



PACE

Parents And Children for Equality

Newsletter



Columbus, Ohio Chapter

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The "Best Parent" is *Both* Parents

July 2002

TALK BACK to the Ohio Child Support System

By Don Hubin

Have a complaint about Ohio's child support system? Here's an opportunity to voice your complaint where it will be heard.

For over a year, I have served as a member of the Ohio Child Support Reform Shareholder's Group (OCSRSG). The purpose of this group is:

to assist the State of Ohio, counties, and child support partners in improving programs and the delivery of quality services to all parents and their children. The shareholders' group will take a holistic approach to establish long-term priorities and to develop innovative strategies to create a more effective and efficient child support program in Ohio.

The Shareholders' group brought together child support administrators from both county and state levels, judges, attorneys, employers, parents and representatives of parents' groups to try to fulfill its mission.

The group has finished writing draft recommendations and placed them on the Web for the month of July, asking the public in Ohio to comment. Some recommendations are good; some are not so good. Many people—both obligors and obligees—have commented already. It is vitally important that the Shareholders' group hear from individuals who are trying to promote true shared parenting in Ohio.

JULY MEETING

Speaker/Format: To be arranged

Location and Time:

July 15, 2002, 7:00 p.m.

Worthington Presbyterian Church

(Northwest corner of High St. and SR 161)

Child Support *Director's Corner* Reform Shareholders' Group

July is the designated month for public feedback on the draft recommendations from the Child Support Reform Shareholders' Group. July is *now* and we are the public. That means that each of us should log on to the web site for the recommendations (www.state.oh.us/odjfs/shareholders/), read them and offer our feedback. Don't wait. The month will slip away quickly. For more details, read the cover story.

Individualized Child Support Economic Analysis Available

R. Mark Rogers, a respected economist now specializing in the analysis of child costs and child support guidelines, is offering low cost, individualized economic analysis of child costs. This analysis can be used in mediation or litigation over child support amounts. Please see the story beginning on page 12.

NOW of California Releases Report on California Courts

The California chapter of the National Organization for Women (NOW) has just released a report on the domestic relations courts in California. This report finds these courts to be corrupt

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PACE is Proud to be Affiliated with:



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Director's Corner continued

and biased. Perhaps surprisingly, the report found the courts biased *against* mothers and *in favor of* fathers. Indeed, the report asserts that "*the sole agenda of... [the California domestic relations courts] is to strip women of their custodial and other rights*" (p. 4).

That result is a bit less surprising when you learn that the "research methodology" (and one must use the term loosely here) was to review responses to a lengthy questionnaire what was offered only to those who called California NOW or visited their web site. This, of course, isn't a representative sample of women and men weren't even talked to.

Allan Parachini, a spokesperson for the Los Angeles Superior Court, said the NOW report lacks any hard statistics or news. "It's not a report as much as it is a rant and it sort of gives hot air a bad name."

You can read the report at: <http://canow.org/fam.html>.

A very nice analysis of the shortcomings of the "research methodology" of the report can be found at: <http://www.ifeminists.com/introduction/editorials/2002/0702.html> (or on page 6 of this newsletter) .The report is also discussed in *The Desert Light Journal* at: <http://www.desertlightjournal.homestead.com/journalcurrent.html>.

Closing Thought

The struggle to bring sanity, fairness and compassion

to our family law system is a long one. Sometimes people feel discouraged and just want to walk away. Most of us don't, though, and here is why.

We know that fathers are important in the lives of their children. They cannot be replaced by a child support check, by psychologists, by social workers, by "father figures" or by step-fathers. As the old English proverb says, "One father is more than a hundred school masters."

We know that the current laws and practices of our domestic relations and juvenile courts are not fostering fathers' involvement with their children but, quite the contrary, are separating fathers from their children.

We know that children need their fathers. As Sigmund Freud said, "I cannot think of any need in childhood as strong as the need for a father's protection."

We know that, as a society, we can do better in insuring every child's right to two loving, involved parents. And, part of doing better is to stop doing some of the things we are currently doing that take loving parents away from children.

We know that children want their fathers. In *Surviving the Breakup: How Children and Parents Cope with Divorce*, Judith Wallerstein and Sandra Blakeslee describe the overwhelming sadness of children "who taught us very early that to be separated from their father was intolerable. The poignancy of their reaction is astounding... They cry for their daddies, be they good, bad, or indifferent daddies. I have been deeply struck by the distress children of every age suffer at losing their fathers."

