



PACE

Parents And Children for Equality

Newsletter



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Columbus, Ohio Chapter

Volume 21, No. 1

The "Best Parent" is *Both* Parents

January 2002

(Excerpt from article in The Columbus Dispatch)

Taft to appoint new juvenile judge

Tuesday, January 15, 2002, Alan Johnson



Kim A. Browne lost her shot at becoming Columbus city attorney last fall, but caught the attention of Gov. Bob Taft.

Taft today is expected to appoint Browne, a Republican, to replace Franklin County Juvenile Court Judge Yvette McGee Brown, a Democrat. McGee Brown resigned to become

president of the new Center for Child and Family Advocacy.

Browne, 35, is expected to take the bench Jan. 26.

Taft picked Browne from a field of three candidates submitted by Franklin County Republicans. The others were Harland Hale, an assistant county prosecutor, and Columbus lawyer Jeffrey Liston.

Browne is an associate attorney with the firm of Maguire and Schneider.

It will be Browne's first political office, although she ran against Janet E. Jackson for city attorney in the Nov. 4 election.

A North Side resident, Browne worked previously as director of legal operations for the Ohio Bureau of Workers' Compensation; she also served as director of labor relations for the agency.

Browne earned a bachelor's degree from

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NO MEETING IN JANUARY

Next meeting Location and Time:

February 18, 2002, 7:00 p.m.

Worthington Presbyterian Church

(Northwest corner of High St. and SR 161)

Director's Corner

January Meeting Cancelled

Please note that there will be no PACE Columbus meeting this month. The church is closed for meetings in observance of Martin Luther King Day. In the past, we have found other places to meet. The problem of changing the meeting place, together with the fact that I will be out of town for that day, led us to decide to cancel this meeting. I hope to see you on February 18 at the regular time.

Important Child Support Telephone Survey

The Ohio Child Support Reform Shareholders' Group, of which I am a member, is sponsoring a telephone poll to determine what problems people are having with Ohio's child support system. Only a small fraction of parents will be

Continued on page 2

Childcare (\$1/child) is available at PACE monthly meetings.

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Director's Corner continued



called, but payors will be called as well as recipients. If, by chance, you are one of those called, please take the 10 to 15 minutes necessary to complete this telephone poll. It will be part of the basis for important decisions about how to change Ohio's child

support system.

Even if you are not called, you can influence the Shareholders' Group. Send any comments and concerns you have to:

Susan McKinley, Executive Director
Ohio Child Support Reform Shareholders' Group
4300 Kimberly Parkway, 3rd Floor
Columbus OH 43232

New Members Drive—Recent Progress

Due to the remarkable energy of Ray Davidson, we will be inviting hundreds of recently divorced parents to join PACE. As many of you know, we are getting records from the Franklin County Clerk of Court's office of all new child support obligations. Ray has

been entering the addresses of obligors into a database and several of us, including Gil Bardige and John Fowler, have been sending out letters introducing these people to PACE. We hope that our ranks will swell as a result of this work.

If you have other ideas about how to spread the word about PACE, please pass them along.

Membership Renewals (Nag, Nag, Nag)

If you have not yet sent in your membership fees, please do so as soon as possible. Membership fees can be sent by check to our Treasurer, John McKinley at:

PACE Membership
627 Glacier Pass
Westerville, OH 43081

We need your help to keep PACE going.

Closing Thought

Many of you are fighting to remain a parent in your children's lives. PACE is devoted to helping involved in this struggle and to changing the laws so parents don't have to fight so hard just to keep what is guaranteed by our constitution—the right to be a parent to our children. Your children need

Organization Information:

Other PACE Chapters:

- Cincinnati**, P.O. Box 8805, Cincinnati, OH 45208, 513-624-7223
- Dayton**, P.O. Box 340126, Dayton, OH 45434, 937-285-0275
- Cleveland**, P.O. Box 32609, Cleveland, OH 44132, 1-877-581-6502,
<http://community.cleveland.com/cc/pacegroup>
- Northern Kentucky**, P.O. Box 74126, Dayton, KY 41074 606-647-2235

