint custody arrangements.

Westat's findings, reported in August, 1996, were the result of a survey of U.S. Census Bureau data. The researchers were Christine Winquist Nord and Nicholas Zill. ●

## HOLOCAUST *Continued from page 1*

were deprived of their professions, property, education, savings, and ultimately of their lives. It is important to emphasize that all of this was done "under the color of law."

Today we tragically have the same set of circumstances. A powerful group -- lawyers -- have managed to have passed by our legislatures various laws favorable to them which victimize people getting divorces, resulting in victimization and plunder under the color of the law.

Not so different from what the Nazis did, innocent people are today herded into chambers and within a short time their lives are snuffed out. The Nazis used poison gas in their Chambers, but today the so called "law" is used in the judges chambers. The hapless victims, not knowing what lies ahead, enter these chambers unsuspecting. In the case of the Nazis, the victims were told that they were being ushered into shower rooms. Today victims are fooled into entering by being told that they are going to receive justice. Shockingly, the results of both types of chambers are similar. Don't doubt for one second that people are not dying as a result of entering judges chambers today. Routinely, people are losing everything they have in a material sense including

their savings, homes, and businesses. Additionally, they also frequently lose their families and lives. The ones who profit from all of this are lawyers, a group which has set itself above everyone else, and profits by trafficking in the misery and despair of people getting divorced, and child custody.

Isn't it time to shut down the judicial chambers death machine? How many more innocent victims guilty of only an unsuccessful marriage have to be destroyed before this system is changed? Isn't it time that the Nuremberg Laws of our day are struck down and relegated to the scrap heaps of history where they belong, and that greedy lawyers and unethical judges are put on notice that society will no longer tolerate their crimes against humanity? Isn't it time to institute our own Nuremberg trials to bring to justice those who have caused so much misery to so many for so many years? Isn't it time to act now before the next generation, our children, become victims of the courtroom holocaust that our generation has witnessed?

**Manny Zayas**  
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**Miami, Florida**  
**zoboli@aol.com**  
**www.constitutionalguardian.com ●**

## Richard Trezza

With great sadness, we report the passing of Richard Trezza, age 66. Mr. Trezza was co-founder of People Against Corruption and Tyranny (PACT), a legal reform organization dedicated to civic and political causes and based in Orange, New Jersey.

## Fatherhood

*Continued from page 1*

tyranny in the slaveholder, servility in the slave, and moral degradation in both. Such habits of mind were said to be incompatible with the kind of republican virtue required for a free society. The abolitionist Charles Sumner warned of the impact on the development of white children growing up in slave societies. "Their hearts, while yet tender with childhood, are necessarily hardened by this conduct, and their subsequent lives bear enduring testimony to this legalized uncharitableness," he wrote. "Their characters are debased, and they become less fit for the magnanimous duties of a good citizen." Something similar is at work with the children who are now growing up under a state that forcibly destroys their families and their fathers. No people can remain free who harbor within themselves a system of dictatorship or raise their children according to its principles.

This too is "the politics of fatherhood."

Dr. Baskerville, a professor of political science at Howard University, writes of the reception this paper received:

"The audience was diverse, containing many church and community activists that work with inner city fathers. Also present were many federal officials, including child support enforcement officials. I had no idea what the reaction would be; I thought I might be booed or run out of the conference. I thought, at the very least, it might be too strong for a conference devoted to "responsible fatherhood." To their credit, the other organizers stood behind me and, if I say so myself, the applause was enthusiastic."

Baskerville is also the author of an article in the current Women's Quarterly magazine called "Why Is Daddy in Jail? For the crime of wanting to see his child." In the article he outlines "the most extensive and well-concealed denial of civil rights in America today." ●

# Protect your income

by Jeff Golden

I had a conversation recently with a noncustodial father whose high conflict custody case is relatively young. He has a good-paying job in a highly competitive high-tech field, but, he told me, he is finding it difficult to concentrate on his work. All he thinks of during the workday is his children. When co-workers speak of their children or grandchildren, that just increases his feelings of sadness about his separation from his own children. He is concerned that, when his supervisors learn of his low productivity level, he will lose his job. In fact, he said, he isn't able to concentrate on anything other than his children. He finds himself just living from weekend to weekend, when his children were with him for parenting time (visitation), and doesn't even do anything around his home when they aren't there.

