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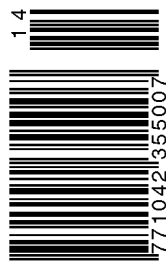
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Children

OF DIVORCED, SEPARATED, AND NEVER-MARRIED FAMILIES

"I love Mommy
and Daddy.
Why can't I be
with both of
them?"

ISSN 1042-3559



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Children

PUBLISHER

The Children's Rights Council
6200 Editors Park Drive, Suite 103
Hyattsville, MD 20782
phone: 301/559-3120, fax: 301/559-3124
e-mail: crcdc@erols.com
www.crckids.org
www.gocrcc.com
www.info4parents.com
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David L. Levy, J.D.
Chief Executive Officer

David L. Levy is a nationally known expert on children. He has directed CRC for 21 years, establishing chapters in 39 states and the District of Columbia and eight nations. Editor of "The Best Parent is Both Parents®", he has been quoted extensively in the media on children and family issues.

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John Bauserman, Jr., is a practicing family law attorney in northern Virginia, and a former lawyer for Neighborhood Legal Services, serving low income parents. He has written several appellate court briefs in favor of a child's right to shared parenting.



John L. Bauserman, Sr.

John L. Bauserman, Sr., was a co-founder of CRC in 1985. He has extensively reviewed joint custody research. He has been both a custodial and non-custodial parent. Bauserman recently retired after 40 years with the federal government.



Diana M. Garchow

Diana Garchow is a nationally known special education teacher based in California, a previous board member of the National Education Association (NEA), and a past board member of the California Teachers' Association.



Teresa L. Kaiser, J.D.

A former Director of the Child Support Enforcement systems in Maryland, Idaho, and Missouri, Teresa Kaiser is an expert in the governmental administration of state legal and financial processes.



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Recently appointed as the Executive Director, International Affairs of CRC, Myrna Murdoch works in liaison with members of Congress, global legal firms, international communities; and serves on the board of the State of Hawaii, Commission on Fatherhood.



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- The Children's Rights Council (CRC) is an international non-profit 501(c)(3) organization committed to the loving, nurturing, protecting and education of children through both parents and extended family.
- CRC is dedicated to helping children in promoting family formation, shared parenting, mediation, parent education, and mitigating the effects of divorce and relationship breakups of children and parents.

VISION

- CRC's vision is a society where both parents play a significant parenting role in their children's lives. Children need grandparents, stepparents, and others who are part of the family fabric, working as a team.
- CRC envisions a society where laws, attitudes, and public opinion affirm that for children, "The Best Parent is Both Parents.®"

STRENGTHENING FAMILIES THROUGH EDUCATION AND ADVOCACY

Formed in 1985 by concerned parents who had more than 40 years collective experience in custody reform and early childhood education, CRC has chapters in 32 states and four national affiliate organizations: The National Committee of Grandparents for Children's Rights, The Stepfamily Association of America (SAA), CoMamas, and Parenting Coalition International, Inc.

Prominent professionals in the fields of religion, law, social work, psychology, child care, education, business, and government comprise our Family Advisory Board.

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editor's message



David L. Levy, J.D.
CEO, CRC

In an article in the Washington Post on July 21, 2006, Michael E. Dyson, author of "Is Bill Cosby Right? Or Has the Black Middle Class Lost its Mind?," criticized Cosby for "attacking the black poor." This column is in reply.

I am a white guy. And a middle of the roader. Liberal on social issues, conservative on economics. And yet what Bill Cosby says resonates powerfully with me. Sure, he is talking about the need for poor blacks to take on more responsibility. But when I hear Cosby saying that, he is generally referring to bringing children up right. Cosby glides into other areas, but he primarily focuses on **parental** responsibility. To which I want to add, "Parental responsibility is not just for blacks, but for whites, and everyone else."

As the Washington, D.C. City Council moves to combat a surge in violent crime by advancing emergency legislation to impose a 10 p.m. curfew on youths younger than 18, give police immediate access to some confidential juvenile records, and install surveillance cameras in residential neighborhoods for the first time, I say "Right on." Work to get the guns and the aimless young people off the streets at a reasonable hour at night, unless they have good cause to be out.

These actions, however laudable, are merely transitory. They are reactive. They only affect today and tomorrow. They don't affect what happens 6 months from now, when the crisis eases, and they certainly don't affect what happens 5 years from now.

For that, any good policymaker knows you need to be proactive, not re-active. You have to be able to look at the long haul, to be three steps ahead, not one step behind events.

Most policy, however, is not pro-active. Most elected officials react just to this moment in time. And who can blame them? With angry citizens demanding "results" after a spate of shootings in the District, certainly the Chief of Police can't do much more than react to the immediacy of the situation—increase patrols, increase overtime until the crime rate goes down, ask for more enforcement tools. That will help things for a while, and the media will turn to other issues. But what about the long haul?

That is where Bill Cosby comes in. Cosby is focusing on parental responsibility because almost no one else is. He is not talking about being responsible just for today or tomorrow, but for life. It takes 18 years to raise a child. Are poverty, race, jobs, and education important? Of course they are. Cosby never said they aren't. Yet there are a hundred officials and spokespersons

for this or that group talking about jobs, poverty, race, and education. Cosby is about the only one trying to add parental responsibility into the mix.

The best way to add parental responsibility is to have both parents there for the children. And the best way for that to happen is for the parents to marry and stay together.

I rode in a police car some years ago, and an officer, seeing aimless youth on the streets, said "Parents, do you know where your kids are right now?" To which I added, "Kids, do you know where your parents are right now?"

Kids are in trouble. The people who get shot, robbed, and maimed are in trouble. The community is hurting, because there are so many victims. When there are victims, any compassionate society will try to rescue the victims, to pull them out of the water, so to speak.

But a wise society, while pulling the victims out of the drink to safety, will also send someone upstream to find out who is throwing them into the water in the first place.

Preventive medicine is sometimes a strong dose. And people may not see the connection between prevention and remedy, between pro-active and reactive.

But unless we do more to promote, encourage, and facilitate more parental responsibility, the statistics will really never improve. For we will just continue to react to one crisis after another without putting in place the foundation for building a longer-term solution.

— David L. Levy

Quote of the month for advocates:

"The hope of a secure and livable world lies with disciplined nonconformists who are dedicated to justice, peace and brotherhood."

—Martin Luther King, Jr.
"Strength to Love," 1963

Grandparents Work for Children's Rights

The National Committee of Grandparents for Children's Rights (NGCR), a national organization devoted to the rights of children whose parents are separated, divorced, or never-married, has affiliated with CRC.

"We have carefully reviewed CRC materials and policies for a long time," said Lola Bailey of Friendly, West Virginia, the president of the group. "We like CRC's balance and focus on children."

NGCGR's main legislative effort right now is to amend federal law on placement of children. Bailey said that the Federal Adoption and Safe Family Act passed by Congress in 1997 states that the health and safety of the child is of paramount concern. When a child is removed from a custodial parent for abuse or neglect, the non-custodial parent is to be notified immediately, and the child placed with that parent. If there is no fit parent avail-

able, the child is to be placed with an adult relative.

"Placement with a relative as a preference to foster care or adoption is in the law, yet states are not doing this," said Bailey, "because states receive federal funds for placing children into foster care or adoption.

She said that the requirement for placement with a relative is even stronger, because the Social Security Act Title IV-E stipulates that failure of the state to place the child with an adult relative will prevent the states from collecting federal funding for the entire time the child is in foster care.

There is more federal funding for placing children into adoption or foster care than there is for re-unifying the family, said Bailey.

The U.S. Senate Finance Committee is trying to work out a program to unify the family instead of providing for foster

care or adoption grants, said Bailey. Bailey and other leaders of NCGCR are holding regular meetings on Capitol Hill working on this legislation.

An article in the New York Times (National Report, July 23, 2006, page 13) was entitled "With Parents Absent, Trying to Keep Child Care in the Family." The article acknowledged that Congress is considering legislation to correct what some advocates call "a perverse system that provides much more support for children in foster care than it does to get them out of the child welfare system."

Precisely Lola Bailey's point. "The article only talked about placing children with grandparents," she said. "It did not explain that states are first supposed to contact the other parent, to see if that parent can take care of the child."

The executive director of NCGCR is Brigitte Castellano from New York.

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CRC Launches New Website



The Children's Rights Council (CRC) is pleased to announce the launch of its next generation website: **CRCKids.org**.

CRC's latest version offers members and users unparalleled levels of access to shared parenting education, program services, family law practices, support and referral information, and community advocacy with a host of new resources and functions.

Highlighted in this launch, CRC introduced five new service features including: 1) comprehensive synopsis of family law by state (AL, DC & MD completed); 2) a broad range of legal terminology and conceptual definitions; 3) important overview of the American legal system, courtroom conduct, etc.; 4) Congressional contact information (Senate and House of Representatives); and 5) Access Center maps, hours, and practices across the country; and much more.

These new offerings put CRC on a trajectory to deliver practical and integrated referral and service solutions to parents and professionals. You will have a wide choice of new and improved capabilities. And best of all, it's **FREE** until December 31, 2006. Every membership has been extended until the end of the year to allow a thorough exploration of every new feature and function. Simply click the "LOGIN" under MEMBERS (left panel frame) using your first and last name, along with the password, as shown below:

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Of course, if encountering any difficulties logging on, please contact CRC via email at info@CRCKids.org.

Whether a divorced, separated or never-married parent involved in a conflicted dispute over custody or access; anxiously trying to make sense of American jurisprudence in family law; or motivated by research, writing, advocacy or social change; subscribing to CRCKids.org for the latest information and innovations will make a difference.

CRC is taking a new approach to our online service assistance. By identifying tools and information to enable everyone

New Website | continued on page 8

A Little Extra Happiness

Find a young man or young woman happy with life and you've likely found someone who grew up in an intact two-parent family. The relationship between young adults' happiness and the type of family that reared them receives attention in a study recently published in "Psychological Reports" by psychologist Kevin Marjoribanks.

Examining data collected from an Australian national probability sample in 2000 (3,580 men and 3,991 women with an average age of 20.2 years), Marjoribanks finds that on a 14-item survey, young men and women reared in two-parent families are significantly more likely to express greater happiness than peers reared in one-parent families.

Because the differences in the reported levels of happiness are not very large, Marjoribanks highlights as "meaningful" only the largest two differences for women (happiness in contemplating their future and happiness with their standard of living) and the three largest differ-

Compared to peers reared in single-parent families, young men and young women from two-parent homes are significantly more likely to say they are happy with "life as a whole."

ences for men (happiness with where they live, happiness with their standard of living, and happiness with the way the country is being run).

Still, Marjoribanks acknowledges that ten other differences in happiness scores for women and eight other differences in happiness scores for men—all "statistically significant," though relatively small—favor those reared in two-parent families over peers reared in single-parent homes. And even if it is not large, one of the psychological advantages enjoyed by young

men and young women who have grown up in two-parent families encompasses a great deal.

Compared to peers reared in single-parent families, young men and young women from two-parent homes are significantly more likely to say they are happy with "life as a whole."

Kevin Marjoribanks, "Relations Between One- and Two-Parent Families and Young Adults' Happiness Scores," *Psychological Reports* 96 [2005]: 849-851.

to deal more effectively with child related issues, we aim to deliver solutions that act even more strongly in the "best interests of child(ren)."

CRC Chief Executive Officer, David L. Levy states, "The launch of this latest website and the continued development of one of the broadest and deepest parenting portfolios in the industry shows our commitment to children by delivering the best source of information and tools to those most in need."

Until now many parents felt they have had to depend entirely upon the skills of their attorney and the depth of their resources to achieve even the most minor consideration. And writers, researchers, child advocates, and policymakers have not had enough information about children's needs.

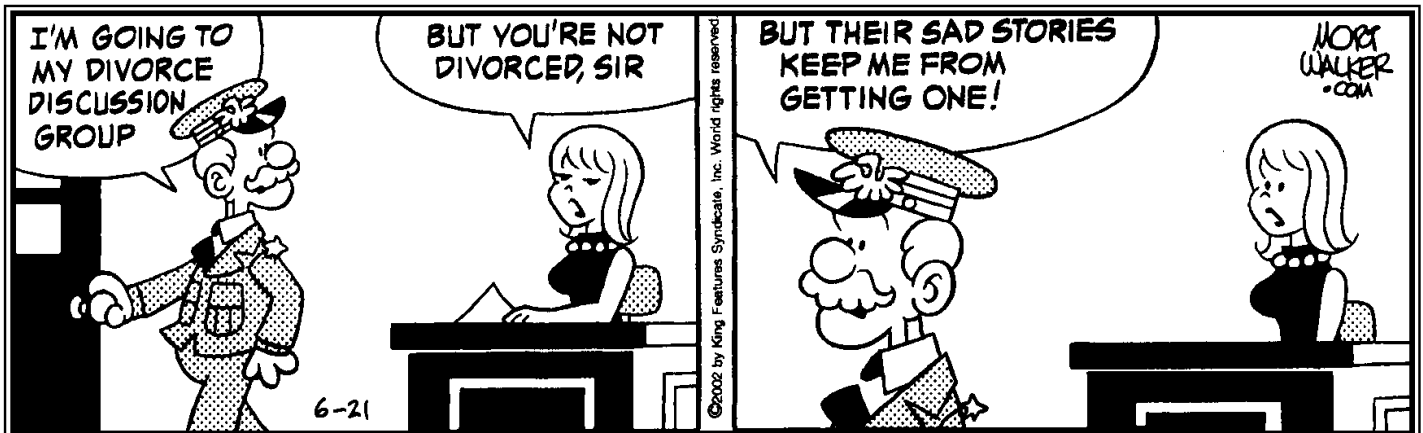
CRC's directed and assertive approach to legal research and service development and social advocacy will allow members and others the freedom and convenience of a comprehensive, one-stop parenting resource.

No longer will a parent need to feel excluded or relegated to a mere mechanism for financial child support, but instead can become informed and prepared to ensure a child's right to both parents. And policymakers, researchers, child advocates, and writers will have more information at their fingertips

Stop by and visit CRCKids.org and see for yourself!

BEETLE BAILEY MORT WALKER

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Family Facts

Joint custody (shared parenting) is the fastest growing concept in 20th century and early 21st century family law. By the mid-90s, all 50 states had approved joint custody by either statute or court decision, with South Carolina the last of the 50 states to permit joint custody.

CRC estimates that in 37 states and Washington, D.C., there is a presumption or preference for joint custody, legal or physical or both. In some states, there is a presumption only if both parents agree.

California became the first state to provide for presumptive joint custody in 1980. Although California law has undergone change since then, California is still considered by observers as a presumption for legal and physical joint custody (shared parenting).

Legal joint custody means that parents share in the major decision making about the child—that is, decisions affecting health, education, welfare, and where the child shall live. It is nice if parents can agree on bedtime hours and eating schedules in each others houses, but this is not necessary for legal joint custody.

