FATHERS' (CHILDREN'S EQUALITY-NJ

Volume II Number 2 2nd Quarter 1994 Hotline 609.786. FACE

COMMISSION TO STUDY THE LAWS OF DIVORCE

by Barbara LaMarra

The Divorce Commission's third and most recent public hearing was held in Trenton on Thursday, March 31st. About twenty people, mostly men, testified with their Family Court horror stories.

Generally, everyone was dissatisfied with the current family court system. Barbara Parker, a family court mediator from Ocean County recommended the using the term "parenting time" in the law instead of "custody" and "visitation."

John Grace submitted a letter to the Commission and asked them to "equalize treatment for all parties involved."

Veronica Ferrett spoke of the "deplorable situation in the divorce code," and received hearty applause when she asked for "non-lawyer mediation."

Myra Terry, president of the New Jersey chapter of the National Organization of Women, claimed to represent 12,000 members. At one print, the interest of the own testimony to falsely accuse men sitting behind her of heckling her. In support of her position in favor of alimony, she recited the following song lyrics:

"At 36 she met him at the door and told him that she doesn't love him anymore.

"Now she's working in the typing pool at minimum wage."

Come on, Myra! After she unilaterally destroyed the marital partnership, does she deserve to continue to share in and benefit from the fruits of his labor?

FACE member Jeff Golden gave Ms. Terry a copy of the 1st Quarter 1994 edition of About FACE-NJ and pointed out where FACE-NJ president Mike Fox asked her to work with us to "present a united front for the betterment of everyone." To date, she has not responded.

Bob Dass played a tape of Mary Previty, director of the Camden County Youth Detention Facility, who said that fatherlessness is the major contributing factor in juvenile delinquency.

Steve Gregory asked the Commission to "take children out of the middle."

Ann Marie Ackly said that, even though family court has granted her custody of her nephew, she has not been allowed any contact with her own children for over a year. They are in the custody of their stepfather, and she is in debt for over \$200,000 because of her divorce.

David Marks and Daniel John Hudson both testified that criminal law 2C:13(4) "Interference with Custody and Visitation" is not working because it is enforced differently for custodial and non-custodial parents. FACE-NJ's major complaint about 2C:13(4) is that it is not being enforced for non-custodial parents at all.

Conspicuous by her absence from the hearing was Maryanne Espinosa Murphy, the ousted former Morris County family court judge who, despite not meeting the qualifications, was appointed to the Commission by ex-Governor Florio as the "retired family court judge." Mrs. Murphy also arrived late at the first hearing and left the second

LAST EDITION OF About FACE-NJ

No kidding! This is it! If you have not joined FACE-NJ, renewed your membership or subscribed to AboutFACE-NJ, this is the last edition of AboutFACE-NJ that you will receive

In past editions of AboutFACE-NJ we urged you to renew your FACE-NJ membership. Please check your mailing label now. If you have not joined FACE-NJ or renewed your membership within the last year, do it NOW. Membership is \$65.00 per year, or you may pay three \$25.00 installments. If you can not join, an AboutFACE-NJ subscription is \$25.00 per year. Use the membership application on page 11.

Our mailing list now includes well over 1,000 members and other contacts. Complimentary copies of AboutFACE-NJ will continue to be sent to legislators, family court judges, certain social service agencies and others who are influential in creating public policy. AboutFACE-NJ will also be sent free for six months to any family court victim who contacts us, but it will be impossible for us to continue free subscriptions for our entire mailing list.

If you have already joined or renewed your membership we thank you for your support. If the membership information on your mailing label disagrees with your records, please notify us by writing to FACE at PO Box 2471, Cinnaminson, NJ 08077 or calling the FACE Hotline at 609/786-FACE.

hearing early. Mrs. Murphy: If you are too busy or just don't want to serve on the Commission, why don't you resign and make room for someone else?

Several people said that the hearings, scheduled on Thursdays at 2:00 PM in Trenton, are too inconvenient to attend, particularly for parents with children in school. Future hearings will be scheduled at various sites around the state. The next one will probably be in Ocean County in June or July.

There is still time for YOU to testify. Do you have suggestions for improving the ways that we divorce or decide custody in New Jersey? Have you or your children been abused or discriminated against by the present system? Tell it to the Commission.

To schedule yourself to testify, phone OLS secretaries Karen M. DeMarco or Elaine Fennelli at 609/292-5526, and you will be notified of the time and place of the next hearing. If you can not testify in person, submit 15 copies of your written testimony to:

Ms. Patricia K. Nagle Commission to Study the Laws of Divorce Legislative Office Building 135 West Hanover St. CN-067 Trenton, NJ 08625 Dick Bosa is a founder of FACE in Pennsylvania. He now lives in New Hampshire, where he is an officer of the state chapter of VOCALS (Victims of a Corrupt American Legal System). His essays are always thought provoking.

NEW JERSEY COURTS OF INJUSTICE

by Richard P. Bosa

It is common knowledge that the New Jersey Courts are a "privatized business" for the exclusive financial interest of the New Jersey Bar Association Members which includes all lawyers and judges. It is a monopolized industry without competition, accountability or accessibility. This includes the Attorney General, District Attorneys. Judges from the New Jersey Supreme, Superior, and inferior courts; all government or private lawyers and our current lawyer - Governor, Christine Todd Whitman, who ignores the abuses.

Pro se citizens representing themselves have made and continue to make complaints of irregularities by Court support staff i.e. Court Clerks, Court Reporters, etc. whereas complaints of rude and intolerant behavior; refusal to secure documents for review; missing, documents although proof exists that these documents have been filed; changing dates; changing testimony; or not notifying litigants of judgments or dates, etc. are commonplace -- a double standard for lawyers and judges -- all to make access difficult or impossible.

These illegal, unethical, immoral actions by staff personnel as directed or condoned by a judge or lawyer are worse than a brutalizing crime on the street because the actor is held to a nigher degree of skill and care and they have taken an oath to perform their duties in accordance to the fundamental law of the land. The clerk "doing, his job as directed" hindering litigants is worse than those ordering the act, because it is protecting the real criminal...The Judge. The injustice masked and paraded as justice is a hypocrisy. THE PROTECTION OF EVIL IS THE MOST DESTRUCTIVE FORCE OF ALL.

