



## FACE Dues Revised

FACE-NJ, like all other organizations, requires money to operate. Most of our revenue comes from our members' dues. Until now, we have had difficulty planning a budget because we never knew in advance who would be paying dues or when we would receive them. Frankly, as we planned activities, we just hoped that money would come in to pay for them, and usually it did.

FACE-NJ's budget was one of the topics of the January 18, 1996 Board of Directors meeting. As we grow, it becomes increasingly difficult to continue operating as we have. The board needs to know early what our operating budget for the year will be. We need a predictable revenue stream. We also want to avoid raising dues, encourage members to maintain their membership from year to year, and discourage those who only pay when they need something.

The Board of Directors voted unanimously to change the FACE-NJ dues structure effective January 1, 1996.

Standard dues remain unchanged for 1996 at \$65.00 per year. This will increase to \$75.00 in 1997. All memberships, regardless of when they began in the year, now expire on December 31st. Renewals will be billed in November of each year, so they can be paid for the following year either in the current year or in the following year. Members may find this useful for tax purposes.

As a courtesy to those who joined FACE-NJ late in 1995 and paid their dues in full, a one-time exemption to the December 31, 1995 membership expiration is extended to all whose dues were paid between November 1, 1995 and December 31, 1995. These memberships will expire on December 31, 1996.

There will no longer be a dues installment plan. Too many individuals began an installment plan but never finished paying and, frankly, we have not been diligent enough in billing the installments. This makes it difficult to determine who, as a member, is entitled to our services and who is not, and is unfair to those who do pay their dues in full.

Family membership, which included a second newsletter subscription for another family member, is also eliminated. Additional newsletter subscriptions are available at \$25.00 per year.

We continue to encourage all who can to pay \$100.00 or more per year. These individuals will be designated "Patrons" and will receive special recognition for their generosity and support.

If membership lapses due to non-payment of dues, it can only be reinstated by payment of all standard dues arrears accrued since the date of the lapse.

The special one-time \$10.00 membership program is still available to current members of NJCCR, and is valid until the end of their current NJCCR membership or until December 31st, whichever occurs first. With your FACE membership application, submit the back page of your most recent NJCCR newsletter (no copies) with the intact mailing label indicating your membership expiration date, and a check for \$10.00.

In summary, if you have not paid your FACE-NJ dues since November 1, 1995, your membership expired on December 31, 1995 and your 1996 dues are now due. Please use the coupon in this newsletter to renew your membership.

**False Spouse Abuse**

Page 2

**President's Message**

Page 3

**Judges' Pay Raise**

Page 3

**Legislative Update**

Page 4

**License Suspension**

Page 6

**Is Face Effective?**

Page 7

**Mission Statement**

Page 8

**Dad's House**

Page 8

**Why I Demonstrate**

Page 9

**Upcoming Events**

Page 10

## Congratulations ...

to Dick Bosa, non-residential father, legal reform activist, FACE Pennsylvania pioneer, and contributor to this newsletter, who was elected mayor of his hometown of Wolfeboro, New Hampshire.

## How Men Should Handle a Spouse's False Allegations of Physical Abuse

by Robert B. Gidding, Esq. of the Pennsylvania and New Jersey bars

**M**any men and women in long term intimate relationships, such as marriage, will engage in some physical fighting during the course of their relationship. I hesitate to call this "normal," but I believe it is inevitable. Usually, this involves pushing, shoving, grabbing arms, squeezing arms, wrestling, slapping on the body, throwing small harmless objects, like water, a pillow, a shoe, for example. I call this common form of fighting "class one violence."

"Class two violence" involves the infliction of or threat of serious bodily injury through repeated slapping on the face, kicking, punching, throwing dangerous objects such as knives, glasses, and plates. "Class three violence" involves life threatening stabbings, shootings, and choking or threats to do these things.

Many states have enacted special laws to cope with the frequent problem of domestic violence. In New Jersey, the statute is called the Domestic Violence Act; in Pennsylvania it is called the Protection from Abuse Act. Your state law may have a slightly different name.

These laws typically permit a battered spouse to file a charge against the other spouse and obtain a temporary *ex parte* order excluding the other spouse from the house, imposing child support, and giving custody of the children to the complaining spouse. *Ex parte* means that the complaining spouse can obtain this relief without the knowledge or participation of the other spouse in the proceeding. **In other**

**words, these laws permit a Judge to grant relief to a complaining spouse without hearing your side of the story.** These laws empower the police to enforce the order by kicking you out of your own home.

However, these laws typically provide for a hearing within ten days, a hearing at which you can bring an attorney and present your side of the story. At the end of the hearing, the Judge will either continue the *ex parte* order for a period of time, or will dismiss the complaint and let you back into the house.

**These laws permit the Judge to remove you from your own home based solely upon the word of your spouse and to ask questions later.** Although these laws have saved many legitimate, battered spouses from further abuse, many spouses, mostly female, have unfairly taken advantage of the system to invent false allegations of abuse merely to remove the other spouse from the home.

**T**he false allegations usually arise from the less serious Class One violence described above. By excluding the male from the marital home, the female gains the advantage in the upcoming child custody battle and in the financial aspects of the divorce.

Class One violence does **not** constitute domestic violence or abuse as those terms are defined in the law because Class One violence usually does not present the threat of imminent, serious bodily injury. No Judge should throw a man out of his home based upon allegations of Class One violence.

Unfortunately, female spouses often succeed anyway by lying and scaring the Judge into thinking that she may be seriously hurt or killed. **Too many Judges are over-protective of females based on the sexist assumption that females are weak and helpless.**

**W**hat can we men do to avoid false allegations of physical abuse? Consider the following:

1. Don't put yourself into the position of being charged with abuse. **If you get into a heated argument with your spouse, walk away, do not touch your spouse, wait four to twenty-four hours, and then discuss the dispute. Walk away if your spouse says, "Why don't you hit me? Go ahead, hit me."**

2. If you find yourself thinking violent thoughts, try to convince your spouse to go to marital counselling. Then, find a competent therapist you both have confidence in.

