



About FACE NJ

FATHERS' & CHILDREN'S EQUALITY-NJ

Volume II Number 1

1st Quarter 1994

Hotline 609.786.FACE

N.O.W. HEAR THIS!

by Michael Edward Fox, President **FACE NJ**

On December 17, 1993 I was interviewed by Larry Stuelpnagel of NJ Network News. My co-interviewee was Ms. Myra Terry, President of the N.J. Chapter of The National Organization for Women. The interview, rebroadcast 3 times on channels 23 and 52, generated interest. Our Support hotline has been busy. That is not surprising given the heat that matrimonial matters generate on both sides of the aisle.

Naturally, a certain amount of rhetoric on both sides makes for a lively interview. We disappointed no one, I trust. Going beyond the entertainment value of the show, I discovered that **FACE** and **NOW** both agree that the present system exploits the litigants. We both have nearly the same complaints about the system. We both feel disadvantaged by the system. We both feel our children lose at least one parent in the process called divorce. We both seek reform.

Presently, the system has been successful in making this a male vs female issue. A super battle of the sexes isn't the answer as it presupposes a zero sum game. One wins at the other's expense. The question I ask myself is what would the legislature do if the so called opposing forces joined forces? Patrick Henry knew that "We'll all hang together or we'll surely all hang severally."

My request made to Ms. Terry on December 17. **N.O.W. HEAR THIS! FACE** would like to work with **NOW** to craft a new way to resolve the matrimonial issues of equitable distribution, custody and child support and the ongoing problem of parenting. Can we task force this and present a united front for the betterment of everyone?

COMMISSION TO STUDY LAWS OF DIVORCE

Have you been abused or mistreated by our current family court system? Do you have any suggestions as to how to improve our family court system?

Last year, **FACE-NJ** and the NJCCR-PAC were successful in getting the Commission to Study the Laws of Divorce passed into law. This Commission will spend 18 months studying the current laws, hearing testimony from the public, and preparing a report recommending changes to the governor and legislature. The Commission would like to hear from you. They are particularly interested in examples of how the laws are not working. Have New Jersey's divorce laws failed you? Would you like to testify? Put your story in writing, and send it to:

Ms. Patricia K. Nagle
Commission to Study the Laws of Divorce
Legislative Office Building
135 West Hanover St.
CN-067
Trenton, NJ 08625

and please send a copy to **FACE-NJ**.

The head of one radical feminist group (who happens to also be a member of the Commission) said that she 'has dozens of members ready to testify.' Make sure that your story is also heard! We suggest that, rather than telling the Commission your personal horror story (there are more than enough of them), you limit your testimony to constructive comments for improvement of the system. ☺

L'AFFAIRE HERMAN

by Jeff Golden

How does a judge get to be a judge? What is the process for judicial appointment? How does a bad judge get removed from the bench? Do *We, the People* have a voice in the process? New Jersey parents had three chances to see the process in action in 1993: The reappointment of Judge Vincent D. Segal of Camden County Family Court in March, the removal of Judge Maryanne Espinoza-Murphy from Family Court bench in Morris County through the courageous use of Senatorial Courtesy by State Senator John H. Dorsey (who unfortunately later failed in his own bid for reelection), and the reappointment of Judge Martin A. Herman of Family Court in Gloucester County.

Judges in New Jersey are appointed. Supporters of the appointment process say that it eliminates the politics that would be present in the election of judges, and keeps judges more independent because they have no political debts to repay. (See sidebar: "The Judicial Appointment Process in New Jersey," page 4) In practice, since the appointment process is itself political, judges do have political debts, but they are not payable to the voters.

The initial term in office for Judge Martin A. Herman expired on December 22, 1993. Judge Herman, one of only two Family Court judges in Gloucester County, has the distinction of being one of the judges about whom **FACE NJ** most often receives complaints.

In a demonstration of support for this controversial judge who surely would have opposition to his reappointment, Herman was elevated to Presiding Family Court Judge for three counties.

Based upon our experience with Ex-Judge Espinoza-Murphy, at first we considered approaching Judge Herman's state senator, Raymond J. Zane and asking him to use senatorial courtesy to block Herman's reappointment. We quickly realized that this would be futile because Zane, a member of the Judiciary Committee and Herman's former running-mate when he was a state assemblyman, was one of Herman's strongest supporters.