Hitler could not have killed millions without the help of those who "followed orders." The Nurenburg Trials of 1945 did not excuse those involved because they knew that they should not follow inhuman acts of brutality. The same standards apply to the court personnel who allow citizens to be victimized under the "banner of justice."

About FACE NJ

The journal of Fathers' and Children's Equality-NJ

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Jeffrey Golden Chief Information Officer Christopher L. Pedrick Editor

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ARBEITEN MACHT FRIED

(Work will make you free)

Those were the words over the gates of Nazi concentration camps. And to a very real extent, those same words or Equal Justice Under Law could be over the entrance to every "New Jersey court" in this state. That's because those words today are every bit as false and hypocritical as they were when the Nazis used them.he walking wounded are in every county, mentally and economically devastated by the hypocrisy.

You the doers of the deeds will be held accountable and responsible for your actions to the people and yourselves. Each act of injustice against our fellow man is registered on our soul; and at a high plain, that is eventually brought into balance as all in nature. "We reap what we sow." Injustice begets injustice to those who perform, condone or watch without rectifying.

Only with strength of character by rejecting injustice and refusing to "follow unjust orders" and ng, to stop the games will the soul be vindicated. We are each our brothers' keeper and accountable for "our" actions or inactions.

REGISTER TO VOTE

A New Jersey Voter Registration Application form is included in this edition of AboutFACE-NJ. If you are not registered to vote, or if you are not sure whether or not you are registered, fill out the form and mail it in.

AboutFACE-NJ is sent to all 80 New Jersey Assemblypersons, all 40 New Jersey Senators, Governor Whitman, all 13 of New Jersey's US Representatives, both of New Jersey's US Senators, and President Clinton. If we want to be taken seriously, we must let them know that we are a huge voting block, and thus we control the future of their political careers.

Not only do we vote, but we all have a mother, a father, sisters, brothers, grandparents, aunts, uncles, cousins, a new spouse or significant other, children or step-children who are old enough to vote and friends who vote. When we and our children are victimized by an archaic family court system, disenfranchised as a parent, reduced to being only a visitor and paycheck in our children's lives, and denied our civil right to enjoy a normal, loving parent-child relationship with our own children, our extended families are also effected, and they all vote too.

Every one of us represents at least ten voters so, before you fill it out, make as many two-sided copies of the voter registration form as you will need for them too.

To be eligible to vote you must, by the time of the next election, be a U.S. citizen (either native-born or naturalized), at least 18 years old, and a resident of New Jersey and your county for at least 30 days before the election. Your registration form must be witnessed (in part 8) by someone else who is already a New Jersey registered voter.

Some of you may have special problems in registering. If you have been ejected from your home by a restraining order, you may be unsure of what address to use when registering. If you are temporarily living outside of your home, register at the address where you are living now.

Even if you have to sleep in your car or on a park bench you can still register to vote. As a citizen, you have a right to vote even if you are homeless. You will have to specify the location of the park bench or where you most often park your car as your "residence", but you must also specify (in part 2) a mailing address where your sample ballot will be mailed. That should not be a problem because, if you received this newsletter, you obviously have a mailing address, even if it is not where you slept last night. If you don't have a mailing address, find out about "general delivery" at your post office. If you find permanent housing in another county before the next election, you can re-register at that address.

If in the past you refrained from registering to vote because you wanted to avoid jury duty, that should no longer be a concern to you. Although jurors are often selected from voter registration rolls, people who are or have been involved in extensive litigation, as most family court victims have, are usually rejected as jurors.

Voter registration forms will be available at all future FACE-NJ meetings, and all of our contacts will be asked to register to vote.

VOTER REGISTRATION IS AS EASY AS 1-2-3

- 1. Make as many photocopies of the Voter Registration Application as you will need.
- 2. Distribute them to your family and friends.
- 3. Mail completed forms to:

Office of Secretary of State Election Division CN 304 Trenton, NJ 08625-9983

New Jersey's Voter Registration Application.



LAST	FIRST	MODLE
RESIDENCE: STREET ADORE	ESS AND P.O. BOX	APARTMENT NUMBER
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REGISTRATION INSTRUCTIONS

Print in Ink— Use ball-point pen or marker

Qualifications of an eligible applicant

By the time of the next election, you must be 18 years old and a United States citizen. You must also be a resident of New Jersey and of your county for at least 30 days before the election.

- a. Items 1 through 8 must be completed in full. Complete item 5 if you were previously registered. NOTE: if applicant is unable to sign his or her name a mark must be affixed to the line designated signature or mark in item 7 on this form.
- **b.** Item 7 must be signed and dated by the applicant after completing the form.
- c. Item 8 must be signed and dated by a registered voter of the State of New Jersey, after witnessing the applicant's signature and completion of the form.
- **d.** For registration deadlines, contact your county commissioner of registration or municipal clerk.
- e. The Commissioner of Registration will notify you upon receipt and review of this form. NOTE: Sign and complete all questions before mailing.

- APPLICANT SIGN AND DATE HERE

WITNESS SIGN AND DATE HERE

WITNESS MUST BE A REGISTERED VOTER OF THE STATE OF NEW JERSEY

LETTERS TO About FACE-NJ

The 1st Quarter, 1994 edition of AboutFACE-NJ featured an article by Craig Katz in which he described his experiences with Dr. "R", who he and his ex-wife were directed to for psychological evaluations. The following letters were received in response.

I read your article about Dr. "R" and I believe it to be [name omitted]. If so, I'm surprised at your finding.

I spent approximately 6 visits including a home visit in 1992 from Dr. "R". She seemed to be quite the opposite of your finding. She gave testing to me also, and she also testified on my behalf in court and her testimony gave me not visitation but custody of my 5 year old son. Now consider that I was 50 years old at that time and you would probably give me a snow ball's chance in hell. She was court appointed and her 3 hours on the witness stand, which her final statement was "custody should go to Mr. Gross" was all I needed for the judge to hear!

Now my opinion is that instead of attacking psychologists it's the judges that you should go after.

Joseph Gross Edgewater Park, NJ

I am currently involved in a custody hearing that has lasted 35 court dates. Before that I also was involved with another 15 motions concerning my children.