Physical joint custody means that a child gets to spend one-third to one-half of the time on a year round basis with a parent. In physical joint custody, a variety of arrangements are possible to suit the needs of the restructured family, such

as week-on/week-off or one semester with one parent and the next semester with the other parent (this can work if both parents live in the same school district).

If the parents live farther apart, one parent could have the child during the school year, with the other parent having large blocks of summer time, fall and spring break. Many other arrangements are also possible.

Any of these shared parenting (co-parenting) arrangements are different from the normal “visitation” schedule of every other weekend Friday to Sunday, which usually constitutes about 15 percent of the child’s time with a parent for the year, rather than the 33 percent or more involved in shared parenting.

The list of states below, prepared by CRC evaluator Richard D. Kuhn, is based on an update of a 1997 American Bar Association report. See more information on www.gocrc.com

- States with some kind of presumption or preference for approximately equal physical custody, maximum time with parents, or similar language—Alaska, Iowa, Kansas, Oklahoma, Wisconsin.
- States with a statutory presumption or preference for “frequent or continuing contact” or similar language between a child and both parents—Alabama, Arkansas, Arizona, California, Colorado, District of Columbia, Delaware, Florida, Idaho, Illinois, Louisiana, Maine, Missouri, Montana, New Mexico, Ohio, Oregon, Pennsylvania, Texas, Virginia, West Virginia.
- States with case law that provide for a child to have “equal access and opportunity” to both parents (Georgia) or “requiring a trial court to first consider joint custody” (Kentucky)
- States with a preference for joint legal custody—Massachusetts, Minnesota, New Hampshire.
- States where joint custody is presumed when both parents agree—Connecticut, Michigan, Mississippi, Nevada, Tennessee, Vermont, Washington state.
- States where there is no statutory language promoting shared parenting—Hawaii, Indiana, Maryland, North Carolina, North Dakota, Nebraska, New Jersey, New York, Rhode Island, South Carolina, South Dakota, Utah, Wyoming.

Washington State Senator Promotes Shared Parenting

Seattle Post-Intelligencer
Wednesday, 3 May 2006

Shared Parenting Best for Children

By Jim Kastama, Washington State Senator, Guest Columnist

Every year the (Washington State) legislature rightly spends millions of dollars on children's health care, foster care and social services. At the same time, we perennially overlook an opportunity to improve their lives without spending a penny—by allowing children healthy access to two loving parents.

Although about 40 percent of children in America grow up without the active involvement of a father, our state statutes discourage shared parenting.

Even if judges believe equal time is in a child's best interest, our statute limits their discretion. People have been known to "shop" the states to find the most restrictive parenting schedules—and move to our state.

Washington's de facto "every other weekend" visitation schedule compares badly with 28 states that encourage "frequent and continuing contact" with both parents. Study after study indicates children fare far better in joint custodial arrangements than in single custody—emotionally, educationally and financially. Not a single study advocates for the routine use of the restrictive schedule handed out in Washington.

Why, then, does Washington disregard the research and strides made by other states? Every year for the past 10 years, I have introduced a shared-parenting bill, and every year that bill has died. Most of the resistance comes from special interest groups opposed to even a modest increase in non-custodial parents' time with their children from about 21 percent to 33 percent annually.

This is in no one's best interest. As Karen DeCrow, former president of the National Organization for Women, said: "I urge

Not a single study advocates for routine use of the restrictive schedule handed out in Washington.

a presumption of joint custody of the children. Shared parenting is not only fair to men and children, it is the best option for women. ... Most of us have acknowledged that women can do everything that men can do. It is time now for us to acknowledge that men can do everything women can do." Sad to say, however, the current NOW leadership opposes shared-parenting legislation, relegating to second-class status a generation of men who, ironically, were brought up to recognize

the equality of the sexes.

My bill would create a standard allowing qualified parents at least one-third residential time with their children. Although this adds merely 12 percent more time than the current system, studies show that it makes a world of difference. It sends the message that parents no longer have to fight expensive court battles to maintain relationships with their children, and it removes children from the winner-take-all dynamic of many divorces.

Although my bill fell short this year, I saw signs of growing support that bode well for the 2007 legislative session. If you agree, I urge you to contact my office or the offices of your state legislators.

It's time Washington joined the majority of states with progressive parenting schedules. Children in other states are enjoying more time with fathers and reaping the benefits of healthier families. So can ours.

http://seattlepi.nwsourc.com/opinion/268781_kastamachild03.html

Sen. Jim Kastama, D-Puyallup, is chairman of the Senate Government Operations & Elections Committee and represents the cities of Puyallup, Milton, portions of Fife and Edgewood, and the communities of Midland and Summit/South Hill.

Thanks to Manumit Exchange for alerting us to this article. Manumit is at manumit@starg8.org, manumit-owner@yahoo.com.

Nearly 3 Million Non-Custodial Moms

"No one thinks twice about a father who doesn't have physical custody, but for a mother, the assumption is that she is somehow unfit," said Annette Pagano, author of the book entitled "Journeys of Women Without Custody" at a National Association of Non-Custodial Moms (NANCM) conference in Orlando, June 17–18, 2006.

"Fortunately, that stereotype is disappearing," said David L. Levy, who also

spoke at the conference. "There are nearly three million non-custodial moms, and they lose custody for the same variety of reasons, or for no reason, as the nation's 15 million non-custodial fathers."

The conference, the first-ever held by the newly formed non-custodial mothers organization, was at the Summer Bay Resort in Clermont, Florida, near Orlando. NANCM is affiliated with CRC. The founder and president of NANCM is

Beverly Morris, a non-custodial mother.

At the board meeting prior to the conference, a committee system already put in place was introduced as a way to involve many mothers, including non board members, in the work of the organization. "That will ensure that a lot of things get done," said Bev Morris.

Levy told the conference attendees that he looked forward to the day when there

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Dependency Tax Allocation Allocated

A divorce court that awarded a couple joint legal and physical custody of their three children properly allocated the federal income tax dependency exemption for one child to the father and for another to the mother, and for the third child to each parent in alternating years, the Georgia Supreme Court held June 26.

Justice Robert Benham rejected the mother's argument that because she has custody of the children for more of the year than the father does, he is the noncustodial parent and thus not entitled to the exemptions.

Acknowledging that *Blanchard v. Blanchard*, 401 S.E.2d 714 (Ga. 1991), held that Georgia courts do not have authority to award the dependency exemption to a noncustodial parent, and that Internal Revenue Code § 152(4)(A) provides that "custodial parent" means "the parent having custody for the greater portion of the calendar year," Benham said his calculations revealed that the time the children spend with each parents, "is, so far as is practicable, equal." He thus held that what the trial court did "comes as close to the requirement of I.R.C. § 152(4)(A) as is possible, splitting the exemption between two parents who are both custodial parents."

Benham also rejected the mother's further claim that permitting the father to have any part of the exemption would cause the child support awarded by the trial court to fall below the guideline amount. Permitting the father to claim an exemption will not affect his gross income (which is the basis for the support calculation) and nothing the trial court did caused a reduction in the amount of child support, he pointed out. (Benham expressed no opinion concerning the effect on subsequent cases of a recent amendment to Ga. Code Ann. § 19-6-15 that defines "custodial parent" as the parent with whom the child resides more than 50% of the time, and also stated that if each parent spends 50% of the time with the child, the trial court shall designate the parent with the lesser support obligation as the custodial parent.)

Justice Carole W. Hunstein dissented, joined by Chief Justice Leah Ward Sears. Asserting that "[r]egardless of the nomencla-

ture used to describe a custody arrangement or this Court's calculation of the amount of time a parent spent with a child, Georgia courts are without authority to impose a federal tax liability," Hunstein also pointed out that the father has custody "at most only 47% of the time" and that the mother thus has custody for the "greater portion of the calendar year" per the tax code.

(Frazier v. Frazier, Ga., No. S06F0211, 6/26/06)

[Text of the opinion is available at <http://www.gasupreme.us/pdf/s06f0211.pdf>]

Custodian Ordered to Pay Child Support

Further explanation is needed as to why a trial court that granted a divorcing father "primary" physical custody of his child also ordered him to pay child support to the mother, the Mississippi Supreme Court decided June 29.

Justice Charles D. Easley found that the trial court had awarded the parents joint legal and physical custody, with primary physical custody to the father and visitation to the mother. Along with \$400 a month in child support, the father was ordered to pay the mother \$500 in monthly alimony. He was also required to maintain health insurance coverage on the child. Finding that the "noncustodial" mother was not only relieved of her financial obligation to support the child, but that the father was ordered to bear a "double child support burden," as he was providing for the child's financial needs on a regular and continuing basis, Easley noted that an order that does not require a non-custodial parent to pay support should be entered only in rare circumstances. Moreover, in such cases, the trial court should also include detailed findings in the order to support the decision to relieve a noncustodial parent of the financial obligation for the child, he added. Also expressing concern with the trial court's use of the term "joint physical custody," Easley said such wording causes confusion because the mother was also awarded specified periods of "visitation."

Based on the visitation schedule (alternate weekends, Tuesday nights, and extended holiday periods) the father "clearly

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were no such things as non-custodial moms, or non-custodial dads, except for cases of abuse or neglect. "Then NANCM and CRC will no longer have to exist," he said, "and I can go whale watching. But we have a long way to go before that happens."

Jim Loose, board chairman of People for Equal Parenting in Texas, gave a historical description of the non-custodial parents movement. He said that "70 million Americans are in the child custody system, including 20 million non-custo-

dial parents. In the aggregate, this makes child custody society's second largest government program, second only to Social Security. Depriving divorced parents of equal parenting rights will be seen as today's next human rights movement, following in the footsteps of the civil rights and women's movements."

"We should call it the "Children's Rights Movement," said Levy.

Note: Pagano's comments also appeared in a Tampa Tribune article about NANCM on June 8, 2006.

Further note: Loose mentioned that he and others have brought together several former fathers rights groups in Texas into the "Texas Parental Alliance" that is gender neutral. As a result, he said he thinks Texas in the next few years will pass a 50/50 shared parenting law, an improvement of the current law that provides up to a third of the time to a separated parent. PEP can be reached at www.pepintexas.org.

CRC Member Loses Child

CRC member and child advocate Tim Dycus of Nebraska lost his 11-year-old daughter, Addie, to brain cancer on July 8, 2005. The day after the funeral, Tim learned that the funeral home had given cards and memorials left for the “Dycus Family” to the mother with the expectation that she share those with him.

Over many months, Tim and the funeral home spent considerable effort trying to get the child’s mother to share the cards left in memory of their daughter with Tim. He wanted to acknowledge and thank those people who were so gracious and compassionate to his family. Tim said that the mom refused to comply, and with her attorney, took the position that his rights to any information about Addie, including cards and memorials, terminated upon her death. They also stated that Tim was not entitled to any of Addie’s clothing to keep as mementos, as they stated that Addie’s personal prop-



erty is the mother’s exclusive property. Since Tim was divorced, he had paid more than \$70,000 in child support.

Tim attended almost all of Addie’s school, church, and recreational events including soccer, softball, and dance, in or out of town since her birth, and continually tried to get more time with his daughters but was confined to the typical every other weekend and a few hours on Wednesday evening.

In a request to the judiciary, the District Court in Adams County, Nebraska ruled for the mother. The court stated that the decision as to whether to share was up to her, stating Tim needed “to wait while the other parent processed and went through the grieving process.” She then ordered Tim to pay the majority of the mother’s attorney fees! Tim is also grieving.

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bears the lion share of time caring” for the child and had physical custody the majority of the time, he found. Saying that, as such, the trial court’s language “falls woefully short” of establishing that the mother was awarded joint physical custody, Easley stressed that since the father had the most extensive time with the child, he also bore the primary financial obligation of providing for her daily financial needs.

Finding that the child was never in the mother’s care long enough to sustain the joint physical custody order or the award of child support to the mother, he remanded for clarification of the trial court’s “contradictory terminology.”

(Rush v. Rush, Miss., No. 2004-CT-00260-SCT, 6/29/06)

[Text of the opinion is available at <http://www.mssc.state.ms.us/Images/HDList/.%5COpinions%5CCO32789.PDF>]

Grandparents Win Custody

A trial court did not err in awarding custody of a nonmarital child to her maternal grandparents over her father’s objections, the Illinois Appellate Court, Fifth District, held June 19.

The seven-year-old child had lived with the grandparents for six years, and her mother had consented to their petition, which was filed under the custody provisions of the Illinois Marriage Act. The father, who did not acknowledge paternity until the state instituted an action to obtain child support, filed a counterpetition for custody. The trial court ruled that the grandparents had shown good cause to overcome the presumption, recognized in the Marriage Act, that, as a parent, the father had a “superior right” to custody. On appeal, he argued that the custody award to the grandparents violated his due process rights in light of the state supreme court’s recent opinion in *In re. R.L.S.*, 844 N.E.2d 22 (Ill. 2006). Affirming the custody award, Justice Richard P. Goldenhersh rejected the father’s claim that *In re R.L.S.* holds that substantive due process mandates that custody

must always be awarded to a parent if he or she is fit. Finding that “R.L.S. makes no such pronouncement,” Goldenhersh explained that it simply holds that fit parents are entitled to custody under the Probate Act (R.L.S. involved a guardianship proceeding). “This means that the Probate Act contains the constitutional safeguards called for in *Troxel* [v. Granville, 530 U.S. 57, (2000)]. That holding is of limited relevance to the case at hand, which involves a petition under the Marriage Act,” he asserted. Goldenhersh said R.L.S. addressed the constitutionality of a provision of the Probate Act, and did not announce a new benchmark for protecting parents’ rights. Going on to say that the statutory framework of the Marriage Act ensures that the due process rights of parents are not violated, he held that the record here supported a finding that a custody award to the grandparents was in the child’s best interests.

(In re Custody of T.W. (Weger v. Weger (Smith), Ill. App. Ct., No. 5-06-0019, 6/19/06)

[Text of the opinion is available at <http://www.state.il.us/court/Opinions/AppellateCourt/2006/5thDistrict/June/Html/5060019.htm>]

The above court rulings are summarized from *Family Law Reporter*, published by The Bureau of National Affairs, Inc. They appear here by permission of the publisher. Further information about the cases, normally including the full text of the court opinions, is available at the URLs shown after the case names. In some cases, the link may be not directly to the text of the opinion, but to a site where a search by case name, docket number, or date is necessary to reach the text.

Should You Stay Together for the Kids?

By Ruth A. Peters, Ph.D.

Dr. Peters is a frequent contributor to The Today Show and the Oprah Winfrey Show. This is her advice offered on the Today Show, July 19, 2006



Dr. Peters

Is divorce a very good option for the children?

