

The Liberator

America's shared-parenting quarterly



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North Dakota's men and women submit 17,000 names for historic parenting initiative



ACFC member Mitchell Sanderson delivers 17,000 initiative petition signatures in Bismarck.

Shared-parenting candidate defeats Michigan Congressman

BY STAFF

TIPTON, Michigan—Tim Walberg, a supporter of HB 5267, a shared parenting bill, has unseated incumbent U. S. Congressman Joe Schwarz in the Republican primary in Michigan's Seventh District. Schwarz had spurned overtures from those who wanted to educate him about shared parenting.

This district is typically considered a Republican lock, according to local sources, so whoever wins the primary wins the November election against the Democrat candidate.

The shared-parenting upset began when a Michigan group mailed over 1,000 post-cards calling for elected officials to respond and reveal whether they supported Michigan House Bill 5267. The group, *Father: A Child's Right*, sent out three separate waves of mass mailings each highlighting a different positive outcome if the bill were to be passed. Incumbent Congressman Joe Schwarz never truly took a position on the

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BISMARCK, North Dakota—Mitchell Sanderson carried a couple of boxes of signed petition forms into the state capitol building on August 8, set them down on a table in the Secretary of State's office, and with that simple action, set in motion a chain of events that could result in the first true 50-50 shared parenting law in the country.

"What we want to do is get the courts out of family life," Sanderson commented to a newspaper reporter as he handed the petition sheets in.

The signatures he handed in, 17,000 of them, came to many more than the 12,844 officially needed to put an initiative on the state ballot in November. The Secretary of State has until September 12 to certify the signatures and rule whether or not the shared-parenting initiative will be printed on the ballot.

Most verification post cards sent out by the secretary of state's office have been returned in proper order, suggesting that few serious flaws took place in the signature-gathering effort.

"All signs point to the initiative being certified and making it onto the ballot," Sanderson said.

This proposal would make it more difficult for a judge to grant sole custody of a child to one parent in a divorce. It will require a divorcing couple to have joint physical and legal custody of their children, as long as one parent wants the arrangement and neither is judged unfit.

Critics say if this measure passes, the best needs of the children will be replaced by the best needs of the parents. Proponents say that's not the case.

"If you don't have shared parenting like I went through, it's hard to see your grandkids," says grandparent Myrna Meidinger.

The shared parenting law will also limit child support payments in divorces to what is needed for a child's "basic needs," which the measure does not define.

The child custody measure would revamp North Dakota's existing law. At present, when divorcing parents cannot agree on a child custody arrangement, state law requires a judge to use a checklist of factors and consider what is called "the child's best interest" in crafting one.

Mitchell Sanderson, of Grand Forks, who is chairman of the initiative, said the law's consideration of a child's best interests is "a hollow phrase." He is a divorced father of two, and does not have custody of his children.

"There is no such thing as the 'best interests of the children' out there, the way our current family law is working. We are hurting our children every time you turn around," Sanderson said. "This initiative is the closest thing to the best interests of the children."

The Bismarck Tribune, which editorialized on the subject earlier in the year, said the question deserved to get on the ballot.

Project history

The hand-in of petitions on August 8 climaxed a project that began just after the first of the year when Sanderson decided on the members of his sponsoring committee. He picked a group of 13 men and 12 women. "Of those 25 people, I am the only one paying child support. We did this to emphasize that this is not mainly about money." He recruited over the phone and by email.

On March 1, Sanderson "got the petition together" and through the Secretary of State's office. He worked with ACFC's executive director, Michael McCormick, to refine the language of the initiative

"Coming up with the language was pretty easy. We kept it simple and basic—to the point."

Signature collection was steady, but took big jumps upward at the Fargo fair in June, and the Minot state fair in late July. The Fargo area led the pack, producing almost half of the signatures collected.

People all over the state signed easily "because they are fed up with how family law works," he said.

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Will North Dakota become the first state to 'discover the spirit' of shared parenting?



Playing politics with the 'Fatherhood Initiative'

BY CAREY ROBERTS

This summer the Pope issued a wake-up call to persons of all religious persuasions. "Never before in history," the pontiff warned, has the family "been so threatened as in today's culture."

As the traditional defender and protector of the family, it's no surprise that it's fathers and fatherhood that have taken the brunt of a Leftist-PC onslaught.

Fatherhood has come under attack on six fronts:

1. Smearing dads with the "patriarchal" epithet
2. Claiming that fathers and mothers are socially interchangeable
3. Removing fathers' legal say in abortion decisions
4. Encouraging moms to summarily evict their husbands under the pretext of domestic "abuse"
5. Allowing inequities in child custody awards

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Michigan citizens report progress on several fronts

BLOOMFIELD HILLS, MI – DADS of Michigan, an ACFC affiliate, reports forward movement on a number of fronts this summer.