Our next step was the Senate Judiciary Committee hearing on Herman's reappointment. We notified the committee that we represented several people, both **FACE NJ** members and non-members, who wished to testify at Herman's reappointment hearing. They notified us about a week in advance that the hearing would be in Trenton on November 22, 1993, and asked us to supply a list of the people who wished to testify. We searched our database and notified those who had complained about Herman of the hearing and found 18 who wished to testify. Some were afraid to have their names released in advance, so we notified the committee of 13 who would testify, and that there were others who may come forward on the day of the hearing.

The committee room was packed on November 22. In addition to Judge Herman, there were seven other reappointments

continued on page 4

In the following article, Craig Katz declines to identify the psychologist involved. His experience with so called mental health "professionals" is not unique. Even they, like other human beings, have biases and prejudices. Unfortunately, all too often we do not learn of their biases until it is too late.

Avoid this trap! Before selecting a custody evaluator or therapist, or participating in an evaluation ordered by the court, FACE-NJ members are advised to consult our consumer reports on mental health professionals.

Dr. "R."

by Craig Katz

In 1992, the Burlington County Family Court directed my estranged wife and I to participate in voluntary mediation to resolve a visitation dispute. Custody was not in dispute; we had joint custody. However, I was hoping for a liberal, extensive visitation schedule which would approach 180 days a year, and she wanted an extremely restricted schedule of a few days a month.

After the first meeting, my estranged wife refused to continue, claiming that the independent mediators were "biased" against her. Because the mediation is voluntary, the Court will not penalize an individual who refuses to cooperate; the mediators can only note that "the parties could not reach an agreement".

Since neither of us was seeking sole custody claiming the other was unfit, and the only issue was how many days a month I should see my son, I assumed that a judge would take Motions on the matter and issue a ruling. However, the Court system, for reasons completely unknown, instead directed us to meet with Dr. R of Haddon Heights for psychological evaluations.

At our first meeting, Dr. R informed me that she was "philosophically opposed" to overnight visitation for any young child. Since my purpose in meeting with her was to increase the time I spent with my son, including more overnight visitations, I was naturally disturbed that she held very firm negative opinions on the subject. Although I informed her that I had already had overnight visitation for the past year and that my son was quite happy when he stayed with me, she remained unconvinced, insisting that a young child should not be separated overnight from his mother.

Dr. R was also apparently very willing to share her opinions with my estranged wife; only eight days after their first meeting, which was a week before my initial meeting with the doctor, my estranged wife submitted a motion to the Court in which she argued that my overnight visitation should be terminated because our son would "suffer psychologically" if he was separated from her. The words of her motion were identical to those used by Dr. R.

During the course of the evaluations, Dr. R stated several times that the bond between a mother and child was "different" than the bond between a father and child and, in response to my hopes for a true joint custody arrangement in which I would spend 180 days a year with my son, she told me that a father could still be an important part of his child's life even if they only saw each other "once a week or less".

There were numerous incidents of questionable conduct on the part of Dr. R. One in particular stands out. At that time, my estranged wife had fired her second attorney and was working PRO SE. While discussing this, the doctor told me that she was aware of the situation and that she was "appalled" at the thought of my estranged wife trying to represent herself in the legal system. In fact, she was so upset that she had recommended some attorneys to her. When I told her that I thought it was inappropriate for a neutral evaluator to assist one party in such a manner, Dr. R appeared offended and replied that she

"just wanted to help her". Two weeks later, my estranged wife had a new attorney.

There were times that the doctor's methods approached the absurd. She gave me several pencil and paper tests; the first one asked me to fill in the blanks: "I think girls are _____" "After school, my Dad and I like to _____". I read the cover. This test was written in 1965 for high school boys. A battery of oral interviews followed. During a general intelligence test, Dr. R asked me a series of questions: What is the population of the United States? What do seeds and eggs have in common? Who wrote, Faust? When I replied, "Goethe" to the last item, she appeared surprised that I would know the answer. Seeing the expression on her face, I joked, "Maybe it was Mickey Spillane". She quickly assumed a frown and scribbled something. Later, in her report to the Court, she noted that I "have no respect for psychologist or their tools."

The doctor's report was a nightmare. She clearly cared for me a little as I cared for her. She stated that my estranged wife's behavior was "overreactive" and at times "obsessive", but this was "understandable" because she was a woman under the stress of a failed marriage. Dr. R was not as charitable with me. She noted that my son appeared happy with me, and that I provided a good home environment; however, she recommended that my overnight visitations be terminated because she is "philosophically opposed" to overnight visitation for young children.