In 1993 I obtained Dr. "R" as a second opinion evaluation. I was given her name by my plumber Joe Gross. His experiences with Dr. "R" were extremely favorable. He won custody of his son because Dr. "R" his court appointed psychologist recommended him overwhelmingly. His girlfriend hired Dr. "G" as a second opinion. Dr. "G" thought his girlfriend should have custody. Why? Dr. "G' subscribes to the tender years doctrine, despite his girlfriend's obvious psychological deficiencies. I mention Dr. "G" because he was the court appointed psychologist in my case. Although he found us both to be good parents, because of the "tender years" theory, he picked my wife. Ironically he had diagnosed [omitted] in my wife and emotional problems, but felt these would not negatively effect her parenting skills. His evaluation consisted of only one office visit with myself, my wife and my children.

On the other hand Dr. "R" was extremely thorough. We each met with her 3 times in her office. Dr. "R" also made "in home" visits of our children at my home as well as my wife's. She views herself as an advocate for the children. I honestly believe she would have opined against me if she felt it to be in the children's best interests. Fortunately this was not the case. She followed up on all my wife's difficulties and found some minor flaws in me as well. She overwhelmingly recommended I

have custody. She came to court for 3 days and endured 2 days of grueling cross-examination by one of the most vicious and unethical attorneys in family court today. Her opinion remained unchanged even after her own personal life was attacked. The opposing attorney also attempted to bribe her with referrals, withhold the children's counsellor and called her ex-parte making extremely adverse untrue allegations about me. Dr. "R" is willing to testify in my ethical complaint against this attorney.

I found Dr. "R" to be very concerned about my children's best interests. I am sorry Mr. Katz had such a negative experience with his evaluation. To keep other fathers from considering her would be foolish. She is very knowledgeable and an extremely creditable witness in court. I am sure if the facts are presented to her in a cooperative fashion, she would render a fair evaluation and would not hesitate to recommend a father for custody if she felt this were in the child's best interests.

Steven Marandola Willingboro, NJ

I came across an article regarding a Dr. "R" that you printed. I feel that the views of Mr. Craig Katz are just one man's experience with Dr. "R", and do not reflect Dr. "R's" practice in general. I would like to share my experiences with Dr. "R" under similar circumstances.

In 1990, the Burlington County Family Court directed my estranged wife and I to undergo a custody evaluation for our two year old son. My estranged wife and I were both seeking custody. We underwent the same tests described by Mr. Katz: the Wechsler Adult Intelligence Scale (WAIS), Rorschach, House-Tree-Person, Rotter Incomplete Sentences Blank (High School Form) and a clinical interview. Dr. "R" behaved in a professional manner and was fair to both parties. I also noted that Dr. "R" paid attention to the particular circumstances of our case. Dr. "R's" recommendation to the court was that I, the father, should be given residential custody. Dr. "R" also recommended a visitation schedule of two weekends per month and one night per week with my estranged wife. The court accepted this and ruled it so.

I understand the need for caution in selecting a mental health professional, but feel that the "verdict" on Dr. "R" was written before a proper "evaluation" of opposing views was considered.

Michael S. Matecha Bordentown, NJ

Recently, I was given an article regarding a psychologist who was referred to only as Dr. "R". I am a father who in 1992 was finally awarded custody of my son and daughter from my first marriage. This was accomplished with the help of the court appointed psychologist Dr. "R". It was through her extensive evaluations of my entire family, my ex-wife, and our two children, and her ultimate conclusions, the judge was convinced that the only chance my children had for a normal life would be an immediate change in custody from their mother to myself and my present wife. Dr. "R" had come to the same conclusions that were found by an earlier psychologist and that the pattern

was established when the children were very young continued over the years. My ex-wife was unable to cope with our situation. She refused to obey any court orders in regard to visitation. She deliberately moved over 2 hours away from me for no other reason than to put distance between me and the children. She still holds the belief that the only real family my two children have are each other and her, and everyone else is nothing.

My ex-wife went through something in the vicinity of twelve attorneys over the years, almost all of whom dropped her as a client as soon as they realized she would not listen to their advise or court orders. It is now almost two years since the children were taken from her physical custody and we have not been back to court since that day. When they were in their mother's custody we in and out of court wasting time and money for every foolish thing she could think of to keep the children away from me. She interfered with my visitation in every way imaginable.

Dr. "R" and the judge made the only decision possible for my children. My son is no longer having problems in the Wayne school system as he did when he lived in Mount Laurel with his mother. My daughter's prognosis was also very poor if she remained with her mother. The psychologist who evaluated her when she was seven decided she should live with me, which she did for some time. Dr. "R's" report found that she had not grown emotionally in the years that followed under her mother's care.

Our family now consists of my present wife and her three children, my two children from my first marriage and our two daughters. Our blended family has worked out very well. Everyone is fine except for my ex-wife who, 12 years after we separated still has not gotten on with her life. She is still so enmeshed in our two children and the bitterness she has brought upon herself and still refuses to get any help for herself.

She continues to discredit any psychologist who does not agree with her. The first psychologist we had was her own choice. As soon as the reports were not to her liking, she made all kinds of accusations. Then the court appointed Dr. "R". Again she liked her until the report was done. She tried seeing other people but none who ever evaluated our entire family ever agreed with her.

It always has and I guess always will be a battle with her. Unfortunately there is no communication with her; whether it be by phone or mail, it has all ceased. This presents a problem because situations do arise and it would be more beneficial for the children to not get involved, but this is the way she wants it to be.

Even though it took many, many years and thousands of dollars, through a reputable Dr., such as Dr. "R" I was finally able to gain custody.

Stephen Barbuto Wayne, NJ

In 1993, I participated in voluntary mediation to gain sole custody of my three children. I was armed to the teeth with documentation from the school system and other outsiders. This would show, I thought, that I was the only actively involved parent in our children's lives.

The court appointed Dr. "R" as the expert

in child custody matters. Not knowing anything about Dr. "R", I proceeded to provide letters from teachers and other school officials. My ex-wife had not any evidence that would support her active involvement in our children's education. I read the list of reviewed documents in Dr. "R's" report, but Dr. "R" dismissed the fact that I was more active in our children's education with the statement that my ex had access to the teachers. The fact that my ex never used the so called access did not seem to hold much weight with Dr. "R".