E-mail List: PACEOhio@egroups.com (Sign up at: <http://groups.yahoo.com/group/paceohio>)



Columbus Meetings and Deadlines:

current **Newsletter Editor:** Scott Strohm, lovingparent@hotmail.com

Board Meeting (Last Saturday of Each Month-usually)	Newsletter Deadline (Second Sunday of Each Month-usually)	General Meeting (Third Monday of Each Month)
December 29, 2001	January 13, 2002	No Meeting
January 26, 2001	February 10, 2002	February 18, 2002
February 23, 2001	March 10, 2002	March 18, 2002
March 30, 2001	April 14, 2002	April 15, 2002
April 27, 2001	May 12, 2002	May 20, 2002
May 25, 2001	June 9, 2002	June 17, 2002

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(continued from p. 2 Directors Corner)

you, and we know that you need to be a parent to them.

We should remember, though, that there are lots of children who would benefit from having another adult in their lives. If you have time and energy to help such a child, there are many ways to do so. You can do so as a Big Brother/Big Sister, or by being involved in a youth organization. And here is another way to help a young adult who might benefit from your involvement.

The Orphan Foundation of America is addressing a problem orphans as they grow to be young adults. Children who have been in the foster care system are “cut loose” when they turn 18. They often feel orphaned twice: once by their parents and once by the system. OFA provides scholarships for young adults who have been in the foster care system so that they can go to college. Last year, OFA provided over a million dollars to 300 students. But, these young adults don’t have the benefit of a parent’s emotional support and encouragement in their college studies.

OFA is seeking volunteers to be surrogate parents to these college students—to write to them and call them, to ask them how their classes are going and to send them a “care package” from time to time. You can find out more and volunteer on-line at www.orphan.org.

What we do for others is what gives meaning to our lives. Remember, as Winston Churchill once said, “We make a living by what we get, but we make a *life* by what we give.”

—Don Hubin

(continued from p. 1 Cover Story)

the University of Cincinnati and a law degree from Ohio State University.

She will have to run for election in November to complete the final two years of McGee Brown's six-year term.

McGee Brown was the lead juvenile court judge and a judicial activist who participated in a number of programs for troubled children, including a truancy program in cooperation with Columbus schools.

PACE Web Site Recommendations

Children's Rights Council:
<http://www.gocrc.com>

National Congress for Fathers and Children:
<http://www.ncfc.net/ncfc>

Web site centered around book by K.C.:
<http://wheres-daddy.com/>

PACE Columbus is indebted to:
Kathy and Jack Eshelman, of
Grade A Notes, for their generous
contribution of time and materials to
reproduce the *PACE Newsletter*.



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As individuals caught in the unjust “domestic court system,” it seems best that we have three priorities, separate, and in order:

1. Raising our children and developing the best relationship we can with them;
2. Improving our legal situation with respect to our children; and,
3. Changing the legal system that treats parents unfairly and destroys children’s relationships with their parents.

(From some dialog found on the internet at: [http:// pace-forum](http://pace-forum))

Enemy Of Children: ~~The Courts And Those (feminists, judges, attorneys, bureaucrats, bad parents, medical professionals) Who Oppose Fathers' Rights~~

'Feminism' means so many different things to so many different people that when we define ourselves as being opposed to what the "feminists" are doing, it needlessly alienates people who, if they listened to our message, would be friendly to it. I don't deny that there are many people who wave the feminist banner and seek to oppose fathers' rights. I often send people to the writings of Trish Wilson and Joan Zorza (not to mention the infamous, inflammatory and offensive net persona "Liz"). These people conceive of being feminists as being opposed to fathers' rights. But many people who identify with feminism do not. Obviously, former NOW President Karen DeCrow comes to mind.