When the road ahead seems long, remember what lies at the end.

—Don Hubin

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See page footer for PACE Columbus address, phone and Web page

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(Sign up at: <http://groups.yahoo.com/group/paceohio>)

For open (unmoderated) discussion board: pace-forum@yahoo.com

(Sign up at: <http://groups.yahoo.com/group/pace-forum>)

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Please visit the website at <http://www.state.oh.us/odjfs/shareholders/index.stm> for information on the Shareholders' Group and to view and comment on the draft version of the recommendations.

Please be aware, though, that the Group is *not* charged with evaluating or recommending changes in the guideline child support levels. It was not established to address the problem of establishing custody arrangements for children of parents who live apart. It is fine to leave general comments on the need for changes in these areas; this can help to educate people about broader problems that need to be addresses. However, do not expect the recommendations will address these problems. The Shareholders' Group is addressing issues concerning the administration of child support in Ohio.

This is your chance to talk back. The child support system in Ohio is asking what you think of it and how it should change. Speak now! If those who



have legitimate complaints don't speak up now, we have only ourselves to blame. If we don't seize this opportunity then, as Walt Kelly, the artist of the cartoon strip *Pogo*, wrote in a very different context, "We have met the enemy and he is *us!*"

Log on to the website today. Read the recommendations. Leave your considered, helpful comments. Just do it!

Some Sample Recommendations from the Shareholders' Group

- Create a web based child support calculator, establish web-based access to payment history, ability to change personal information on the web, ability to request a hearing on-line, etc.
- Give payors who overpay through no fault of their own, such in the case of a termination or emancipation, the right to recoup their overpayments through a CSEA process.
- Enact legislation enabling child support funds to follow the child.
- Create an insurance intercept program to collect arrears.
- Expand the collection of IRS tax refunds to (1) include all cases with past due support and (2) prioritize child support higher on the IRS collection list.
- Urge the Supreme Court to implement an alternative dispute resolution program in each county jurisdiction that is available for use by the parties with parenting time issues/conflicts.
- To create a Family Court System Combining Domestic Relations and Juvenile Court Functions in each County

PACE Columbus is indebted to:
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Akron PACE meeting: July 23, 2002, 7:00-8:30pm

Clearview United Methodist Church, 1733 Massillon Road , Akron, Ohio 44312

We have been busy and are ready (almost) for our first meeting here in the Akron area. Thanks to Anthony Belmonte, Cathy Doerman and Kevin Rice for their help in getting everything ready.

We also have our own web site. There is a pole on it to help us put together meeting that people will want to attend. Fill it out and help us there. <http://www.pace-akron.net>

Further info and a map to church can be found on the Web at <http://www.singlefathers.for-kids.com>

Just look on the PACE Akron page. Wish us luck!

Ray R. Lautenschlager, Director, PACE Akron, 330-773-5015
<http://www.pace-akron.net> <http://www.singlefathers.for-kids.com>

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The Defrauding Of The Hardworking American Taxpayer, Welfare Reform And The Role Of The Family Court System

Press Conference June 13, 2002, 2:00 p.m., Passaic County Family Court Bldg.

Authors:

Melanie Cummings, New Jersey Council of Children's Rights

Wilbur Streett, Fathers Rights Association of New Jersey

Chris Rockford, New Jersey Council of Children's Rights, Passaic County Chapter Founder

INTRODUCTION

I am proud to stand here with the New Jersey Council of Children's Rights and the Fathers Rights Association of New Jersey in order to share with all of you the legal system's disrespect for the Hardworking Taxpayers of America and disrespect for the basic human rights of children, fathers, mothers and families which are guaranteed under our Bill of Rights associated with our U.S. Constitution. The Hardworking Taxpayers of America are footing the bill for this injustice, fraud and extortion. Legislators are allowing this to happen by succumbing to the pressures of special interest groups (i.e. bar associations, women's groups, the prison industry, child support advocacy groups, etc.), while the federal and state judiciaries compound the problem by their partial and gender-biased applications of the laws.