3. If you and your spouse have engaged in Class One violence only, then you must fight the charges at the hearing. Never agree to an order banning you from your home if you are not guilty.

4. If your spouse has battered you by either inflicting serious bodily injury, or threatening same, then you should file a domestic violence complaint against her. Most men hesitate to do this because it is not the "manly" thing to do. However, don't hesitate if you truly believe your spouse might seriously injure you or your children.

5. If you or your spouse have committed Class Two or Class Three violence on each other, then one of you should leave the home temporarily to prevent the violence from escalating.

6. If you decide to fight the charges, get a competent attorney who knows how to cross-examine your spouse to show that she was never in danger of being killed or seriously injured.

We men must always avoid wife-battering and must avoid being taunted by our wives or lovers and provoked to violence. Unfortunately, some women deliberately try to provoke a man to violence so they can play the victim role later in court. Unfortunately, some Judges are too eager to view woman as victim. If you are falsely accused of physical abuse, **fight it.**

This article should not be construed as legal advice appropriate to every individual situation. No lawyer should give you legal advice until after he/she has learned all the facts of your case. Legal advice could differ depending on the individual case. If you have a legal problem, you should consult an attorney.

Copyright reserved 1995 by  
Robert B. Gidding, Esq.  
44 Union Avenue  
Bala Cynwyd, PA 19004  
(610)664-4530

### About FACE NJ

The Journal of Fathers' and Children's Equality-NJ  
Volume IV, Number 1, 1st Quarter, 1996

Edited by Jeffrey Golden, Chief Information Officer

About FACE NJ is published quarterly by Fathers' and Children's Equality-NJ. Contents without copyrights by others may be reproduced providing that the quotation is attributed to About FACE NJ. Subscriptions: Available by mail for \$25.00 per year from FACE, P.O. Box 2471, Cinnaminson, NJ 08077, 609-786-FACE. The views expressed herein are those of the authors and do not imply official approval by Fathers' and Children's Equality-NJ.

Copyright © 1996 Fathers' and Children's Equality Inc. - NJ

## PRESIDENT'S MESSAGE:

**Get Involved!**

by Michael E. Fox

**A** member contacted me last week with a very common problem. He could not obtain any advance information on his children's outside non-school activities such as soccer, T-ball, scouts, YMCA, etc.

His children felt he wasn't interested because he never showed up at any of their games or practices. This reinforced the rhetoric from his ex- that he was self centered and only did the things he wanted to do, unless of course it was convenient for him to attend. Does this have a familiar ring?

The fact is that Mom is always there, naturally enough, because the children live with her. She is the default (by design) designated taxi driver. She doesn't plan to be there; it is part of her daily existence. The contrast between absent and present parent starts here. The child only sees one parent and draws conclusions. Mom is Mother Theresa and Dad is, well let's just call him the villain, Black Bart (apology, Mr. Simpson). Conspicuous by his absence, Dad is branded by the other parent as a biological parent only. Does this too have a familiar ring?

**W**ho you gonna call? Ghostbusters? Is it frustrating? Did you ever try to nail Jello to the wall? That's frustrating! This is easy.

Full time, part time, who is in charge of your public relations program? Ah ha, just as I thought. No one. Everyone

is to blame for the situation, and yet no one is there to accept responsibility. Alas, the Jello frustration syndrome.

Doubtless, your ex- has the children. Combating Parental Alienation and Black Bart Syndrome is the task. The primary influence over your ex- is the attitude directed by third parties toward you. Over this you have control. It is simple -- get in their FACE.

How do you think the school would view you if: You volunteered to be a room parent? You were active in the PTA? You sent 25 cupcakes to school on your child's birthday? You went on school trips?

How do you think outside activities people would view you if: You assisted the coach or kept score? You became a referee or umpire? You put yourself in charge of juice and snacks? You offered to taxi other kids? You invited all of the kids to your home after the game for pizza and Coke, as non-divorced parents do?

**I**f you are an integral part of what's going on, no one has to remember to mail you a schedule. Get involved! Get on top of things, like Ragu on spaghetti! Your children will love it, and so will you. Others will have a favorable opinion too. That positive PR will contrast with alienation. Your children will see that there are two sides to every story. Your deeds will outweigh others' negative words.

**Pay Raise for Judges**

by Barbara LaMarra

**A**s its parting shot to the citizens of New Jersey just before it expired, the 206th legislature voted to raise judges salaries by 15%. This will cost \$6.4 million per year, plus benefits and pension increases.

New Jersey's Superior Court judges, already overpaid at \$100,000 a year, will be among the highest paid in the country at \$115,000. In addition, they receive a very liberal benefit package, free health insurance, and a retirement

plan that can pay more than they earned when they were working. How can anyone with this stratospheric income understand the financial burdens that average middle class families face?

**T**his is clearly counterproductive to Governor Whitman's tax and cost cutting policies. If you agree, call her at (609) 292-6000 and tell her what you think a fair and reasonable salary for a judge should be.

**Too Little Too Late**

**C**ourt Permits Fee Awards in Bogus Domestic Violence Claims" That was the headline in January in one of New Jersey's legal journals. It seems that R.L. harassed and made terroristic threats against M.W., his lover of two years. She says that he said he "would not allow her to leave him alive."

But R.L., a police detective who records his phone conversations because of his police work, produced a tape of the conversation. Not only did the recording contain no threats, it was with M.W.'s brother, not her. In it's decision (M.W. vs. R.L., A-4628-93T5), the Appellate Division called M.W.'s testimony perjury, and said that M.W. had to pay R.L.'s attorney fees.

FACE lauds the Appellate Division for this decision, but it is too little and too late.

**F**ACE has reviewed thousands of New Jersey Family Court cases. We find that false allegations of domestic violence are used with such frequency to gain an advantage in child custody that we can not believe lawyers are not advising their clients to do so. Many people say their ex-mate lied to gain some advantage in Family Court, but we have never heard of anyone being prosecuted for Family Court perjury. Cases we brought to the prosecutor have been ignored.