In the civil rights movement, people came to repeat the phrase "keep your eyes on the prize". I think we need to remember this. At bottom, our battle isn't against feminists, against liberals, against social conservatives, against judges or attorneys or bureaucrats. It is for fathers and for the right of every fit parent and every child to have a true parent/child relationship regardless

of the marital status of those parents. We should rebut the arguments of those who oppose us--vigorously, logically and effectively. But, let us not define ourselves as a reaction to any other movement. We are pro-fathers and pro-children. Let those who would oppose us define themselves as opposed to that instead of us defining ourselves as opposed to them.

Don C. Hubin, et al.

Why do the courts expect compliance with their rulings when they routinely not only fail to enforce compliance with marriage contracts and other law, but profit from and provide for significant financial reward to those parents who violate their marriage contract? To those who equate parenthood with a meal ticket?

BUT, Make no mistake, especially when judges or other members of the court behave badly, appear to respect them or prepare to be abused.

(A few paragraphs from Michael Galluzzo's Hearing Brief, dated January 9, 2002)

"...The situation is so egregious in the state of Ohio that there is no true limit to the deprivation of parental rights that can be imposed upon a parent. As long as the court, on paper, does not say that they are terminating parental rights, there is no limit to the extent of the infringement that they can impose upon the parent.

For example; the parent could be ordered to have no contact with the child and be prevented from making any decision with respect to the child. This could extend throughout the minority of the child, yet as long as the court does not specifically journalize an entry terminating custody, then the court foolishly claims that it has not terminated or infringed upon parental rights. This is an obvious game of semantics. There is no remedy at law under any set of circumstances in any Ohio court, and subsequently in any appellate court where the same statutory language is applied upon review.

This Court should note that the Champaign County Court and the state claim to act in the best interests of the child. But, in fact, approximately 80% of children of divorce are subjected to a substantial deprivation of time, contact, & communication with one of their parents. These children then experience greater incidences of promiscuity, teen pregnancy, sexually transmitted disease, drug abuse, violent behavior, academic problems, psychological problems, suicide, incarceration, and welfare dependency. This is obviously not in the best interests of the child, the parents, the state, and the taxpayers!"

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(continued from back cover 12, Call for new law often is unjustified)

...rather than giving in to the knee-jerk reaction of passing a law or regulation to increase government control over our lives, perhaps we should first ask: What existing laws or regulations might have encouraged individuals to have behaved so irresponsibly? And then we should first consider repealing those laws, rather than adding new ones.

In a free society, individual responsibility—the corollary of individual freedom—is the best solution to all social problems.

David N. Mayer is professor of law and history at Capital University in Columbus.

*(Excerpt from article by Linda Bowles. The complete article can be found on the internet at this URL:
<http://www.townhall.com/columnists/lindabowles>)*

The human mind is notorious for accommodating itself. The most flagrant bigots in the world have totally rationalized their biases. They do not consider themselves bigoted; they consider other people uninformed.

(From posting found at egroup found here: <http://groups.yahoo.com/group/PeopleBeforeLawyers>)

From what I heard, US has by far more lawyers than any other country in the world. Wouldn't you agree that at least a big part of the reason for that is that it is mostly the lawyers who occupy the legislative branch of the government, and who create and support laws that make ordinary people and businesses depend on lawyers as much as possible. If you do agree with that, don't you think that electing lawyers to legislatures creates a conflict of interests, that should be eliminated. What do you think about a law that requires a lawyer to stop practicing law five years prior to running for federal or local congress, senate, etc., and not resume practicing law for five years after he/she is no longer an elected official?

Announcements

PACE-CLEVELAND'S NEXT MEETING:

Bring a friend! Talk with others suffering the horrors of improper government interference in your family affairs AND share ways to address them!

The next meeting
7pm, Feb. 7th, at the Euclid Public Library
631 E. 222 St., Euclid 44123
(3/4 mi. north of the I-90/E. 222 St. exit)
Phone: 1-877-581-6502 (PACE-CL),
or 216-261-5300(EPL)

Parents And Children for Equality-Cleveland
P.O. Box 32609
Cleveland, Ohio 44132
phone/fax: 1-877-581-6502,
www.PACEgroup.org

Judiciary - Civil Justice Committee meeting
Chairman, Jeff Jacobson

Date: January 23, 2002, Time: 10:30 a.m.

