



# WisconsinFathers.org

*The best parent is both parents*

Wisconsin  
Fathers for  
Children  
and Families

We are pleased to introduce **Men's Briefs** in newsletter format. It's a straightforward monthly newsletter that will keep you up-to-date with what is going on with Government involvement in Wisconsin Families.

Plus provide casual conversation on important topics.

I hope that you will join me in responding with your thoughts and feedback to [editor@Wisconsinfathers.org](mailto:editor@Wisconsinfathers.org) and helping Men's Briefs become a two-way medium of

communication to tell the truth about the well-being of children and their relationship with their parents in their innocent situation of parental separation.

In this edition we have:

**"The President's Perspective"**

**Monthly Feature article – Kid Time**

**The Law and What it Means to You**

**"Thinking out Loud"**

**An Update on Lucky Pete and Honest John**

**Members Feedback**

## President's Perspective - Remember they are kids and we must protect their childhood.

Though this newsletter is designed to have an adult audience with adult topics, we must not forget that our role as parents is to protect our children from all the adult issues in this world until they have reached a level of maturity and experience that lets them deal with the complexities and frustrations of today's real world.

Being a child should be one of the most carefree innocent and beautiful times in a person's life. The wide-eyed times of discovery, where there is time to explore and grow without fear. As a parent, a full, safe and emotionally secure relationship with both parents

provides this creative haven. Kids need that unbreakable bond between themselves and their two parents – their main role models - where they can develop a balanced sense of fairness and respect to all those around them

A healthy world tomorrow requires healthy kids today and in the case of parental separation, laws that guarantee the child/parent bond can never be damaged or broken is the absolute minimum our elected representatives should be providing. "We the People" expect nothing less!

## Kid Time – by Scott Lesnick

The holidays are coming and they can't get here fast enough. It's been a challenging year for a lot of us. Having a job and keeping it has been a test for many, if you're lucky enough to have one at all. The economy is still trying to recover, and thankfully kids, for the most part, remain oblivious to all of this.

Good, let them be kids. A few great meals and some presents are just the recipe to let them know that they are loved and things are ok.

Family and friends will be seen more for the next few months and with that comes plenty of laughs and probably some tension too. Children of divorce have a lot on their plate. They have school, jobs, homework and often times two homes. It's hard for them to juggle all of this and we can help them.

Let's continue to keep the young ones away from any negative discussions or comments about the other

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parent. After all, we're the ones that put them in this tough situation. Remember, older children often understand more than we give them credit for, and usually talk to other siblings about Mom and Dad. It's a type of brothers and sisters self-help group.

My children are in college now and have often thanked me for simply being there for them. They knew I was

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safe and would often unload on me, but they came to me with ALL of their problems and concerns. That's an honor as well as my job as a parent.

Happy holidays to all. Please pass the stuffing and apple pie!

## Wisconsin Law and What it Means to You - What is Joint Legal Custody?

First, if you are married, it is a presumption, so if you're a fit and healthy parent, there is no point arguing over it, as it is standard practice to rule Joint Legal Placement – make sure you get it!

If you are not married, then the reality is that you will only see your kids by the grace of their Mother until paternity is established and this could take quite a number of months through the court process. (We will cover Paternity in a future article).

There is little practical advantage in having Joint Legal Custody as I will explain later, BUT there is huge disadvantage in NOT having Joint Legal Custody. Basically, if a parent has Sole Legal Custody, they can do whatever they like without any consideration or input from the other parent.

The Sole Legal Custody parent can move to any state without notification, can change their phone number and not be required to inform you and can include the children in any religious cult with impunity. You never want to NOT have Joint Legal Custody.

On the other side, requesting Sole Legal Custody is a hugely aggressive thing to do and is a primer to World War 3. It is telling the other parent that you want them to be irrelevant and you want the freedom, to move states, change phone numbers and join oddball religions without any consideration that they even exist on this planet. Expect a severe reaction if you initiate the action of Sole Legal Custody.

As for having Joint Legal Custody, the [767 Statutes](#) clearly state that if you have Joint Legal Custody, you have an equal say in six areas of your child's life. (That doesn't mean you will get equal judgments if you are on opposite sides of these five areas – just that you have an equal say.)