Because of this extremely negative report, I was forced to retain another evaluator. In brief, he interviewed all the parties extensively and observed my son and I together several times. His opinion? My son has two loving parents, and he would benefit most from extensive contact, including overnight visitations, with both of us.

When we finally appeared before the Judge, he ruled that my overnight visitations would continue, and he noted that Dr. R "recommends against overnight visitation in all of her evaluations." If her opinions are so well known, why does the Family Court continue to direct people to her to determine the issue of overnight visitation? Any father-- and the majority of those in this situation are fathers-- who comes before her is to suffer the same treatment. How many fathers before me have been deprived of their children because of Dr. R's prejudice

I wrote to the head of the Burlington County Family Court to express my concern. His reply was vague: [Dr. R's] opinion is based on her professional view of childhood development. You are certainly entitled to challenge this view..." In other words he skipped around the question. Why is Dr. R serving as an evaluator in matters regarding overnight visitation when she is on record as opposed to it in all instances, regardless of the circumstances of the individual case? I have yet to find anyone who will answer this question. ☐

About FACE NJ

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Jeffrey Golden . . . Chief Info Officer
Christopher L. Pedrick Editor

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This is the second installment of Jeff Golden's account of his August, 1991 incarceration in the Camden County Correctional Facility for non-support. In the first installment, he told of the financially impossible ultimatum Judge Segal presented to him, and how he mentally prepared himself for jail.

MY WEEKEND ADVENTURE

by Jeffrey Golden

My cellblock, on the third and fourth floors of the south wing, housed 112 inmates and had 38 cells, each with two bunks and a one piece, stainless steel combination washstand and toilet. Each cell measured about ten feet by seven feet, and would provide about the same degree of comfort for two people as a small, cramped inside cabin on a low budget cruise ship. The arithmetic works out to 76 bunks for 112 inmates; at least 36 of them had no bunk and had to sleep on the floor.

Since the bulletproof windows are all sealed, the prison is air conditioned. It is against the rules to block the air conditioning vent in the cell, but if you don't, the cold draft will drop the temperature to about meat locker levels. Many prisoners complained of contracting bronchitis while there. They warned me that, if I had to sleep on the floor, I should stay away from the vent.

My cell, number 4S87, already had three prisoners in it when I arrived. By evening, there were six of us. Thankfully, one was later bailed out, so only five of us shared the cell that night. Still, it was like living in a bathroom with four strangers. I did not even once get to enjoy the luxury of sleeping in one of the hard steel bunks during my three nights there.

The food was not gourmet cuisine. Flavor and quality of the food varied from totally unpalatable to not too bad. Mostly, it was mediocre. Some prisoners told me that the food has improved following prisoner protests. Sunday dinner was a quarter of a roasted chicken that may have tasted even better than my mother's chicken. (Sorry, Mom.) Usually, small portions of the main course were accompanied by heaping portions of rice or powdered mashed potatoes or other starchy foods. Coffee and sometimes milk was served with breakfast, sweet unidentifiably flavored kool-aid with lunch, and mediocre powdered iced tea with dinner.

Breakfast time was at 5:00 AM. They woke us in the dark, served breakfast, then locked us back up for an hour during the guards' shift change. Lunch was at 11:00 AM. We were locked up again during the afternoon shift change, then dinner was at 5:00 PM. We were locked up again for the night at 11:00 PM. Most prisoners have no way of knowing what time it is. I was in one of the few cells that have a view of the clock on Camden City Hall.

Meals were always served on tin trays with several compartments for each different food. Beverages, except for small containers of milk, were always served in heavy plastic cups. A plastic spoon was the only utensil. Apparently, the jail administrators thought the spoons could be used as weapons because all the spoons had to be accounted for after each meal. If any were missing, we would be locked down while the missing spoon was searched for. Since I never saw anyone with a contraband spoon, I think that missing spoons were thrown in the trash in error by newcomers who didn't know they had to return them separately.

Whenever we lined up along the right wall to go out and get our meals, a small group of prisoners would congregate on the left side of the door. As the line started moving and the guard was busy checking inmate's IDs, the prisoners on the left would jump the line. There is no advantage to being in the front of the line. There is one exactly identical meal for each prisoner, and you have no choice in which one you get. The line jumpers only do this as a form of intimidation and a display of power over others.

There is a row of four telephones on the cellblock wall. Calls are placed through one of those overpriced, off-brand phone companies that you try to avoid at airport phone booths. All calls must be placed person to person collect through a computerized system. You can't talk to an operator. The party receiving the call must have a touch tone phone, and press a three to accept the call. You can not even call free 800 numbers. I once tried to call U.S. Sprint's 800 access number to place a credit card call, but the computer blocked the call.