Room: 2nd Floor North Hearing Room

For more information, call: (614) 466-4538

1st hearing for Sub. H.B. 359, sponsor, Rep. Willamowski, Title: domestic rel cases atty fee litigation expense

The proposed bill would amend Section 3105.18 (by deleting one paragraph) and enact (create a new) Section 3105.73 (two paragraphs) of the Revised Code relative to the award of attorney's fees and litigation expenses in certain domestic relations cases.

The full text of the proposed changes can be found on the internet by starting here:
<http://www.legislature.state.oh.us>

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The complete list for Ohio can be found on the internet here: <http://www.ohioabar.org/profdev/specialization/personlist.asp?type=family&group=all&year=all>

Columbus-area OSBA Certified Specialists in Family Relations Law

Name	Address	Phone/Fax	Firm
Babbitt , Gerald Jay <i>gjbabbitt@bwfamilylaw.com</i>	503 S Front St Ste 200 Columbus, OH 43215-5666	614-228-4200 614-228-4224	Babbitt & Wellbaum LLP
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Dugan , Vincent A <i>DebBope@aol.com</i>	52 W Whittier St Columbus, OH 43206-2584	614-445-6161	Vincent A Dugan Atty at Law
Farlow , Beverly Joy <i>bjf@farlow-lewis.com</i>	270 Bradenton Ave Dublin, OH 43017	614-734-3270 614-734-7270	Farlow & Associates, LLC
Fey , Carol Ann <i>carolfey@earthlink.net</i>	2691 E Main St Ste 102 Bexley, OH 43209-2535	614-231-3333 614-231-3170	Carol Ann Fey, Atty. at Law
Friedman , William Scott <i>wfriedman@friedmanmirman.com</i>	503 S Front St Ste 250 Columbus, OH 43215-5666	614-221-0090 614-221-7213	Friedman & Mirman Co, LPA
<i>Gottfried , Gary J</i>	1265 Neil Ave Columbus, OH 43201-3119	614-297-1211 614-297-6666	Gary J Gottfried Atty at Law
Grossman , Jeffrey A <i>jag@grossman-law.com</i>	32 W Hoster St Ste 100 Columbus, OH 43215-5632	614-221-7711 614-221-7145	Grossman Law Offices
<i>Harbold , R. Chris</i>	32 W Hoster St Ste 100 Columbus, OH 43215-5632	614-221-7711 614-221-7145	R. Chris Harbold & Associates
<i>Jedinak , Thomas J</i>	32 W Hoster St Ste 100 Columbus, OH 43215-5632	614-221-7711 614-221-7145	Grossman Law Offices
<i>Kemp , Harold R</i>	88 W Mound St Columbus, OH 43215-5018	614-224-2678 614-469-7170	Kemp Schaeffer Rowe & Lardiere Co LPA
<i>Koblentz , Robert A</i>	35 E Livingston Ave Columbus, OH 43215-5770	614-461-6666 614-461-4666	Robert A Koblentz Atty at Law
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(http://www.uniontrib.com/news/uniontrib/fri/opinion/news_1e11sacks.html)

Distraught Father's Courthouse Suicide Highlights America's Male Suicide Epidemic

By Glenn Sacks

A distraught father struggling with overdue child support obligations and adverse family court decisions committed suicide on the steps of the downtown San Diego courthouse Monday. Angrily waving court documents, 43 year-old Derrick Miller walked up to court personnel at the entrance, said "You did this to me," and shot himself in the head.

Miller is one of 300,000 Americans who have taken their own lives over the past decade-as many Americans as were killed in combat in World War II. America is in the throes of a largely unrecognized suicide epidemic, as suicide has become the eighth leading cause of death in the United States today, and the third leading cause of death among adolescents. All Americans recognize that our country is rife with violent crime, but few know that 50% more Americans kill themselves than are murdered.