Yes, it can be, but there are many sides to the issue. Some parenting specialists believe that children living in chaotic or unhappy marriages learn bad parenting techniques, and feel that these kids would benefit in the long run by their parents divorcing. However, one leading authority on the family (Judith Wallerstein, author of “The Unexpected Legacy of Divorce”) disagrees. She theorizes that keeping the family intact is of such import that, even if unhappy or lonely, parents who are able to remain civil (not exposing the kids to fights, coldness, or extreme disagreements) provide a better option than divorce. But folks who can commit to living together respectfully when actually desiring to be apart are rare, as this often means putting their own happiness and perceived fulfillment “on hold” until the kids are older or have left the home.

Should parents put the happiness and the welfare of the children before their own?

I believe that your happiness as an adult should not interfere with the welfare of your children, whenever possible. You’re the adult, and they are just kids. The fireworks may have fizzled from your marriage and you may not even find your spouse interesting or attractive. But he or she is the father or mother of your children and you should invest considerable time, attention, soul-searching and honest introspection before making a decision to forever change the dynamics and stability of your marriage and your home. If you haven’t sought counseling (an honest, sincere attempt here, folks!), then do so immediately. Talk with your religious leader, a trusted friend, or family member who has evidenced good judgment in their own private life, or a therapist. Sure,

marital therapy is often unsuccessful, but just as frequently changes can be made that alter the marital dynamic and the relationship can be more successful and rewarding. In other words, try to fix the situation before bailing out.

Get a reality check!

What are your expectations of a 10-year marriage after two kids, financial difficulties, and living in society where more folks are on their second marriage than their first? Of course there will be stressors. Obviously you’ll have some regrets and wonder why you walked down the aisle in the first place. Life is not the Waltons or the Cleavers...but it’s also not the Hogans or the Simpsons! Reality is usually found somewhere in between, and trust me, your neighbors have issues, also, they just have different ones. Consider what you believe to be missing in your marriage and honestly try to determine whether this is something that only a spouse can fill. You may find that adding interests, activities, or good buddies to confide in may help to fill the void and allow you to be more positive and fulfilled on a day-to-day basis.

How does divorce negatively affect children?

Everyone usually loses in a divorce in some way. Finances are divided, both parents usually to work in full-time positions, and children often must attend day care before or after school hours. Stress increases due to single-parent pressures (not having another adult to help with transportation, cooking, to play with, handling homework, etc.), financial, worries about the future, visitation issues, and legal battles. When families split up, often the kids move to a new neighborhood and have to develop new friends and deal with a new school. Promises are broken (planned vacations, cars not becoming available) and there are many difficult adjustments to make.

How does divorce positively affect children?

If the marriage is tumultuous, divorce can be a relief to the kids. If a parent is abusive (physically and/or emotionally), has a substance abuse problem, or causes constant chaos within the home environment, children often benefit from the separation. Many children are embarrassed to bring friends into their distressed environment and begin to stay longer at others’ homes in order to avoid the turmoil. When warring parents divorce, they tend to be happier, or at least less miserable. The diminution of stress allows them to spend more quality time with their children, and the family can become a solid unit once again.

If you don’t like the way your spouse is parenting, do you expect greater control following a divorce?

Think, and then think again. There’s not much that you can do, when divorced, about controlling your children’s bedtimes, discipline, values learned, and *significant others* met when your child is spending time with their other parent once a divorce has occurred. Many parents are less than amicable following the legal battle, and decrease communication with the former spouse or purposely expose the children to people or ideas whom you may not appreciate. If the breakup was amicable, divorced parents can work well together in the best of interest of their children and, although rare, these folks should be applauded.

Won’t the kids adjust and adapt quickly to the changes?

Some do, some don’t. Sensitive kids tend to hurt for longer periods of time, often feeling guilty that Mom or Dad is alone at times. Children who are more self-absorbed may not worry as much about the parents’ feelings, but may be resentful about the loss of financial stability and how that affects allowance, cloth-

Dr. Peters | continued on page 14

The Innocent Third Party: Victims of Paternity Fraud

*Editor's Note: Paternity Fraud is a "High Octane" topic in custody law nowadays. In CRC's view, every child has the right to know who his or her father and mother are—for personal, psychological, and health reasons, e.g. to know about possible genetic risk factors. It has been CRC's view that DNA testing should be considered at the birth of every child, even of married parents, to prevent parentage questions from arising later on, in case of separation or divorce. DNA testing at birth would also prevent anyone from having to question long-standing parent-child relationships, say, when the child is 10 or 12, that could only be upsetting to the child. We carry this excerpt from a recent law review article by attorney Ronald K. Henry of Washington, D.C. The opinions in the article are his own. For the full article, see *Family Law Quarterly*, Vol. 40, No. 1, Spring 2006.*

The public good is in nothing more essentially interested, than in the protection of every individual's private rights.

William Blackstone, 1 Commentaries *135.

During her divorce proceedings, Bonnie repeatedly claimed that Doug Richardson was the father of her child, but the child told Doug that Bonnie stated that Abraham Flores was his real father. The court refused Doug's request for a continuance to obtain counsel to assist in contesting paternity.^[i] The Court of Appeals affirmed.^[ii] A paternity test excluded Doug as a possible father of the child.^[iii] Bonnie resumed living with Abraham but Doug was forced to pay child support into the household of the child's real father. Later, Bonnie and Abraham broke up with a formal change of custody from Bonnie to Abraham. The Michigan State Court ordered Doug, the non-father, to pay child support directly to Abraham, the biological father.^[iv]

No one knows for certain the number of paternity fraud victims in America, but the lowest estimates are in the tens of thousands. The Michigan case is unusual only in that the paternity fraud victim was required to make court-ordered payments to the child's father rather than to the child's mother because of



Ronald Henry

a change of custody to the father.

The subject of paternity fraud is not new.^[v] In typical discussions, however, the phrase "paternity fraud" is rarely used in deference to the preferred phrase "paternity disestablishment," a seemingly more intractable and difficult problem of balanced nuances. "Paternity fraud," however, is not difficult to detect and prevent. For less than \$100, a DNA test can determine with certainty whether a particular man is the father of a particular child before that man is indentured with coercively enforced obligations for 18 years or 21 years^[vi] for someone else's child.

There is nothing difficult about ending paternity fraud. This article is an argument and a plea for an end to the injustice....

A. The Great Engine of Federal Incentives

Federal law does not directly require paternity establishment. Instead, the federal government uses the "power of the purse" to impose conditions upon state eligibility for receipt of federal funds. Since the 1980s, Congress has operated on the belief that federal welfare expenditures can be offset by recoupment of child support payments from non-custodial parents. Accordingly, federal law requires that a recipient of Temporary As-

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ing, and summer camp funds. Kids who have had to relocate tend to be anxious until good buddies are established and they are comfortable in their new schools. The lucky ones, whose parents are amicable, cooperative, and focused upon the children's needs, seem to adjust more readily to the new situation. When children realize that their folks no longer behave in an angry fashion with each other and share sporting events and school functions without the threat of drama, they begin to relax and to cope better with the two-home situation.

If you decide to proceed with the divorce...

Divorce is tough on everyone—Mom, Dad, as well as the kids. But, there are some steps that parents can take to make the situation less confusing for their children as well as for the family as a whole. Although lives are forever changed by divorce, it doesn't have to be as chaotic or devastating if you try to think clearly, attempt to put the children's needs at the forefront, and continue to clarify what is happening in your life as well as the kids'.

Breaking the news

When you've made the decision to

separate or divorce and you want to tell the children, there are some things to take into consideration. It's best not to tell them too far in advance (two months may seem like forever to a 4-year-old), so that they either agonize endlessly until it actually happens or begin to believe that you've change your mind, when you haven't. On the other hand, only giving a few days or weeks notice is often not enough time for the kids to adjust to the idea, and certainly not enough time to talk with both parents about their concerns and fear.

Dr. Peters provides additional recommendations for "calming the fears" of children through www.ruthpeters.com.

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sistance to Needy Families (“TANF”) must assign to the government the right to receive child support payments.^[vii] To maximize child support collections, the federal government requires each state to have paternity establishment procedures.^[viii]

The federal government also provides penalties and incentives to the states related to their performance in paternity establishment. Federal law establishes a target of paternity establishment in 90 percent of cases.^[ix] Failure to meet the target subjects the state to an escalating series of program improvement requirements^[x] and penalties.^[xi] In addition, Congress has provided that states with the highest paternity establishment rates and greatest year-to-year increases in paternity establishment rates will be eligible for bonus or incentive payments from the federal government.^[xii] With billions of dollars of federal TANF funds and incentive payments at stake each year,^[xiii] the States have tremendous incentives and, indeed, compulsion to pursue high rates of paternity establishment.

B. The Unintended Consequences of Good Intentions

While nothing in federal law requires or authorizes establishing paternity against the wrong man, there is also nothing in federal law that prohibits or penalizes tagging the wrong man. Eligibility for receipt of federal funds under TANF and under the incentive formula depends only upon tagging the largest possible number of men and there is no review or requirement that it be the right men. With the enormous sums of federal funds that are at stake, the result is not difficult to predict. The states are hugely incentivised to establish paternities, and one man will serve as well as any other.

California has long been notorious for its high rate of “sewer service,” high rate of default judgments, and high rate of false paternity establishments.^[xiv] When the California Legislature attempted to ameliorate the problem of paternity fraud, then Governor Gray Davis vetoed the bill, saying:

This [Bill] would directly impact child support collections and would jeopardize California’s ability to meet federally required performance measures putting California at risk of losing up to \$40 million in Federal funds.^[xv]

Simply put, the Governor of the most populous state in the Union vetoed an effort to reduce paternity fraud because a reduction in paternity fraud might cost the government money.^[xvi] Gov. Davis is not alone in his conclusion that refusing to address paternity fraud is good government and good business. As the Tampa Tribune reported when Florida was debating paternity fraud reform:

Department spokesman Dave Bruns said the State would be hard-pressed to find the real fathers should a law remove the burden of child support from non-fathers, “Until we could identify who the real dad is and begin making collections, then that family is likely to go on Public Assistance.”^[xvii]

In Missouri, local media reported on a father whose DNA test excluded the possibility of paternity and wrote:

But that made no difference. The State would consider letting Williams off-the-hook only if his attorney contacted the other two men and Williams paid for their paternity tests. Otherwise, Williams must pay child support until the two girls reach age 18 ...the State is just doing its job, insists Mike Shortridge, chief counsel for the DCSE. “It is in the best interest of the child to have an order for child support.”^[xviii]

The bottom line in the drive to find some man, any man, to drive up the paternity establishment rate is that “fairness was not a high concern.”^[xix]

C. Abusive Practices in the Initial Establishment of Paternity

False paternity establishments occur in myriad ways. There are, however, three major pathways to false paternity establishment that are the direct result of poorly designed state systems: 1) Default Judgments; 2) Lack of Legal Representation; and 3) Defective In-Hospital Paternity Acknowledgments. This section describes major deficiencies in initial paternity establishments.

1. Default Judgments

In Los Angeles County, 80 percent of paternity establishments are entered by default judgment while for the State of California as a whole, the number is 68 percent.^[xx] California is not alone. The United States Department of Health and Human Services Office of Inspector General (HHS/IG report) reported that “seven states’ child support agencies report half or more of paternities established in their states occur through defaults.” The Inspector General further reported that “[t]wenty-four percent of local offices in focus states report half or more of paternities in their caseloads are established by default.”^[xxi]

Every year, some politician can be counted upon to rail against “Deadbeat Dads” and the ever-growing arrearages in the collection of child support.^[xxii] Despite the most oppressive form of debt collection practiced in the United States (wage garnishment,^[xxiii] asset seizure,^[xxiv] license denial,^[xxv] passport denial,^[xxvi] tax refund interception,^[xxvii] public humiliation through “most wanted” posters,^[xxviii] and arrest, criminal fines and imprisonment,^[xxix]etc.), child support arrearages are growing.^[xxx] To its credit, California commissioned the Urban Institute to investigate why. The Urban Institute reported that the number one reason for arrearages was that “orders are set too high relative to ability to pay.”^[xxxi] The first two of the four listed causes for orders being set too high relative to ability to pay were: 1) establishing too many child support orders by default; and 2) setting default orders at the standard level without knowledge of the obligor’s income.^[xxxii] The first recommendation of The Urban Institute was to:

Reduce Default Orders. Default orders occur when a non-custodial parent fails to respond to a child support case being brought against him or her. Some default orders are expected, but a default rate of 71 percent statewide indicates that something is terribly wrong. Noncustodial parents are

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Commission Helps Low-Income Parents

Jeffery M. Leving, prominent Chicago family law attorney, has been serving as chairman of the Illinois Council on Responsible Fatherhood for three years.

Leving was appointed Chairman by Governor Rod Blagojevich in 2003, after the Illinois Legislature approved the establishment of the Commission "to promote the positive involvement of both parents in the lives of their children."

The Council is comprised of community leaders, experts, state legislators, and professionals from across the state, all appointed by the governor.

Leving has identified several issues to be addressed, including the scarcity of affordable and free legal services for low-income parents.

Leving has also urged a law or program to abate or adjust support obligations of ex-offenders, "because ex-offenders have often accrued large arrearages during incarceration that they are unable to pay upon release."

For further information on the Council, see www.responsiblefatherhood.com

CRC General Counsel



Michael L. Oddenino, J.D., (Arcadia, California) serves as General Counsel for the Children's Rights Council, and is a frequent speaker

at the Association of Family and Conciliation Courts conferences and other seminars on family law. A prolific author, educator and teacher, he has presented numerous legal articles and professional seminars on family law and custody issues.

Equal Parents Week



There will no CRC officially-sponsored Equal Parents Week the last week of September 2006.

Organizations and individuals are free, however, to



hold the customary candlelight vigils if they wish, on the last Wednesday of the month, September 27, beginning at 9 p.m. EST in recognition of a child's right to a mother and a father.

Patti Diroff, who has been organizing the Equal Parents Week activities around the world for CRC in years' past, hopes to resume the activity next year.

If anyone wishes to help organize Equal Parents Week, contact CRC at info@crckids.org, or phone 800/787-KIDS.

CRC NEEDS

- Free or reduced rent office space. Get a tax write-off as you help kids and CRC. 8,000 sq. ft. or more anywhere in the Washington, D.C. area (Maryland, D.C. or Virginia). CRC chapters also need donated space.
- Volunteers to help with filing, phone calls, and writing letters.
- Our chapters need computers and office space.
- Lawyers to write CRC Amicus Briefs on appeal.
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- Consider CRC in your will.
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ATTORNEY AT LAW**

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CRC's 20th Anniversary Conference

The Children's Rights Council announces its 20th Anniversary Conference, "Shared Parenting in the 21st Century" to be November 3-5, 2006, at the Sheraton Hotel, Crystal City, Virginia.