Editor: What follows are more excerpts from this speech:

Every state in America has a judicial system that BOTH parents are to receive due process and equal protection under the U.S. Constitution, Amendments 1, 5, 9 and 14. The U.S. Constitution, Amendments 1, 5, 9 and 14 guarantees BOTH biological parents their rights to their children without any interference from the state and judicial system. (Continues with cites...)

Child support is not de facto alimony.

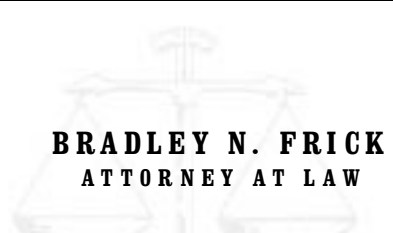
Remember, fathers are human beings and parents, too. After four years of college, three years of law school and work experience, lawyers and judges are still having problems grasping third grade mathematical skills. There are laws on the books that say that federal and state taxes are to be considered when making a

child support award, but for some reason no judge follows this law. Judges avoid following the law by claiming judicial discretion. All of these tax credits are allegedly for the children as part of the child support award. There is no accountability how child support is spent on the children, and whether or not it is spent on the children.

Divorced fathers are a selected and targeted group of people being denied basic Constitutional and human rights by being subjected to draconian, tyrannical state procedure depriving them of their substantive and procedural due process rights as well as equal protection under the law when the State fails to comply with federal regulations, and ultimately fails to comply with the U.S. Constitution. Divorced fathers, who are also Hardworking Taxpayers of America and others similarly situated, are being harmed by the federal funding for such programs. The child support enforcement laws are even-handed on their face, but not in their application.

If the state of New Jersey says that it only takes \$450.00/month to support a family of three, why do middle and upper class non-custodial parents need to unlawfully pay three to ten times that amount

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per month? Family court judges are granting such orders based on the incomes of the parents, and not on the true costs of raising children. On top of that, Family court judges are ordering divorced parents to pay child support on their gross / adjusted gross income amount. There is NO intact family in the United States that pays for child(ren)'s expenditures on gross income. A parent cannot give monies that the Federal/State already took out of their paychecks. These are unconstitutional denials of due process and equal protection under the law. No one should have to pay de facto alimony for another adult.

No court has the authority to intervene to terminate or limit parental rights without a compelling state interest and with showing of, based on real evidence, proof beyond a reasonable doubt that one or both of the parents is incapable of performing their parental duties due to physical abuse, neglect, etc. Judges and lawyers violate families on a daily basis. They do it for financial profit and greed. This is destroying the social fabric of America and is causing a national security concern. Judges and lawyers who continue to breakup families and give one parent custody of children in order to maximize welfare funding are committing treason.

For everyone's information, the 1998 Child Maltreatment (see **Exhibit XIX**) and 1996 The Third National Incidence Study of Child Abuse and Neglect (see **Exhibit XX**), states that female natural parents abuse and neglect their children more than male natural parents. In over 80% of child abuse cases, the natural mother is responsible. With this in mind, why would a judge allow over 90% of mothers to get sole custody. It is an absurdity. It is criminal. These judicial individuals should be retrained and re-educated. After four years of college, three years of law school and work experience, the judges and lawyers are now intellectually and ethically challenged. If shared parenting laws were passed on a national front, children have been proven to fair far better post-divorce.

PUBLIC ANNOUNCEMENTS

Each and every legislator, family court judge and family court lawyer should go into the school systems and tell boys not to be fathers because

their country has no use for them as parents except for their paychecks that will help foster larger state treasuries and for allowing mothers to extort free monies from them along with putting undue financial pressure on the Hardworking Taxpayers of America. All marriage licenses should be rescinded or have disclaimers of what will happen to men, their children and their assets in the event of divorce. Let us all see how this fosters self-esteem among boys! Since judicial personnel have been attacking males for years, they should come out behind their black robes and be men/women and tell everyone, including children, the truth about their gender-biased acts. Their actions are currently speaking volumes to everyone who goes into the family courts. Is this what their parents taught them? Or is it what the law school taught them? Obviously law schools leave out the most important curriculum when training legal minds—it's called legal and judicial ethics. Where are these individual's moral compasses? Maybe we should tell the children of the judges what their fathers/mothers are doing. Why is it that lawyers and judges can be fathers? New Jersey State Law states that lawyers cannot be placed in the child support system. The New Jersey Supreme Court handles all child support enforcement for the lawyers.