One Family Court judge says "If nobody lied in my court, they wouldn't need me here." The courts know litigants are lying, but they do nothing about it! Even in M.W. vs. R.L., the appellate court tried to sweep it under the rug by suppressing its decision for a month. The courts knowingly allow Family Court litigants to just keep on lying. This makes a mockery of our courts, and increases the lack of respect for the entire legal system that Family Court litigants develop.

**F**alse allegations of domestic abuse ARE acts of domestic abuse, and should be recognized as such. Attorney's fees are a start, but there should be criminal penalties for false allegations of domestic violence.

**Q: How can you tell when a lawyer is lying?**

**A: His lips are moving.**

## Legislative Update

**W**ell, here we are at the start of a new session of the New Jersey Legislature. First, let's look at what the outgoing legislature did for family law reform.

The New Jersey Commission to Study the Laws of Divorce was convened, held all of its hearings, and issued its report during the tenure of the 206th legislature. The Commission made twenty-one recommendations. Nineteen of them were introduced as bills in the Assembly; Thirteen in the Senate. How many passed? None. How many even made it to a vote? Zero.

In addition, the 206th legislature considered overcoming *Newburgh vs. Arrigo*, 88 N.J. 529 (1982), by preventing judges from ordering any parent, married or not, to pay for children's post-secondary education. The Assembly version, A-1790, was introduced by Assemblymen Gary Stuhltrager and Jack Collins. It passed by a large majority. The Senate version, S-1597, was introduced by Senator Raymond Zane. About a hundred people came out to testify at the Women's Issues, Children and Family Services Committee hearing, but none of either bill's sponsors were there. The legislature expired without S-1597 ever coming to a vote.

**B**ut the new legislature has a chance to change things. Forty-six bills covering thirty-three issues were pre-filed for introduction in the 1996 session of the 207th legislature, so there may be time to act upon them.

Here is what has been introduced:

**A-66**, introduced by Assemblyman Kavanaugh, would require the party who paid for insurance coverages during the marriage to maintain those coverages during the divorce. This was Divorce Commission recommendation number 4. FACE is in favor providing that a credit would be granted at the time of equitable distribution to evenly divide the cost between the parties.

**A-67**, introduced by Kavanaugh, would create a Parents' Education

Program to promote cooperation between the parties and assist them in resolving issues that may arise during the divorce. This was Divorce Commission recommendation number 2, it has the support of the Family Law Section of the New Jersey State Bar Association, and FACE is in favor too.

**A-68**, introduced by Kavanaugh, would remove the term "visitation" from New Jersey law, and replace it with "parenting time." This was Divorce Commission recommendation number 6. It has the support of the Family Law Section of the New Jersey State Bar Association. FACE is in favor, but the section dealing with grandparents' time with children could be omitted. Children do *visit* with grandparents.

The Mandatory Parenting Plan Act, **A-69**, introduced by Kavanaugh, and **S-65**, introduced by Senators Cafiero and Ewing, would require divorcing parents to each file a Parenting Plan with the court, and then file a mutually agreed upon plan. This was Divorce Commission recommendation number 3. It has the support of the Family Law Section of the New Jersey State Bar Association. FACE is in favor, and the Senate Women's Issues, Children and Family Services Committee already voted in favor of S-65.

The Family Mediation Reform Act of 1995, **A-70**, introduced by Kavanaugh and Assemblywoman Crecco, and **S-337**, introduced by Senators Martin and Cafiero, would establish a court-referred mediation program that would be a forum where parties, with the assistance of the mediator, could resolve disputes between themselves. This was Divorce Commission recommendation number 5. FACE is in favor, but the exception for cases in which there was "a significant history of domestic violence"

should be removed.

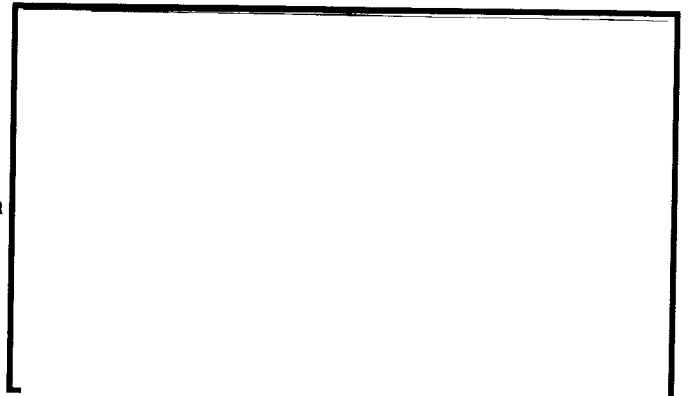
**A-71**, introduced by Kavanaugh and Crecco, would add Family Court motions to New Jersey's frivolous lawsuit statute (2A:15-59.1). This was Divorce Commission recommendation number 14. FACE is opposed. The motions the court refers to as frivolous are not frivolous to the individuals who file them. They are merely an indication of the unfairness of Family Court. If the litigants felt they were treated fairly, they would not feel the need to return to court.

**A-72**, introduced by Kavanaugh, would give both parents equal right to children's medical, dental, insurance, child care and educational records. This was Divorce Commission recommendation number 7. It has the support of the Family Law Section of the New Jersey State Bar Association, and FACE is in favor too.

**A-73**, introduced by Kavanaugh, and **S-392**, introduced by Senator Lipman, would provide for sanctions against a parent who fails to comply with a parenting time (visitation) order, including counsel fees, community service, compensatory time, or other economic sanctions. This was Divorce Commission recommendation number 8. It has the support of the Family Law Section of the New Jersey State Bar Association. FACE is in favor, but the bill should also incorporate the criminal penalties that already exist in New Jersey statute 2C:13-4. If violations were prosecuted under the present law, there would be no need for the proposed civil sanctions.