Speakers

Speakers will include Deputy Surgeon General Admiral Kenneth P. Moritsugu, Reading-Aloud-to-Children Advocate Wally "Famous" Amos, and syndicated columnists Ask Amy (Amy Dickinson), Kathleen Parker, Glenn Sacks, and Cathy Young. Other speakers include custody reform advocates Ronald K. Henry, Michael L. Oddenino, John Bauserman, Jr., author Elizabeth Marquardt, judges, psychologists, educators, researchers, and policymakers from Washington, D.C. and around the country.

Child Access Center innovators and other experts on family issues from around the U.S. will provide focus on Access Centers: Problems and Solutions.

Conference Access Facilitator Certificates will be offered for new and experienced Access Staff.

The conference will host six plenary sessions, 15 workshops, six meals, and the latest innovations from more than 50 presenters from 30 states and a half-dozen countries.

Post-Conference Activity

"Parental Kidnapping and Shared Parenting Trends Around the World" will be a post-conference activity on Capitol Hill on Monday morning, November 6. Speakers will include diplomats and representatives from the U.S., Canada, U.K., Europe, and Australia.

Why You Should Attend

The conference offers unique opportunities for information, networking, and relaxation for individuals concerned with children and family issues, especially the at-risk children whose parents are separated, divorced, or never-married.

Award Presentations

During the conference, CRC will present awards for the following:

- "Chief Justice Warren E. Burger Healer Awards" to lawyers and judges who promote healing, not just litigation;
- "Best in Media Awards" to the best TV, radio and print media articles on issues relating to the two-parent family;
- "Parenting Awards" to individuals who exemplify Best Parenting Practices; and
- "Access Center Awards" to Access Centers that are performing above and beyond their responsibilities.

For information and to submit nominations, contact Margaret Wuwert, awards chairman, at 419/473-8984, or email to hummelfan7@aol.com. **Deadline for nominations is October 1, 2006.**

Other Information

Continuing Education

Continuing Education Units (CEUs) will be offered through the American Psychological Association (APA), the National Council on Family Relations and other certifying organizations.

Hotel Information

The Sheraton Hotel features an expansive fitness center with sauna open 24 hours a day and majestic views of the nation's capital, a French/American restaurant and bar, and 50 restaurants within two blocks. The hotel provides complimentary shuttle to the airport 7 a.m. to 10 p.m. Downtown Washington, D.C., Georgetown, and Capitol Hill are 15 minutes via subway (Metro).

The Sheraton Hotel conference rate is \$109 a night, Thursday through Sunday night, the entire run of the conference and post-conference Monday morning. Call the Sheraton at 1-800-325-3535 or 703/486-1111. If you plan to arrive before or stay after the post-conference on Monday morning, we urge you to stay at the Americana Hotel (\$89/night) or the Radisson Hotel (\$179/night), both of which are one block from the Sheraton Hotel, because the Wednesday or Monday evening rate at the popular Sheraton will be at least \$225.

Registration Information

Early-bird registration is \$250 for CRC members and \$350 for non-members by October 1, 2006. Membership is \$50 annually. After October 1, add \$100 to each rate.

Exhibit tables for the conference are available for \$250 each.

For More Information...

For conference updates and registration, visit www.crckids.org.



Scenes from CRC's 14th National Conference. Photos by Susan Miner, Stonewall Productions Institute, Norwich, CT

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not participating in the process of establishing the child support order when default orders occur, which we find reduces collections. Every effort should be made to identify the reasons why default rates are so high and reduce them.^[xxxiii]

The Urban Institute findings of (1) a statewide default rate of 71 percent, (2) poor location information for service of process, (3) use of substitute service rather than personal service, and (4) unnecessarily complex pleadings are not the basis for a just system of paternity establishment. In reporting on the effect of default judgments in cases of false paternity establishments, the United States Department of Health and Human Services Inspector General stated that:

Regardless of the timing, appealing a default order is not likely to be an easy process. Several state and local managers report they advise parents who wish to appeal to hire an attorney to negotiate the process. This might be financially difficult for a large number of fathers, and they may end up paying months of child support payments even if they are proven not to be the father. Even if later excluded by genetic testing, staff indicates the man may still be liable for the child support arrearages not paid during the time he was presumed to be father by default.^[xxxiv]

With a false paternity establishment, a child support order that exceeds his ability to pay, and no realistic avenue for appeal, arrearages accumulate and an innocent paternity fraud victim becomes recharacterized as just another “deadbeat dad.”

2. Intimidation and the Lack of Legal Representation

Paternity fraud victims who cannot afford appellate counsel are no more likely to be able to afford trial counsel. There are few settings in which one is more at the mercy of others than to be an unrepresented litigant in an American court. Entering a government building purposefully designed to be imposing, addressing a judge in robes on a raised platform, flanked by a bailiff, clerk and court reporter, and opposed by a government-paid lawyer representing the Welfare Department,^[xxxv] does anyone seriously think that this is a fair fight for a poorly educated, low-income minority who walks into the courtroom alone?^[xxxvi] Surely, some judges struggle to assist the unrepresented indigent, but anyone who has been into a child support court knows that most are run with the ruthless efficiency of a factory assembly line.

The paternity fraud victim is hustled through the formality, often in less than five minutes, and may not even realize what has happened until the first garnishment of his paycheck. The State’s direct financial incentive is to establish paternity regardless of actual paternity facts. In welfare cases, there is almost always only one attorney in the courtroom and that attorney is not representing the paternity target.

3. Inadequate In-Hospital Paternity Acknowledgment Procedures

In-hospital paternity acknowledgment is a cornerstone of government policy and a requirement for any state seeking TANF

funds.^[xxxvii] In-hospital paternity acknowledgment can be a real boon for parents and children, but only if the program is well-designed. A program that fails to screen out false paternity establishments scores a temporary statistical victory but causes enormous enforcement burdens and emotional costs to the victims of the false establishments.

Hospitals do an exceedingly good job of making sure that the right mother is connected to the right baby. Any visitor to a maternity ward will observe that footprints are taken, identity bands are placed on mother and child, nurseries are staffed and guarded by 24-hour surveillance cameras.

Just as technology exists to protect the mother, equally dispositive technology, DNA testing, exists to protect men as well. But no in-hospital paternity acknowledgment program is geared toward providing protection to men. Anyone familiar with in-hospital paternity establishment programs knows that the programs are not geared toward verifying that the right man is identified as the father. Instead, the programs are openly geared toward exploiting the emotional vulnerability of a man who has come to the hospital solely because he believes that it is his baby who is there.^[xxxviii] The man’s presence in the hospital to be with “his” baby is called the “magic moment” and the child support bureaucracy openly exploits it as the best opportunity to get a paternity acknowledgment with no questions asked. ...

II. Conclusion

Although paternity fraud existed in the pre-DNA era, it has become a mass phenomenon disproportionately affecting low-income minority males as a result of the recent governmental push to obtain welfare cost recoupment through paternity establishments and child support collections. Fortunately, paternity fraud can be stopped at a cost of less than \$100 and conclusive truth can be known through a simple DNA test.

In the past, injustices could occur because we were simply unable to be sure about the identity of the child’s father. That excuse no longer exists and there is no excuse for continued injustice.

[i] Transcript of Hearing at 3, 6, *Richardson v. Richardson*, Court No. 91-7019, (Cir. Ct. Bay Cty., Mich. March 23, 1992) (on file with author). Bonnie’s counsel showed some pity, stating on the record: “I’m not trying to deny Mr. Richardson his opportunity to have counsel. I believe that people ought to have an attorney if they want to.” *Id.*[i].

[ii] *Richardson v. Richardson*, Court No. 157567 (Mich. Ct. App. Nov. 23, 1994) (unpublished, on file with author). In a two-paragraph opinion, the Court of Appeals wrote: “After reviewing Defendant’s brief, we note he has failed to cite any authority supporting his position. We will not search for authority to sustain a party’s position. We decline to address issues not properly presented.” *Id.*

[iii] Letter from Henry Gershowitz, Ph.D., Director, National Legal Laboratories, Inc., to Richard O. Milster (Sept. 7, 1992) (on file with author).

[iv] *See Order, Lauria v. Richardson*, Court No. 91-007019-DM-S, (Cir. Ct. Bay Cty., Mich. April 11, 2001), which states:

The friend of the court has confirmed with the custodial parent that the minor child, namely Douglas Richardson, lives with Abraham Flores, whose address is 415 Campbell Street, Bay City, MI 48708, and that the payee of support should be changed to Abraham Flores with whom the minor children currently resides, effective 04/09/01.

[v] *See, e.g., Kristen Santillo, Disestablishment of Paternity and the Future of Child Support Obligation*, 37 Fam. L.Q. 503 (2003); Paula Roberts, *Truth and Consequences: Part One - Disestablishing the Paternity of Non-Marital Children*, 37 Fam. L.Q. 35 (2003); Paula Roberts, *Truth and Consequences: Part Two - Questioning the Paternity of Marital Children*, 37 Fam. L.Q. 55 (2003); Paula Roberts,

congressional news

Access Funds Increase Delayed Again

The proposed increase in access (visitation) funds from \$10 million a year to \$20 million over a four-year period has not been approved by Congress in 2006 for 2007. The increase was proposed by the Bush Administration's U.S. Department of Health and Human Services. Many social service agency budget items have been rejected by Congress, including this one. The increase would have taken place over a four-year period, with the increase going from \$10 million to \$12 the first year, and subsequent increases in following years to reach \$20 million.

But three tries may be a charm.

We ask you to help us pass it next year.

First, let's give you the good news. All the states continue to receive \$10 million a year for programs to connect children to their non-custodial parents. The states may spend the funds only on the programs enumerated in law—counseling, mediation, parenting education, parenting plans, neutral drop-off and pick-up of children and Supervised Access, and alternative custody arrangements. The money may not be spent on studies, research, or any other projects, because they are not specified in the law.

That \$10 million, approved in the 1996 Welfare Reform Act, continues indefinitely. Each state receives a minimum of \$100,000 a year, with some states, like California, receiving more than \$1 million a year. The amounts are based on the single parent population in the state.

Former Child Support Director Sherri Heller reported in 2004 that 273,000 families had been helped by the program since its inception. There were far more "incidents of service," because many programs, e.g., access services, require multiple uses by the same family until problems can be resolved. Even mediation usually requires more than one session. The federal child support office in the U.S. Department of Health and Human Services (HHS) administers the program.

Ask Congress to Increase the Federal Access Grants

To help CRC get this proposal passed in 2007, the next time that Congress will

*All the states
continue to receive
\$10 million a year
for programs to
connect children
to their non-
custodial parents.*

consider new budget requests, please FAX your House Member or Senator. See sample fax letter in box.

How do you obtain your Congressman's fax number? Call the local constituent's office for your House member and two Senators, or phone the U.S. Capitol (202/225-3121) and ask for the members' offices during normal business hours.

Following 9/11, nobody mails a letter to Congress, because security precautions can delay the letter for weeks or months. Everybody now sends faxes.

The HHS budget committee chairmen this year are Rep. Ralph Regula (R-OH) in the House and Sen. Arlen Specter (R-PA) in the

Senate. That may change after the November 2006 elections. Let CRC know what your House members and Senators say about your request.

SAMPLE FAX LETTER TO SEND IN JANUARY 2007

Date _____ Date _____
Name _____ Name _____
House of Representatives _____ U.S. Senate _____
Washington, D.C. 20515 _____ Washington, D.C. 20510 _____

Dear Senator/House Member —
Please write to the HHS Budget Appropriation Committee Chairman supporting the Administration's request for an increase in access (visitation) funds from \$10 million a year to \$12 million a year in 2007.

These funds provide much-needed, low-cost help for mediation, Access Centers, counseling and other programs to connect children to their non-custodial parents.

Sign the letter.

Copy to CRC at fax 301/559-3124 or email to info@crckids.org, so that we can follow-up.

CRC Receives Internship Award

The Children's Rights Council received an award as "Non-Profit Intern Provider of the Year" from one of the largest national organizations that brings college students to internships in the Washington, D.C. area.

CRC received the award from The Washington Center at a luncheon at the Cosmos Club on April 15. The Washington Center has links to counselors at hundreds of college and universities across the country. The Center matches the interests of mostly juniors and seniors in colleges with the hundreds of Congressional offices, government agencies, and non-profits that seek interns for the Fall, Winter, or Summer semesters.

The organizations then talk to interested students, trying to find the "right fit" for the student and the agency. "CRC has been fortunate to have had more than 300 college student interns over the past 20 years," CEO David L. Levy said in his acceptance speech at the luncheon, "150 of them came through the Washington Center." It was mentioned at the luncheon that the Defense Department has garnered 160 interns through the Washington Center, only 10 more than the far smaller CRC. Students who come to Washington for a semester pay full college tuition, are housed in pleasant dormitory type buildings in Virginia or Maryland by the Washington Center, and receive college credits.

What interns obtain is "the Washington experience," and CRC obtains help on Capitol Hill and elsewhere in our nationwide efforts to bring about the realization of the CRC motto, "The Best Parent is Both Parents" for children of separated,

*300 CRC interns have
obtained the Washington
experience*

divorced, and never-married parents.

In her introduction of CRC for the award, Washington Center Program Advisor Melissa Sigler said she first worked with CRC when she practiced law in northern Virginia. "I had a case where I represented a father who was being denied visitation with his 6-year-old daughter. CRC was very instrumental in developing a visitation schedule that would accommodate the wishes of the clients and the court. The client was able to see his daughter every other Saturday at one of CRC's access centers. This case is a success story because now the father is able to visit his child without the help of CRC's access centers. Had it not been for the initial visitation through the access center, I am not sure that this father would have been able to eventually have unsupervised visitation with his child."

NOTE: Levy's favorite intern story is that of the interns who helped obtain Congressional funding for the access (visitation) demonstration grants in the 1988 Family Support Act. Congress appropriated \$3 million for projects that would demonstrate the best way to help children and non-custodial parents, including mediation, intense case management of disputed cases, and neutral drop-off and pick-up of children.

Everyone likes to see the beginning,

middle, and end of a project, but it took three years of Levy and interns working the halls of Congress to obtain Congressional funding to the states for those demonstration grants.

The interns who started advocating at Congressional offices in 1985, just after CRC was formed, were not still around to see the results in 1988. The interns in 1988 were not there at the beginning, and the 1987 interns were sandwiched in between, unable to see either the beginning in 1985 or the end in 1988 of the accomplishment in obtaining the funding program.

Most demonstration grants were for mediation, but one grant was operated by Dick Woods of Fathers and Families in Des Moines on behalf of the state of Iowa. Woods counseled and assisted individual parents in asserting their rights to be involved in their children's lives. In addition to Iowa, programs were conducted in Idaho (two grants administered by then child support director Teresa Kaiser), Arizona, Massachusetts, and Florida.

The grants to the states helped connect children to non-custodial parents (most of whom are fathers, but 15 to 20 percent of whom are mothers). The grants were so successful in meeting Congressional goals of reducing court time, improving non-custodial parents' satisfaction, and increasing child support payments, that Congress provided \$10 million in Access (Visitation) Grants in the 1996 Welfare Reform Act for all states to share in.