God gave us the gift of life and with that he gave a cross to bear - **Choice**. Yes **choice**. We hope for all of us standing here, we had our children out of love and respect, not for profit and gain. Remember the word of respect, respect for life, truth and pursuit of happiness. Under our U.S. Constitution and our Bill of Rights you, the lawyers and the legislators, do not have the right to take this way. None of you are not above the law nor should you have disrespect for parental rights or family rights.

Mothers do tell their children that custody means money. None of this is about the best interests of the child. It is about getting back at men (since, under the radical feminist mantra, they cause all the problems). It is about maternal/state greed. Hardworking intact two-income families, especially mothers, should be up in arms about the taxpayer issue. They work and no one gives their families the same huge tax breaks that divorced, custodial mothers get.

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Editor: The following article can be found at ifeminists.com, mensnewsdaily.com, and probably other Internet sites. The media's eager presentation of the NOW "report" is evidence of the significant child-damaging bias in the mainstream media; in addition, this evident bias is indicative of the child-abusing business as usual practice in the domestic courts.

NOW Court Report Lacks Facts

by **Wendy McElroy**, July 2, 2002, mac@ifeminists.com

A "report" (<http://canow.org/fam.html>) just released by the California chapter of NOW on the alleged abuse of women in family courts is fluff without substance.

Nevertheless, a submissive media is eating up the report and rushing to sound tired alarm bells.

"Family Court Report 2002" has the ostentatious trappings of respectable research: 134 pages; four authors, including the President of CANOW; and a self-declared "three years" of research.

What it doesn't have is evidence.

What is the FCR? It is the supporting document behind a call to revamp the family court system to eliminate purported bias against women.

The report is heavily based upon CANOW's call "for individually prepared case histories from constituents" and a "detailed questionnaire" (<http://www.canow.org/questionnaire.html>) posted on the Internet. ("Constituents" appears to be a synonym for women who approached CANOW with complaints about the family court system.) CANOW's subsequent "historical research" and "review of the often bizarre practices of judges" are based on responses from the questionnaires (p.4).

Moreover, it is the "constituent" and questionnaire data that makes the FCR news—complete with a press conference—rather than a university project. It is on this data that the FCR lives or dies.

It dies. The FCR has gross methodological errors that render it utterly invalid. The errors include:

A blatant political agenda. FCR *opens* with the statement, "the present family court system in California" is "crippled, incompetent, and corrupt" and "pathologizing, punishing and discriminating against women."

CANOW's Family Law Task Force has suggested several strategies to reform the courts to "protect" women (p.3). Although CANOW's self-description as a "political action organization" does not invalidate the report, it should raise red flags emblazoned "extra scrutiny required."

The data is self-selecting. FRC's much-touted "nearly 300" questionnaires (<http://www.canow.org/questionnaire.html>) appear to be all from women who contacted NOW over a three year period to complain about the family court system. This approach virtually ensures that all respondents will be both unhappy with the courts and sympathetic to NOW.

Ask yourself: How many women who thought the family court system was fair or who disagreed with NOW's slant would fill out a 20-page, tedious, time-consuming questionnaire? How many would even find the questionnaire that seems to have been distributed only to CANOW "constituents," or those who visit its site? The FCR is not empirical research: it is advocacy propaganda.

FCR omits crucial information as to how the questionnaire data was processed. For example, was there any means of verifying the information rendered, such as the actual circumstances of the described cases in family court? Without verification, the questionnaires become hearsay or mere testimonials. Moreover, did CANOW control for multiple submissions from the same individual? And where is an explanation of the report's sampling methods, its margin of error...? The data is worthless without such a context.

There is no presentation of data—e.g., no real break down of questionnaire responses such as demographics. The "Findings" section (pp. 5-9) presents a set of conclusions about the abuse of women by the family court system but no numbers are attached.

For example, how many of the respondents answered "yes" to whether their ex-husbands or boyfriends had better legal representation? Was it two of the almost 300, or all? The significance of the "yes" answer depends upon such numbers. There is no quantitative analysis.