**A-74**, introduced by Kavanaugh and Crecco, would establish that an award of

Advertisement



Assembly Bill	Senate Bill		FACE's Position
A-66		Maintain insurance coverage (4)	In favor if modified
A-67		Parents' Education Act (2)	In favor
A-68		Change "visitation" to "parenting time" (6)	In favor
A-69	S-65	Mandatory Parenting Plan Act (3)	In favor
A-70	S-337	Family Mediation Reform Act of 1995 (5)	In favor if modified
A-71		Frivolous motions (14)	Opposed
A-72		Equal access to children's records (7)	In favor
A-73	S-392	Visitation interference sanctions (8)	In favor if modified
A-74		Rehabilitative alimony (12)	In favor if modified
A-75		Emancipation at age 18 (9)	In favor
A-76		Limited duration alimony (13)	In favor if modified
A-77		Review child support for students (11)	Generally in favor
A-78		Income withholding for alimony (15)	Opposed
A-79		Mandatory notification of remarriage (16)	In favor
A-80		Retroactive child support modification (18)	In favor
A-81		Equitable distribution - responsibilities for children (19)	Generally in favor
A-82		Equitable distribution - deferred career goals (20)	Opposed
A-83		Alimony in child support calculation (21)	In favor
A-84		Account for child support	In favor
A-189	S-155	Prorate child support withholding	In favor
A-190		Sheriff to compile child support statistics	In favor
A-191	S-157	Notify employer of health insurance requirement	Opposed
A-261	S-153	Uniform Interstate Family Support Act	Opposed
A-276	S-462	Irreconcilable differences (1)	Opposed
A-348		Accelerated support arrearage payments	Opposed
A-390*	S-156*	In-hospital paternity acknowledgement	Opposed
A-533	S-216	Child care credit on state income tax	Opposed
A-552		Parenting for All Parents pilot program	In favor
A-737		Removes employer's liability for children's medical expenses	In favor
A-898		Commission on Child Support Guidelines	In favor
A-1145		Accelerates commencement of child support withholding	Opposed
	S-160	Gives Probation access to public utility, tax and DMV records	Opposed
	S-241	Prohibits court order to pay for college	Generally in favor

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

\* The Senate and Assembly versions of these bills do not match exactly.

rehabilitative alimony shall be contingent upon the recipient actually receiving the intended rehabilitation, and that it would terminate upon remarriage. This was Divorce Commission recommendation number 12. FACE will favor this bill if rehabilitative alimony would also terminate upon cohabitation of the recipient, or upon the death or disability of the paying ex-spouse.

A-75, introduced by Kavanaugh and Crecco, would establish age eighteen or graduation from high school as the age

of emancipation. This was Divorce Commission recommendation number 9. FACE is in favor.

A-76, introduced by Kavanaugh and Crecco, would establish limited duration alimony. This was Divorce Commission recommendation number 13. While FACE has long supported the establishment of a new form of alimony payable for only a limited time as an alternative to permanent alimony, this is not it. This would only establish a new, easier to award form of alimony. As a replacement for permanent alimony, FACE would support a "term alimony"

proposal that would recognize that everyone, at some time in his/her life, must take responsibility for him/herself. A-77, introduced by Kavanaugh and Crecco, would require that Family Court review child support in cases where the parent paying support is also contributing toward post-secondary education expenses. This was Divorce Commission recommendation number 11. While FACE is generally in favor of this, we would prefer a proposal either that no court can order a parent, regardless of marital status, to pay, or that all parents, regardless of marital status, must pay for their children's education. We are tired of divorced parents having less rights than married ones.

A-78, introduced by Kavanaugh and Crecco, would provide for the payment of alimony by income withholding. This was Divorce Commission recommendation number 15. FACE is opposed. Divorced people already have enough violations of their privacy and intrusions into their personal lives.

A-79, introduced by Kavanaugh and Crecco, would require an ex-spouse who is receiving alimony to immediately inform the payor of his/her re-marriage. This was Divorce Commission recommendation number 16. Face is in favor.

A-80, introduced by Kavanaugh, would eliminate the current restriction against retroactive modification of child support. This was Divorce Commission recommendation number 18, and it is supported by the Family Law Section of the New Jersey State Bar Association. Face is also in favor.

A-81, introduced by Kavanaugh and Crecco, would add parental responsibilities for children to the criteria to be considered in equitable distribution. This was Divorce Commission recommendation number 19. In hope that this means that the non-residential parent's financial child support obligation will be considered, Face is in favor.

A-82, introduced by Kavanaugh, would add deferred career goals as a factor to be considered in equitable distribution. This was Divorce Commission recommendation number 20. Face is opposed.

Continued on Page 6

Continued from Page 5

**A-83**, introduced by Kavanaugh and Crecco, would require that alimony be included as income when calculating child support. This was Divorce Commission recommendation number 21. Face is in favor.

**A-84**, introduced by Kavanaugh and Bateman, would require the recipient of financial child support to account for how it is used for the benefit of the child. Face is in favor.

**A-189**, introduced by Assemblywoman Weinberg, and **S-155**, introduced by Senators Bryant and Palaia, would prorate child support orders when more than one order exists and the total that may be withheld is less than the total of the orders. A more logical solution would be to modify the orders downward, but we all know that Family Court is rarely logical. Absent the ability to introduce logic into Family Court, FACE is in favor.

**A-190**, introduced by Assemblywoman Weinberg, would require sheriffs to compile statistical reports concerning child support orders and warrants served. Family Court does not maintain any statistical information, and too many family issues are decided on guesses rather than facts. FACE is in

favor.

**A-191**, introduced by Assemblywoman Weinberg, and **S-157**, introduced by Senator Bryant, would require the state IV-D agency or probation to notify the non-residential parent's employer when a support order includes health insurance coverage for a

has a history of coercing states to pass laws to enforce support orders, but does nothing to promote a parent-child relationship with the non-residential parent, particularly in interstate cases. FACE believes that New Jersey should take a leadership position in rejecting any federal mandates until the feds

promote access to children just as vigorously as they do financial support. FACE is opposed.

**A-276**, introduced by Assemblyman Bateman, and **S-462**, introduced by Senator Lipman, would add "irreconcilable differences" as a new cause of action for divorce. This was the Divorce Commission's recommendation number 1. While FACE believes that people have the right to divorce, it should not be too quick or too easy. We have heard a judge say "There are only two grounds for divorce in New Jersey: eighteen months separation, and three

months separation which is also called extreme mental cruelty." This would add a new, fast, easy way to get divorced. FACE is opposed. It would be better to eliminate all causes of action other than eighteen months separation.