There was one black and white TV in the cell block. It was even equipped with cable. One of the prisoners said "Don't worry about the TV. There will never be anything playing on it that you will want to watch." He was right. TV viewing was a constant diet of cartoons, MTV, "The A-Team" and an occasional soap opera, all playing at full blast all the time. While I was in jail, the Soviet Union was crumbling, but no one in the jail knew it, and most didn't care.

Food and cigarettes are the tools of commerce in jail. Someone is always approaching you and offering to trade one for the other. The first person who spoke to me when I entered the cellblock on Friday said "I'll trade you two cigarettes for your Sunday morning breakfast cereal." I declined the offer. I didn't want to trade something away until I knew what I had.

I don't understand why, but these trades were always for all or part of future meals. No one was ever interested in the parts of the current meal that I found unpalatable and hadn't touched. I gave away a lot of food that I couldn't eat.

The cigarettes in these trades were usually roll-your-own Buglers. I would not consider smoking one of these, especially if I didn't roll it myself. I ran out of cigarettes and decided to use this

opportunity to stop smoking. The next day, I let it be known that I would like to have a whole, factory made Marlboro. Even though they are very scarce in jail, someone approached me and traded a Marlboro for a cup of pudding that I wouldn't have eaten anyway.

*to be continued in future issues of
About FACE NJ*

DIRECTORY OF ORGANIZATIONS SUPPORTING FAMILY RIGHTS AND ADVOCATING LEGAL REFORM IN NEW JERSEY

*New Jersey's citizens are crying out to get the judges, lawyers and unwanted psychologists out of our lives and our wallets. This is a grass-roots movement; people are banding together in every part of the state. As a service to law-makers and news media who receive **About FACE NJ**, we will periodically update and publish this directory of family rights and legal reform organizations in New Jersey.*

Committee for Mothers and Children's Rights, Inc.
118 Cedar Lake West
Denville, NJ 07834
201/625-5945

Fathers' and Children's Equality - NJ (FACE-NJ)
P.O. Box 2471
Cinnaminson, NJ 08077
609/786-FACE

Fathers' Rights Action Committee (FRAC)
908/874-7589

Fathers United for Equal Rights and Women's Coalition (FUER)
P.O. Box 2340
Elizabeth, NJ 07207
908/295-7591

FRAC National
10 Bretton Way
Mount Laurel, NJ 08054
609/231-7755

Grandparents Count
134 St. Vincent Ct.
Cherry Hill, NJ 08034
609/424-4939

New Jersey Council for Children's Rights (NJCCR)
P.O. Box 615
Wayne, NJ 07474
201/694-9323

Victims of a Corrupt American Legal System (VOCALS)
621 Bloomfield Ave., Suite 7
Verona, NJ 07044
201/239-2655

If information about your organization is incorrect or was omitted, please send correct information to **About FACE NJ** Directory, P. O. Box 2471, Cinnaminson, NJ 08077.

continued from page 1

scheduled that day. Each of them proceeded smoothly, with each judge approved in less than ten minutes. There were over 30 witnesses scheduled to testify in the Herman hearing, both in favor of and opposed to his reappointment.

The hearing began with Senator Zane presenting a glowing speech about his "good friend", neighbor and former running-mate Martin Herman. He said that he also knows Herman through his Gloucester County based law practice, and that he is a dedicated, but overworked public servant who handles "5,000 to 7,000 cases a year."

There then began a parade of witnesses, both in favor of and opposed to Herman's reappointment. Those opposed testified that Herman was rude, humiliated them, would not allow them to present their cases or even speak in his courtroom, that he denied them due process, that he demonstrated anti-male and anti-father bias, that he ordered alimony and support payments that ignored the financial requirements for self-preservation, and that he routinely rules against men in custody matters. Those in favor presented him as a kind, caring, but overworked man.

Because of the large number of witnesses, the hearing was adjourned to December 6th. During the intervening two weeks, largely because of the publicity generated by the Herman hearings, dozens more people came forward who wished to testify against his reappointment, but they were not allowed to. Only those people named on the list on November 22 could testify on December 6.

Several lawyers had contacted **FACE** to voice their concern about his anti-male bias, but none were courageous enough to testify against him. The several lawyers who did testify were in favor of his reappointment.