More than 273,000 families have been helped, with an estimated one million service incidents, since the program began.

Paternity Fraud | continued from page 18

Biology and Beyond: The Case for Passage of the New Uniform Parentage Act, 35. Fam. L.Q. 41 (2001).

[vi] States have different standards for emancipation from child support. See *supra* note 5; see also, e.g., Tex. Fam. Code § 154.002 (child support to age 18 or 19 if still in high school); N.Y. Fam. Code § 413(1)(a) (child support to age 21).

[vii] 42 U.S.C. §§ 608(a)(3), 657.

[viii] 42 U.S.C. § 666(a).

[ix] Office of Planning, Research and Evaluation, U.S. Dep't of Health and Human Services, *Final FY 2005 Annual Performance Plan, Final Revised FY 2004 Performance Plan, and FY 2003 Annual Performance Report* at 6 ("Legislation requires states to establish paternity for 90 percent of children born out-of-wedlock, an ambitious goal that stretches states to perform at the highest level possible.").

[x] Any state which is below a 90 percent paternity establishment rate must show progress in subsequent years with greater amounts of yearly progress required

for states that are further from the 90 percent target. 42 U.S.C. § 652(g)(1).

[xi] Failure to meet the paternity establishment target or the required rate of improvement can result in the loss of the state's eligibility to receive federal funds under the Temporary Assistance to Needy Families program ("TANF"). 42 U.S.C. §§ 609(a)(8), 652(g), 658a.

[xii] *Id.* § 658a(b)(6).

[xiii] TANF is budgeted at \$17.537 billion for fiscal year 2006. Congressional Research Service, *Temporary Assistance to Needy Families ("TANF") Blocks Grant: FY2007 Budget Proposals*, RS22385 (Feb. 21, 2006).

[xiv] See, e.g., Matt Welch, *Injustice by Default: How the Effort to Catch 'Deadbeat Dads' Ruins Innocent Men's Lives*, REASON ONLINE, Feb. 2004, <http://www.reason.com/0402/fe.mw.injustice.shtml>.

[xv] Gov. Gray Davis, AB 2240 Veto Message (Sept. 27, 2002), available at <http://www.ncfmla.org/pdf.vetomessage.pdf>

Paternity Fraud | continued on page 25

California Parents with Sole Custody Gain Move-Away Advantage

By Maura Dolan, Times Staff Writer
Los Angeles Times, Feb. 3, 2006

The California Supreme Court on Thursday shifted the balance in fights between divorced parents with a ruling that eases the way for a parent with custody—usually the mother—to move away over her former mate’s objections.

Anthony Yana, a divorced father from San Luis Obispo County, tried to prevent his ex-wife from moving to Nevada with their 12-year-old son, Cameron. The ex-wife, Nicole Brown, who had full custody of the child, had remarried and her new husband had a job in Las Vegas.

Brown, who has two other children with her second husband, argued that Cameron would suffer if he was separated from his half-siblings. She also offered Yana more time in the summer with their son.

Yana argued that moving would put the boy in a community with poor schools and more crime. He also moved for joint custody. A lower court ruled that a judge should have held a full hearing on Yana’s objections before the mother could relocate.

The high court disagreed, in *Brown vs. Yana*. The court ruled that a parent who lacks custody, usually the father, would have to show that the move could harm the child before he would be granted a hearing.

A hearing “in a move-away away situation should be held only if necessary,” Justice Marvin Baxter wrote for the unanimous court.

A trial court may deny a hearing if “the noncustodial parent’s allegation or showing of detriment to the child is insubstantial in light of all the circumstances presented in the case,” Baxter said.

The decision limits the impact of a 2002 court ruling [the *La Musga* case] that critics had warned would result in expensive legal battles every time a custodial parent attempted to relocate over the other parent’s objections.

Attorney Jeffrey W. Doeringer, who represented Brown in this case, called Thursday’s ruling “a step back” from the 2002 decision.

“The Supreme Court has put a little wedge in there and said wait a minute, before you open the door to move-way litigation, there has to be something substantial,” Doeringer said. “It is not fair to the parties or the children to go through emotional and financial strain of this kind of litigation.”

Daniel Helbert, the trial attorney for Yana, said the ruling would make it harder for a divorced parent to prevent the custodial parent from moving with their child.

“You can’t just say that my son is going to living 1,000 miles away and we won’t share the same relationship,” Helbert said.



“I don’t think that is going to be enough to get a hearing anymore.”

David L. Levy, who heads the Children’s Rights Council, a Maryland-based international child advocacy group, complained that the court created “too high a bar” for obtaining a full hearing to challenge a move.

“A child should have easy access to both Mom and Dad,” Levy said. “Nobody should have to fight to maintain that relationship.”

He said there are 3 million mothers in the U.S. without custody of their children and 12 million fathers.

Kim Robinson, a family law attorney who represents custodial parents, praised the court’s decision to limit hearings. “It requires that a parent opposing a move comes in with specific facts about this child and about this move and doesn’t just rely on a general belief that all moves are bad for children – because they are not,” said Robinson, who believes the custodial parents who want to move should have greater say in court than parents without custody. “Not all moves are bad for children.”

Thursday’s decision will not affect Cameron’s current custody arrangement. After moving to Nevada with his mother, Cameron decided he would prefer to be with his father, and his mother eventually allowed the child to live with Yana in Santa Maria.

At a court hearing in November, “the boy testified unequivocally how unhappy he was with his stepfather and his mother,” Helbert said. “He wasn’t doing well in Las Vegas.”

At one point, the boy refused to board a plane to return to his mother, the lawyer said.

While the move-away mother was the winner in Thursday’s ruling, the California Supreme Court also offered some comfort to parents who might challenge their former mates’ relocations in the future.

The court refused to rule that a child’s unhappiness about moving could never be a sufficient reason for changing custody status. The court also said that regardless of custody status, any parent can try to stop a relocation if that parent can make a sufficient showing of potential harm to his or her children.

“Even a parent with sole legal and sole physical custody may be restrained from changing a child’s residence if a court determines change would be detrimental to the child’s rights or welfare,” Baxter wrote.

Editor’s Note: But parents with some form of joint custody, which constitute most divorced Californians, can still block most moveaways according to CRC General Counsel Michael L. Oddenino, who practices law in Arcadia, outside Los Angeles.

PLEASE copy, distribute, and post for Federal Offices, Post Offices, United Way, Workplace, State, City and Corporate Campaigns.



The Best Parent is Both Parents®

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Children's Rights Council (CRC)

Look for the Children's Rights Council's listing in Children's Charities of America or you may donate to CRC online at www.crckids.org

Our goal is to reduce child abuse, crime and drug use through parental education and the power of two actively-involved parents, grandparents, and extended family. The motto of the CRC is "The Best Parent is Both Parents®." We favor family formation and family preservation, but if families break up, or are never formed, we work to assure a child frequent and continuing contact with two parents and extended family the child would normally have during marriage.

Your contribution will help support the 43 child access and transfer centers CRC operates in 13 states (CT, IN, MD, MI, NJ, NM, NY, OH, PA, RI, SC, VA, WA) and Washington, D.C., that allow both parents to spend time with their children.

YOUR GIFT AT WORK IS ESPECIALLY VALUABLE

If your company has an employee charitable fund drive this Fall, please consider making a gift to us there. Doing so can pay long-term dividends in two ways. First, your company may add a matching gift to accompany yours. Second, the policy at many companies is to add a charity to the "approved" list for employee giving if one or more employees ask to make a gift to that charity. Being on the approved list often means other employees will see our name and decide to support us, too.

If your company has a "United Way" campaign that allows you to direct your contribution to charities other than the United Way, please take advantage of that opportunity to do so. You can contribute to the CRC through the Washington, D.C., and San Francisco Bay Area United Way campaigns.

If your company restricts giving to a list of "approved" charities, please ask your human resources department how you can add us to that list. Merely having an employee ask to include his or her special charity to the list is usually all it takes.

SPECIAL THANKS TO OUR CONTRIBUTORS IN THE ARMED FORCES, U.S. GOVERNMENT, AND THE POSTAL SERVICE

Fewer than one in ten charities meet the standards to qualify for these fund drives, and it is an honor to be included.

MORE WAYS YOU CAN CONTRIBUTE TO THE CHILDRENS RIGHT'S COUNCIL:

- For information and donation opportunities online visit www.crckids.com.
- If you wish to contribute directly to CRC, write to 6200 Editors Park Drive, Suite 103, Hyattsville, MD 20782.
- If you wish to join, or for more information, call 301/559-3120 or 800/787-KIDS.

CRC is a registered charity in Virginia (copies of CRC financial reports available from the Virginia Office of Consumer Affairs, P.O. Box 1163, Richmond, VA 23218; 804/786-1343), Maryland (copies of CRC financial reports available for costs of copies and postage from the Secretary of State, Statehouse, Annapolis, MD 21401, or from CRC at 800/787-KIDS.

All contributions are tax-deductible. THANK YOU!

Episcopal Church Outreach



Morgan & Powell

One of the most active CRC Access Centers is in Bala Cynwyd, just outside Philadelphia, Pennsylvania.

The Rev. E. F. Michael Morgan and his year-old Access Center at St. John's Episcopal Church in Bala Cynwyd not only operates an Access Center providing for neutral drop-off and pick-up of children, they also boldly publicize the activities of the Center. The Church

has so far held two major religious services at the church promoting the concepts of the Access Center. The services involve praying, speaking, walking through playgrounds, and congregants spending time at the access site in a child care center adjacent to the church building. The Access Center is run by church volunteers.

Rev. Morgan also reaches out to Episcopal churches in other states such as Florida and California urging them to establish CRC Access Centers in their houses of worship.

St. John's Church is a stately stone building surrounded by well-tended grounds and a modern playground. Transfers of children occur on Friday and Sunday evenings, under Center Coordinator Barbara Powell.

Morgan chose Powell to head the center because he wanted a person with life experience, he says, and he immediately thought of Barbara. "It took off when she got hold of it," he adds of the Center, which opened late July 2005.

The Main Line Times, a newspaper in Bala Cynwyd, named Powell "Volunteer of the Week" in its June 22, 2006 issue.

CRC will salute Rev. Morgan and other access Center directors at CRC's conference November 2-5, 2006.

Northwest Ohio Centers Operate 7 Days a Week

Northwest Ohio is a national leader in the establishment and operation of Access Centers. Under the leadership of Margaret Wuwert, CRC now operates a total of six Access Centers in Toledo, Lucas County, Ohio. The county has a population of 448,229, according to 2005 U.S. Census data and supports this expansion, so that at least one center is open every day.

"It is wonderful that Northwest Ohio has become a recognized leader in providing access services to families," said CRC Board of Trustees President John Bauserman, Jr.

Funding, as well as excellent management, has helped considerably. CRC of Northwest Ohio has received \$157,000 in grants, which enable it to operate the expanded schedule. The grants are \$15,000 from the domestic relations court; \$72,000 from Lucas County Job and Family Services Fatherhood Initiative Grant, targeting poor fathers, such as those just released from prisoners; and \$76,000 from the federal \$10 million a year in Access Grants to the states.

"This funding, coupled with the opening of new Access

Centers, allowing access services to be provided every day of the week, is astounding," said Al Ellis, CRC's National Director of Access Programs.

The new Centers are the Summit YMCA—the second "Y" (following a "Y" in Washington, D.C.) to host CRC access services; the Pilgrim Church's outreach ministry, and Adelante, Inc., a Hispanic community center that provides various programs for the Hispanic community, such as reading programs, food pantries for migrant workers.

Margaret credits Gretchen Watson for helping to write some of the grants, David Baz, president of CRC of NW Ohio, volunteer C. J. Honan, and the dozens of monitors, some new, and some who have been with the program since it started in February 2000.

"It is hard work to organize, operate centers, and write grants," said Wuwert, "but well worth it to see the happy faces of children running into the arms of a parent that the children may not have seen in a long time, because of custody disputes."

CRC and its chapters operate 43 Access Centers in 13 states and Washington, D.C. See locations starting on page 24.

Court Praise for CRC Access Transfer Centers

July 17, 2006

To Whom It May Concern:

I am a Family Division Master for the Circuit Court for Montgomery County, Maryland. I have served in this position for 11 years. This position is a full time judicial appointment granting Masters authority to hear family law cases and make recommendations in the areas of divorce, custody, support, access, property distribution and contempt. Prior to that time, I was in private practice for 14 years with a concentration in family and criminal law. I am writing this letter in support of the Children's Rights Council (CRC) Safe Haven neutral transfer centers.

Any family law practitioner or judicial officer handling child custody or visitation cases is aware of detrimental effects on children resulting from hostility between the parties. The parties' animosity toward each other frequently occurs during the transfer of the child between the parties for visitation. The problem may be heightened where there are conflicting allegations of a party's non-appearance or late appearance for transfer of the child. The CRC Safe Haven Transfer Centers have provided the Maryland courts with a safe reliable alternative to reduce the effects of conflict on children and to provide a record of a party's reliability and cooperation for visitation. These centers provide a neutral venue for transfer of a child without the parties having to come into contact with each other. In a non-threatening child friendly atmosphere (usually a church or YMCA), a child can be delivered and then taken safely to the other parent for that weekend visit. The times of transfer are limited so that parties must be fairly prompt and comply with the procedures of the Center. If a party appears inebriated or drugged, the child will not be transferred to the party. If the party does not have an appropriate car seat, the child will not be transferred to that party. If a party is late or fails to appear, that fact is recorded by the center.

The CRC Safe Haven Transfer Centers have been a wonderful option available to the courts to act in the best interest of children. Over the years in my position as a Family Division Master, I have referred many parents to these centers to help with visitation transfers. These Centers have proved to be successful, reliable and effective in reducing the exposure of children to some of the worst aspects of parental misbehavior and hostility during the divorce and separation. I strongly recommend that you consider and use the CRC Safe Haven Transfer Centers to help children riced with the conflicts inherent in families of separation and divorce.

Sincerely,
Steven G. Salant

Circuit Court for Montgomery County, Maryland
Judicial Center, Rm. 207, 50 Maryland Ave., Rockville, MD 20850

crc access centers

(as of August 1, 2006)

Codes: T=Transfer of Children Center Only

T-S=Transfer AND Supervised Access (Visitation)

CONNECTICUT

T-S-Norwich, United Community and Family Services, The Meadows Center, 47 Town Street. Contact Robin Gibson (860) 625-6570.

DISTRICT OF COLUMBIA

1. **T-S-Hillcrest Children's Center**, Bowen YMCA, 1325 W. Street, N.W., 3rd Floor, Washington, D.C. Contact Frank Banner (703) 728-0038.
2. **T-Faith Tabernacle of Prayer**, 2465 Alabama Avenue, S.E., Washington, D.C. 20020. Contact Frank Banner (703) 728-0038.