Who is committing suicide?

For the most part, men. According to the National Institute of Mental Health, males commit suicide four times as often as females do, and have higher suicide rates in every age group. There are many risk factors for suicide, including substance abuse and mental illness, but the two situations in which men are most likely to kill themselves are after the loss of a job, and after a divorce.

Because our society strongly defines manhood as the ability to work and provide for one's loved ones, unemployed men often see themselves as failures and as burdens to their families. Thus it is not surprising that while there is no difference in the suicide rate of employed and unemployed women, the suicide rate of unemployed men is twice that of employed men.

It is for this reason that economic crises generally lead to male suicide epidemics. During the Midwest farm crisis of the 1980s, for example, the suicide rate of male farmers tripled. A sharp increase in male suicide occurred after the destruction of Flint, Michigan's 70 year-old auto industry, as documented in the disturbing 1989 film "Roger and Me." Some suicide experts fear a rise in suicide related to our current economic downturn.

The other most common suicide victims are divorced and/or estranged fathers like Derrick Miller. In fact, a divorced father is ten times more likely to commit suicide than a divorced mother, and three times more likely to commit suicide than a married father. According to Los Angeles divorce consultant Jayne Major:

"Divorced men are often devastated by the loss of their children. It's a little known fact that in the United States men initiate only a small number of the divorces involving children. Most of the men I deal with never saw their divorces coming, and they are often treated very unfairly by the family courts."

According to Sociology Professor Augustine Kposow of the University of California at Riverside, "The link between men and their children is often severed because the woman is usually awarded custody. A man may not get to see his children, even with visitation rights. As far as the man is concerned, he has lost his marriage and lost his children and that can lead to depression and suicide."

There have been a rash of father suicides directly related to divorce and mistreatment by the family courts over the past few years. For example, New York City Police Officer Martin Romanchick, a Medal of Honor recipient, hung himself after being denied access to his children and being arrested 15 times on charges brought by his ex-wife, charges the courts deemed frivolous. Massachusetts father Steven Cook, prevented from seeing his daughter by a protection order based upon unfounded allegations, committed suicide after he was jailed for calling his four-year-old daughter on the wrong day of the week. Darrin White, a Canadian father who was stripped of the right to see his children and was about to be jailed after failing to pay a child support award tantamount to twice his take home pay, hung himself. His 14 year-old daughter Ashlee later wrote to her nation's Prime Minister, saying, "this country's justice system has robbed me of one of the most precious gifts in my life, my father."

We'll never know exactly why Derrick Miller took his life and if his suicide could have been prevented. What we do know is that male suicide is one of America's most serious public health issues, and it is time to address it.

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(For this article and more look on the internet at: <http://www.glennjsacks.com>)

The Price of Fatherhood-a Father's Reply to Ann Crittenden's "Mothers Manifesto"

By Glenn Sacks

Ann Crittenden's popular *The Price of Motherhood: Why Motherhood is the Most Important-And Least Valued-Job in America*, released in paperback this week, has become the first feminist classic of the new millennium. Crittenden's "mothers' manifesto" is an expose of the so-called "mommy tax," which can include reduced job opportunities and salary for mothers, as well as a lack of appreciation, often from working women themselves. However, if there is a woman paying the "mommy tax" by sacrificing her earning power to be at home full-time or part-time, there has to be a man in the household supporting the family and, by so doing, paying the "daddy tax." Crittenden, by defining "privilege" and "sacrifice" only in terms of pay and career status, sees disadvantages only for mothers and not for fathers. But what about the price of fatherhood?

The average American father works 51 hours a week. While nearly half of American mothers with children under the age of six do not work full time, even those who do average only a 41 hour work week. American men work the longest hours of any workers (male or female) in the industrialized world. Men work 90% of the overtime hours in the US, and are more likely to work nights and weekends, to travel for work, and to have long commutes. All of these deprive fathers of valuable time with their children.