No information is offered on how many family court cases occurred in the alleged three-year period covered by the report. Do the approximately 300 cases constitute .02 percent, 1 percent or 10 percent of the three-year total? Anything less than

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Editor: I received the following from a mailing list by Lindsay Jackel. The quote in the very last paragraph, by Paula Roberts of the Center for Law and Social Policy to me is indicative of the failure of the legal system. It is not the responsibility of the courts to make sure nobody feels badly. Lawyers, judges, etc. have a moral, ethical and professional duty to obey the law. The Solomon case, though not really typical of most divorce situations, was clear. One party was a parent and one party was a liar and emotional terrorist. Lawyers, judges, social workers, and other profiteers in the domestic court system need to stop punishing men and children for the fraud of some mothers, stop fomenting divisiveness between parents, and work toward making decisions based on reality--not allegations by the politically-correct-agenda-favored parent. If someone must come out feeling badly, why not let it be the the ones who perpetrate fraud or who endeavor to profit from false allegations?

Another article on paternity fraud and DNA fwd fyi... The internet has been and continues to be an useful tool for finding out information and working together.

Quote: Learned of others on the Web - Last year he found out about Caron, Smith and others while searching the Internet. He contacted Wright, who has backed several fathers' rights bills. Riddick and two other activists secured a midsummer meeting with a key aide working on the California paternity-reform legislation.

Lindsay Jackel

DNA Shaking Up Child-Support Rights

By Nicholas Riccardi, 30 June 2002, Chicago Tribune

[Nicholas Riccardi is a staff writer for the Los Angeles Times, a Tribune newspaper.]

Advances in DNA testing have liberated convicts from Death Row and helped clear up scores of unsolved mysteries, but they have been slower to release men from obligations to pay child support in cases where the tests show they are not the biological father.

Instead of resolving some of those cases, DNA has plunged the area of child support and paternal obligation into complicated new debate over the law and issues as profound as what it means to be a father.

Bert Riddick's three children cram into one room in his brother-in-law's house in Carson because Riddick is required by a court order to pay child support for a girl he has never met and who is not his own. The result is that Riddick cannot afford to provide for his biological children. A similar order sent Dennis Caron to an Ohio jail for 30 days because he refused to pay child support for a boy who DNA tests showed was not his.

And in the case of Carnell Smith of Decatur, Ga., a \$120,000 child-support bill for an ex-girlfriend's offspring who did not belong to him caused Smith to double-check the paternity of his wife's new baby with another DNA test.

"Ninety-nine point nine-nine-nine percent mine," Smith said proudly.

The three men share more than a legal dilemma. They belong to a loose-knit movement of fathers who are gradually reshaping child-support laws in state after state so that men who can prove they did not father children can avoid paying for them.

In doing so, they have raised new issues about the legal system's role in defining the rights and

responsibilities of those men who are deemed fathers by the courts, only to have those rulings later challenged by new scientific evidence.

Illinois House Majority Leader Barbara Flynn Currie (D-Chicago) said she is not aware of any state legislation pending on the issue. She is not a fan of the current debate, arguing that fatherhood is about more than just chromosomes.

"The argument would be, here is someone who behaved like a father and later found out that, in reality, he is not. But that does not cut the bond that had developed between the father and the child," she said.

Gemma B. Allen, partner in the Chicago firm Ladden & Allen and a family law attorney for more than 20 years, said current Illinois law is ahead of the curve nationally. In Illinois, fathers can petition for release from child support if a DNA test rules them out as the father and if they file within the two-year statute of limitations. She said the issue is "a brewing volcano."

Science outpaces the law

"It's become a very hot issue in some other states without consideration, ultimately, to the children of America," she said. "There are some organizations and some people that foment divisiveness. It's sad that this is probably another issue which will be used to antagonize the sexes against each other."

"It's one of those things where the science has given us the ability to do something we maybe shouldn't do," said Paula Roberts of the Center for Law and Social Policy in Washington. *(continued on next page)*

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“What you’re saying is that all a man is, in terms of a father to a child, is a sperm donor. ... We think that’s really bad social policy.”

The dilemma is created by legal tradition that holds that once a court has ruled that a man is the father of the child, the judgment must stand. If the man does not protest quickly enough, his only recourse is to pay support until the child turns 18.

The number of men affected could be large, especially because child-support orders often are entered without the man appearing in court.