**A-348**, introduced by Assemblywomen Quigley and Weinberg, would require that the entire amount of child support arrearage be collected before the youngest child reaches the age of majority (whatever that is in New Jersey). This would be another violation of privacy, an interference into non-residential parents lives, and a Mommy giveaway program. FACE is opposed.

**A-390**, introduced by Assemblywoman Heck, and **S-156**, introduced by Senator Bryant, would establish legal paternity by in-hospital acknowledgement by the father, without

## Governor Whitman Wants Your License

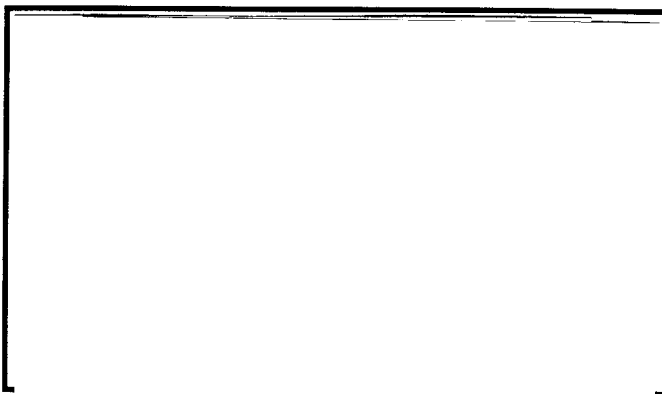
On March 15, 1996 (The Ides of March), Governor Christie Whitman signed into law Senate Bill S-350, sponsored by Senator Codey, which provides for the suspension of driver's and professional licenses of obligors who are six or more months in arrears in financial child support payments. But don't only blame Governor Whitman and Senator Codey. If this bill had not passed, Assembly bills A-1211 sponsored by Assemblyman Augustine and A-1373 sponsored by Assemblymen Steele and Pascrell, and Senate bills S-350 sponsored by Senator Wayne Bryant and S-355 sponsored by Senators Codey and Bryant all would have done the same thing. Lawyers' licenses are excluded because they are "officers of the court" and it would be a conflict for the legislature to control them. (We notice that no lawyers have resigned from the legislature to prevent the same conflict.)

Some other states have already passed similar laws. These laws won't catch "deadbeats" because they can't be found and they are irresponsible enough to drive without licenses. Professionals would be able to use one of the law's loopholes. Only the little guys who can't afford lawyers and don't know how to file their own papers will be hurt. They won't be able to go to work if they can't drive, so they won't be able to pay ANY support. FACE's position is that this law will not benefit anyone.

child. This would be another invasion of non-residential parents' privacy. FACE is opposed.

**A-261**, introduced by Assemblyman Bateman, and **S-153**, introduced by Senator Bryant, would be New Jersey's version of the federally mandated Uniform Interstate Family Support Act (UIFSA), part of welfare reform. The primary purpose is to enforce child support obligations of non-residential parents in interstate cases, but far more residential parents move away with the children. 30% of residential parents move out of state within two years following divorce or separation. The federal government

Advertisement





any blood test or DNA test. FACE is opposed unless fathers are also warned of the long term effects of signing that acknowledgement. These two bills are not identical and will have to be reconciled before they can pass. FACE is opposed to both.

**A-533**, introduced by Assemblywomen Crecco and Farragher, and **S-216**, introduced by Senator Adler, would allow persons eligible for a credit for child and dependent care expenses on federal income tax to also take 20% of the federal tax credit on their state income tax. This is another Mommy give away program, and FACE is opposed. How about allowing non-residential parents who pay support to share proportionately in all of the tax deductions for the children?

**A-552**, introduced by Assemblywoman Turner, would establish in three counties a two year Parenting for All Parents Pilot Program that would assist individuals in developing parenting skills. FACE is in favor, and would be willing to participate in and contribute to the program.

**A-737**, introduced by Assemblymen Gregg and Kramer, would eliminate an employer's liability for medical expenses for an employee/child support obligor's child which now exists in New Jersey statute 2A:17-56.11. FACE is in favor.

**A-898**, introduced by Assemblyman Rocco, would establish the Commission on Child Support Guidelines, which would examine New Jersey's present child support guidelines and recommend new ones. This will allow child support guidelines to be publicly investigated and made law, rather than being dictated in secret by the Supreme Court. FACE is in favor.

**A-1145**, introduced by Assemblyman Cohen, would eliminate the 14 day period an employer is allowed to begin withholding support, and requires that it must begin immediately. Some employers can't comply, and this is unfair to all employers. FACE is opposed.

**S-160**, introduced by Senator Bryant, would give probation departments the ability to get information about child support obligors from public utility records, employment and tax records, and motor vehicle records. This is another violation of non-residential parents' privacy, and intrusion into their lives. FACE is opposed.

## Is FACE Being Effective Yet?

by *Barbara LaMarra*

Headlines from New Jersey Lawyer:

- December 25, 1995: "Enraged litigants tormenting judges."  
 February 19, 1996: "Protesters hone assault on court."  
 February 26, 1996: "Judges urged to back peers under fire."  
 March 4, 1996: "Protesters gain clout: Hit lists focusing on family judges."

These articles, about Family Court judges, recount demonstrators outside a judge's home that prevented him from taking his children trick-or-treating on Halloween, a judge's Thanksgiving disrupted by picketers outside his home, and another disturbed on Super Bowl Sunday by picketers. They tell of a judge who needs a 24 hour state police guard to protect him against threats of violence, newsletters chastising judges and naming their spouses and children being circulated to litigants and the public, and judges becoming the topic of conversation on the Internet. They tell of groups that advise citizens to testify against Family Court judges' reappointments, file complaints with the Advisory Committee on Judicial Conduct (ACJC), or file a complaint with the state Assembly for impeachment.