I provided other documentation that I thought would show my character was head and shoulder above my ex. Dr. "R" would not accept some documentation because of it's age. The documents that Dr. "R" did take were never verified, although all dates, times and phone numbers were given. Since the children's best interest is at stake and the only relevant issue, shouldn't Dr. "R" as a competent psychologist and court appointed official verify all the facts relevant to the custody issue?

Although in most, if not all, psychological testing I did better than my ex in the raw scores, there were always negative comments regarding any of the testing involving me. My ex's scores were average, but the important narrative was always glowing. For example, I was always short and lacked a sense of humor, while my ex had a great sense of humor. Although these can be perceived as small potatoes, the constant stacking of small potatoes becomes a heavy load for anyone to carry.

There was one exception to the above testing, the Myers-Briggs Test which I was never given. This played an important part in her final discussion. Dr. "R" stated that my ex was happy at work and home, and overall a glowing person. This in spite of the fact that was told to Dr. "R" that no one where my ex works will talk to her on a social level, and my ex's unhappiness at work has her constantly seeking employment at an out of state location. So much for the happiness at home.

I could go on and on about the unfair treatment this man received at the hands of Dr. "R".

Joseph Perretta Philadelphia, PA

Some of the letter writers identified a psychologist that they believe to be Dr. "R". Since Mr. Katz never identified his Dr. "R" to us, we are not sure of who she is, and therefore have not printed the name the writers suggested.

FACE does not discourage anyone from using any evaluator or any other resource that they feel will be helpful in their case. We do advise our members to take control of their own cases rather than blindly relying on lawyers, and do what is best for themselves. FACE provides a forum in which our members can exchange information about their experiences with lawyers, mental health professionals, judges, probation departments, and all the people who will attempt to interfere in their lives.

Prior to receiving these letters, the first four writers were not on our mailing list. How did they receive the Dr. "R" article? Are these testimonials unsolicited?

Mr. Barbuto acknowledges that his ex-wife does not share his high opinion of Dr. "R. What would the other non-custodial mothers say about her?

Mr. Gross, Mr. Marandola, Mr. Matecha, Mr. Barbuto, Dr. "R", Dr. "G", the lawyers in their cases and their judges ALL miss the point. The children each have two parents and are entitled to have as rich and full a parent-child relationship with both of them as is possible. How can anyone, even a highly educated psychologist, after knowing the family for only one hour or six hours, or even a month, make a decision that will take away from the child for years one of his parents who is not a danger to him? Why must a sole custody decision be made at all? Must one parent be disenfranchised and be reduced to merely a "visitor" and a paycheck in their child's life? Why can't a recommendation be made that will give the child as much access to BOTH parents as possible, regardless of their marital status?

Why are people who never felt the need to seek the services of a psychologist forced to subject themselves to psychological poking, testing and prodding to prove themselves the "better" parent who is worthy of being awarded custody? Does that mean that the other parent is unworthy or a "bad" parent? What happens if BOTH parents are "good"? If this is necessary for the "best interest of the child", why aren't ALL parents required to be evaluated before they are allowed to have children?

And why must parents spend thousands of dollars on psychologists and lawyers - money that very few of family court's victims can afford? The Marandolas' "35 court dates" and "15 motions" must have cost a fortune, as did the Barbutos' ten years of litigation and the ex-Mrs. Barbuto's twelve attorneys. This money, which could have been used to educate their children and make the parents more comfortable in their retirement years, now will be used to educate the psychologists' and lawyers' children and make them more comfortable in their retirement.

Mr. Gross and Mr. Marandola both say that Dr. "R" 'gave them custody.' Did she? Isn't that the judge's job? Doesn't he make the decision? In both of these cases there were two opposing psychological reports. The judge had to decide which one to accept and which psychologist was 'wrong.' How does he know? His background and education are in law, not psychology. Why did the judge reject the recommendation of the first psychologist in the Barbuto case, then ten years later accept the same recommendation when made by Dr. "R"?

Research has shown that 80 percent of adolescents in psychiatric hospitals are from broken families. 3 out of 4 teenage suicides occur in households where a parent is absent. There is a significant relationship between the percentage of single parent households with teenage children and the rates of violent crime and

burglary.³ 5 out of 6 delinquents came from families where a parent was absent.⁴ Children living apart from a biological parent are 20 to 40 percent more vulnerable to sickness and 20 to 30 percent more likely to be injured in an accident.⁵

In 90 to 95 percent of those families, the absent parent is the father. Fatherless boys tend to be less masculine and fatherless girls tend to be less feminine. Later in their lives, both have difficulty in developing healthy adult relationships with members of the opposite sex. In light of these statistics, why would any judge or any psychologist ever want to put more children at risk by creating more single parent (usually fatherless) households? (A lawyer, on the other hand, might want to. He could later make more money defending the delinquent children.)

FACE-NJ members who expressed to custody evaluators that they want joint legal and shared physical custody have been told that will not be recommended because 'family court in (fill in the name of the county) won't award that.' Why not? If a child has two good parents, why must he lose one?

Family court is a multi-billion dollar growth industry for lawyers and the psychologists that the court recognizes and appoints. If a judge must make a decision, why not make it based upon the testimony of relatives, neighbors and friends who may have known the children (and perhaps the parents, too) since birth? Instead, the judge abdicates his authority to the "expert" whose knowledge of the family is of only a few hours duration.

In fact, why must a judge separate the child from one of his parents at all? The child was born with two parents, and he has a right to keep them both.

We have to get the lawyers, psychologists and judges ALL out of our and our children's lives. The New Jersey legislature must at least establish a "presumption of" or "preference for" joint custody as has already been done in other states, most notably California, but also in Florida, Hawaii, Idaho, Iowa, Kansas, Louisiana, Massachusetts, Minnesota, Mississippi, Missouri, Montana, New Mexico, Oklahoma, and Utah. The only issue that may need to be decided by a court is the division of marital assets, if they are substantial. NO ONE should ever divide a child from a parent.