In addition, men do our society's most hazardous and demanding jobs, in large part because the higher pay allows them to better provide for their families. Nearly 100,000 American workers died from job-related injuries over the past decade and a half, 95% of them men. There were over 100 million workplace injuries in the US between 1976 and 1999, again the overwhelming majority of them suffered by men.

Men dominate in all stress-related diseases, including a two to one lead in heart disease. In fact, Gloria Steinem once cited this in advising men to support women's careers, saying, "Men-support feminism! You have nothing to lose but your coronaries!"

Less time with their children, long work days and work weeks, job hazards and job stress-all of these are the daddy tax. I know, because I've paid it. As

the main provider for my family, I worked 60 hour, six day weeks far from home, sometimes at hazardous construction jobs. I missed my young son so badly that many times, arriving home from work late at night, I would carry him around the house on my shoulder, even though he was asleep. My fatherhood was the hollow, joyless fatherhood many men endure-all the burdens of supporting children drained of the pleasure of actually being with them. At times it seemed the only interaction I had with my son was disciplining him, the one parenting job which has not so generously always been reserved for fathers.

One day I was so disheartened over the situation that I walked off my job, pulled my son out of his kindergarten class, took him to the toy store, bought him a race car set, and spent the rest of the day playing with him. Fortunately, it didn't cost me my job.

Even more fortunate is that, unlike many men and fathers, I haven't been financially trapped in a hazardous job-what men's advocate Warren Farrell calls the "glass cellar of male disposability." A construction job I worked at when I was young illustrates well the untold cost of fatherhood which many men pay.

I worked at a nuclear power plant in the South. Every morning we strapped on our tool belts and hard hats, and made the long climb up the rebar skeletal frame of the building. Once we were 50 feet up, we hooked our hook belts around the rebar and then leaned back to work, with most of our weight on that hook belt. Leaving aside the blistering heat, the difficult reaches, and the danger of someone else's tools falling on you, the reality was that your life-minute by minute, hour after hour, day after day-was dependent upon that hook belt.

One day a journeyman electrician called to me to climb down and help him. He had a rope in one hand and his tool box in the other. We walked over to a large room filled with immense electrical panels. He told me to stand 10 feet behind him and hold the rope. I had no idea why, but I did as I was told. He then made the other part of the rope into a harness, put it on, and said "I'm gonna work on these wires,

and some of them are live. If I hit the wrong one and start to fry, you pull me out."

I thought he was joking.

He wasn't.

He began to work and every once in a while he would take a tool he was done with and throw it at my feet, saying "hey-you awake? I got three kids to feed and they ain't gonna go barefoot 'cause you aren't payin' attention." "No, no, I'm here," I protested. "Why don't they turn off the power so you can do this without being in danger?"

"Company won't do it. Too expensive."

"More expensive than your life?"

"To them."

"How come you don't just tell them 'no?' "

"Can't. Got kids to feed."

"You could do something else. Go to college."

"No money for it-got kids, a wife, a mortgage. Wait 'till you get married and have kids-you'll see."

Lunch time was often the time for "scare the new guy" on workplace injuries and safety. Every man had a horror story to tell, either about what happened to him or what happened to his buddy. The guy who shot his nailgun into a knot in wood and the nail glanced off and nailed his hand to the wall-just before his ladder came out from under him. The guy who sliced his fingers off with a saw and stepped on one as he tried to pick them up one by one. The guy who repaired power lines and hit a live wire while working 20 feet up and is only alive today because his buddy kicked him off the pole.

Fortunately for me, with the exception of bangs and bruises and falling off of a ladder a couple times, the closest I've come to a serious injury was when I shot myself in the hand with a nailgun-fortunately for me, a thin finishing nail. Later I did carpentry jobs as a side business, but luckily I no longer have to hang off the side of buildings or do other hazardous jobs. Most of my carpentry skills now are applied toward building my kids a bunk bed or a lemonade stand. But whenever I hear middle-class feminists like Crittenden tell us of her woes as a woman (and Crittenden, who uses herself as an example of

motherly victimhood, tells us plenty of her personal woes), I think of those men and of the sacrifices they make to provide for their families and to give them safety and security-safety and security that they themselves will probably never have.