One of these pro-Herman lawyers was family law specialist Diane B. Cohen. Commenting on others who testified against reappointment, she said they did not respect "the majesty of the law." This is especially distressing coming from Her Majesty Diane, Princess (president) of the Camden County Bar Association. Last March, the very next day after she testified in favor of Judge Segal's reappointment to the Camden Family Court, she received special treatment in his court by having all of her cases called first. On May 22, 1993, Princess Diane rode to her royal coronation at the New Jersey State Aquarium in the most opulent, regal, white Lincoln Continental stretch limo/coach that has ever been seen in Camden. Both Segal and Herman were

continued on page 5

THE JUDICIAL APPOINTMENT PROCESS IN NEW JERSEY

If everything goes as it is supposed to, this is the process by which a judge gets a lifetime job in New Jersey:

1. A lawyer who has expressed an interest is recommended to the governor for appointment to a judgeship by his local county bar association and the state bar association. (Translation: Members of a private club for lawyers recommend one of their own.)

2. The governor presents the appointment to the Senate Judiciary Committee. (Translation: The governor's political party controls who gets appointed to be a judge.)

3. The Senate Judiciary Committee conducts a hearing on the appointment during which they will hear testimony from the public.

At this hearing, the judge-candidate is introduced to the committee by the senator from his home county, the candidate addresses the committee, members of the committee might ask the candidate a question or two, then the committee votes on the appointment. The entire process takes about ten minutes. If the Judiciary Committee approves, the nomination is passed to the full senate to be voted on.

4. The full State Senate votes on the appointment. Since the Judiciary Committee's job was to investigate and approve the candidate, these votes always approve appointment.

The candidate is now a judge for an initial seven year term at a salary of \$100,000 per year plus very liberal fringe benefits and retirement benefits.

At the end of the seven year term, the judge must be reappointed. The reappointment process is very similar to the process for initial appointment, except that now the judge has a track record:

1. Prior to the expiration of the judge's initial seven year term, the judge's performance is evaluated by the county and state bar associations, and by the Administrative Office of the Courts which is part of the state Supreme Court. The county association should allow, if not encourage, input from the public, but they do not. Even if he felt that the judge should not be reappointed, no local lawyer would dare speak out against a judge because it would effect his ability to get fair treatment from that judge if he is reappointed despite the lawyer's testimony. The Administrative Office of the Courts rates the judge by some quantitative criteria, such as:

How well does the judge manage his docket? (Is his list of pending cases growing or shrinking, regardless of the quality of his decisions?)

How many complaints about the judge have been received by the Advisory Panel on Judicial Conduct? What was the disposition of these complaints? Were there any disciplinary actions?

How often are the judge's decisions appealed?

Thus, the input to the judge's reappointment is also only by a private club of lawyers, plus a few judges who are also ex-lawyers.

2. These evaluations are passed to the governor's office, who recommends the judge for reappointment.

3. Prior to the expiration of the judge's initial term, the Senate Judiciary Committee conducts a hearing on the reappointment. To make it as difficult as possible for the public to have any input in the process, the hearing is not well publicized, and is held in Trenton on very short notice.

At this hearing, the judge-candidate is again introduced to the committee by the senator from his home county. This is an opportunity for the senator to block the reappointment by the use of "senatorial courtesy" - the senator declines to present the judge to the committee, and the reappointment process stops.

Assuming that senatorial courtesy is not invoked, the candidate addresses the committee, members of the committee might ask the candidate a question or two, the committee takes testimony from members of the public who might wish to speak in favor of or in opposition to the reappointment, then the committee votes. The entire process takes about ten minutes. If the Judiciary Committee approves, the nomination is passed to the full senate to be voted on.

These reappointments virtually always receive "rubber stamp" approval by the committee. In recent years, the Judiciary Committee only once failed to grant tenure, and that case involved a judge who was involved in a sex scandal.

4. The full State Senate votes on the appointment. Since the Judiciary Committee's job was to investigate and approve the candidate, these votes always approve appointment.

After the full Senate votes, the judge is "tenured" and gets to keep his job for life or until age 70. If the judge does not receive tenure, his term expires and he is no longer a judge. If his term expires, he can be appointed for another seven year term by the same process as for initial appointment.

continued from page 4

honored guests at her coronation ball. Segal and his wife were listed in the program booklet as "patrons." Why are judges allowed to socialize with lawyers? After they finish talking about the weather and sports, what else do they have in common other than *ex parte* communication about the cases the lawyers have before the judges?