California Assemblyman Roderick Wright (D-Los Angeles), author of a paternity-reform bill, cites statistics from a 1999 study by the American Association of Blood Banks. That study found that of 280,000 blood tests performed to determine the paternity of children, 30 percent excluded the subject tested as being the father.

“It ain’t his baby and we know it ain’t his baby and here we’re hitting him for 60 percent of his salary,” Wright said. “In any other area of law, if that happened, that would be fraud. We’d be going out and screaming bloody murder.”

In some cases, courts can order children to submit blood or tissue samples for DNA testing, but rules regarding when and how those tests may be used vary from state to state.

“This is a clash between jurisprudence concepts rooted in English common law of a judgment being inviolate, versus 21st Century science that has shown, well, sometimes we were wrong,” said Steven Eldred, a deputy district attorney in Fresno County’s child-support office. “This is a hot issue. Every state is going to have to deal with this.”

In Ohio, a child-support reform bill passed its legislature two years ago with only one dissenting vote.

“People just said, ‘Hey, gee, this is common sense,’” said Caron, a 45-year-old corporate recruiter who lives outside of Columbus and lobbied for the bill. “Why should some guy get the shaft like this when he isn’t the father?”

After a protracted divorce and custody battle, Caron in 1997 found through DNA testing that he was not the child’s father. After testifying before the Ohio

legislature about the need for paternity reform, Caron was sentenced to 30 days in jail for refusing to pay child support. He was released when his ex-wife’s new husband adopted the child.

Called upon to help others

The experience made him a child-support celebrity, and calls began coming in from desperate men. Caron said some congressmen have referred constituents to him for help. Caron’s experience in Ohio gave Carnell Smith hope.

The 41-year-old engineer read about Caron on the Internet after becoming embroiled in his own child-support battle. For years, Smith said, he helped raise the daughter of a former girlfriend who had told him the child was his. But parishioners at his church advised him to demand a DNA test after the woman pressed him for child support.

In April 2000, Smith said, he was excluded as the father by a DNA test. But the judge ordered him to pay anyway. It was then that he took to the Internet, reasoning that there must be other men in his situation. He found Caron and obtained a copy of Ohio’s legislation, which he carried to the home of his assemblyman in Decatur, Ga.

Georgia’s law passed both houses of the legislature earlier this year. Smith, meanwhile, has started an online group to spread what he calls “anti-paternity fraud” statutes across the country.

“I’ve declared war on this issue,” said Smith, estimating that he has spoken to nearly 1,000 people. “I want to make sure my son doesn’t face this same system.”

Both Smith and Caron had acted as the children’s fathers before discovering that they had no biological connection and refusing to pay child support. That troubles many critics of the new statutes. They argue that being a father is more about acting as one than producing a genetic match.

“You cannot have guys who functioned as some kid’s father for 12 years going in and saying, because of some test, all right, I’m off the hook,” said attorney Jenny Skoble, director of the child-support project at the Harriet Buhai Center for Family Law in Los Angeles.

“Yes, for the guy who’s acted as the father of a child for 12 years who finds out that he’s not the dad, it’s

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a drag to have to pay the child support. But it's more of a drag for the child to lose the only father he or she has ever known," she said.

Smith said child-support advocates such as Skoble miss the point.

"Once the problem has already happened, it's like throwing a cluster bomb in the room - everybody's going to be hurt," he said.

"But two people are walking away with no responsibility at all - the biological mother and the biological father. They had their fun, now they walk away."

In the summer of 2000, the Conference of Commissioners on Uniform State Laws, a non-profit group that proposes legislation to be adopted by states, wrestled with whether men who are not biological fathers should pay child support.

Roberts, of the Center for Law and Social Policy, said the group agonized over the issue. It ultimately concluded that after a child's second birthday, the harm of losing a father would outweigh the harm of a man paying to support a child who was not his own.

Agonizing for a solution

"We concluded there was always going to be a set of cases where, no matter how you came down, you were going to feel badly," Roberts said. "But if your focus was on the child, at the end of the day you decided the adults in this relationship are just going to have to suck it up."

Texas and West Virginia adopted laws modeled on the conference's recommendation, requiring that men have only two years after the birth of a child to challenge paternity in child-support cases, Roberts said. But other states, including Ohio, Maryland and Alabama, do not have limits on when a man can challenge a paternity judgment.