"The biggest story is that our shared parenting bill, **HB 5267**, will have hearings this fall and will be voted on by the end of the year," said Mike T. Ross, family advocate and president of the Family Rights Coalition of Michigan.

HB 5267 was introduced by Rep. Leslie Mortimer (R-Jackson). If passed, it will change family law in Michigan by requiring in that divorced parents remain equally responsible for raising their children. The bill is supported by reams of social research which concludes that the "best interests of the child" are promoted when children have the active involvement of both parents in their lives.

The shared parenting bill has sent shockwaves through much of the bureaucracy and the entrenched establishment, many of whose members would prefer a continuation of the status quo. Many in the family bar, domestic violence workers and others have taken to spreading misinformation and distortions about what this bill will actually accomplish. Put simply, **HB 5267** requires that where parents cannot agree on a custody agreement, it is presumed that both parents will have joint physical and legal custody of minor children, unless one parent is "unfit, unwilling or unable" to handle their responsibilities.

"We can win this battle if our grassroots advocates from across the state will become engaged and contact their elected officials," said Jim Semerad, Chairman of DADS of Michigan Political Action Committee. "We continue to

News from Michigan

stress that our supporters must remain brief, positive, professional and courteous in their communication with members of the legislature and their staff," Semerad continued.

Supporters of shared parenting are encouraged to contact their State Representative and their State Senators and urge them to vote "yes" on **HB 5267**, as committee hearings and floor votes are scheduled for later fall.

Other forward progress includes wins in primary races, elections at the precinct level, and the kick-off of the national project for reforming the IV-D law. ❖



State capitol at Lansing, Michigan

Michigan Shared-parenting candidate beats incumbent Congressman

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bill. Even though neither of the candidates for US Congress would ever vote on this State-level bill, the group believed both would hold considerable influence within political circles.

Father: A Child's Right is an affiliate of Dads and Moms of Michigan, an ACFC group.

Republican challenger Tim Walberg immediately responded to the first mailing. He also signed a guestbook. In his guestbook comment, he said, "As a former State Representative, and now a conservative candidate for Congress in MI-7 I am pleased to support this legislation that has the best interests of the kids in mind and in fact will ultimately be best for the parents."

In another race, Robert Pedersen, of *Father: A Child's Right*, sought election as a Precinct Delegate in Emmett Township's Precinct 2. He walked virtually his entire Precinct in support of his election. He also worked with the Walberg campaign in that area, which Walberg had planned to neglect because it's generally a Schwarz stronghold. The area specifically was Calhoun County, which includes Battle Creek, Michigan.

The Walberg campaign gave Pedersen several hundred yard signs to distribute and several hundred mailings to help with. Pedersen and several others blanketed this area non-stop with signs.

Close to election time Pedersen reached

out to the Family Rights Coalition of Michigan (www.frcmi.org) and Dads and Moms of Michigan (www.dadsofmichigan.org) for the final push before election day.

By working together all were able to mobilize their voters within the geography of this heated Primary election. Pedersen said he felt especially grateful for the collective help and spirit of cooperation by these other two groups.

Election day results on August 8 shocked all of Battle Creek, Michigan. Walberg won big over a popular incumbent. Schwarz's campaign spent roughly \$1.2 million and Walberg \$344,000.

"This proves, if we needed proof, that nothing is more powerful than grassroots activity along with multiple group networking," commented Robert Pedersen.

Walberg's turnout within Calhoun County was much larger than expected. And Pedersen, running as a Precinct Delegate, received an extraordinarily large number of votes for a minor political position that is often overlooked on the ballot.

"This is a perfect example of the impact that shared parenting people can make as a political force if our groups work together collectively and remained focused on action," Pedersen said.

Pedersen's group is on the web at: www.fatherachildsrigh.org, v



Tim Walberg



Robert Pedersen

National effort to reform "Title IV-D" law kicks off in the Wolverine state

Michigan's Family Rights Coalition (FRC) is spearheading the National Title IV-D Project. The Project will educate state and federal legislators about the abuse, waste, and harm that Social Security's Title IV-D causes to children and families.

Further information on Title IV-D (42 USC sec. 651, "Child Support and Establishment of Paternity") can be found in this issue of the Liberator on page 15.

Briefly, SSA's Title IV-D is a welfare program that has been expanded to apply to the middle and upper class. It provides funding to the state government officials for the collection of child-support, doing paternity testing, and so on. But it uses what many call "a perverted incentive system" to do so. It rewards family courts for creating non-custodial parents

Some say this IV-D financial incentive system helps explain the bias many parents are surprised to discover in the family courts.