FACE-NJ has organized and sponsored public demonstrations in front of court houses and, at appropriate times, at judges' residences. Our members have filed ACJC complaints and may have requested impeachment. Only Family Court's victims and their families know of the injustices that go on there. The general public is still living in Perry Mason Dreamworld, where citizens still have the rights guaranteed by our Bill of Rights, no one is imprisoned for non-payment of debt, and parents decide how to raise their own children without government or court interference. If we ever expect change and want family values to return to Family Court, we have a sacred moral obligation to exercise our civil rights to Freedom of Expression to bring Family Court's atrocities to public attention, to petition the

Continued Page 9

**S-241**, introduced by Senator Zane, would prohibit judges from ordering divorced parents to pay for their children's college or postgraduate education. There are no provisions in the law forcing married parents to pay for college. Parents, regardless of marital status, know their children's educational aptitude better than any judge ever will and, if they choose to, they pay college tuition because of their love for their children. Divorced parents should be treated no differently than married parents in this regard. FACE is in favor of this bill, but it should be expanded to include all post-secondary education.

What can you do now? First, phone the Office of Legislative Services at (800) 792-8630 or (609) 292-4840 (or TDD for the hearing impaired at (800) 257-7490 or (609) 777-2744). Tell them which bills you are interested in and ask which committees are considering them. Ask for the name

and phone number of that committee's legislative aid. Call the aid, tell him or her your opinion of the bill, and ask to be notified when the committee will have a hearing on the bill. When you are notified (and it might be very short notice), go to the hearing in Trenton, sign up to testify, and tell your legislators what you think.

23 of New Jersey's 120 legislators have sponsored these Family Law reform bills. You may wish to also express your opinion directly to some of them, especially if you live in their district. You can get their office phone numbers in the blue pages of your telephone directory or from the Office of Legislative Services.

It looks like 1996 has the potential to be the year of family law reform in New Jersey. If you do nothing, you will just have to live for a long time with whatever someone else decides for you. Don't let that happen. You can have control over the changes that are coming.

## FACE-NJ Mission Statement Revised

For the first time since it was adopted, at the January 18, 1996 meeting the FACE-NJ Board of Directors has revised our Mission Statement. The changes expand, clarify and refine our goals, and further define our purpose.

We have added "501(c)(3)" after "non-profit." This is the I.R.S. designation for non-profit organizations. We want to clarify to potential contributors that we have this designation.

We added the term "non-residential" as a descriptor of the parents we serve. "Non-custodial" does not accurately describe all of our constituents. It is possible to have joint custody of children (which means you are not "non-custodial"), but still not have children residing with you.

We clarified that we are opposed to both false allegations of child abuse, and false allegations of spousal abuse.

We added as a twelfth goal our newest objective which was first announced in the 4th Quarter, 1995 issue of About FACE-NJ: Establish a shelter for displaced fathers and children.

## Fathers' and Children's Equality, Inc.-NJ Mission Statement

**Fathers' and Children's Equality is a non-profit 501(c)(3) children's advocacy organization, and a self- help group for non-residential 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 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 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

## Dad's House ... update

In the 4th Quarter, 1995 edition of About FACE-NJ, we announced our goal of establishing Dad's House, the first shelter for men and children in New Jersey. Reader response has been very positive.

We were offered use of two different sites for Dad's House. A FACE member offered a one bedroom condominium apartment in Absecon, NJ. We thanked him, but declined the offer. First, we need a lot more space. At a minimum, we need enough room for a small staff, a parenting (visitation) room, and several bedrooms for fathers and children. Second, we would have to pay the condo fees. We are looking for a site that we, as a non-profit organization, can use at no cost. And third, it is too far away from most of the courthouses.

The Camden Islamic Center offered the use of a large row house in Camden for three years providing that we return it to them in better

condition than when we received it. This offer has some advantages and some disadvantages. Because the Islamic Center is a house of worship, the property is already tax exempt. The building is in a stable area, but it is severely water damaged, and will need very extensive repairs before it is habitable. This may be too difficult a project for us to take on as our first. We thank the Islamic Center for their generous offer. While we are not yet declining this offer, we would like to see what else is available before making a decision on this property.

This newsletter is read by hundreds of people. Perhaps if we give our readers a little more guidance about our requirements, someone may be able to steer us in the right direction. Here are some ideas we could consider:

Take a ride up Route 130 through Cinnaminson and Delran. See those small, old motels on the roadside? One of them would be

great for Dad's House. Since it has separate rooms, we could renovate them one at a time, as we need them.

Drive down Garden Street in Mount Holly. See that old fire station? It would be perfect. The downstairs is one big room. This could be the FACE office and the parenting (visitation) room. Upstairs is a kitchen and sleeping area, which could be the living area for Dad's House residents. When they are too small for modern fire trucks, or when fire departments are consolidated, fire stations become obsolete. Maybe there's one out there we can use.

There's an old watch case factory in Riverside. There's an unused movie projector factory in Woodbury. There may be other industrial buildings or lofts that are usable. We need about 2,000 square feet to start, expandable to up to 4,000 or 5,000 as we need it.

Look around, talk to building owners or municipal redevelopment authorities if you know them, and let us know if you find an available site that may be appropriate.



# Why I Demonstrate

by Jeff Golden

My own Family Court case began early in 1989 when my ex-wife kidnapped my two children, Linnea and Erik, then ages 6 and 1 1/2, removed them from the only home they had ever known, and took them out of state without my knowledge or consent. My relationship with the children was much closer than hers, and, in fact, closer than my relationship with her. She probably was jealous and took them because she knew they were the most important thing in the world to me.

Back then I still had faith in our legal system. I decided to get into court as quickly as possible and have my ex-wife ordered to return the children to their New Jersey home. I hired a lawyer and was in court within two weeks.

That hearing was the first time I met Judge Vincent D. Segal. He heard what both sides had to say. He heard my ex-wife's lawyer portray me as a violent madman, even though there was no record of any domestic violence prior to her leaving. He heard my lawyer describe my close, loving relationship with the children and the arrangements I had made to care for them. I watched as he rolled his eyes toward the ceiling and did a mental coin-flip.

He turned to my lawyer and asked "Is there any reason why I should not leave the children in the temporary custody of their mother?"