This is not unusual. It is, in fact, very common in parents who are separated from their children. You don't realize what your rights as a parent are until you lose those rights. A psychologist or psychiatrist might describe this father's feelings as an "adjustment disorder." A mental health professional more familiar with the anxiety of fathers who have been reduced to a "visitor" and a paycheck to their own children by an uncaring Family Court would probably call it "post traumatic stress disorder." Regardless of what it's called, this father is describing symptoms of depression.

But this father has a more pressing financial problem. While the whole family was living together, his income

was sufficient to support the family in one household. Now he is court-ordered to stretch that income to support two households -- his, and his soon-to-be ex-wife's. If he loses his job, the financial support he is ordered to pay will probably not be reduced. If he applies for a reduction, mom's lawyer will characterize him to the court as a lazy bum who intentionally lost his employment by his poor job performance. The court will not modify support because his unemployment is temporary, or because he has an earning capacity higher than his unemployment benefits. When the support, based upon his income when employed, is garnished from his unemployment benefits, he won't have

## Now he is court-ordered to stretch that income to support two households...

enough cash flow left to support himself. He may even find himself at risk of becoming homeless. If this happens, he will be further separated from his children because he won't have a place to take them for parenting time, and he will sink deeper into depression.

This father told me that he had used the services of his employer's "employee assistance program." He went to the counselor to whom they referred him, and discussed his feelings of uncertainty, inadequacy, and powerlessness brought upon him by Family Court.

Employee assistance programs may be helpful for some problems, but not those associated with divorce and custody. If, for example, you have an alcohol or drug addiction problem, they might refer you to a rehabilitation program. Employers know that job related stress might temporarily lead a good employee to substance abuse, and that this can be successfully treated in a relatively short time. But the stress of a divorce and custody dispute can not be so easily treated. The "cure" is not in the employee's mind; it is in the judge's mind, where it is uncontrollable. Notifying an employer of these problems waves a red flag at them, and alerts them that the employee may not return to "normal" for a very long time.

What should this father do? The father is describing symptoms of depression. He should find a psychiatrist with whom to discuss this problem. The psychiatrist should not be one he is referred to by the employee assistance program, nor on the list of providers approved by his employer's health insurance program. He should pay the psychiatrist himself, and not tell anyone he is receiving this treatment. Save the paid bills, but do not immediately submit them to the employer's health insurance for reimbursement.

If the psychiatrist quickly diagnoses his symptoms as depression or post traumatic stress disorder, continue going to him. If not, find another psychiatrist.

This father is in very real jeopardy of losing his job. Competitive high-

*The following memorandum was posted on an internet forum in response to an appeal for a nation-wide "strike" by child support obligors as an act of civil disobedience. Keep in mind that the author is not a lawyer, letters to judges usually have no effect, and that in New Jersey (as well as other states) the only sure way to get a judge to address your issues is to file a motion.*

## **Re: Civil Disobedience**

by Roger F. Gay

Those of you considering action against the state due to the state's abuse of power, should develop a very direct procedure for addressing your grievance. I recommend a letter to your judge requiring a detailed explanation for the amount of child support you have been ordered to pay. Explain that you're not interested in hearing about the state's formula again, since the formula does not correspond to any set of rational principles for the award of child support. You are interested in the fundamental basis and reasoning behind the amount awarded, and how the details of your particular circumstances are accounted for. Add, that this explanation may be required for the purpose of appealing the decision.

Add that if no rational basis can be given for the amount awarded, and if there has been no accounting of relevant circumstances, the award is arbitrary. If this is the case, and if the system is too corrupt to correct this fault, then the court is in fact not operating according to the Constitution (due process requirement). You would therefore feel that it is your duty as a citizen not to treat the court as a legally established organ of government. Obviously, the Order itself is not a legally constituted order.

I recommend generally that you provide at least some kind of explanation. Make every effort to assure that your claim of injustice is well understood. Provide a statement of what can be done in your case to correct the problem. (Rational basis; award rationally related to circumstances; etc.) You should make clear what you are seeking, what specifically would satisfy you, how the problem can be solved.

Whether you include any of the heavy handed statements of civil disobedience (non recognition of the court, etc.) is up to you. I understand some are considering it. I've just read [a fathers' rights activist's] comments on being punished arbitrarily. That is something worth addressing. [He] is owed compensation in my opinion. I do believe that whether you intend the course of civil disobedience or not, you should send a letter to the court explaining your point of view. What specifically is the injustice, and what is required to correct the problem?

.....