INDIANA

1. **T-Bloomington**, The South Central Community Action Program—Head Start facility, 1502 W. 15th Street. Contact Karen Ellis or Danny Mamanua, (812) 334-8350, ext. 248.
2. **T-S-Ft. Wayne**, Trinity English Lutheran Church. Contact Angela Shannon (260) 426-3424.
3. **T-New Castle**, St. James Episcopal Church, 2020 Bundy Avenue. Contact Nancy Brown (765) 529-1305.

MARYLAND

1. **T-Anne Arundel County**, Woods Memorial Presbyterian Church, 611 Baltimore-Annapolis Road, Severna Park, MD 21146. Contact Diana Hamrick (443) 618-3553.
2. **T-Baltimore City**, Providence Baptist Church, 1401 Pennsylvania Avenue. Contact the church at (410) 523-9129.
3. **T-Central Maryland** (serving Carroll, Frederick, Howard, and Montgomery Counties), St. James Episcopal Church, 212 N. Main Street, Mt. Airy, MD. Contact Ms. Jan Fader, church secretary (301) 829-0325.
4. **T-Hagerstown** (Washington County), First Christian Church, 1345 Potomac Avenue, Hagerstown, MD 21742. Contact Kim Dudley (301) 791-4412 or Ms. Fran Shaffer (240) 420-2350.
5. **T-Potomac** (Montgomery County), St. James Episcopal Church, 11815 Seven Locks Road, Potomac, MD. Contact Al Ellis (301) 874-4569.
6. **T-S-Prince George's County**, St. Matthews Episcopal Church, 5901 36th Avenue, Hyattsville, MD 20782. CRC's first site, opened in 1997. Contact Jimmie Curley (202) 583-2722.
7. **T-Northern Prince George's County**, The Lutheran Church of the Abiding Presence, 11310 Montgomery Road, Beltsville, MD 20705. Contact Paul Romani (301) 572-5832.
8. **T-S-Southern Prince George's County**, Greater Refuge Ministries, Inc., 9512 Piscataway Road, Clinton, MD 20735. Contact Jimmie Curley (202) 583-2722.

MICHIGAN

T-Lenawee County, First Presbyterian Church, 156 E. Maumee Street, Adrian, MI 49221. Contact Margaret Wuwert (866) 473-8957.

NEW JERSEY

1. **T-Middlesex County**, United Methodist Church at New Brunswick, 323 George Street, New Brunswick, NJ 08901. Contact Rev. Dr. Sydney S. Sadio, Pastor, (732) 545-8975.
2. **T-Morris County**, Abundant Life Worship Center, 43 S. Jefferson Road, Whippany, NJ 07981. Contact Assistant Pastor Mark Siegel (973) 463-9455.
3. **T-Newark**, St. James Church, 588 Dr. Martin Luther King Blvd, Newark, NJ 07102. Contact: LaVerne Duncan (973) 624-4007.
4. **T-Somerset County**, The First United Methodist Church, 48 W. High Street, Somerville, NJ 08876. Contact Judy Smith (908) 725-1473.
5. **T-Sussex County**, First Baptist Church, 4 E. Main Street, Sussex, NJ 07461. Contact Alice Tulanowski, Center Director (908) 647-0180.
6. **T-Union**, Ft. Baptist Church of Westfield, 170 Elm Street, Westfield, NJ 07090. Contact Rev. Dr. Darla Dee Turlington, (908) 233-2278.

NEW MEXICO

1. **T-Santa Fe**, First Unitarian Church, 107 W. Barcelona Road, Santa Fe, NM 87505. Contact Max August (505) 473-7630.
2. **T-Santa Fe**, Santa Fe Religious Science Center, 505 Camino de Los Marques, Santa Fe, NM 87505. Contact Max August (505) 473-7630.
3. **T-Santa Fe**, Temple Beth Shalom, 205 E. Barcelona Road, Santa Fe, NM 87505. Contact Max August (505) 473-7630.

NEW YORK

T-Eastern Long Island, Farmingdale United Methodist Church, 407 Main Street, Farmindale, LI 11735. Contact Sal Frasca (516) 909-1200.

OHIO

1. **T-Alliance**, Christ United Methodist Church, 470 E. Broadway Street, Alliance, OH 44601. Contact Margaret Wuwert (866) 473-8957.
2. **T-S-Canton**, Trinity Lutheran Church, 130 Dewalt Avenue, N.W., Canton, OH 44702. Contact Cindy Bratanov (330) 575-7471.
3. **T-London**, Peaceful Partners (Ministry for Community). Contact Twyler MacNamara, Director, (614) 309-9265.
4. **T-S-Lucas County**, Faith Lutheran Church (Lucas County), 2440 S. Street, Toledo, OH 43609. Contact Gloria and Jerry Wagner (419) 473-8955.
5. **T-S-Toledo**, Adelante Inc., 520 Broadway Street, Toledo, OH 43602. Contact Margaret Wuwert (866) 473-8957.
6. **T-S-Toledo**, Hope United Methodist Church, 4069 Sylvania Avenue (Lucas County) Toledo, OH 46623. Contact Margaret Wuwert (866) 473-8957.
7. **T-Toledo**, Pilgrim Church, 1375 Sylvania Avenue, Toledo, OH 43612. Contact Margaret Wuwert (866) 473-8957.

OHIO (continued)

- 8. T-S—Toledo**, St. James Lutheran Church, 4727 W. Sylvania, Toledo, OH 46623. Contact Margaret Wuwert (866) 473-8957.
- 9. T-S—Toledo**. Summit YMCA, 306 Bush Street, Toledo, OH 43604. Contact Margaret Wuwert (866) 473-8957.
- 10. T—Wood County**, St. Marks Lutheran Church, 315 College Avenue, Bowling Green, OH 43402. Contact Margaret Wuwert (419) 473-8955.
- 11. T—Youngstown**, Boardman Christian Church, 555 Boardman-Canfield, Youngstown, OH 44512. Contact Nancy Moore (330) 799-3057.

PENNSYLVANIA

- 1. T—Montgomery County**, St. John's Church, Lower Merion, 404 Levering Mill Road, Bala Cynwyd PA 19004. Contact Rev. E. F. Michael Morgan, PhD, Rector (610) 664-4517.
- 2. T-S—Media**, The Visitation Station, 412 W. Baltimore Pike, P.O. Box 601, Media, PA 19063. Contact Carolyn Hanson, Director (610) 565-5225.

RHODE ISLAND

- 1. T-S—South County**, Multicultural Center, University of Rhode Island (serves South County), 74 Lower College Road, Kingston, RI 02881. Contact Mark Roseman (860) 437-8010.

SOUTH CAROLINA

T—Aiken, Aiken Family in Transition, 829 W. Richland Avenue, Aiken, SC 29803. Contact Mrs. Michelle Arthur (803) 648-4001.

VIRGINIA

- 1. T-S—Fairfax County** (near Fairfax Court House)—Northern Virginia. Fairfax Presbyterian Church, 10723 Main Street, Fairfax, VA 22150. Contact Delicia Barnett (240) 882-3744.
- 2. T—Fauquier County and Southwestern Fairfax County**. Bethel United Methodist Church, 6903 Blantyre Road, Warrenton, VA 20187. Contact Ronald or Rhonda Miller (540) 347-5112 or (540) 825-7700.

WASHINGTON

- 1. T—Sedro-Wooley** (70 miles north of Seattle). St. James Episcopal Church, 300 State Street. Contact David Carroll, Director (360) 855-0040

New CRC affiliated Centers are expected to open by the end of 2006 in Sunnyvale, CA, Ft. Meyer, FL, West Chester, PA and Bellvue, WA.

For further information, contact Alfred Ellis, Director of Child Access Services, at (301) 874-4569 or aellis5@aol.com. Or you may contact CRC at (301) 559-3120, 1-800-787-KIDS, or crcdc@erols.com. Also see CRC's websites at www.gocrc.com and info4parents.com, or info4padres.com (in Spanish).

Paternity Fraud | continued from page 20

- [xvi] After Gov. Gray Davis was removed from office, the state legislature made another run at paternity fraud reform and a compromise measure giving limited relief was signed by Gov. Arnold Schwarzenegger. See http://www.leginfo.ca.gov/pub/03-04/bill/asm/ab_0251-0300/ab_252_bill_20040928_history.html
- [xvii] Joe Follick, *He's Not Dad, But Budget Trumps DNA*, TAMPA TRIB., Jan. 26, 2003, available at <http://www.tampatribune.com/MGA09CUEBD.html>
- [xviii] Deb Hipp, *The Daddy Trap*, THE PITCH, July 11, 2002, available at <http://www.pitch.com>.
- [xix] Kevin Harrison, Deputy Director, Orange County, CA Dept. of Child Support Services, quoted in Jennifer B. McKim, *Non-Dads Bearing DNA Proof Left to Pay by Davis Veto: Victims of Paternity Fraud Had Hoped Bill Would End Support Obligations*, ORANGE COUNTY REGISTER, Oct. 13, 2002, available at <http://www.ocregister.com>. Mr. Harrison went on to acknowledge the county's awareness of the injustice to paternity fraud victims: "Their plight is not missed. We have to come up with a public policy that balances everybody's interests." *Id.*
- [xx] Matt Welch, *supra* note 20.
- [xxi] Office of Inspector General, U.S. Dep't of Health and Human Services, *Paternity Establishment: Administrative and Judicial Methods*, OEI-06-98-00050 at 15 (April 2000). The focus states were California, Georgia, Illinois, New Jersey, Texas and Virginia.
- [xxii] Elaine Sorrenson *et al*, *Examining Child Support Arrears in California: The Collectibility Study* (Urban Institute, March 2003) at Report 2-2, Figure 1: Child Support Arrears: U.S. and California (Under \$10 billion in 1986, total U.S. child support arrears have gone up in each subsequent year). The U.S. Department of Health and Human Services puts the number at \$70 billion as of 2003. Office of Child Support Enforcement, U.S. Dep't of Health and Human Services, *The Story Behind The Numbers: Who Owes The Child Support Debt?*, Information Memorandum IM-04-04 at 1 (Aug. 13, 2004).
- [xxiii] See, e.g., CAL. FAM. CODE § 5230; N.Y. C.P.L.R. Law § 5241; OHIO REV. CODE ANN. § 3121.02; TEX. FAM. CODE ch. 158.
- [xxiv] See, e.g., CAL. FAM. CODE § 4610; N.Y. SOC. SERV. LAW §§ 111t, 111u; TEX. FAM. CODE § 152.327.
- [xxv] See, e.g., OHIO REV. CODE ANN. § 3123.47; TEX. FAM. CODE § 232.003. Licenses subject to suspension include not only driver's licenses, but can also professional and commercial licenses issued by state agencies such as licenses to practice law, cut hair, provide occupational therapy services, etc.
- [xxvi] 22 C.F.R. § 51.70(a)(8).
- [xxvii] 42 U.S.C. § 664; see also, N.Y. SOC. SERV. LAW § 111b(7)-(8).

- [xxviii] See, e.g., MISS. CODE ANN. § 43-19-45 ("The Child Support Unit may release to the public the name, photo, last known address, arrearage amount, and other necessary information of a parent who has a judgment against him for child support and is currently in arrears in the payment of this support. Such release may be included in a 'Most Wanted List' or other media in order to solicit assistance.")
- [xxix] See, e.g., 18 U.S.C. § 228; OHIO REV. CODE ANN. § 3123.82-88; TEX. PENAL CODE § 25.05.
- [xxx] See *supra* note 28.
- [xxxi] Urban Institute, *Examining Child Support Arrears in California: The Collectibility Study*, at ES-16 (March 2003).
- [xxxii] *Id.* at ES-16.
- [xxxiii] *Id.* at ES-19-20 (emphasis added). The basis for the slight difference in statewide default rates reported by Reason Online and by The Urban Institute (68 percent v. 71 percent) appears to stem from differences in the time period and data sets studied.
- [xxxiv] *Paternity Establishment: Administrative and Judicial Methods, supra* note 11 at 16-17. The HHS Inspector General did not attempt to determine the portion of the default paternity orders that were ultimately overturned. *Id.* at n.24.
- [xxxv] See *Langston v. Riffe*, 754 A.2d 389, 417 n.9 (Md. 2000) in which court noted:
- In many, if not most instances, state agencies, generally the Dept. of Human Resources, are the driving force behind paternity actions. [The mother] is informed that in order to qualify for public assistance, she must name the father and permit the agency to seek child support in her name...if she does not name someone, she may not receive assistance for the child. Sometimes she names the wrong person.
- [xxxvi] The author is unaware of any study which has examined how many of the default orders are simply cases of paternity targets who are too intimidated even to step into the courtroom.
- [xxxvii] 42 U.S.C. § 666(a)(5)(C)(ii).
- [xxxviii] See, e.g., The Fragile Family and Child Well-Being Study, *supra* note 9 at 17 ("policy makers can target this "magic moment" when the likelihood of family formation is highest."); Child Support and Fatherhood Proposals Sustaining and Growing Father Involvement for Low-Income Children, Hearing before the Committee on Ways and Means, 107th Cong. (2001) (statement of Dr. Ron Haskins, witness) ("leverage the magic moment of the child's birth"); Family Strengthening Policy Center, National Human Services Assembly, Policy Brief No. 13, December 2005, <http://www.nassembly.org/fspc/practice/documents/Brief13.pdf>; ("the time of birth may be a magic moment").

crc chapter news

A periodic review of the activities and goals of CRC Chapters across the country and abroad. Adopt their activities and goals for your state or country!

Shared Parenting Advances in Australia

From the Australian Broadcasting Corporation (ABC) website.

A family law expert says changes to federal laws which came into effect July 1, 2006 in Australia will have a major effect on the way parents deal with their children after separation. The changes will allow courts to order that children spend equal time with both parents or “substantial and significant time” with the non-custodial parent.

Associate Professor Tom Altobelli, from the University of Western Sydney, says this is likely to mean children will have a better chance to know both parents. Altobelli says the new laws also include major changes to the way the courts handle cases involving children.

“The process is going to be less adversarial, more focused on children,” he said. “We’re all trusting more informal and less expensive changes for families as well.”

But, Altobelli also says the changes could lead to unrealistic expectations. “For example, these amendments talk about the concept of equal time between parents,” he said. “The problem with equal time is that it isn’t reasonably practicable for most Australian families.”

Note from Ed Dabrowski, Federal Director, Shared Parenting Council of Australia (SPCA), a CRC chapter:

The SPCA, an umbrella group of 27 organizations that advocates strongly for custody balance, had a role to play in these law changes.

“We have been working hard for several years to bring about more shared parenting in Australia,” said Dabrowski.

SPCA President Michael Green, Queen’s Counsel attorney, may be reached at telephone 011-61-8-97917433, mobile 61 409 917 345, or email director@spca.org.au. Their website is at www.spca.org.au.