In California, Wright's legislation is being shaped to apply to men who never appeared in court to fight their child-support orders - sometimes because they were not properly served, a common problem in California child support - and only later discover that they are being billed for a child who is not their own.

In other words, the legislation is written to help men like Bert Riddick.

Riddick said he was just about to leave on a business trip in 1991 when he found out that an ex-girlfriend had named him as the father of her newborn child. His then-fiance had received the summons at their home and hid it in anger. Riddick went on his trip and missed the hearing.

When the district attorney's office began to garnish his wages, Riddick pleaded for relief but was told there was nothing he could do.

As the bills mounted, Riddick could not support his new, growing family. His car was repossessed. His new wife went on welfare after having their second child. They were evicted from the Torrance house they rented and moved in with the wife's brother. And Riddick began going from job to job, enjoying a full paycheck for a few weeks before the child-support office found he had new employment and began to garnish his wages.

After Riddick was featured in a Los Angeles Times series on problems with child support in Los Angeles, his phone began to ring. He became a fixture on television news magazine shows and assembled a list of other men in his circumstance. But he was unable to escape the child-support debt.

Learned of others on the Web

Last year he found out about Caron, Smith and others while searching the Internet. He contacted Wright, who has backed several fathers' rights bills. Riddick and two other activists secured a midsummer meeting with a key aide working on the California paternity-reform legislation.

"I know it's complicated," Riddick said of the issues. "The women's rights groups still have this thing where they start the speech with 'he best interests of the child.' My response to that is, the best interests of whose child? My children are suffering now."

Roberts acknowledged that, like many DNA cases, Riddick's is a tough one. Still, she said, the fault is his for missing that hearing 11 years ago.

"This is the ultimate Solomon's baby situation," Roberts said. "There is no way that someone is going to come out not feeling they've been wronged."

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support levels in their cases. In particular, because Rogers developed the software necessary perform an economic analysis of Ohio's child support guidelines, he is able to offer this service for Ohio residents. (Costs will vary depending on the complexity of the case. However, Mark has indicated to me that a straightforward case—one without unusual economic complexities—is likely to be in the \$500 range.)



R. Mark Rogers

An individualized analysis would include:

- 1) Brief economic critique of the presumptive award guidelines methodology.
- 2) Comparison of the underlying facts of the presumptive guidelines with the current case. Case law indicates that if underlying facts of a presumption no longer exist (in general or for a particular case), then application of the presumption is not appropriate. Legal citations to support.
- 3) Discussion of legal principles for a sound child support determination, including legal citations.
- 4) Calculation of an economics based award, based on child cost data from economic surveys and with allocation based on the above legal principles.
- 5) Miscellaneous economic exhibits for rebuttal such as comparisons of before and after taxes and child support transfer to show the presumptive

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award as inappropriate. Also, brief discussion and exhibits regarding the sizeable child-related tax benefits as cost offsets.

6) Variations of the presumptive award with adjustments for cost offsets from child-related tax benefits.

7) The report for rebuttal ties together the economic exhibits with statutorily defined grounds for deviation as well as traditional case law regarding presumptions and rebuttal.

8) Coordinate writing of motion for written findings of fact (when applicable) for actual child costs, child-related tax benefits, and case circumstances in comparison to underlying facts of the presumptive guidelines. This facet is important for focusing on actual versus presumptive child costs and for rebutting the appropriateness of the presumption.

These reports can be useful for both mediation and child support determination in court. Remember that Ohio's child support guidelines are based on a whole host of presumptions (not the least of which is that all expenses on children occur in the custodial parent's home). Federal law requires that states' guidelines be "rebuttable" and they are rebutted when they are shown to be "inappropriate". Detailed economic analysis can help to show when the assumptions of the presumptive child support amounts are inapplicable to the individual's case—thus providing the basis for rebutting the presumption.

If you are interested (or if you know someone who might be interested) in finding out more about this sort of individualized economic analysis, please contact Mark Rogers at:

R. Mark Rogers, Economic Consulting,
RMRogers@mindspring.com, 770-412-1059

Be sure to allow plenty of lead time before any scheduled mediation or court hearing for the analysis be completed and the documents prepared. (Mark is a busy man these days with both organizations and individuals interested in his economic analysis of child support guidelines.)