Jeffrey Golden

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Footnotes:

- 1 Karl Zinsmeister, American Enterprise Institute
- 2 Karl Zinsmeister, American Enterprise Institute
- 3 Douglas A. Smith and G. Roger Jarjoura, 1988
- 4 A study that tracked every child born in 1955 on the island of Kauai, Hawaii for 30 years
- 5 A 1988 government survey of 17,000 children

L'AFFAIR HERMAN (continued)





Gloucester County

Herman loses a top job

Wilentz replaces him as presiding judge

Herman

Supreme Court of New Jersey

It is ORDERED that, effective March 7, 1994 and until further order, Superior Court Judge George H. Stanger, Jr. is designated as Presiding Judge of the Family Division of Superior Court for Vicinage No. 15 (Gloucester, Cumberland and Salem Counties).

This order amends the 1993-94 General Assignment Order dated July 30, 1993.

/s/ Robert N. Wilentz, C.J.

DATED: February 16, 1994

and with a stroke of the pen, Chief Justice Wilentz demoted Judge Herman from presiding judge of family court in three counties to just a family court judge in Gloucester county. He also gets a \$5,000 salary reduction. He will now be paid only \$106,000 a year. Maybe, even if the Senate Judiciary Committee didn't listen to the dozens of witnesses who testified against tenure for Judge Herman, the Supreme Court

Unfortunately, unless he is transferred to another court, the citizens of Gloucester county will still have to put up with Herman's antimale bias in family court for the next seven years, until the end of his current term. Why not put him in criminal court? His abrasive nature and intimidation of litigants will be put to better use there. If that doesn't happen, mark your calendar for his next reappointment hearing in November or December in the year 2000.

"The probability that we shall fail in the struggle should not deter us from the support of a cause we believe to be just.' Abraham Lincoln

STANGER APPOINTED PRESIDING JUDGE

FACE extends best wishes to Judge George H. Stanger, Jr. on his appointment as family court presiding judge for Gloucester, Salem and Cumberland counties. 52 year old Judge Stanger comes to us from Criminal Court in Cumberland county. He is a graduate of Syracuse University and Dickinson School of Law, and has been a Superior Court judge since

In his prior law career, he was in the 1970s an assistant prosecutor in Cumberland county, and later the law partner of now Cumberland County Family Court Judge Serata, another of our least favorite judges. At age 69, Judge Serata is scheduled to retire at the end of this year.

We hope that Judge Stanger will move his office to Gloucester county where he will be able to more closely monitor the performance of the state's most notorious family court.

CORRECTION

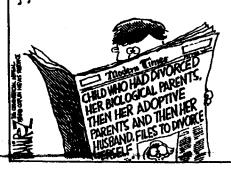
In a sidebar entitled "The Judicial Appointment Process in New Jersey" in the 1st Quarter 1994 edition of AboutFACE-NJ, we reported that "The governor's political party controls who gets appointed to be a judge." This is not entirely correct.

According to a 1993 law, although the governor makes the appointments, she is required to maintain a balance of Republican and Democratic judges. Governor Whitman has inherited an imbalance from Democratic ex-Governor Florio, and must now appoint about a dozen Republican judges to correct it.

Why must candidates be affiliated with either party to be considered for a judgeship? Can't political independents qualify to be a judge? Shouldn't we be looking for the best people for the job rather than rewarding politicians' supporters?



The other son has just retained a famous lawyer...
Now he lives all alone.



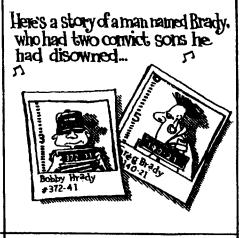
Two of them have little girls out of Wedlock... The youngest ones in jail. n



It's what's happening to many families in the nineties... broken families, no parental guidance and no jobs...







Still this group may someday form a family... in a gang or perhaps they'll even join "The Mob".



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LEGISLATIVE UPDATE

by Jeff Golden

The NJCCR Political Action Committee has proposed six bills to be introduced into the New Jersey legislature. Several FACE-NJ members also participate in the NJCCR-PAC.

Child's Rights Enforcement Bill (A-1594)

This bill would enforce children's civil right to enjoy a meaningful parent child relationship with both of their parents following divorce by eliminating "judicial discretion" in setting usually woefully inadequate "customary visitation" with their non-custodial parent, specifying a minimum schedule of access, and establishing penalties for uncooperative custodial parents. It has been sponsored in the Assembly as Bill A-1594 by Assemblymen Mikulak and Cotrell, but still needs a Senate sponsor.

A-1594 is very similar to another bill that was introduced in the last legislative term. The difference is that items that certain groups found objectionable in the old bill were changed or

eliminated in A-1594. Unfortunately, when the Office of Legislative Services prepared the bill, they just re-entered the prior bill without the changes. Assemblyman Mikulak has contacted OLS and asked that the changes be made.

In South Jersey, Senators Mattheussen of Gloucester County, Adler of Camden County and Casey of Burlington County have been approached. Senator Adler has declined to be a sponsor. As of the time of writing, Senator Mattheussen has not yet responded. Senator Casey is busy with state budget issues now, but has scheduled a meeting in June.

Commission to Study the Child Support Guidelines (A-218)

Previously we incorrectly reported that this bill, which would establish a Commission specifically and solely to study and recommend changes to the child support guidelines, was introduced by Assemblyman Rocco of Cherry Hill as A-216. The correct bill number is A-218. A senate sponsor is still needed.

The PAC is also promoting the following legislation:

- Presumption of Joint Custody
- Emancipation At Age 18
- Term Alimony

Do you have any personal contacts with any New Jersey legislators? Would you like to be personally instrumental in promoting family court reform legislation. If so, you may wish to join the NJCCR-PAC. Call the FACE-NJ Hotline 609/786-FACE for more information.

"The Legislature finds and declares that it is the public policy of this State to assure minor children of frequent and continuing contact with both parents after the parents have separated or dissolved their marriage and that it is in the public interest to encourage parents to share the rights and responsibilities of child rearing in order to effect this policy.