Green

Japan Should Join Hague

The goal is to convince Japan to join the U.S. and 70 other countries that have signed the Hague Convention Against Kidnapping of Children, and to highlight other kidnapping issues. Activities to further that goal include:

1) Press conference at Foreign Correspondents Club in Tokyo. Speakers included parents affected by international parental kidnapping in Japan (March 9, 1998);



At a seminar on the Hague Convention and International Child Abductions at Canadian Embassy in Tokyo on Dec. 3, 2005, (left to right): David Brian Thomas and Walter Benda, co-founders of CRC of Japan, meet with Murray Wood of British Columbia and Yamila Castilian, whose children were abducted from Cuba to Japan.

2) Testimony before U.S. Senate Judiciary Committee regarding international parental kidnapping (2000);

3) Participation in first White House Conference on Missing, Exploited, and Runaway Children (October 2, 2002);

4) Participation in seminar that CRC of Japan co-sponsored in Tokyo on children’s and parental rights in Japan (December 6, 2003);

5) Formation of a coalition of Japanese and non-Japanese parents’ groups to submit a report to the United Nations regarding Japan’s deficiencies in protecting the rights of children of divorce and other forms of parental separation (January 26, 2004);

Joint Press Conference

6) Joint press conference with Fathers’ Website (www.fatherwebsite.com), a noncustodial Japanese parents group, at the Foreign Correspondents Club in Tokyo (March 11, 2004);

7) Participation in “Seminar on the Hague Convention and International Child Abductions” at Canadian Embassy, Tokyo. The first-ever seminar on this topic in Japan included representatives from the Japanese government as well as more than 20 embassies (December 3, 2005);

8) Over the years, direct assistance to left-behind parents with dozens of cases of international abduction;

9) Appearances in media reports on CBS television and in magazines and newspapers including the Los Angeles Times, Washington Post, Newsday, Roanoke Times, International Herald Tribune, Japan Times, Daily Yomiuri, Asahi Shimbun, Mainichi Daily, Tokyo Journal, Hiragana Times, the Independent, and others;

10) Submission of expert testimony on international child abduction and custody and visitation issues involving Japan for legal cases in several U.S. states as well as Japan;

11) Maintenance of an informational website at www.crcjapan.com and a free online discussion group ("crc-japan" at www.yahogroups.com).

Chapter Goals are: 1) Enactment of the Hague Convention by Japan, along with real compliance with the United Nations Convention on the Rights of the Child; 2) A public registry of missing and abducted children abroad, modeled on the system in use in the U.S. by the National Center for Missing and Exploited Children, where missing and abducted children are in the U.S. are listed on a website; 3) Access centers in Japan, modeled on those that have been established by our parent organization in the U.S.; 4) A presumption of joint custody, as well as meaningful parenting plans required in all divorce and separation cases in Japan; 5) We would like to see more equitable treatment of foreigners under the immigration rules in Japan.

Children's Rights Council of Japan was the first foreign CRC chapter, founded May 5, 1996, "Children's Day" in Japan.

CRC of Japan wishes to thank board members Michael Gulbraa, Peter Benda, and Dr. Rudolf Benda (deceased) and Gertrude Benda.

24/7 Phone Bank in Connecticut



Mark Roseman

More than 300 hotline callers were referred to 860/437-8010 primarily from a Connecticut United Way program titled "211 Infoline." Few states offer a program such as this that includes both web-based (www.infoline.org) and a 24/7 phone bank for social service referrals for many categories of need. The number of phone callers average 5 per week from infoline referrals.

Supervised Visitation: Robin Gibson and her daughter, Erin Gibson have managed CRC of Connecticut's supervised visitation program in Norwich for nearly a year. The service began by offering supervisory services on alternate weekends. It now provides those services on a weekly basis.

Grants: CRC of Connecticut received a \$3,000 grant from the Chelsea Groton Foundation in October 2005.

Director Mark Roseman received a \$2,500 grant for national CRC through his employer, Metropolitan Life Insurance Company. Mark is an agent and investment advisor with Met Life with nearly 20 years in the field.

New Services: On July 20, 2006, Connecticut CRC staff were invited by the New London County Superior Court Department of Family Relations to meet the court staff and learn about their needs: 1) Assistance to help high conflict parents, perhaps through mediation; 2) More neutral child transfers outside of courthouse and police stations. CRC facilities in Norwich are "underutilized," said Nellie Fillippopoulos, PsyD, Education Director for CRC of Connecticut and a specialist in forensic evaluations and PAS assessments; 3) A vocabulary list, and perhaps a communications booklet to assist parents going through divorce.

As a result of this meeting, Family Relations is investigating several proposals from CT CRC, as follows: 1) A co-parenting program for high conflict parents. Nellie Lori Carpenos (MFT)

and Mark Roseman (PhD candidate) prepared a co-parenting education program three years ago for the Connecticut Judiciary. This will be offered to the New London County Superior Court; 2) Increase Child Transfer program services; 3) Project FACT (Family and Children in Transition), a program Roseman designed to serve parents going to court. Essentially, it provides parents a 'debriefing' to help them emotionally, intellectually, and spiritually. Referrals to community resources are part of this program; 4) Although high conflict parents cannot be forced to mediate, parents will become more receptive two to four months following the litigation when their emotions may become lowered. Yet, we could provide concurrent therapy for high conflict parents.

CRC of Connecticut has expectations that we will bring the above services to light in New London. We also look to replicating these services in other court districts in Connecticut and perhaps outside Connecticut at a later date.

Connecticut CRC was incorporated by Mark A. Roseman in 2000; phone: 860/437-8010, email: crcnat@aol.com

Nebraska Launches Website



Les and daughter, Katie

CRC of Nebraska (based in Omaha) is one of CRC's largest chapters. It received access (visitation) grants in the past from the state to offer mediation in two counties.

Currently, the organization is working on establishing a presumption for joint custody in Nebraska. Current Nebraska statutes and judicial policy do not encourage shared parenting.

age shared parenting.

At the present, there are three interim legislative studies in the works to help state senators develop new legislation to promote or enable shared parenting. CRC of Nebraska has launched a website at www.childrensrighscouncilneia.com.

Les Veskrna, M.D. is executive director of CRC of Nebraska, phone 402/328-2652, email lveskrna@neb.rr.com. Other officials and contact information are on page 31.

First Long Island Center Opens



Sal Frasca

The first Safe Haven Access and Supervised Visitation Center on Long Island has recently been recognized by the Suffolk County Family Court. The Court has ordered exchanges at the new Access Center in Farmingdale.

The Center grew out of the National Marriage Centers, an educational, intervention program to help partners and ex-partners solve marital and parenting time conflicts. Sal Frasca is founder of the National Marriage Centers, as well as head of CRC of Long Island.

"One of the first families to use the transfer center expressed relief after experiencing the stress free environment," said Frasca. "They were so happy that the non-custodial parent agreed to be a guest on a half hour TV program, Families and Children

Chapter News | continued on page 28

Really Matter, that I produce.” The program is broadcast on Channel 18 in Nassau and Suffolk Counties. Frasca, Director of the Center, will make copies of the show available to anyone upon request.

CRC of long Island plans to launch all-out campaign to raise public awareness for the need to operate additional Centers on the Island.

Contact Frasca at crc@marriagecenters.com, or phone 516/909-1200.

Maryland – First Center in U.S.



Walden

CRC of Maryland was founded in 1991 with Harvey Walden as Maryland Coordinator. The first member joined in July 1991, and since then, more than 300 have also joined. In May 2004, CRC of Maryland was declared the largest state chapter with 152 members.

One of the first significant accomplishments was to assist with the Governor’s Task Force on Family Law in 1992. Later, Alfred Ellis served as a task force member on the Montgomery County Task Force on Child Support and ultimately authored a minority opinion calling for more shared parenting.

The single greatest achievement of Maryland CRC, in conjunction with National CRC, was the establishment of what is regarded as the first child access transfer center in the U.S. This required about a year’s worth of arranging permissions from Prince George’s County, Maryland judges and domestic relations masters, in conjunction with making arrangements with St. Matthew’s Episcopal Church in Hyattsville. The first center opened on September 27, 1996. The Washington Post devoted a front-page news story to the event on July 5, 1997.

Further publicity followed in a Washington Post column, “Update on the News” (June 1998), in “Bob Levey’s Washington” column in the Post (April 2003), and in the Columbia “Flyer” newspaper (February 2003).

By this time, additional child access transfer and supervised centers had opened elsewhere in Maryland (see p. 28).

Maryland CRC, in conjunction with National CRC, also has legislative accomplishments. This includes helping to pass a visitation/access enforcement law signed by Governor William Donald Schaefer in May 1994, effective October 1, 1994, Article 9-105 of Maryland Family Law titled, “Unjustifiable denial or interference with visitation granted by order.” This law provides for the rescheduling of access (visitation), modification of a custody or visitation order to ensure future compliance, or assessment of costs or counsel fees against the interfering party.

The Maryland General Assembly enacted two laws during the 1995 session sponsored at the request of CRC. The first raises the age of children to which Maryland’s Parental Child Abduction Statute applies from age 12 to 16. The second, Article 9-106 of Maryland Family Law, authorizes courts to include a provision in custody orders requiring one parent to notify the other in writing at least 45 days in advance of moving, whether in state or out of state. Both bills were signed by Governor Glen-

dening on May 9, 1995 and went into effect on October 1, 1995.

CRC of Maryland continues to work toward the passage of a bill favoring the presumption of joint custody in Maryland as opposed to the current situation favoring sole custody unless both parents agree otherwise.

A number of members of CRC of Maryland have become influential in the National CRC organization. Paul Wright served as Publications Manager, and D. Richard (Rick) Kuhn as Evaluator of Research. In addition, Paul Mitchell served as Treasurer and Bob Kerwin as Chairman, both of the Maryland Families for Divorce Reform, a political action committee independent of CRC of Maryland.

Harvey Walden is based in Silver Spring, MD; phone 301/588-0262, e-mail mdcrc@yahoo.com, and website at www.members.tripod.com/~mdcrc/. Rob and Sandra Snow are chairs of CRC of Greater Baltimore, based in Baltimore, MD, phone/fax 410/889-9404, e-mail baltocrc@yahoo.com.

Virginia Support Group Helps Parents for 25 Years



Paul Robinson

Fathers United for Equal Rights and Women’s Coalition of Virginia and DC (FUER/WC, VA/DC) is a direct outgrowth of Fathers United for Equal Rights and Second Wives Coalition of Baltimore, MD, founded by Paul Hanson before 1970.

The name Second Wives Coalition was changed to Women’s Coalition because in addition to second wives, women members included sisters, grandmothers, and other family members. A similar group was founded in Montgomery and Prince George’s Counties, Maryland in 1975.

FUER became affiliated with the National Council for

Support group has held bi-weekly meetings for 27 years with a lawyer present to answer questions

Children’s Rights (NCCR) (subsequently renamed to Children’s Rights Council (CRC) when NCCR was formed in 1985.

Since the formation of FUER in 1977, it has held biweekly meetings with a lawyer present to answer member questions. FUER has lobbied continuously in Richmond, Virginia for joint custody legislation. The Virginia law recognizes joint custody in statute but joint custody is not yet a presumption.

FUER was active in obtaining legislation that makes visitation interference a ground for changing custody. Another group has been formed called Fathers for Virginia (FFV) that devotes its entire purpose to educating legislators in Richmond on joint custody.

Paul Robinson, president of FUER/WC of VA/DC, can be reached at pmr2212@aol.com

crc chapters and affiliates

Support groups help separated, divorced, and never-married parents with information and resources. For 950 other (non-CRC) groups and information on parenting, go to CRC's parenting websites at www.info4parents.com and www.info4padres.com (Spanish).

INTERNATIONAL

CRC of Australia

Shared Parenting Council of Australia
Edward Dabrowski, federal director
P.O. Box 2027
Bunbury, WA 6231 AUSTRALIA
phone: 61-8-97917433
email: director@spca.org.au
www.spca.org.au

CRC of Canada

Contact: Brian Jenkins, president
President, F.A.C.T.
1027 Raintree Lane
Mississauga, ONT L5H 4A1 CANADA
phone: 416/315-5298
email: bjenkins@axxent.ca

Kevin Gardner, contact
525 Rathbun Road, Suite 14
Toronto, ONT M9C 3TE CANADA
email: kg@futureoforestal.com

CRC of France

B.G. Giraud
L'Enfant Et Son Droit
12 rue Alphand, Paris 13e, FRANCE
phone: 01 43 47 21 48
email: bggiraud@yahoo.fr
www.enfant-du-divorce.magic.fx

CRC of Israel

Amir Shai, attorney, president
Shared Parenting Organization
c/o Ruth Daniel
Hapoel Hatzair 2
Givataim, ISRAEL 53211
phone: 011 052-3504743
email: ruthy@dandesign.co.il
www.horut=sheva.org.il

Jewish Family Services

c/o Sarah Alpert
Nachal Dolev 24, Suite 5
Ramat Bet Shemesh, ISRAEL
phone: 011 029997311
email: office@healingpain.com

CRC of Japan

Walter Benda
P.O. Box 583
Max Meadows, VA 24360
phone: 276/637-3799
email: crcjapan@yahoo.com
www.crcjapan.com

David Brian Thomas
4-18-15-903 Kamikitazawa
Setagaya-Ku, Tokyo, JAPAN 156
phone: 011 81-3-5317-0357

CRC of Sierra Leone

Kha-Benneh Bangura, president
2523 Windbreak Drive
Alexandria, VA 22306
phone: 703/526-2002 or 765-0730
email: kbangura@ofda.net

CRC of Switzerland

Rene Keller, co-president
mediation31.ch
Postfach 52
CH-5073 Gipf-Oberfrick, SWITZERLAND
phone: 011 41 62 871 6934
fax: 011 41 62 871 6950
email: renekeller@skynet.ch
www.vev-ag.ch

CRC of United Kingdom

Tony & Christine Coe
Children's Rights Council of the United Kingdom and Equal Parenting Council
38-40 Gloucester Road
London, SW7 4QU England
phone: 011 44-20 7590 2701
fax: 011 44-20 7584 4230
email: tonyc@equalparenting.org
www.equalparenting.org

NATIONAL AFFILIATE ORGANIZATIONS

National Association of Non Custodial Moms, Inc.

Beverly Morris, Director
NANCM, Inc.
614 E. Highway 50
P.O. Box 246
Clermont, FL 34711
email: bev@nancm.com
www.nancm.com

National Committee of Grandparents for Children's Rights (NCGCR)

Lola Bailey, president
P.O. Box 56
Friendly, WV 26146
phone: 1-866/624-9900
email: lolabailey@netscape.com
www.grandparentsforchildren.org

Parenting Coalition International, Inc.