PACE Mission Statement

The mission of Parents And Children for Equality is to provide education, advocacy and support to parents and children experiencing loss of traditional parent-child relationship due to separation or divorce and to promote for children equitable access to both parents, and for parents reasonable sharing of rights and responsibilities.

PACE Columbus Meetings

Normally Meetings: **3rd MONDAY of the month, 7:00 p.m.**
at the Worthington Presbyterian Church, 773 N High St.
(NW Corner of State Route 161 and N. High Street)
Phone: (614) 885-5355

Our meetings typically consist of:

- Tips for newcomers
- Legislative updates
- Guest speaker such as attorney, legislator or psychologist
- Attorney to answer legal questions at **no charge.**

Membership in P.A.C.E.-Columbus is open to men and women: single, married or divorced.

Dues are **\$20 per year**, the cost of a 5-min phone call to an attorney.

PACE-PAC: PACE's Political Action Committee

Help PACE influence the political process to promote our children's interests. We know that children need two parents. So do some judicial and legislative candidates. Help us help them get elected. In politics, money talks. Let's continue to make sure our politicians hear us.

Contribute to PACE-PAC, PACE's political action committee. Make your check payable to: "Parents And Children for Equality—PAC" and send it to:

Parents And Children for Equality - PAC
Peggy Houston-Nienaber, Treasurer
8190 Beechmont Ave #163
Cincinnati, OH 45255-6117

www.PACE-PAC.org
for more information

Please be sure your check includes your telephone number.

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three percent is statistically irrelevant and such testimonials—if verified—would establish only that sometimes injustice occurs.

According to the Judicial Council of California (<http://www.courtinfo.ca.gov/reference/documents/csr2002.pdf>, p.44), in recent years there were over 150,000 filings and over 100,000 dispositions per annum—some years were considerably higher. Three hundred selected cases spread over three years is statistically meaningless.

Footnotes are often absent or "weak."

For example, in the capsule history of family law in California, the FCR states that, before a bill changed the law in 1998, "Apparently the existing policy of the state had been to allow a batterer to obtain custody of his children by arguing the [sic] for the court's bias toward [the] 'voluntary' joint physical custody/frequent and continuing contact rule. Frighteningly, research has shown that abusers are highly successful in gaining custody of their children.[note 56]." (p. 25)

This is an extremely serious charge. But the evidence backing it up (note 56) merely cites "AB [Assembly Bill] 200"—that is, the "facts" allegedly "found" by the partisan legislators or staffers who wrote the bill itself.

No data was collected from men. However bad the situation is for women in family court, the treatment of men may be much worse. Without a comparative study, there is no way to tell.

An extensive critique of the FCR's sloppiness and/or dishonesty could easily absorb 134 pages itself. But even a cursory examination should be enough to discredit the report. The media has no excuse for passing along propaganda as fact. And the fact is: after three years of research, CANOW offers no data to support its conclusions or demands.

Wendy McElroy is the editor of ifeminists.com. She is the author and editor of many books and articles, including her new anthology Liberty for Women: Freedom and Feminism in the 21st Century (http://www.independent.org/tii/catalog/cat_LFW.html) (Ivan R. Dee/Independent Institute, 2002). She lives with her husband in Canada.

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Individualized Child Support Analysis Now Available to Ohio Residents at Affordable Prices

R. Mark Rogers produced the analysis of the Georgia's Child Support Guidelines that resulted in a Georgia Superior Court C. Dane Perkins declaring those guidelines to be null and void because of multiple violations of both the state and federal constitutions. (*Department of Human Resources v Sweat*, Atkinson, February 25, 2002 available on-line at: <http://www.economic-indicators.com/CSXPerkinsOrder.html>). Mark Rogers' economic analysis of those guidelines is available on-line at: <http://www.economic-indicators.com/CSXPerkinsOrder.html>.

For more information about Mark Rogers, visit his web sites at: <http://www.guidelineeconomics.com/> and <http://www.economic-indicators.com/ECNgeneral.html>.

Having now analyzed a number of states' child support guidelines, Rogers is now in a position to offer individuals extremely affordable (as these things go) individualized economic analysis of the guideline child

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Dedicated to the idea that the "rebuttable presumption of equal shared parenting" is a basic human right for all parents, and should be passed into law everywhere.

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