"Of course there is!" I thought. "Tell him the dozen reasons I gave you." Without consulting with me, she thought for about two seconds, and replied "No." I now refer to her as Robin, The Incompetent. I quickly replaced her.

I was to have "liberal visitation." That meant that instead of reading them bedtime stories every night, I would do it only two nights on the weekend. Instead of being with them every morning and every evening, I would only see them from Friday at 5:00 PM to Sunday at 3:00. If they woke at night, someone else would now have to comfort them.

But that was not all. For the first few weeks, I had to be supervised by my niece! What was her qualification for this? She had lived with us for a few months after she graduated from college, but neither she nor I knew why she had to be with us. I used to change her diapers. Now she was supervising me.

Something had gone very wrong. Was there something wrong with me that I was unaware of? I began going to fathers' rights group meetings. I learned that my case was not unusual for Family Court. When adults get divorced, their children also have to divorce their father, and men in Family Court are considered dangerous rogues.

When the first autumn of our separation approached, remembering that I was the only parent who ever went trick-or-treating with them, I asked to have the children for

Continued from Page 7

government for redress of grievances, and to educate the public.

If a judge is going to deny a child the right to go trick-or-treating with one of his parents, why should that judge be allowed to take his own children out on Halloween? If your children can't watch the Super Bowl with you, why should the judge be able to enjoy the Super Bowl with his children? If you and your children can't enjoy a pleasant Thanksgiving dinner together, why should the judge be able to?

Any attempts to limit our ability to publish newsletters or access the Internet would be blatant violations of the First Amendment. Citizens are still allowed to talk to each other, aren't they? We can exchange information about our court experiences too, can't we? American courts don't operate in complete secrecy yet. Chat lines and bulletin boards on the Internet are just an electronic extension of those rights. Indeed we would not have a United States today if pamphleteers didn't publish their ideas in print before and during the Revolutionary War.

**T**his is America. We are all created equal. Non-residential parents have no less rights than do judges.

Indeed, a Civil Liberties Union spokesman quoted in New Jersey Lawyer said when it comes to picketers, he doesn't see any reason judges should be treated differently from other people. "I don't think judges could argue that they have a greater expectation of privacy ... than anyone else," he said.

One story mentions a father vilifying a judge that he blames for the death of his son. Although not identified by name, this is Nicholas Jutchenko, who's son Nicky Jr. was killed in a fire while in the care of a women's shelter shortly after the judge awarded custody to the mother. What would one expect Mr. Jutchenko to do?

Halloween. Motion denied. "Halloween is not a holiday" said Segal. When I asked to take them for Passover dinner at my mother's home as we had always done, motion denied. Their mother, who is not Jewish, gets to decide about their religious training. When I asked to take them to my niece's wedding, motion denied. The ex claimed she was getting married the same weekend, but that wedding never took place. When I wanted to take them to a family Thanksgiving dinner, Segal denied the motion. "You have them on the weekend, Mr. Golden." Does that mean that 20 other family members also have to change the day they celebrate Thanksgiving to accommodate Judge Segal's order?

As the case progressed, each time there was any conflict between me and the ex, Judge Segal's solution was to reduce and put

Blame the fire marshal? Sue the match manufacturer? The judge put little Nicky in danger. Mr. Jutchenko will never see him again. Will that judge offer one of his own children as compensation?

The New Jersey Supreme Court's "Family Division Practice Committee Report 1994-1996" recommends that the Administrative Office of the Courts should provide support to judges through their reappointment process in an effort to head off or counteract the efforts of people who wish to testify against them. They do not propose any government agency to support citizens who want a judge removed. This would be unfair, and yet one more example of the system protecting its own members and insulating itself from the public.

**T**he New Jersey State Bar Association has formed a committee to study harassment of Family Court judges. It is headed by Deanne M. Wilson, an attorney with the firm of Mound, Cotton, Wollan of East Hanover, NJ, phone (201) 503-9494. If you have demonstrated in protest against a judge, or have considered doing so, contact her, tell her why, and arrange to testify before the committee.

The solution to what some targeted judges and their lawyer supporters perceive to be a problem is simple: STOP INTERFERING IN OUR RELATIONSHIPS WITH OUR CHILDREN.

Judge, before you sign that order, ask yourself how you, as a loving parent, would react if the restrictions in the order were placed upon you. When we are able to resume our role as one of two equal parents, when our children are spending equal time in our homes, when both parents are equally responsible for the financial needs of children, then we will no longer have the time, the need, or the desire to spend any more time at your house.

more restrictions on my time with the children. Finally, my time with the children was reduced to zero. Then he transferred jurisdiction to the other state, so I had to start the whole case all over again there.

I was one of the founders of FACE-NJ in 1992. From the beginning, we asked those who came to us about their Family Court experience. We received more complaints about one judge than any other: Judge Segal. I was not alone. Others also thought there was something wrong with how he was running his court.

It seems that Segal has a tendency to make snap decisions. This wouldn't be too bad if he would ever reverse himself when the evidence shows his initial decision was wrong. But Segal's ego is too big for him to ever

Continued on Page 11



"The custody battle could go on for months, and cost you a small fortune. Why don't you just buy yourself another dog?"

The Wall Street Journal - reprinted with permission.

## UPCOMING EVENTS

Friday, April 12th through Saturday, April 13th, 1996:  
**ALTA-NJ Education Foundation Boardwalk Seminar 1996**  
 Bally's Park Place Casino Hotel, Atlantic City, NJ  
 The annual seminar of the American Trial Lawyers' Association's New Jersey chapter. Programs for personal injury, workers' compensation and criminal lawyers (aren't they all?), but the most interesting is the matrimonial law program. Judge Vincent D. Segal will speak on Saturday. His topic: "Support After Death."  
 Contact: ALTA-NJ Educational Foundation, 150 West State St., Trenton, NJ 08608, 800/662-0070.