Belinda Rollins, president
916 Pennsylvania Avenue, S.E.
Washington, D.C. 20003
phone: 202/530-0849
www.parentingcoalition.org

Stepfamily Association of America (SAA)

Margorie Engel, Ph.D., president
Larry Kallemyn, executive director
650 J Street, Suite 205
Lincoln, NE 68508
phone: 402/477-7837 or
1-800/735-0329
Joint membership in SAA and CRC: \$35.00 for the first year

CoMamas

Louise Oxhorn and Lynne Ringwood-Oxhorn
P.O. Box 231804
Encinitas, CA 92023
email: feelgood@comamas.com

STATE CHAPTERS

Alabama

Tim Smith, president
Alabama Family Rights Association
P.O. Box 9239
Huntsville, AL 35812
phone: 1-800/992-1190
email: rok_it@yahoo.com
www.alfra.org

Arizona

John Weaver, contact
14025 N. 48th Avenue
Glendale, AZ 85306
phone: 602/938-2134
email: jweaver1@yahoo.com

Conrad Greene, coordinator
CRC of Arizona
P.O. Box 454
Scottsdale, AZ 85252-0454
phone: 480/946-8519
fax: 480/970-5925
email: az85251@cox.net

Arkansas

Kathy Price, EdD, president
CRC of Arkansas
104 Martha Jean Lane
Beebe, AR 72012
phone: 501/882-6131
email: klpillow@asub.edu

California

Patricia Gehlen, coordinator
email: crccalif@aol.com

Paul Stroub, president
Sacramento Chapter
phone: 916/218-6282
email: crsacramento@comcast.net

Patrick Kennedy, president
CRC of Orange County/Long Beach
6102 Manorfield Drive
Huntington Beach, CA 92648
phone: 714/841-9698
email: patrickjk@earthlink.net

Colorado

Steven W. Newell, M.D., coordinator
9492 E. Aspen Hill Place
Lone Tree, CO 80124
phone: 720/635-5000
fax: 303/790-4004
email: swnewellmd@comcast.net
www.menofvalor.net, www.childrensvoices.com

Mark Entreklin, contact
email: cochildren@aol.com

Connecticut

Mark Roseman, coordinator
P.O. Box 63
Quaker Hill, CT 06375
phone: 860/437-8010
email: ctcrc@aol.com

CRC chapters & affiliates as of August 1, 2006

Grandparents and Children Embrace (Grace Foundation, Inc.)
Jean Castagno, president
75 Fenwood Drive
Old Saybrook, CT 06475-3031
phone: 860/388-0500
fax: 860/388-9200
email: castagnojean@aol.com

Delaware

James A. Morning, president
CRC of Delaware
216 Bradley Road
Dover, DE 19901
phone/fax: 302/241-3485
email: amorning@bellatlantic.net

Florida

Margherita Downey, president
CRC of South Florida
9777 Nickels Boulevard, #701
Boynton Beach, FL 33436
phone: 561/707-0444
email: msdowney2u@aol.com

Kris Kline, consultant
CRC of Florida
502 S. Willow Avenue, Unit 5
Tampa, FL 33606
phone: 813/258-0682
email: klinekris@aol.com

Murray Steinberg, contact
697 John Anderson Drive
Ormond Beach, FL 32176
phone: 386/441-0351
email: murray@cfl.rr.com

Georgia

Harry A. Prillaman, coordinator
CRC of Georgia
110 Aaronwood Court
Alpharetta, GA 30004
phone: 678/643-5924
fax: 678/935-3908
email: harry.prillaman@gmail.com

Hawaii

Myrna B. Murdoch, coordinator
CRC of Hawaii
4224 Waiialae Avenue, #5-230
Honolulu, HI 96816
phone: 808/737-7333 and 808/341-7333
email: myrnam@hawaii.rr.com

Julie Maggiacomo Carrera, president
CRC of Hawaii
95-951 Wikao Street
Mililani, HI 96789
phone: 808/295-9738
email: juliemagg@aol.com

Illinois

Ned Meisner, coordinator
CRC of Illinois
916 Fountain View Drive
Deerfield, IL 60015
phone: 847/207-2792

Indiana

Bob Monday, coordinator
CRC of Indiana
P.O. Box 42503
Indianapolis, IN 46242-2503
phone: 317/685-4656
email: pace_indiana@yahoo.com

Iowa

Diana Buffington, coordinator
CRC of Texas/Iowa
317 E. Garfield Street
Zearing, IA 50278
phone: 641/487-7556
fax: 617/589-7330
email: dbuffington@crctx.ws

Dick Woods, director
Fathers for Equal Rights
3623 Douglas Avenue
Des Moines, IA 50310
phone: 515/277-8789

Kentucky

Kevin O'Brien, coordinator
Ann Swango, director
CRC of Kentucky
P.O. Box 534
Florence, KY 41022-0534
phone: 859/647-2235
cell: 859/816-0282
email: crc.ky@zoomtown.com
www.pacegroup.org

Maine

Tom Chandel
CRC of Maine
P.O. Box 7
Bridgton, ME 04009
phone: 207/647-5711
email: tomchand@nix.net

Maryland

Harvey Walden, coordinator
CRC of Maryland
417 Pershing Drive
Silver Spring, MD 20910-4254
phone: 301/588-0262
email: mdcrc@yahoo.com
www.members.tripod.com/~mdcrc/

Rob and Sandra Snow, chairs
CRC of Greater Baltimore
2 W. 39th Street
Baltimore, MD 21218
phone/fax: 410/889-9404
email: baltocrc@yahoo.com

Massachusetts

Stephen Carrier, president
CRC of Massachusetts
511 Main Street, P.O. Box 904
Sturbridge, MA 01566
phone: 508/347-5960
fax: 508/347-9870
email: crcmass@aol.com

Nick Palermo, Esq., president
CRC of Boston
c/o Law Office of Nicholas Palermo
28 State Street, 11th Floor
Boston, MA 02109
phone: 617/988-2820
fax: 617/522-9655
email: lincoln650@aol.com
www.crcBoston.com

Michigan

Rick Petrella, executive director
CRC of Michigan
6632 Telegraph Road, #122
Bloomfield Hills, MI 48301
phone: 248/376-2102
email: crcmichiganed@yahoo.com

Minnesota

Bruce Kaskubar, contact
CRC of Minnesota
5905 Chateau Road N.W.
Rochester, MN 55901
phone/fax: 507/289-5745
(call before faxing)
email: bk@mncrc.org

Missouri

Scott Field, chair
CRC of Eastern Missouri
P.O. Box 220661
Kirkwood, MO 63122
phone: 314/838-7092
also:
Mark Holdenried 314/772-1169
email: crceasternmo@bigfoot.com
www.hometown.aol.com/crceasternmo/
myhomepage/index.html

Nebraska

Les Veskrna, M.D., executive director
George Killian, president, Omaha Chapter
Les Veskrna, president, Lincoln Chapter
Ruby and Mark Tupper, co-presidents, Tri-City Chapter
Dee Doyle, coordinator
CRC of Nebraska
2311 Bretigne Drive
Lincoln, NE 68512
phone: 402/328-2652
email: lveskma@neb.rr.com

New Hampshire

Rachel Forrest, president
CRC of New Hampshire
23 Pleasant Street
Exeter, NH 03833
phone: 603/315-3276
email: rachelforrest1@aol.com

New Jersey

New Jersey Council for Children's Rights (NJCCR)
Michael Argen, president
P.O. Box 391
Cherry Hill, NJ 08804
phone: 973/718-7472
email: augiepai2000@yahoo.com
www.njccr.org

New Mexico

Max August, coordinator
CRC of New Mexico
Children First Co-Parenting Support Services, Inc.
551 W. Cordova Road, #520
Santa Fe, NM 87505
phone: 505/473-7630
email: max@childrenfirstnm.org

New York

Rafee Kamaal, president
CRC of New York City
6 West 105th Street
New York, NY 10025
phone: 212/864-9318
email: raffee2@yahoo.com

Marlin Pierce
CRC of Albany
13 Campagna Drive
Albany, NY 12205
phone: 518/459-8474

Sal Frasca, director
CRC of Long Island
P.O. Box 205
Babylon, NY 11702
phone: 516/909-1200
email: crc@marriagecenters.com
www.marriagecenters.com

North Carolina

Fred Wall, Jr., coordinator
509 N. 7th Street
Wilmington, NC 28401
phone: 910/762-4952
email: crcnc@msn.com

Ohio

Margaret Wuwert, coordinator
CRC of Ohio
4069 W. Sylvania Avenue
Toledo, OH 43623
phone: 419/473-8955
fax: 419/473-8984
tollfree: 1-866/473-8957
e-mail: hummelfan7@aol.com

Kevin O'Brien, director
CRC of Southern Ohio
P.O. Box 8805
Cincinnati, OH 45208
phone: 513/624-7223
fax: 513/624-7134
email: kobrien@pacegroup.org
www.pacegroup.org

Maryann Dybiec, executive director
CRC of Cleveland
14414 Detroit Avenue, Suite 304
Lakewood, OH 44107
phone: 216/227-9111
fax: 216/731-4669
email: crcofcleveland@juno.com

James Welty, president
CRC of Northeast Ohio
2804 E. Center Street
N. Kingsville, OH 44068
phone: 440/224-0694

Nancy Moore and Larry Bradley, co-director
Tri-County CRC (Mahoning, Columbiana, and
Trumbull Counties)
2308 Bears Den Road
Youngstown, OH 44511
phone: 330/799-3057
email: njm46@hotmail.com

Oklahoma

Dr. Edward A. Shadid, coordinator
CRC of Oklahoma
6303 Waterford Boulevard, Suite 200
Oklahoma City, OK 73118
phone: 405/840-5100
fax: 405/840-5102
email: eshadid99@hotmail.com

Oregon

Theresa O'Hollaren, coordinator
CRC of Oregon
10975 N.W. McDaniel Road
Portland, OR 97229
phone: 503/227-5073

Pennsylvania

Michael Nieland, M.D., president
CRC of Pittsburgh
1400 Inverness Avenue
Pittsburgh, PA 15217
phone: 412/621-0222

Rita A. Jones, president
Bill Clemens, J.D., treasurer
CRC of Philadelphia
8049 Pine Road, Apt. C11
Philadelphia, PA 19111
phone: 215/745-0594 (Bill)
email: wclemens@earthlink.net

Kurt Krusen
CRC of Harrisburg/Capitol Region
15 Beaver Road
Camp Hill, PA 17011
phone: 717/763-0673
fax: 717/763-7183
email: kkrusendvm@aol.com

Rhode Island

Mark Roseman, coordinator
CRC of Rhode Island
P.O. Box 63
Quaker Hill, CT 06375
phone: 860/437-8010
email: crcofri@aol.com

South Carolina

Cherie Ergle, coordinator
CRC of South Carolina
259 Woodwinds Drive
Columbia, SC 29212
phone: 803/665-4583
email: runmimirun@bellsouth.net
Cassie Barber, contact
9 Fair Leaf Court
Columbia, SC 29212
phone: 803/749-5431

Tennessee

David Courson, coordinator
CRC of Tennessee
2120 Griffintown Road
White Bluff, TN 31708-5207
phone/fax: 615/952-2498
email: coursond@mtrmls.com

Texas

Diana Buffington, coordinator
CRC of Texas/Lowa
phone: 817/589-8395
fax: 817/589-7330
email: dbuffington@crctx.ws

Utah

David Young
CRC of Utah
P.O. Box 942
Park City, UT 84060
phone: 435/649-2197
email: getdyoung@att.net

Virginia

Paul Robinson, president
Fathers United for Equal Rights and Women's
Coalition
P.O. Box 100541
Arlington, VA 22210-0541
phone: 703/451-8580
fax: 703/451-9321
email: pmr2212@aol.com
www.marylandfathers.org

John Gabor, president
CRC of Tidewater
645 Raff Road
Virginia Beach, VA 23462
phone: 757/493-8703
email: jagabor@erols.com

Washington, D.C.

Frank Banner, coordinator
CRC of the District of Columbia
Hillcrest Children's Center
1325 W Street N.W., 3rd floor
Washington, D.C. 20009
phone: 703/728-0038
email: fwbannerjr@aol.com

West Virginia

Paul Koerner, coordinator
CRC of West Virginia
1809 Winfield Road
Winfield, WV 25312
email: keepingfaith@earthlink.net

Wisconsin

Bob Eisenbart, coordinator
CRC of Wisconsin
640 12th Avenue
Union Grove, WI 53182
email: bobeis@execpc.com

Wyoming

Cori Erickson, contact
51 Coffeen Avenue
Sheridan, WY 82801
phone: 307/674-5595
fax: 307/674-5510
email: cewycan@actaccess.net

CRC General Counsel and Family Law Attorney

Michael L. Oddenino
Arcadia, California
email: michael@oddlaw.net
www.oanglaw.com

CRC Board Chairman and Family Law Attorney

John L. Bauserman, Jr.
Northern Virginia
email: jbadvocate1@aol.com

Bequests to CRC

If you prepare a will, please consider a bequest to the Children's Rights Council for gifts that continue giving. For more information, please contact the Children's Rights Council at 6200 Editors Park Drive, Suite 103, Hyattsville, MD 20782, phone 301/559-3120; fax 301/559-3124.



CRC Summer 2006 college student interns (l to r) Michael Byrd, University of Central Florida; Debra Evans, Adrian College; Molly Wieneke, University of Iowa; Melanie Adams, Loch Haven University; Jermaine Dupree, Argosy College. Not shown are interns Charlene Traylor, Argosy College; Maxwell Graham, Baltimore County Community College; and Isaac Paul, University of Maryland.

Grants Increase for National Office

The CRC National Office has received a 25 percent over-all increase in grants this past year.

We are grateful to the Annie E. Casey Foundation, the largest family foundation in America, for providing seven years of continued funding to assist with the administration of our child access centers and parenting information on our websites.

We also appreciate the Circuit Court in Prince George's County, Maryland for providing a 30 percent increase in funding over the past two years for the two access centers in that county.

We appreciate the Child Support Office in Washington, D.C. for providing for a 10 percent increase in a grant administered by the D.C. Superior Court for an access Center in Washington, D.C. Those funds come from the federal \$10 million a year in access grants to the states.

CRC thanks the Morris and Gwendolyn Cafritz Foundation for four years of continuing support for a second access center operated by CRC in Washington, D.C., the Drescher Foundation for several years of support, and other foundations that prefer anonymity, for their continuing assistance.

CRC also thanks Prince George's County Executive Jack B. Johnson and County Councilman Will Campos for their support for a new CRC program entitled "S.P.E.A.K." (Shared Parenting and Equal Access to Kids). This program will provide in-depth parenting education to parents who use the Access Centers, with the goal of encouraging cooperation between the parents for the sake of the child. The population of Prince George's County, just northeast of Washington, D.C. and home of the University of Maryland, is 846,123, according to Census Bureau data.

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