Roger Gay is the research consultant responsible for Project for the Improvement of Child Support Litigation Technology, which began in 1989. The project focuses on improving child support guideline theory, mathematics, and application. He has submitted testimony to Congress on child support, poverty, and welfare reform over several years, and has provided support to national commission as well as state child support committee members. Some of his papers may be found at the ACFC web site, <http://adri.com/law1/csp11.htm>

Roger's Fundamental laws of child support:

1. Child support is for the care and maintenance of children.
2. Both parents have an equal duty to support their children.
3. All relevant circumstantial information may effect the amount of the award. ●

tech companies can't afford to keep an unproductive employee, especially a highly paid one, on the payroll for long. When the proverbial sh\*t hits the fan, he will probably be given two weeks notice of termination. When this happens, he should immediately apply for disability from his employer. He can support his disability claim with a report from his psychiatrist, and at this time submit the psychiatrist's bills to his employer's health insurance for reimbursement.

To collect unemployment, you must be "ready and able to work full time and seeking full time work." This father is ineligible because he is not "able" to work, and may even be psychologically unable to seek work. His disability is his depression, and he

will be financially better off collecting tax-exempt disability payments from his employer than taxable unemployment benefits from the state. When the disability benefits expire, if he is still not working and he is no longer disabled, he will then be eligible for unemployment benefits.

Apply for a modification of support only after your disability claim has been approved. "Disability" means that you are unable to work. Your chances of getting a reduction are far better if a psychiatrist has already certified that you are disabled, and an insurance company has accepted and is paying the disability claim. Your support should then be based upon your disability income.

In summary, if you find that your

divorce and custody dispute is having a negative impact on your job performance,

- DON'T discuss the reason with your employer -- not even through an "employee assistance program."
- Enter into treatment with a private psychiatrist who understands what is happening to you.
- DON'T submit the psychiatrist's bills to your employer's health insurance (yet); pay him yourself.
- If you are terminated, apply for disability (and submit your psychiatrist's bills to your employer's health insurance).
- Apply for a support modification only AFTER you begin collecting disability. ●

# UPCOMING:

**Thursday, April 22 to Friday, April 23, 1999:**

**Governor's Conference on Strengthening Families for the 21st Century  
The New Atlantic City Convention Center  
Atlantic City, NJ**

Volunteers are needed to staff FACE's booth in the exhibit hall. This event is geared toward "a wide range of professionals; health and human services providers, social workers, educators, clergy, child and family advocates, just to name a few." We will be educating them as to the concerns of non-custodial parents and the welfare of their children.

Sponsored by: N.J. Department of Human Services and Atlantic County Children and Families Initiative

Registration: \$150 for both days; \$90 per day (FACE will arrange for admission of exhibit volunteers.)

Contact: (609) 569-7063

See website: [www.aclink.org/gov\\_conf](http://www.aclink.org/gov_conf)

**Thursday, April 22 to Friday, April 23, 1999:**

**ALTA-NJ Boardwalk Seminar 1999  
Bally's Park Place  
Atlantic City, NJ**

April 22nd and 23rd are a busy time in Atlantic City, and the place to be! In addition to the Governor's Conference on Strengthening Families, the New Jersey chapter of the American Trial Lawyers' Association will be having their annual seminar there. One of their five program tracks is "Matrimonial Law." If you wear a tie and jacket and look "lawyer-like," between your shifts staffing FACE's booth at the Governor's Conference, you can take a walk over to Bally's and sit in on some of ALTA's seminar sessions.

We won't publish any contact or registration information because no one who has been victimized by the lawyers and judges who will be at this seminar should pay their \$175 to \$400 fee. They should be giving us back our money instead!

**Tuesday, May 11, 1999, 7:00 PM to 9:00 PM**

**FACE General Meeting**

**Cherry Hill Free Public Library, Meeting Room "A,"**

**1100 Kings Highway North, Cherry Hill, NJ, (609) 667-0300**

**Guest speaker: Cathy Young, author of "Ceasefire! Why women and men must join forces to achieve true equality"**

Ms. Young is a journalist who writes on gender issues. In her new book, "Ceasefire!" she shows that marital infidelity, domestic violence, and unwanted sexual attention in the workplace are human issues in which men are not always the ones behaving badly. Young shows that popular culture has affected the justice system so that men accused of crimes against women face a presumption of guilt.