"In any proceeding involving the custody of a minor child, the rights of both parents shall be equal"

New Jersey Statute 9:2-4, Revision Effective August 14, 1990

This is the conclusion of Jeff Golden's account of his August, 1991 imprisonment for debt in the Camden County Correctional Facility for non-payment of "support." In prior installments, he told of the financially impossible ultimatum that was presented to him by Judge Segal, how he mentally prepared himself for jail, and what the jail environment was like.

MY WEEKEND ADVENTURE

by Jeffrey Golden

What did the other prisoners do to deserve the hospitality of the Camden County Jail? Jose was convicted of killing his wife and her lover. He was awaiting transfer to a state penitentiary where he will reside for at least the next forty years. He'll be 79 years old when he gets out. Although he wasn't the biggest, he was the toughest, baddest, meanest m__ f_ prisoner on the cellblock and he didn't let anyone forget that his temper had an extremely short fuse. No one messed around with him because they knew he had nothing to lose. He was in charge of counting the spoons after each meal, so that was one more reason not to keep your spoon.

Probably almost half the prisoners were small time crack cocaine dealers from the streets of Camden. Most of them were between 18 and 25 years old. I found it interesting that, while these crack dealers had no problem with selling crack, all of them vehemently denied that they ever used it themselves.

Many were there to work off fines for traffic violations and other minor offenses. They can't afford to pay their fines, so they get \$25 credit against their fines for each day they spend in jail.

Some are admitted drug addicts who got caught buying drugs from the dealers or in sting operations.

Here are a few prisoners' stories:

Larry is about 45 years old. He told me that he had been a hustler all his life, and was in jail now for embezzling money from his employer. He had been in jails before. He said that this one was not too bad because the food is pretty good and they give you plenty of it, but that it is a tough life in jail, especially if you are not used to it.

Jim is very friendly and gregarious, and always has a smile and a story to tell. If you met him at a social gathering, he would be the life of the party. He lives in Oaklyn and openly admits that he is addicted to cocaine. He came to Camden to buy some. Unfortunately for him, the seller was an undercover cop.

Juan was always cleaning and straightening up his cell. He took sole responsibility for keeping the whole cell immaculate. He is 35 years old and a former drug user. He says he has been clean for over a year. He was in jail for a large accumulation of traffic violations and, when he finished his jail time in Camden, he had more time to do for traffic violations in Burlington County.

There was also another Juan, but he preferred to be called John. He is 19 years old, comes from a traditional two-parent family, and lives in South Camden only a few blocks from the jail. He got some money in settlement of an insurance claim and decided to invest it. He knew nothing about stocks or bonds or certificates of deposit or commodity futures, so he invested in the only commodity he was familiar with, crack cocaine. He bought an ounce and cut it into one gram vials. He forgot they were in his pocket when he and his girlfriend went for a ride in his car later that evening. The license plate was hanging off the back of the car and they were stopped by a cop. He knew that, being a Puerto Rican kid in Camden, he would be searched, so as he got out of the car he passed the crack to his girlfriend. She just stood there staring at it, wondering what it was. The cop saw him pass it. He told the cop that his girlfriend knew nothing about it but both of them were arrested anyway.

John knew he had done a stupid thing and he was miserable. He called his family and arranged for them to bail out his girlfriend first. She was out on Friday, but he wasn't bailed out until Sunday.

Tommy approached me Friday night as I leaned against the balcony railing in front of my cell. I was tired and wanted to go to sleep, but I couldn't unroll my mattress on the floor until everyone else was in the cell because I wanted to be near the door and as far away from the air conditioning vent as possible. Tommy is 19 years old. He's not too tall, but he has the torso of a body builder. He is jet black and has a face that I would definitely not describe as friendly. I thought I was about to be a victim of a mugging or some other coercion. I was wrong. He turned out to be a nice kid.

I don't recall Tommy's crime, but it was drug related and he was being held on high bail. He told me that he was raised in Atco, but now he lived in North Philadelphia with his girlfriend who is pregnant. He writes and performs rap music, and would like to become a rap star. I told him I love rap. The rhyming is outstandingly clever and I love to hear it.

I told him that being a rap star is a wonderful thing to aspire to, but there are lots of kids who want to be rap stars, and only a very few of them will succeed. He should also have something else to fall back on in case he can't make it with his music. He said he also wants to be an architect. He likes to draw plans

of houses and would like to some day build one that he designed.

I told him that that's great, but it takes a lot of training to become an architect. Maybe he could start by taking drafting courses at a community college. Did he graduate from high school? No, he dropped out in the ninth grade. Yes, he would like to do that, but he really would like to just get out of the trouble he is in now, join the Air Force, marry his girlfriend, and live quietly with his family on an Air Force base. I told him he might not be able to do that because the Air Force likes to enlist college graduates, and he would certainly have a hard time getting into the military with a criminal record.

I told him that Jim Florio dropped out of high school to become a prize fighter. Later, he joined the Army and got his GED. He went on to college, and now he is the governor of New Jersey. Tommy liked that story.

Tommy and I spoke for about three hours. He put together a plan of what he wanted to do. He would continue with his rap music. In addition, he would tell his judge that he wants to join the Army, get his GED, get trained for a trade, get married, stay out of trouble and get on with his life. After the Army, he could go to college to become an architect. I wonder whether anyone ever spoke with him like that before.

On Saturday afternoon a group of prisoners were playing chess at one of the cellblock tables. This was one of the very few forms of higher intelligence that I observed in jail, so I went closer to watch. Johnathan was an excellent player. After he beat everyone else, he asked me if I would like to play. I apologized for being a little rusty; I hadn't played in about five years. I sat down with him.

Johnathan was an honor role student at Camden High School, where he was a member of the chess team that went on a trip to Russia to compete in a chess tournament. After graduating from high school, he wanted to work and contribute toward his family's income, but he couldn't find anything more than a minimum wage job. He also found that he could make a few hundred dollars in just a weekend by selling crack right in his own neighborhood. He chose to become a minor crack dealer, and he got caught.

Jack is a big, quiet, friendly guy. He admits to being addicted to alcohol and heroin, and knows that he alone is to blame for all of his problems. He told of his siblings and their families who have made successes of their lives, but have given up on him. He told of living in homeless shelters. He has had lots of opportunities to straighten out, but booze or drugs always got in the way. He was trying to get himself admitted to a nine month rehab program when he was busted for possession. He says that, because in jail he is constantly exposed to drug dealers and talk of drugs and

getting high, his craving for drugs is increasing.