At the conclusion of testimony, several Judiciary Committee members commented on the hearings. Many said they believed that Judge Herman had been brusque and discourteous to litigants appearing before him. They cited their own experience with Herman when he was a state assemblyman. One suggested that he "take a break from matrimonial court," another suggested that the Chief Justice look into rotation of judges into other courts. (Herman has only been in Family Court.)

Senator Zane corrected his previous estimate of Herman's case load, saying he handled 5,743 cases in 1993. Think about that - if he worked 10 hours a day and 250 days a year, on average he devotes only 26 minutes to each case!

At the end, the committee's vote was 6 in favor and 3 abstentions. Herman's reappointment would be passed on to the full Senate.

The Senate vote was scheduled for December 10th, the last voting session before the expiration of the 205th Legislature and of Herman's term. Late in the day, the senate released a statement that

WHERE'S HERMAN?

Judge Herman's initial term expired on December 22, 1993. He was appointed to another seven year term which began on January 11, 1994. Where was he for the 19 days from December 23rd through January 10th?

FACE NJ has received calls from Family Court litigants who had matters scheduled to be heard by Herman during that time. None were told that Herman was off the bench. None was told anything of Herman's reappointment. They were only told that their hearings had been postponed because Judge Herman was "on vacation."

Was Judge Herman on the state payroll during those 19 days? Was he receiving vacation pay? Did he have to continue his health insurance coverage under COBRA? Did he have access to his office? Did he have use of his sheriff's department bodyguards? We may never know.

Herman's tenure would not be voted on because he lacked sufficient votes to pass. Herman had been denied tenure and December 22 would be his last day as a judge!

A few days later, Ex-Governor Florio proposed Herman for appointment to another seven year term. This was his farewell gift to the people of Gloucester County.

On January 10th, Senator Zane, Judge Herman's godfather, spent the day lobbying for the appointment of his friend Herman. First, he needed a 2/3 majority vote of the Senate to dispense with the rules of procedure concerning judicial appointments so that he could be voted on without another Judiciary Committee hearing, denying the additional witnesses a change to be heard. He got that. Then came the vote on Herman. It, too, carried, and he was voted in for another seven years. **☐**

WHEN SHOULD THE PUBLIC HAVE INPUT?

Regardless of its shortcomings, New Jersey's appointment of judges is far more desirable than election of judges. In Pennsylvania, judges are initially appointed to fill an unexpired term, then must stand for re-election every few years. They must raise funds to finance their re-election campaigns - usually through contributions from lawyers. Judges are always re-elected because the vast majority of the voters, who have no personal experience as a litigant in front of that judge, just vote for the faceless names they have read about in the newspapers over the past few years.

There are several logical points in New Jersey's judicial appointment and reappointment process for the public to express its opinion:

1. The evaluation by the county bar association. This is the beginning of the process. This is where local lay people, non-lawyers who have appeared before the judge as a litigant or witness, or who have observed the judge, should be heard. These laymen should also be able to present non-lawyers for appointment to judgeships.
2. In addition to the peer review by the Administrative Office of the Courts, there should be review of the judges performance by a panel of laymen under the authority of the state Supreme Court.
3. Senate Judiciary Committee hearings should be conducted in the county where the judge sits, and should be advertised at least a month in advance.

IS "LAWYER ETHICS" AN OXYMORON?

It is a fact of life that government service attracts a large number of lawyers, and New Jersey's state government is no exception. Being a state senator or an assemblyman in New Jersey is supposed to be a part-time job. These legislators are supposed to keep their own careers. But is it a conflict of interest if your regular job is being a lawyer, you are on the Judiciary Committee, and the committee is going to vote on the reappointment of a judge that you regularly appear before?

That is the dilemma that was presented to Senator Raymond J. Zane, Senator John Matheussen and Assemblyman Gary W. Stuhltrager, and all handled it differently.

Senator Zane whose law practice includes a large proportion of Family Court cases, was Judge Herman's most ardent supporter. He continually promoted and defended his friend, neighbor and former political running-mate.

Senator Matheussen is also on the Judiciary Committee and is also a Gloucester County lawyer. But in Matheussen's practice, he rarely gets into Family Court, so he has limited contact with Herman. Matheussen also voted for Herman's reappointment.

Assemblyman Stuhltrager is not on the Senate Judiciary Committee, but he does have a heavy family law practice in Gloucester County. He accompanied Judge Herman to the witness stand at his reappointment hearing, and spoke glowingly of his judicial virtues.

FACE NJ believes that it is a conflict of interest for lawyers to vote on the reappointment of judges that they routinely appear before, and that they have a duty to their constituents to abstain from voting.