Copies of "Ceasefire!" will be available for purchase and signing by the author following the meeting. (See review of "Ceasefire!" on page 6.)

**Monday, June 14 through Fathers Day, Sunday, June 20, 1999**

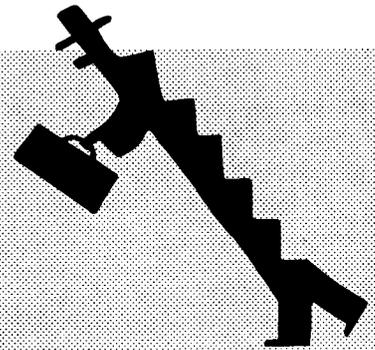
**Picket/Demonstration**

**East Steps of the U.S. Capitol Building  
Washington, DC**

This annual event is organized by F.A.R.C.E. (Fathers' Awareness of Rights and Custody Equality). Permits have been issued allowing up to 299 people at a time on the Capitol steps. Contact F.A.R.C.E. in advance to let them know you want to be included.

Contact: Dave Wilson, [farce@farce.org](mailto:farce@farce.org)

See website: [www.farce.org](http://www.farce.org)



**Tuesday, June 15, 1999:**

**Second National Summit on Fatherhood**

**J.W. Marriott Hotel, 1331 Pennsylvania Ave. NW, Washington, DC**

Sponsored by Pennsylvania Governor Tom Ridge and Delaware Governor Tom Carper in association with the National Fatherhood Initiative.

**Friday, June 18, 1999**

**"Fatherless Day"**

Friday is "motion day" in New Jersey family courts, when the courthouses are crowded with family court litigants. FACE members and supporters will again conduct public demonstrations at courthouses to spotlight that family court discriminates against males, ignores fathers' importance to their children's well-being, and makes Fathers Day (June 20th) a meaningless hypocrisy.

Time(s) and location(s) will be announced shortly prior to June 18th. If you can, arrive early or stay late. Prepare your own sign (no sticks, please) for issues important to you, or carry one of ours. FACE will supply handbills to give to passersby. Be prepared to be interviewed by the news media.

Call FACE Hotline (609) 786-FACE for further details.

**Fathers Day, Sunday, June 20 through Tuesday, June 22, 1999**

**"50/50" March**

**Washington, DC**

This Fathers Day rally in support of equal shared physical custody of children is still in the planning stage, but appears to have the support of several national fathers' advocacy groups. More information to follow.

Contact: Greg Romeo, [gromeo747@aol.com](mailto:gromeo747@aol.com)

See website <http://members.aol.com/gromeo747/divorce.html>

**Thursday, September 23 to Saturday, September 25, 1999:**

**National Congress for Fathers and Children**

**19th Annual National Convention**

**Holiday Inn Central/ Green Tree**

**401 Holiday Dr., Pittsburgh, PA**

A program to look for active accountability measures to build responsible citizens of our children, built around the failure of the system to give us the tools we need.

Tentatively scheduled speakers:

Pearle Harbour, author, "Guerilla Divorce Warfare"

Jim Cook, president, Joint Custody Association

Kathleen Parker, columnist, Orlando Sentinel

Robert Hirschfeld, J.D., Pro Se Advisor

Larry Hellman, president, NCFC

Dave Burroughs, chairman, Forum for Equality and Fairness in Family Issues

Henry James Koehler IV, Esq., family attorney

Registration: \$75.00 before May 1, 1999; \$95.00 at the door

Contact: T. J. Bellaire, 1999 convention chairman, 37 Seneca Rd., Pittsburgh, PA 25241,

(414) 343-2955, (800) KID-N-DAD, [pghdads@aol.com](mailto:pghdads@aol.com),

NCFC, 9454 Wilshire Blvd., Beverly Hills, CA 90212,

(800) SEE-DADS, [nfc@nfc.net](mailto:nfc@nfc.net)

See website: <http://com.primenet.com/nfc/99conv.html>



## Fathers' and Children's Equality, Inc.

### Mission Statement

Father's and Children's Equality is a non-profit 501(c)(3) children's advocacy organization, and a self-help group for nonresidential and/or non-custodial parents.

#### Our Mission is to:

- minimize the emotional upheaval experienced by children during and after parental separation,
- promote every child's Civil Right to equal access to both parents and extended families regardless of the parent's marital status, and
- end the adversarial process in divorce and custody matters.

