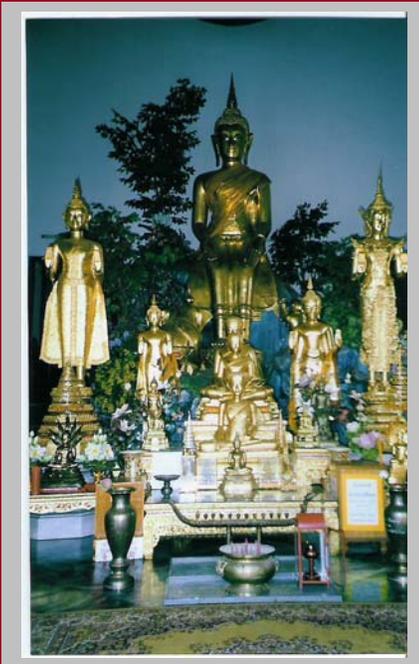


AUGUST 2011

# ARE YOU GETTING THIS

THE OPPORTUNITY TO LEARN AND EXPAND KNOWLEDGE FOR ALL FAMILIES



## FAMILY LAW ISSUES AND CONFLICT

Family law is largely about distributing loss when judges make decisions about where children will live and how much contact the parent will have; their decisions are cloaked in the optimistic language of the “best interests” of children. Because marriage breakdown involved so much loss, it is also a period of grieving. Anger is a natural stage in grieving, and where as in the death of a loved one the grieving person may be able to rail the heavens, in the loss of your children but they are more tangible targets (i.e. the courts, SRS, DFS, the family law legislation itself.)

It is not surprising then, that family law is continually being “reformed.” Family law is in a state of flux in many countries. Pressure builds up in the system as one group feels more keenly a sense of grievance than dissatisfaction finds its expression in the political sphere, and a committee is established or another report is commissioned. Family law is thereby politicized in a way that is not true of most other areas of private law.

Indeed there can be few areas of law or public policy where there is as much conflict and turbulence as in family law. This conflict arises in most aspects of family law, including issues about cohabitation, domestic violence and what level of child support should be paid by non-residential parents.

The conflict concerning parenting arrangements are often presented in terms of gender wars. Groups abound some representing single mothers others representing non-residential fathers campaigning for changes in the law on issues that matter most too each gender.

INTERNATIONAL FATHERS RIGHTS  
FOUNDATION

• 785-759-3484 •

[www.internationalfathersrightsfoundation.com](http://www.internationalfathersrightsfoundation.com)



### NEW POLICIES INFORMATION

#### **Canada (Bill C-22) End of 2002**

This bill sought to remove the terms “custody and access” in favor of the term “Parenting Time.”

#### **The Commission on European Family Law:**

A body set up in 2001 with representation from twenty two countries which have sought to develop common principles for family law across jurisdictions, with the idea that this principle will inspire law reform in the jurisdiction that does not already adhere to them. In setting out the forum set out using generic language of parental responsibilities.

#### **Australia**

Family law amendment act 2006 supporting shared parental responsibility.

## FAMILY LAW ISSUES AND CONFLICT CONTINUED.....

With politicalization often comes an oversimplification of the issues. Complex problems are reduced to propositions that may readily be articulated within an adversarial political framework.

When that adversarial contest has been expressed in terms of gender, the vastly different experiences of women from different backgrounds and circumstances homogenize. The common experiences of separation of women are often fitted into a victim framework by the terms of gender. Men groups also compete for the status of being aggrieved and the court exercising family law jurisdiction are attacked on all sides for “bias” without any common or agreed upon view of what “neutrality” might look like.

When debates are conducted in these terms, it is no wonder that the result is either insufficient consensus to achieve reform, or unsatisfactory compromises that lead to laws filled with contradictions.



Write captions for the selected photos.

OTHER THINGS MAY CHANGE US, BUT WE START AND END WITH FAMILY.

*“FAMILY IS JUST AN ACCIDENT...THEY DON'T MEAN TO GET ON YOU NERVES, THYE DON'T EVEN MEAN TO BE YOUR FAMILY, THEY JUST ARE.”*



### SPECIAL POINTS OF RESEARCH

Department of Justice  
"Putting Children First" 2002

Child Custody Access and Parental  
Responsibility: The Search (2008)

Father's Rights Gender and Welfare  
Some question for family law  
(2009)

Father's Rights Activism and Law  
Reform in Comparative Perspective.  
(2006)

Examining the Work of State Courts  
#29 (2008)

A Review of the a year in Family  
Law (2007-2008)

Legal Systems and the Principles of  
European Family Law on Parental  
Responsibilities (2010)

Sometimes our hearts  
get tangled  
And our souls a little  
off-kilter  
Friends and family can  
set us right  
And help guide us back  
to the light.

-Sera Christann.



### PLEADING YOUR CASE

The Law: There are lots of laws if they don't offer us justice, they stand on the back of we the tax payers for power and fame.

1. Who acted against you (your) client? What parties should I sue?
2. What did they do? What harm did your client suffer and are there theories of recovery for that harm?
3. When did it happen? Is there a statute of limitation problem?
4. Where did it happen? Is there a statute of limitation problems?
5. Why did the defendant act the way he/she did?
6. What are the defenses the defendant could use?

**THE GREAT GIFT OF FAMILY LIFE IS TO BE INTIMATELY ACQUAINTED WITH PEOPLE YOU MIGHT NEVER EVEN INTRODUCE YOURSELF TO, HAD LIFE NOT DONE IT FOR YOU**

*"The family. We were a strange little band of characters trudging through life sharing diseases and toothpaste, coveting one another's desserts, hiding shampoo, borrowing money, locking each other out of our rooms, inflicting pain and kissing to heal it in the same instant, loving, laughing, defending, and trying to figure out the common thread that bound us all together." Emma Bombeck*