My life changed dramatically when my second child was born-I switched from the traditional father role to the traditional mother role. Now my wife enthusiastically pursues her new career and I've cut my work schedule back to care for our daughter during the day. I do all the cooking (and we never eat out or take in), the dishes, the shopping, the chauffeuring, the laundry, and the errands. Exactly as Crittenden did, I pursue my freelance writing career at home, in between my household duties. Crittenden is deeply bitter about this "sacrifice," but I consider myself to be quite lucky.

Which is better, paying the mommy tax or paying the daddy tax? There are advantages and disadvantages to both. It depends upon the jobs and personalities of those involved. For me, being at home with my young daughter has been the greatest, most fulfilling experience of my life, and I'll always be grateful to my wife for allowing me the opportunity. All of the "firsts" that I missed with my son-the first words, the first steps-I've been able to enjoy with my daughter, as well as countless other magical, irreplaceable moments. And there's nothing better in the world than when my little daughter walks up to me, puts her hand on my shoulder and says "every night I go sleepies right here." I have no desire to return to a demanding work schedule and be away from my kids. Given a choice, I'd rather pay the mommy tax.

Crittenden has several worthwhile suggestions on how to reduce the mommy tax, including universal preschool, a year's paid leave after the birth of each child, and full benefits for part-time work. I'm not sure how practical these ideas are, but I'm certainly interested, since they could help mothers as well as fathers and children. But how dare she, and other feminists, claim that the burden of children falls only on mothers? Yes, Ms. Crittenden, there is a mommy tax, but the daddy tax is just as large.

Glenn Sacks writes a regular column for the Los Angeles Daily Journal and the San Francisco Daily Journal. His columns have also appeared in the San Francisco Chronicle, the Los Angeles Times, the Salt Lake City Tribune, the Los Angeles Daily News, and the Philadelphia Inquirer.

(From townhall.com)

(New Jersey) Court puts the lid on nosy questionnaires

Phyllis Schlafly, December 26, 2001

Many parents assume that the tests given to their children in public school are only for educational purposes. To the contrary, schools increasingly demand that students answer nosy questions unrelated to academics. That practice may soon end due to a federal appellate decision issued recently in *C.N. v. Ridgewood Board of Education*. The Court held against the Ridgewood (N.J.) school district's use of an intrusive questionnaire.

The Ridgewood public schools asked their students highly offensive questions, most having no academic connection. Young pupils were confronted with a 156-question survey about sex, drugs, suicide and other personal matters.

Question No. 108 was this: "How many times, if any, in the last 12 months have you used LSD ('acid')?" The acceptable answers were "0"; "1"; "2"; "3-5"; "6-9"; "10-19"; "20-39"; "40+".

Question No. 101 was: "Have you ever tried to kill yourself?" Acceptable answers were "No"; "Yes, once"; "Yes, twice"; "Yes, more than two times".

The questionnaire asked students to incriminate themselves by saying how many times they had "stolen something from a store" (question No. 56); "damaged property just for fun (such as breaking windows, scratching a car, putting paint on walls, etc.)" (question No. 59); used heroin, opium, morphine, alawan, PCP or Angel Dust (questions Nos. 105-7).

Students as young as 12 years old were told to take this survey under the assurance of anonymity. The unmistakable impression conveyed to the

students was that illegal and immoral conduct is rampant among our youth and probably normal.

The questionnaire embraced a relativistic, rather than a principled, approach to social problems. Its implicit message was that the issue is not whether certain behavior is wrong, but how frequently it occurs.

Using tests or questions to shape attitudes is nothing new to politicians. Misleading "push polling" of voters is a well-known campaign technique, and brainwashing tests in school by totalitarian regimes have been well documented.