#### Our Goals are to:

- promote equal parental responsibility for children's nurturing,
- Promote equal parental responsibility for children's financial needs,
- encourage alternatives to divorce,
- promote the position that children are not property,
- end parental alienation,
- eliminate profit motivation in custody disputes,
- provide positive parenting role models for separating families,
- prevent the use of false child abuse and/or spousal abuse allegations as leverage in custody disputes,
- establish mandatory penalties for false allegations of child abuse and/or spousal abuse,
- promote equal treatment of Family Court litigants,
- enforce existing laws providing for gender equality in Family Court, and
- establish a shelter for displaced fathers and children.

Adopted September 27, 1993 by the Board of Directors  
Revised January 18, 1996

## Non-Custodial Parents, Why Join FACE?

Did you know...

1. That the greater your liquid and non-liquid assets, the longer your case will take to be resolved?
2. The family court system is a lucrative business for lawyers who have every incentive to continue your case until you are heavily in debt?
3. Lawyers routinely file papers incorrectly resulting in unnecessary and costly trips to court?
4. Lawyers routinely fail to explain to their clients the purpose of a motion, the consequences of a motion, and the rules of the court?
5. Retainer fees typically require \$5,000.00 or 30 hours of services while a simple disputed custody case will result in minimum charges of \$10,000.00 or 60 hours of service with maximums well over \$100,000.00?
6. Mishandled cases at the Superior Court level will result in a minimum of \$16,000.00 in legal fees to have cases corrected by the Appellate Division?
7. All of the above statements are well known to the lawyers practicing in family court and profiting from the systematic destruction of your children's financial and mental health?
8. NOW YOU KNOW, GET SMART, JOIN FACE TODAY!  
IT'S \$75.00 PER YEAR. Use the membership application below.

✂ Clip and mail completed application to:

Fathers' and Children's Equality, Inc.  
P.O. Box 2471  
Cinnaminson, NJ 08077

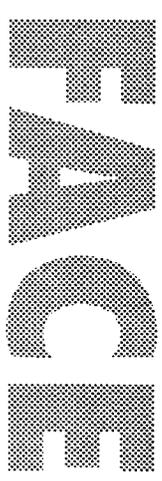
# FACE membership APPLICATION

Date \_\_\_\_\_

Regular Membership \$75.00 per year  
Patron Membership \$100.00 or more.

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Residence County \_\_\_\_\_ Date of Birth \_\_\_\_\_  
Phones: Home (\_\_\_\_) \_\_\_\_\_  
Work (\_\_\_\_) \_\_\_\_\_  
Where? (\_\_\_\_) \_\_\_\_\_  
e-mail address \_\_\_\_\_

New Membership  
 Renewal  
 Contribution  
Amount enclosed \$ \_\_\_\_\_  
Please make check payable to FACE



Are you registered to vote?  Yes  No

If not, are you eligible?  Yes  No  I don't know

FACE may use my name as a supporter for legislative purposes

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 \_\_\_\_\_

**FACE Hot Line**  
**609-786-FACE**

**FACE Pennsylvania:**

Philadelphia 215-335-4054  
Delaware Valley 610-688-4748  
Bucks County 215-FACE-464

**FACE**  
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everettsim@aol.com

**FACE MEETINGS**

*All meetings begin at 7:00PM. 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

Cherry Hill, NJ

Directions: (609) 667-0300

Join us at 9:00PM at a local restaurant

for refreshments following the meeting.

Third Thursday of each month:

**BOARD OF DIRECTORS MEETING**

(Face members and invited guests, only.)

Call (609) 786-FACE for location.



**WORK GROUP MEETINGS**

First Monday of each month:

**Mercer County**

Hamilton Township, NJ

Contact: Charles Forberg

forbergc@aol.com

(609) 584-1887

First Thursday of each month:

**Burlington County**

Mt. Laurel, NJ

Contact: Dave Cantera

dcantera@facenj.org

(609) 778-0811

Third Monday of each month:

**Camden County**

Cherry Hill, NJ

Contact: John Liberto

(609) 317-9188

Fourth Tuesday of each month:

**Gloucester/Salem County**

Mullica Hill, NJ

Contact: Cliff Wenrick

(609) 223-0434

Please be courteous to work group meeting hosts by phoning in advance.  
Non-members are usually welcome, but it may be necessary to limit attendance.

**Address Service Requested**

**V6N2**

Fathers' and Children's Equality, Inc.  
P.O. Box 2471  
Cinnaminson, NJ 08077



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