Paul's was one of the strangest stories of all. He has long, wavy, graying hair and glasses, and looks kind of studious and out of place. He operates a business from his Cherry Hill home, buying collectibles and selling them to dealers. Some time ago, he took in some merchandise on consignment. The deal was very loose, and was closed on a handshake. The merchandise was not of top quality, and was hard to sell. As he sold it, he sent payments to the seller. The seller became impatient and asked for the remaining merchandise back. Paul gave back most of it, and admits that he was negligent in not giving it all back immediately.

The seller brought him to court for the return of or payment for the remaining merchandise. She had an inventory list of items that she claimed she gave to Paul, and claimed that it was all in first class condition and was worth \$54,000. The judge ordered Paul to return the merchandise or \$54,000 to the seller. Paul said that the list included things that he never received. The judge ordered him held on \$54,000 bail because he felt that Paul might flee the area with the seller's merchandise and sell it at an out of town collectibles show.

Paul has never been in trouble like this before, and is scared to death. He spends a lot of time in his cell crying and praying. He is concerned that his marriage may break up over this. He is afraid of everyone in the jail; I think even of me.

It is no secret that the Camden County jail is overcrowded. Short of building a second jail or just sending everyone home, what can be done to make the quality of life in jail less stressful for those unfortunate enough to be confined in it?

Segregate the prisoners based upon the charges. Don't make petty teenage crack dealers live with and learn from murderers. Don't put drug users in with drug dealers. Don't put white collar criminals in with violent criminals. If violent and non-violent prisoners were segregated, the non-violent could be housed more densely in a dormitory environment.

Why should the families of prisoners, already probably stretched to the limits of their finances, be forced to accept overpriced collect telephone calls to talk to their loved ones. Most of these calls are to Camden and surrounding communities. These calls should be handled by New Jersey Bell with the help of a human operator, if necessary, not an impersonal computer.

Rather than allowing a small group of intimidating prisoners to monopolize the only TV set in the cellblock, why not have two or three spread around the block, with the volume on each limited so it can only be heard in the immediate area. One could be tuned to CNN all the time, another to ESPN.

Why not allow inmates to have their own walkman-type radios?

Line jumping on food lines should not be tolerated. It should be punishable by having to go to the end of the line, loss of privileges, or skipping a meal.

To discourage trade in cigarettes and food, cigarettes and snacks should be available in vending machines on the cellblock. Cigarettes should only be in small, sample sized packs of four, and snacks should be fresh fruit or some healthy alternative. Perhaps the vending machines could accept tokens that would be distributed daily for good behavior.

Since some inmates must sleep on the floor, move the air conditioning vents to the top of the wall, near the ceiling, so that the cold air will not sicken the inmates. It would also be nice if the inmates could control the temperature in their own cells.

What can be done to prevent people from being jailed altogether?

Stop wasting jail space by giving offenders credit toward fines while spending time in jail. According to Sgt. Phil Dollarton, public information officer in the sheriff's office, it costs about \$45 per day to incarcerate a prisoner in the Camden County Jail. If an additional \$25 per day is being applied toward a fine, the county loses \$70 each day just to house these people. The taxpayers would be better served by letting them go free.

Instead, put them on community service projects. There are plenty of empty lots in Camden that need to be cleaned out and parks that need to be manicured. One prisoner who was working off fines told me that he knows how to build houses. There are lots of houses in Camden that need to be rehabed. The jail should only be a place for those who fail to meet their community service obligations.

The young, small time crack dealers are selling drugs because they can't find decent jobs in their neighborhoods. Sure, they can flip burgers at McDonald's for minimum wage, but what are they learning? How to flip burgers and smile. And after paying for transportation out of Camden to get to these jobs, they have hardly any money left for themselves. No wonder they choose the easy path of selling crack

Instead, create jobs for teenagers and young adults in Camden. On all future government funded construction projects, require that for each construction worker hired the contractor must also hire five unemployed Camden youths. The five kids will be assigned to a construction worker who will teach them everything he knows over a six month period. At the end of this apprenticeship, we have five new skilled workers, and the process can start over again. It is too late now, but this could

have been done at the New Jersey State Aquarium now under construction in Camden.

What if there is an economic slowdown and a shortage of construction jobs for these new workers? They are trained and experienced, and can get a job anywhere. And if they want to stay in Camden, there are plenty of buildings and houses there that need repairs or rehabilitation.

What if a kid has no interest or aptitude for construction work? There are lots of other jobs they could learn right in Camden. For example, the State Aquarium is already starting to assemble their collection of fish. They are in tanks in a warehouse near the Aquarium. Maybe some kids would like to work with the fish. Maybe they would be inspired to go to school and learn to be marine biologists.

Unless they are also accused of some other crime in addition to just buying drugs, don't put drug users in jail at all, especially not with any level of drug dealers. These people are sick and need treatment. Set up a separate dormitory at Lakeland and provide counselling for them. Jailing them accomplishes nothing.

What did I learn from my stay at the Camden County jail? I was only there for a weekend, so I didn't get to teach anyone to read or do any jailhouse lawyer work. But I did learn what "Hey mira, que paso?" means. And I made 111 new friends who are all criminals.

I learned what to watch out for when you embezzle money from your employer. I learned where to buy crack in wholesale quantities and to make sure that your car is in good condition when you are transporting it. I learned where you can buy unlicensed guns on the street.

I learned how to save a cup of coffee from breakfast and heat it up after dinner even though there is no source of heat in your cell. I learned how to keep a container of milk cold in your cell without a refrigerator. I learned how to send and receive messages by hand signals between the jail and the prisoners' girlfriends in the parking lot below. And since my cell overlooked the judges' parking lot, I learned that Judge Segal also drives one of those pretentious Mercedes-Benz convertibles while I have to drive a seven year old Mitsubishi with 102,000 miles on it.

I learned that you should always address a guard as "C.O." (for "Correction Officer"). I must say that all of the guards with whom I had any contact were firm and efficient, yet very polite, courteous and sometimes even helpful. They do their job more professionally than I would have thought had I not seen for myself.