"Our National Title IV-D Project aims to initiate reform by educating legislators about this out of control welfare program," said Michael T. Ross. "It is not operating as originally intended by Congress."

The original intent of Title IV-D was to help keep single parents off welfare by locating parents who had abandoned their children and forcing them to pay child support.

"More than \$4.2 billion Social Security dollars are spent on this disastrous program that some people have characterized as the most harmful government program in America," Ross added.

Call for volunteers

The first phase of the National Title IV-D Project is to send packages of educational materials to every U.S. legislator. The FRC of Michigan has already sent packages to all of Michigan's U.S. representatives and senators. The FRC of Michigan is now calling for volunteers from each state to send similar educational packages to their U.S. legislators. Volunteers in each state are needed because legislators give more weight to materials received from their own constituents. Volunteers can quickly prepare their own educational packages using the Michigan package as a model.

The packages include a cover letter, an executive summary of Title IV-D, proposed changes to legislation, several articles on Title IV-D and a survey to be filled out by each legislator. Future phases of the Project will include analyzing the returned surveys and educating state legislators, news organizations, other organizations and the public about the abuse of Title IV-D. The waste in this federal program affects more than just non-custodial parents. "Because this reform involves trimming huge slabs of federal waste, we should see groups not usually involved with shared parenting favor this," Ross said.

The Project already has 130 volunteers in 29 states but more volunteers are needed. If you would like to contribute to this important project please register at this website link: www.acfc.org/site/Survey?SURVEY_ID=1080&ACTION_REQUIRED=URL_ACTION_USER_REQUESTS&JSESSIONIDNR00

You can also contact either of the project's leaders. They are Michael T. Ross, FRC president, or Brian Downs, Esq., Western Michigan Regional Director. Ross is at mtross152@comcast.net. Downs is at bc_downs@yahoo.com.

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Title IV-D (the blob from the green lagoon) needs to be pushed back big time; gals and guys, let's do it.

BY MICHAEL T. ROSS, MD

Title IV-D was once a modest welfare program developed to recover from parents who had abandoned their children taxpayers' funds paid out to welfare mothers.

Now, like a blob creature from the green lagoon, Title IV-D controls everyone and everything—and its scary.

IV-D has grown since 1975 into the second largest federal program after social security. It is the only welfare program that routinely enrolls affluent citizens at taxpayer expense. It has over seventy million children and parents enrolled.

Title IV-D is a major contributing cause of the rapid rise of single parent homes in America. Over thirty million children have effectively lost one of their parents because of this program.

As originally written, Title IV had to do with recovering welfare funds from absent parents, mostly fathers.. By paying child support, these parents were supposed to repay the states for the support of their kids who had become "needy" and "dependent" on government assistance. Title IV-D once required an "absent" parent and a "needy" family for eligibility. "Absent parent" meant those who had abandoned their family to public assistance and were not fulfilling their responsibility to raise their children.

Though congress intended Title IV-D for welfare and former welfare parents who did not share equal parental responsibility for their children's care, the federal and state governments have expanded this program to include all families living apart. The program now creates incentives for the states to maximize receipt of federal funds by forcing half of all parents to be "absent." Consequently, seventy percent of the Americans now enrolled in IV-D do not meet welfare eligibility criteria.

As currently administered, the states maximize their federal title IV-D funding by maximizing the number of families with dependent children that break up and enter this program.

Welfare reform in 1984 extended the potential IV-D population to "all children (whether or not eligible for assistance under a State program funded under part A" [42 U.S.C. 651]. Still, General Solicitor Kenneth Starr in 1990 clarified that IV-D's purpose was still to recover support payments for the government from absent parents whose families were receiving welfare.

But in 1996, as part of a major overall of all Title IV welfare programs, the phrase "absent parent" was replaced by "noncustodial parent." Bingo—windfall. This language change allowed the states to reap financial benefit by extending the scope of IV-D beyond welfare families to all families in which parents lived apart—those divorced, separated or never married. The states responded to this opportunity like 50 muggers invited to an old ladies' lawn

picnic. In less than a decade, they transformed over twenty million parents into absent parents and potential felons.

Along the way to implementing this program, the government has divided parents into two opposing camps, custodial and noncustodial. Custodial parents receive child support and the authority and responsibility for parenting.

Noncustodial parents are removed from the parenting role and confined to paying a formula based sum of money via payroll deduction. And they are the subject of a propaganda war waged upon them by the federal and state governments.

In Michigan, where over ninety percent of the thirty year accumulated unpaid child support arrearage is accounted for by parents with incomes below \$40,000 annually, Attorney General Michael Cox calls "child support, a Michigan epidemic" caused by "dead beat parents who refuse to pay." Mr. Cox's official Attorney General website brags about how he has used the state's police powers to criminalize broken parents and force them to pay up the \$25 million he says he has collected since he came to office in 2002. Given this relatively paltry sum he has collected at great taxpayer expense and even greater human cost to families, it is a wonder that the community has not challenged his demagoguery.