1) Consent to Marry – I cannot see this as a "real world" issue until children are approaching emancipation

and childhood parenting is all over except managing the "volatile teenage years".

2) Consent to enter Military Service – By the time your child is old enough for military service, there is little point in arguing over custody or placement.

3) Consent to obtain a Motor Vehicle Operator's License – Like above, by the time your child is old enough to get a driver's license, it's all over bar the shouting (and I'm considering those teenage adolescent years – not the parental arguments)

4) Authorization of Non-emergency medical care – the reality of this is that even during WW3 the vast majority of parents would never deny their child this medical care – for physical requirements. It is an **absolute critical area** when it comes to Mental Health Care. Quite often psychologists and counseling can be used by one parent to support false allegations and parental alienation.

5) Choice of School (Education) – Though this is an important one, it is usually a one off shot and options are limited in what you can disagree on between the local state funded school or a local religious school. Without having a preference, I can say the local state funded school has a defined school district and is an easy measure when placement is an issue. They are generally of a suitable standard and don't come with the crushing financial burden of some parochial schools. There is also the good argument that if they are not good enough for your child, then they mustn't be good enough for the majority of your community's kids who attend these schools and all those parents can't be wrong.

6) Choice of Religion – These values are shared by the child based on each parents beliefs. This too, in reality, probably has little significance. Attending a Sunday school for an hour a week is not as significant as soccer practice twice a week and a Saturday game.

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## Thinking Out Loud – The Divorce System!

Parental separation is not something that children initiate or are influential in the choice of separation. That choice rests alone in the adult world and with the parent who initiated the divorce/separation – The Petitioner (or both parents in the case of Joint Petitioners).

Children are innocent but bear the brunt of all the ramifications of separation. (Children of paternity situations have even larger issues to deal with – more on this in future articles).

As an example, often I hear that it is bad for a child to be shuffled between two houses all the time. The situation of Mom's House and Dad's House is not the ramification of something that the child has chosen. It is a direct consequence of who ever filed for divorce/separation. It is the Petitioner's choice to have the child shuffled between two homes. It's time they started accepting the responsibilities of their choices and the effect it has on their children.

There are two ways of handling Parental Separation, the first and in the best interests of the children is for each parent to respect the relationship each child has with both parents and to enable and encourage that continual relationship. After all there is no greater love than the love of a parent for a child and no greater need of a child for the love and protection of both his/her parents.

In this first way, both parents will not know the law regarding parental separation and will never need to read it – it will be irrelevant, because their love for their children will far outweigh any residual emotion over a lost adult relationship. They will share the joy and frustration of the raising of their children respectfully and fairly. I hope this first way is the majority way of dealing with parental separation.

The second way is through the Family Court process. A process, sadly, far too many of us are familiar with. It is a process that doesn't guarantee that the child-parent bond will not be damaged, or severed. Therefore it is the worst of the two options and unfortunately far too many parents follow this path and the innocent children suffer their selfishness. It is a process of "Winner Take

All" and is a reflection of greed and selfishness that is far too pervasive in our culture; as the Wisconsin Supreme Court has clearly stated in its decision on [Landwehr v. Landwehr](#).

This motion was to modify placement time to maximize the Father's placement up to 50%, so both parents and their relationships with their children would be treated with the same respect, fairness and equality with each other. The Wisconsin Supreme Court's interpretation of this Father's request was "[s]uch a dramatic change in public policy should not have to be made by inference." So a Father's desire for both parent's and their relationships with their children to be treated equally in the Family Court arena is a dramatic change in public policy!

**The bottom line – the Wisconsin Supreme Court has rendered useless the legislative intent of "maximize placement".**

It is sadly a process that encourages a battle to win. It enables conflict. Family Court is a civil court and in civil court, it pits a plaintiff against a defendant. It tries to prove guilt and innocence. In Family Court, the process is the same, it pits petitioner against respondent to determine which parent is better and therefore which is worse, which will be the primary parent and which will become the minor parent – all too often the judges and commissioners refuse to rule (it is simply false to claim "incompatibility") that both parents are fit and healthy and both parents shall be treated fairly, with respect and equally – a process that is hypocritical when throughout the law "The Best Interests of the Child" are repeated ad nauseam, yet with a predictable outcome of primary parent, the Family Court process continues to enable one vindictive primary parent to damage – if not sever – the child/parent bond of the minor parent. How can the Family Court's "Every Second Weekend and One Night Through the Week's" standard operating procedure, be anything other than hypocritical in its "Best Interests of the Child" policy.