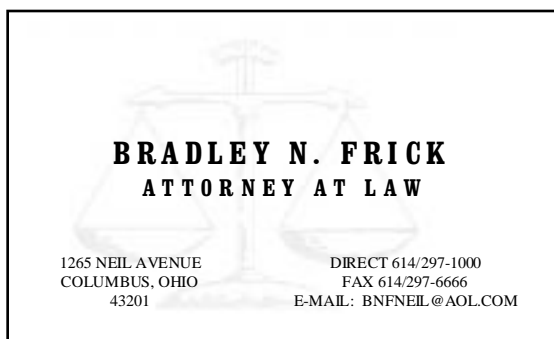
Because federal funds were involved with the Ridgewood test, the Protection of Pupil Rights Amendment applied. That federal law requires prior written parental consent before telling children to answer questions about sexual or illegal behavior, or mental or psychological problems potentially embarrassing to the student or his family.

The Ridgewood questionnaire asked students such questions without the prior written consent of their parents. The school administered the survey as though it were a test given during a compulsory classroom period, with every single student participating.

Several parents, shocked that such a test was given without their knowledge or consent, sued the school district in federal court. This test was not what they sent their children to school for, and their right to withhold consent from this questionnaire was violated.

The district court predictably sided with the school, even embracing the school's claim that it was doing a "good deed." The court could not explain, however, why it was a "good deed" to ask 12-year-olds about suicide over the objections of their parents.

The parents appealed to the Third Circuit Court of Appeals. It ruled unanimously in favor of the parents.

(Continued on next page)

A non-profit, tax-exempt educational organization supporting parents and children of divorce and separation

Parents And Children for Equality, Columbus Chapter, P.O. Box 16066, Columbus, OH 43216
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Normally Meetings: **3rd MONDAY of the month, 7:00 p.m.**
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Phone: (614) 885-5355

Our meetings typically consist of:

- Tips for newcomers
- Legislative updates
- Guest speaker such as attorney, legislator or psychologist
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(Continued from page 10, conclusion of article)

It reversed the district court's decision that the survey was merely voluntary. "The circumstances that surrounded the administration of the survey were — given the nature of the school setting — sufficient to infer that ... students were required to take the survey."

The record revealed that one principal told the students to "take it seriously," an ironic command, given the survey's questions and skewed choice of answers. Affidavits from students confirmed that, contrary to the school district's claim, the survey was given in a test-like environment.

The Supreme Court has held that local governmental units, such as public schools, are liable for rights violations. The Ridgewood Board of Education could be liable for giving the survey if Board policy required students to take it without prior parental written consent.

The Court of Appeals agreed with the parents that

the school's administration of the questionnaire may have violated the First Amendment's prohibition against compelled speech, and the Fourth Amendment's prohibition against unreasonable intrusion into the household.

The Court also agreed with the parents that the Board may have violated "the substantive due process rights for the adults to raise their children as guaranteed by the Fifth" Amendment. That right is of paramount importance to another New Jersey parent, who is currently suing his child's school over its admission requirement that all children be given the controversial hepatitis B vaccine.

Why aren't school officials spending class time to improve students' academic achievements? Instead of asking students if they have taken LSD more than 40 times, how about asking them if they know what is 40 times 40?

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(Excerpt from an article in The Columbus Dispatch)

Call for new laws often is unjustified

David N. Mayer
Thursday, January 10, 2002

...two of the most serious problems in American public policy. The first is what I call the there-ought-to-be- a-law phenomenon. It's the impulse to turn to law -- the coercive power of government -- to provide a solution to all social problems, whether real or perceived.

The second, and equally dangerous, phenomenon is the tendency to make public policy based on emotion, rather than reason.

Taken together, these phenomena over the course of the past century or so have not only helped to create Big Government, the 20th-century nanny state, with laws regulating virtually all aspects of Americans' lives, but also have undermined personal responsibility, making many of our real social problems far worse...

...Historically, over the course of the 20th century, the there-ought-to-be-a-law impulse has resulted in a society that might be safer in some aspects but that also is burdened with ever-onerous governmental regulations whose costs are not limited to the ever-increasing share of Americans' earnings that governmental agencies consume through taxation...

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