Wednesday, April 24th through Sunday, April 28th, 1996:  
**CRC's Tenth National Conference**  
 Crowne Plaza Hotel, Atlanta, GA  
 Panels of national experts on custody, alternatives to litigation, family court, move-aways, children's needs, and 1996 politics. Great networking opportunity!  
 Contact: Children's Rights Council, 220 "I" St. N.E., Suite 200, Washington, DC 20002-4362, 202/547-6227

Friday, May 17 through Sunday, May 19th, 1996:  
**Quakerbridge Mall Health and Fitness Show**  
 Quakerbridge Mall, Route 1, Lawrenceville, NJ  
 Once again this year, FACE will have a booth in Quakerbridge Mall's annual health and fitness show. This is an opportunity to promote FACE in the Trenton area, where many New Jersey government people live. Volunteers are needed to man the booth for a few hours at a time. Phone Charlie Forberg at 609/584-1887.

Judges, as a class, display, in the matter of arranging alimony, that reckless generosity which is found only in men who are giving away someone else's cash.

*P.G. Wodehouse*

Continued from Page 9

admit that he is human and has made a mistake. Instead, he picks and chooses bits and pieces of evidence and testimony so he can prove his original decision was right.

FACE wanted to draw attention and let the public know we exist. We planned our first demonstration in front of a courthouse to protest against an unfair judge. Who should it be? Segal was nominated overwhelmingly.

I arrived early in Camden that day. A woman that I didn't know was waiting there. She wanted to join the demonstration. Why? Because before becoming a judge, Segal had been her lawyer for her divorce. She overpaid him, and after the case was over there was some money left over in her account. She went to his office and asked for it. He said "I don't give money back to women."

I began gathering information about Segal. I learned he has been married three times and divorced twice. He and his third wife, Linda, have a daughter, Allison, now age 6. His own adult children don't speak to him. He gave one ex-wife an ultimatum: Settle for what I'm willing to give you, or I'll break you financially and you'll get nothing. She caved in. When his name was proposed for a judgeship, one of his ex-wives campaigned against him.

He has a reputation as a hard working judge. That may be true, but at what price to his own family? He does work long hours. Segal is the first judge at the Atlantic City courthouse every morning, and the last to leave. His ostentatious Mercedes convertible is in the parking lot at 7:00 AM. His commute from Cherry Hill takes about an hour, so he leaves home by 6:00 AM and doesn't get home until after 6:00 PM. He doesn't have time for a meal with his own daughter.

Segal is a workaholic who is satisfied with only seeing his own daughter briefly on the weekend. His attitude toward litigants in his court is "If a few hours on the weekend with my child is good enough for me, it will be good enough for you, too." Regardless of what your relationship with your children was like

before you had the misfortune of meeting him, as a judge he has the power to impose his own low standards of parenting on you.

I will be in the group picketing and handing out leaflets at Segal's house every Halloween, even if his wife, Linda, threatens to turn the sprinklers on us. (She did.) If my children can't celebrate Halloween with me, why should he be able to celebrate Halloween with his daughter? Besides, it was he who said "Halloween is not a holiday."

One of his neighbors tipped me off about

Segal's annual Super Bowl party. It's also for his January 30th birthday. Based upon the number of cases of beer brought to the house for this shindig, I doubt that he includes his daughter in this celebration, either. Until my children and I can celebrate birthdays or watch football games together, I'll be there then, too.

All of the demonstrations against Segal, whether at the Camden or Atlantic City courthouses or at his home, have been peaceful and informational. We quietly carry signs informing the public of our grievances and hand out leaflets. We are respectful of private property. On Halloween, we come in costume and give out candy to the neighborhood kids,

some of whom join us in our vigil.

This no longer has anything to do with my own case. Since Segal transferred it to another state and this was upheld on appeal, he can no longer do anything that will effect my case in any way. My only objective now is to change the system so others won't be hurt. In a letter I wrote to Segal in 1992, I said "All I want from you is for you to say to me and my family 'I'm sorry for what I did to you.'" He hasn't done it yet. Maybe when he does I'll reconsider.

### STUFF NEEDED:

Washing machine - in good working order. Call FACE HotLine 609/786-FACE. We will arrange for transportation.

### Advertising Rates

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

# FACE NJ

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

## MEMBERSHIP APPLICATION

Date \_\_\_\_\_  New membership  Renewal

Regular membership \$65.00 per year. Patron membership \$100.00 or more. Amount enclosed \$ \_\_\_\_\_ Please make check payable to FACE-NJ

Name \_\_\_\_\_ Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Residence County \_\_\_\_\_ Date of birth \_\_\_\_\_

Phones: Home ( ) ( ) \_\_\_\_\_ Where? \_\_\_\_\_

Are you registered to vote?  Yes  No  I don't know

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

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

How many children do you have? \_\_\_\_\_ Date of birth of youngest \_\_\_\_\_

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

Jurisdiction of your case? \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_

Judge(s) \_\_\_\_\_

Mental health professional(s) involved in your case: \_\_\_\_\_

Name \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Mail application and payment to: FACE-NJ P.O. Box 2471 Cinnaminson, NJ 08077

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

**FACE Pennsylvania:**

Philadelphia	215-355-4054
Delaware Valley	610-688-4748
Bucks County	215-322-3464
Domestic Violence	215-333-3773

**FACE NJ**  
**DIRECTORS**

**Michael Edward Fox**  
President

**Barbara La Marra**  
Vice President

**Joe Perretta**  
Treasurer

**Jeffrey Golden**  
Chief Information Officer

**Brian Rogers**  
Communication Coordinator

**Christopher L. Pedrick**  
Director at Large

**FACE MEETINGS**

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

*Second Tuesday of each month:*

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

Join us at 9:00 PM for refreshments  
at Richman's following the general  
meeting.

*Third Thursday of each month:*

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

**Support Meetings:**

*First Monday of each month:*

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

*Third Monday of each month:*

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

*First Thursday of each month:*

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

*Fourth Tuesday of each month:*

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

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

**FACE dues revised. Your membership may have already expired. See page 1.**

**Forwarding and Address Correction Requested**

Cinnaminson, NJ 08077

P.O. Box 2471

Fathers' and Children's Equality Inc.

V4N1



NONPROFIT ORG.
U.S. POSTAGE
PAID
BELLMAWR, NJ
PERMIT NO. 30