Do I expect to be back in jail? Maybe. I have very little control over that. Am I looking forward to it? No.

"A law that is unjust is morally null and void, and must be defied until it is legally null and void as well."

Martin Luther King Jr., Playboy Interview, January, 1965



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

FACE-NJ NEEDS COMPUTER EQUIPMENT

Is your employer upgrading computers? Or changing to laser printers? Or do you have any surplus computer equipment that you are not using?

FACE-NJ has a few personal

FACE-NJ has a few personal computers that we make available to our Pro Se family court litigant members to use to prepare their court pleadings. As with any limited resource, demand exceeds the supply and as we grow we need more.

and as we grow we need more.

FACE seeks donations of IBM-compatible (preferably 286 or higher) desktop, lap-top or portable computers. We also currently have a special need for 24-pin printers.

Since FACE-NJ is a non-profit IRS 501(c)3 organization, you or your company may find that the tax deduction for your donation to FACE may be more valuable than letting unused equipment take up space and collect dust. We can pick up equipment at your location and have the resources to repair any that may not be working properly.

If you or your company can donate any computer equipment, please write to FACE-NJ, PO Box 2471, Cinnaminson, NJ 08077 or phone the Hotline at 609/786-FACE.

UPCOMING EVENTS

Saturday, June 11, 1994:

Annual Father of the Year Banquet, Bala Cynwyd, PA Williamson's Restaurant, GSB Building, City Line Ave.

Fathers' and Children's Equality

PO Box 117

Drexel Hill, PA 19026

215/688-4748

Present and past members of FACE-NJ will probably receive invitations, but this event is open to all. Admission charge.

Friday, June 17, 1994:

"Father-less Day" Rallies, Camden, Mt. Holly, Woodbury and Atlantic City 12:00 Noon in front of County Courthouses. Meet at 11:30 AM.

Fathers' Rights Newsline

PO Box 713

Havertown, PA 19083

215/879-4099

These will be in conjunction with rallies in Philadelphia and four suburban Pennsylvania counties to spotlight Family Court's discrimination and injustice which makes Fathers's Day (June 19th) a meaningless hypocrisy. Call FACE-NJ Hotline 609/786-FACE for details on NJ rallies.

Saturday, June 18, 1994:

First Annual Fathers Rally and March, Washington, DC

Meet 12:00 Noon at Washington Monument. Bring the kids!

American Fathers Coalition

American Fathers Coalition

PO Box 5345

2000 Pennsylvania Ave NW, Suite 148

Tacoma, WA 98415

Washington, DC 20006

206/272-2152 703/255-2428

FACE-NJ will organize a carpool to Washington and a groups to travel together by bus or train. Call FACE-NJ Hotline at 609/786-FACE for details.

FACE CLASSIFIEDS

FATHERS AND CHILD CUSTODY A SPECIAL IN DEPTH REPORT

The American Bar Association's publication, <u>Family Advocate</u>, has produced a 72 page report on Fathers and Custody. Written by experts, just a few of the controversial articles are, "Do's and Don'ts for Fathers Seeking Custody," "Can Fathers be Mothers,"? "How Children Fare In Father-Custody Homes," "Why Children Need Their Fathers," and much, much more.

Only \$12.95 postage and handling included.

Send your name, address and zip code along with a check or money order to-- American Bar Association, Family Advocate, PO Box 666, Westport, CT 06881-9848.

T-SHIRTS T-SHIRTS T-SHIRTS EXPRESS YOUR OPINION

"Two parents: A child's civil right."

Yellow lettering on black (or a few black on yellow left).

"Judges: Children's worst enemies."

Green on white.

"Parental alienation is child abuse."
White on blue.

All above in adult M, L, XL, or XXL.

"My Dad: More than just a paycheck."

Yellow on green in kids 10-12 & 14-16

and adult S & M only.

All have FACE-NJ name & phone on back. Send check or M/O for \$10 each plus \$1 S&H for first shirt and \$1 S&H for each add'l 2 shirts to: Golden, PO Box 2601, Cherry Hill, NJ 08034.

WORD PROCESSORS NEEDED

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

For advertising rates, contact: About FACE NJ PO Box 2471 Cinnaminson, NJ 08077 609/786-FACE.

COURT WATCHING

Are you about to embark on a course of Pro Se Family Court litigation? Should you expect smooth sailing or stormy seas? Will you be helped or hindered by the winds of change and the tides of public opinion?

The best way to learn what to expect and how to respond to it is to see for yourself. Go to the court where your case will be heard. Observe other cases. You may pick up some tips that you can apply in your own case. See what the lawyers do and say. See what other Pro Se's do. See how the judge responds and what his "hot buttons" are.

To be as fully prepared as possible, Pro Se's should spent as much time observing in the courtroom as they can. Phone your FACE county court watching coordinator to find out which courts FACE members will be appearing in.

FACE members who have upcoming court dates are advised to notify their county court watching coordinator as early as possible. If your court date is cancelled or postponed, please don't forget to let the court watching coordinator know.

V2N2



FACE NJ

You can use my name as a supporter for legislative purposes. (Please check)

MEMBERSHIP APPLICATION

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

PLEASE CHECK TWO: New Membership Renewal Newsletter Subscription Only (\$25); standard annually, \$65* family annually, \$75 sponsor annually, \$100 or more can't join now, but please accept my tax deductible contribution of \$		
name	date	
address		
city	state zip	
county * Remit in full or send \$25, you will be billed for 2 more payments of \$25, total \$75 Mail application and payment to: FACE NJ. P.O. Box 2471. Cinnaminson, NJ 08077	•	

FACE PHONES

FACE NJ Hotline

609.786.FACE

Atlantic City Hotline

609.645.1355

FACE Pennsylviania 215.688.4748

TACE NJ

BOARD OF DIRECTORS

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Help FACE-NJ reduce mailing costs.

If you are receiving duplicate mailings, please send the incorrect mailing label to us.

MEETING SCHEDULE

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

General Membership Meetings:

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

Please be courteous to the meeting hosts by extending an R.S.V.P. when planning to attend a support meeting.

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

P.O. BOX 2471 Cinnaminson, NJ 08077