Fathers' And Children's Equality, Inc. - NJ



MISSION STATEMENT

Fathers' and Children's Equality is a non-profit children's advocacy organization, and a self-help and support group for non-custodial parents. Our Mission is to:

minimize the emotional upheaval experienced by children during and after parental separation, and

promote every child's Civil Right to equal access to both parents and extended families regardless of the parents' 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 and/or spousal abuse allegations as leverage in custody disputes,
 establish mandatory penalties for false allegations of child and/or spousal abuse,
 promote equal treatment of Family Court litigants, and
 enforce existing laws providing gender equality in Family Court.

Adopted September 27, 1993 by the Board of Directors

LEGISLATIVE UPDATE

by Barbara LaMarra

The NJCCR Political Action Committee (NJCCR-PAC) promotes and supports legislation at the state level in Trenton. Your **FACE NJ** representatives participate in the NJCCR-PAC,

The 206th Legislature convened in January, 1994. All bills that were pending but not passed at the end of the 205th Legislature's term have expired, including several that were proposed and supported by the PAC. These must be reintroduced:

Commission on

Child Support Guidelines

This bill would establish a commission specifically and solely to study and recommend changes to the child support guidelines. It was passed by the Assembly senior Citizens and social Services committee in the past Legislature, but never got out of committee in the Senate. This bill has been reintroduced as A-216 by Assemblyman John A. Rocco of Cherry Hill, but still needs a Senate sponsor.

Child's Rights Enforcement Bill

This bill would end arbitrary, capricious "judicial discretion" and "customary visitation" in establishing children's access to their noncustodial parent. It defines a mandatory minimum parenting schedule in child custody cases, including alternating weekends, holidays, birthdays and vacations. It provides for an escalating schedule of penalties for a custodial parent who is able, but unwilling to comply with the parenting schedule, including transfer of custody for repeated offenses, it also contains a requirement for notification of the non-custodial parent prior to the child being relocated.

Presumptive Joint Custody

Joint legal custody is one of the choices a judge may make in establishing child custody, but sole custody is selected in the vast majority of New Jersey cases. Other states' laws specify that joint custody should be the first choice. This bill would establish that preference in New Jersey.

Emancipation At Age 18

Current law says that children are emancipated (and child support ends) at age 18 or the completion of their education, whichever comes later. This invites abuses by greedy, vindictive ex-spouses (sometimes accompanied by their brainwashed, parental alienated children) who don't want to get

off of the child support gravy train. We have heard too many stories of children who are not scholastically inclined remaining on child support until age 25 or older, sometimes even after they have married, been working or collected unemployment for years! The state ends support of its wards at age 18. Parents should have this same right.

Term Alimony

Is anyone really entitled to be the beneficiary of a lifetime, privately funded welfare plan called alimony? Should it continue to be paid regardless of the health or employability of the payor or the recipient? Shouldn't everyone, including a non-working ex-spouse, be required to assume some responsibility for their own upkeep? We believe it is in the public interest to encourage everyone at some time to become productive citizens providing at least for their own support.

Litigant's Bill of Rights

Were you told what your rights were before you entered family court? Were you told what to expect? Were you prepared? Did you get any surprises? Are your rights safe when they are kept secret, even from you, by a private club of people called lawyers? This bill will break the secrecy.

continued on page 7

continued from page 6

The full text of these bills is available at **FACE** meetings. Contact your legislators and ask them to support the bills that are important to you. We will be keeping you informed in **About FACE NJ** of the status of these bills and other proposed legislation.

There is also pending federal legislation that we should all keep abreast of:

H.R. 915 sponsored by Rep. Pat Schroeder (D-CO), H.R. 555 sponsored by Rep. Lynn Woolsey (D-CA), H.R. 619 sponsored by Rep. McCandless (RCA) would provide for credit bureau reporting of financial child support.

S.867 sponsored by Sen. Richard Shelby (D-AL), S. 434 sponsored by Sen. Dale Bumpers (D-AK), and H.R. 773 sponsored by Rep. Henry Hyde (R-IL) would involve the IRS in the collection and enforcement of financial child support.

S. 689, the "Bradley Bill," sponsored by New Jersey's own anti-father Senator Bill Bradley (D), H.R. 1600 sponsored by Rep. Marge Roukema (R-NJ), and H.R. 915 sponsored by Rep. Pat Schroeder (D-CO) all propose denial and/or revocation of business, occupational, professional and driver's licenses from non-custodial parents who owe financial child support. Similar legislation has been proposed at the state level in New Jersey.