Innocent children suffer this hypocrisy as the Family Court enables Fatherless children – We need laws that guarantee the child/parent bond can never be severed.

## Lucky Pete and Honest John

Lucky Pete and Honest John are two not so fictional Fathers who have entered the Family Court System. Both are dedicated parents and unfortunately will have to travel the only course available to them in Wisconsin. This is their story.

Honest John has two kids, both in elementary school. He petitioned for divorce and has voluntarily moved into an apartment with suitable accommodation and has remained in the school district. Between he and his soon to be ex-wife, they are managing to pay the bills to keep both homes going. They have both engaged attorneys and Honest John has his first hearing to establish a temporary order at the end of November. Through good advice (not from his local area respected attorney) he is studying the [767 statutes](#) and is preparing a parenting plan for presentation at his temporary hearing. He is also preparing a list of questions he will put to his attorney, which he expects to get answers for at the temporary hearing.

Honest John understands the difference between a Family Court Commissioner and an elected Judge. Honest John also understands what a De Novo hearing is. Honest John hopes for a fair, respectful and equitable outcome with the minimum of conflict (which is in the

best interests of the children) and the continued strong bond and participation both he and his soon-to-be-ex-wife have with their children. Honest John is the vice-president of his kid's school's parent-teacher organization.

Lucky Pete lives in a neighboring county and has already had his first temporary hearing with the Family Court Commissioner. It is now past the time limit for filing a De Novo review of the FCC's ruling, which not surprisingly was a temporary order for "Every Second Weekend and a Wednesday Overnight" with his children. But Lucky Pete has a few other hurdles to jump other than the bias family court commissioner and the attorney that "forgot" to inform him of how "permanent" temporary orders can become. The day after Lucky Pete filed for divorce, his volatile and new S2BX came out of the bathroom swinging. After her ensuing 911 call, the police found no marks on the S2BX but bruises on Lucky Pete, yet Lucky Pete ended up in Jail for the night, has a restraining order against him as well as being aggressively pursued by the DA for domestic violence. (A conviction of domestic violence can remove the presumption of Joint Custody, therefore gifting the other parent sole custody and all the alienating abilities it provides).

## Members Feedback

"This page Intentionally left Blank"

How often have I seen that in technical manuals of my chosen profession! Since this is the first newsletter format issue of Men's Briefs, I guess I have no choice to accept a blank Members Feedback.

I do encourage all to writing in with your thoughts, your experiences and your advice. [editor@wisconsinfathers.org](mailto:editor@wisconsinfathers.org) and to continue to dig deep into our website [www.wisconsinfather.org](http://www.wisconsinfather.org). There is a wealth of information form many Fathers who have been through it all before.

[Wisconsin Fathers for Children and Families](#) is a Statewide 501(c)(3) organization fulfilling the function of Parental support in difficult times. Wisconsin Fathers for Children and Families (WFCF) provides Outreach programs to help guide parents through the challenging times of parental separation. We offer [Email HelpLine](#) communication, our (608) ALL-DADS Phone Support, our WFCF Chat site – a text based messaging system that enables the exchange of ideas and questions to be answered by our counselors.

WFCF also hold monthly Father's Night's Out across the state where parents can meet in a casual atmosphere for exchanging of experiences and help in future situations. These are extremely important events for anyone going through difficult times. They can "switch the light on" to what has been happening to you and therefore can help in guiding you on a better path to a stronger relationship with your children.

WFCF is committed to seeing that "Tomorrow's Parent" never has to go through what "Yesterday's Children" have suffered. We encourage the updating of Wisconsin Laws to guarantee that the child/parent bond can never be broken.

Our strength is in our members. "We the People" can make these changes, but we cannot do it without members. [Join up](#) and be in the driver's seat for the future of our children.

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