Across the nation, similar, cobbled-up and expensive PR campaigns impress office holders and community leaders with the drama of a good-versus-bad campaign effort to track down and punish "deadbeats" as criminals. Wealthy support evaders are rare. The "deadbeats" these agencies publicly parade before the media cameras are mostly people who are broke and struggling, often laborers or short-order cooks. But the state-agency circus distracts the reporters and the citizens from what's really going on. Overlooked in the sideshow atmosphere is the systemic abuse of children and loving parents.

While the taxpayer loses substantially, America's children pay the dearest price: he pain and suffering from losing a parent and an entire life marred by that trauma. High level officials have longed warned about this. Leslie Frye, former head of the California Office of Child Support, once testified that current practice moves "far beyond the Congressional intent" in developing an incentive system that "encourages states to recruit middle-class families, never dependent on public assistance and never likely to be so, into their programs in order to maximize federal child support incentives."

Most of the \$46 billion spending in the Federal Health & Human Services budget is necessitated by broken homes and fatherless children. This social pathology has been assisted through title IV welfare programming.

Reforming IV-D can save taxpayer's money while truly helping indigent children and their families. The election offers citizens an opportunity to remove those politicians who do not have the courage to advocate for children and their families.❖



Mike Ross

The states descended like 50 muggers at an old ladies' lawn picnic

Solutions To Title IV-D

At the federal level, we must place work requirements, means testing, and eligibility restrictions on IV-D services similar to those on IV-A public assistance.

At the state level, we need legislation that will limit access to Title IV-D funds only to those current welfare assistance and recent former assistance cases in which there is truly an absent parent. Minnesota's HF 530 is such a bill.

Additional state legislation is needed to assure equal parental responsibility. We must pass bills that assure a presumption of full parental responsibility, equal time and equal decision-making authority, to parents who are fit, willing and able to parent their children.

Reform of Title IV-D kicks off

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This campaign targets the section of the law which enters self-supporting parents into a welfare law. With pertinent language highlighted, that section is:

SEC. 451. [42 U.S.C. 651] For the purpose of enforcing the support obligations owed by noncustodial parents to their children and the spouse (or former spouse) with whom such children are living, locating noncustodial parents, establishing paternity, obtaining child and spousal support, and assuring that assistance in obtaining support will be available under this part to all children (whether or not eligible for assistance under a State program funded under part A) for whom such assistance is requested, there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this part.

The Social Security Administration website publishes the full text of the law at http://www.ssa.gov/OP_Home/ssact/title04/0400.htm#n001.

Lieberman book review

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should be divorced from the "welfare model" of government family policy that produced disaster for low-income families, and is now having the same effect on middle-income families.

Above all, we must recognize that no matter what their family income level, children need both parents.

Family policy must be redesigned from scratch, first to assure as much as possible that fathers remain a part of their children's lives, which is the best assurance that child support will be paid. Child support (if any) should only be determined after the optimal living arrangement has been arrived at. It should be 50- 50 shared parenting as much as possible, where both parents provide for their children when in their care, according to the ancient common law standard, with minimal income transfer. If guidelines are retained in any form, they must recognize the reality that the economic prospects of divided families are likely to decline, and be based on economic data from divided families, not from intact families. The fantasy that a father should somehow "go away and send money" to maintain the family as if it was still intact, must be entirely eliminated from government family policy.

Despite blatant political grandstanding of a false issue based on false facts, there is no child support crisis in America, as Lieberman maintains. America simply doesn't have hordes of starving children dressed in rags, as in many third world nations. The real social crisis in America today is fatherlessness, with half the children of America growing up without their fathers. H.L. Menken once noted that it is ever the way of demagogue politicians to whip up hysteria about a false crisis, to try to distract the attention of the public from real issues. But this book is far worse than most "wag the dog" scenarios, not only because its recommendations can only continue to intensify the crisis of families, but because the crisis of families is one of the most serious social issues facing America today.

The faulty logic and false premises of this slim volume indicate that Joseph Lieberman never gave much thought to the child support problem in 1986. Given his boast a while back at the 2000 Democratic Party Convention, "I stood with single moms to go after deadbeat dads", apparently he hasn't hasn't given much thought to it since 1986 either. Hopefully, if there is anything left of the integrity for which Lieberman is otherwise noted, he will soon give some serious thought to one of the most critical social issues in America today. But whatever Lieberman does, this slim volume cannot be recommended except as a brief statement of a half-baked child support policy--which all thinking Americans should vehemently reject in no uncertain terms.❖