Children need the emotional support of both of their parents at least as much as they need their parents' financial support. Why aren't our elected representatives devoting as much attention to assuring that children have enough access to both of their parents to promote a healthy, loving parent-child relationship following their parents' separation as they are to further punishing disenfranchised parents who have been reduced to mere visitors and paychecks in their own children's lives? ☒

AN UNABASHED PLEA FOR MONEY

We hope that you have enjoyed reading this issue of **About FACE NJ** and that you found the information in it to be timely and useful. We have made every effort to provide you with meaningful information about the current status of child custody and access issues from the point of view of non-custodial parents and their families.

Until now, we have sent **About FACE NJ** to the entire Fathers' and Children's Equality-NJ mailing list regardless of current membership status, but it will be impossible to continue this practice. To recover production and mailing expenses for just one newsletter, we must recruit fifteen new members.

About FACE NJ will continue to be sent at no charge to all unexpired Fathers' and Children's Equality-NJ members, and to New Jersey lawmakers, policy-makers, judges, news media, and certain others who influence public policy in New Jersey.

Please check your mailing label. It indicates the last time you renewed your **FACE** membership. If you have not renewed in the past year, please use the coupon below to renew today. No date on your label indicates that you never joined **FACE**. Please join today. If you believe that the label information is mistaken, please send us corrected information with a copy of your cancelled check.

We have made it easy for you to receive **About FACE NJ**. Standard **FACE** membership is only \$65 per year. If you can't afford that much at one time, you may remit \$25 now, and we will bill you for two more \$25 payments. If you don't wish to join **FACE NJ** but would like to continue receiving **About FACE NJ**, subscriptions are \$25 per year.

FACE NJ is an all volunteer organization. We have no paid staff. Everyone who works for **FACE** donates his/her time. Our only sources of income are membership dues, newsletter subscriptions and contributions. ☒

UPCOMING EVENTS

April 13-17, 1994:
CRC's Eighth National Conference, Bethesda, MD.
 Children's Rights Council, Inc.,
 220 "T" St. N.E., Suite 230
 Washington, DC 20002-4362
 800/787-KIDS or 202/547-6227.

June 18, 1994:
Father's Day Rally and March, Washington, DC.
 American Fathers Coalition
 2000 Pennsylvania Ave. N.W., Suite 148
 Washington, DC 20006
 703/255-2428

Anyone interested in submitting articles for publication in the next edition of **About FACE NJ**, Please send the information, preferably on disk (in WordPerfect® or ASCII format) to:

About FACE NJ
 PO Box 2471
 Cinnaminson, NJ 08077

Articles **MUST BE** submitted no later than April 1, 1994 if they are to be considered for the next publication.



MEMBERSHIP APPLICATION

Help us help you...Join today and together we can make a difference.

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Atlantic City Hotline 609.645.1355
FACE Pennsylvania 215.688.4748

FACE NJ

BOARD OF DIRECTORS

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Barbara LaMarra Vice President
Theodore C. Vanderlaan Secretary
Christopher L. Pedrick Treasurer/Editor
Jeffrey Golden Chief Information Officer

Use of **FACE NJ** mailing list

Recently we granted another similar organization's request to mail a questionnaire to our contacts. Data gathered will be used to publicly present our position. Please be assured that **FACE NJ** makes every effort to keep information that you provide to us completely confidential.

MEETING SCHEDULE

All meetings begin at 7:00 PM

Phone for information and directions

General Membership Meetings:

NEW LOCATION:

Second Monday of each month
Atlantic Electric
"B" Bldg. Engineering
6801 Black Horse Pike
Pleasantville, NJ

Second Tuesday of each month
Cherry Hill Library,
Kings Highway (next to Richman's)
Cherry Hill, NJ

Board of Directors Meeting:

open to all **FACE** members
Third Tuesday of each month

FACE NJ is seeking two volunteers to do wordprocessing. If you have some time, and you would like to help, please call the hotline.

Support Meetings:

Mercer County

First Monday of each month
Charles Forberg
Hamilton Township, NJ
609-584-1887

Camden County

Third Monday of each month
George and Barbara LaMarra
Westmont, NJ
609-858-4272

Atlantic County

Fourth Monday of each month
Flip and Michael Lowrie
Pleasantville, NJ
609-272-1797

Gloucester County

Fourth Thursday of each month
Harold Doty
Mullica Hill, NJ
609-478-4478

Forwarding and Address Correction Requested

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