



# Today's Dads

NEWSLETTER OF WISCONSIN FATHERS FOR CHILDREN AND FAMILIES  
( <http://www.wisconsinfathers.org> )

April 2016

Hello all! It's good to be back with publishing our newsletter again. WFCF last year, brought our group additional Fathers Night Out (FNO) meetings around the state. We are now up to six: Madison, Milwaukee, Fox Valley, Central Wisconsin, NW Wisconsin and **the newest** in the Janesville area! The Fathers Night Out meetings are by far the most significant ways we touch fathers directly and provide help to them during a very often difficult time.

At the end of January we welcomed with great anticipation a number of **new faces and voices** to the **WFCF board**. Their new ideas and an influx of energy are just what we need to move forward and further our cause of striving for **total equality** as parents.

We have **updated our website** with current information and deleted some information that was no longer relevant. WFCF has also added some new graphics and pictures. Please visit the site again to re-familiarize yourselves with the tools we have to offer people in need of help. We invite you to direct anyone in need of help to our website to avail themselves of the **useful links and tools** there - as that is why the information is there!

<http://www.wisconsinfathers.org/>

We have made great strides in **improving our Facebook presence** with new graphics. We are also using this platform for **announcing all of our FNOs**, as well as using our database to send localized email notifications for each FNO. Facebook is also now the platform for **free-flowing discussion and problem solving** with answers to questions that many will find useful.

<https://www.facebook.com/WisconsinFathersForChildrenAndFamilies/>

In 2016 one of our goals is to rebuild our website and we are actively moving forward. WFCF is also reestablishing a quarterly "**Today's Dads**" newsletter publishing goal. We invite you to submit articles, stories, or questions to research. The success of the newsletter will

rely significantly on input from our members and contacts, so please consider helping out. Lastly, on the legislative front, 2016 is an election year and it is likely that legislators are working primarily on their reelection campaigns. We are working with **Dads of Wisconsin** to identify ways we can help now in 2016. As 2017 moves closer we want to be poised to push for the change in the law to ensure **everyone enjoys equal consideration and treatment** in regards to parents' relationships and time with their children.

Tony Bickel  
WFCF President

## NOTICE On Electronic Delivery of Future Newsletters

The cost to WFCF is substantial to mail hard copies of our newsletter to all of our members. We also provide hard copies to all legislators, libraries, and other county and state agencies. As a nonprofit we need to decrease our costs, so future issues will be announced via email and we will provide a link to the newsletter. We will not mail hard copies out **UNLESS** you send an email to:

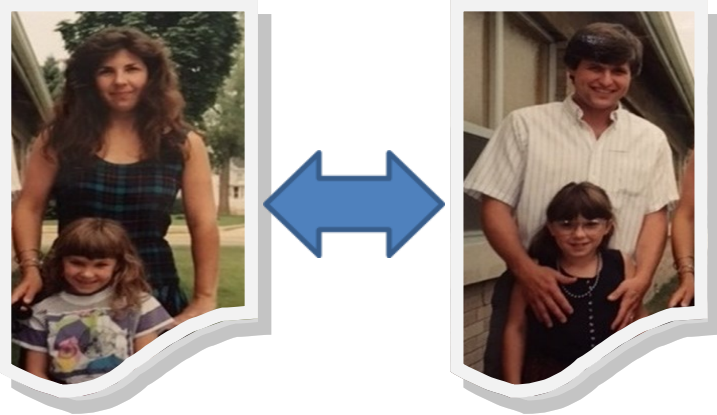
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## Separate But Still Equal:

### A Child's Perspective

Amanda Bickel, Madison, WI

The 1980's and 90's had a slew of movies portraying divorced families. As in most of these movies, I assumed that **my parents getting divorced meant that I would only spend every other weekend with my dad**. Thankfully because of many people pushing for and demanding equal placement and custody, I was able to benefit from being raised **equally by both of my parents**.

Being a child of divorced parents is rough. What would be even rougher is not having grown up with equal influence from the two people that created me and were the most important people in my life. This may not be the best situation for some children, but it was for me and I'll bet most kids.

I grew up with both parents' influence for the first 10 years of my life. How could I just leave one of them behind? I loved them both so very differently. My parents' personalities, both parenting and otherwise, couldn't have been more different. Things one parent let me get away with, the other didn't. This happens in most families whether divorced or not, but my parents ended up living separately as a result of a divorce, and they offered me two extremely different styles of upbringing.

Many think this would be confusing for a child and create instability in their lives. This may be true, but I don't think this is as harmful as the alternative of minimizing greatly one parent's contact with his or her children. Although it may have led to some inconvenience and instability, the fact is that life is not always convenient and it's not always stable - even in a child's life.

Having to adjust to different lifestyles is a key for children growing up. Throughout life they will be constantly navigating conflicting opinions, lifestyles and beliefs. Those conflicts may affect them or they may not, but the fact is that they will experience them often throughout life. My parents' equal

custody and placement and sharing a separate life with each forced me to be flexible and adjustable to new situations—both skills I have used my entire life now as tools to deal with all of life's changes.

Joint custody and placement also allowed me to be able to benefit from both male and female influences. My dad gave us opportunities to be active, go camping, and build things. I witnessed changing tires, putting up dry wall, and, well, being around guys. He was honest and opened my eyes to the world and didn't shield me from the harsh realities of life and growing up. My mom was there for all of the changes during puberty, for all of the insecurities young girls experience and to be a *no-questions-asked* safe call when I put myself in situations I shouldn't have. She understood my affinity for dance, dolls and history. Each parent offered different benefits to my life. While my mom was making me the costumes I wanted, my dad was planning a camping trip. While my dad kept us active and gave us opportunities to participate in many new activities, with my mom we were couch potatoes. My dad was strict about the clothes I wore and my mom was strict about my curfew.

My parents were very different. **I loved them both all of the time**, but *I also hated them both at different times*. I'm thankful that I was able to experience both homes and parenting styles. I think back on what my life would be if I had only been raised - or primarily raised - by one parent. Without the two of them, my life would have been too one-sided. The sharing of my upbringing between the two allowed me to benefit from the strengths of both. One parent's weakness was made up for in the time I spent with the other parent. With equal placement I was also able to learn how to stay positive even when negative situations occurred.

I would recommend any divorcing family to pursue equal custody and placement first and then adjust based on specific situations and needs. I know that I am lucky to have had two parents that wanted to and were able to raise me. I acknowledge that scenario is not every child's good fortune.

Some feel that shuffling equally between two homes creates too much instability in the child's already fragile life *post divorce or split*. The benefits of being able to experience the different styles of love, upbringing, and support from both my parents greatly outweighed this inconvenience in my life.

Thankfully times have changed, and that 80's mentality of **every other weekend with Dad**, is no longer the norm. On a lighter note, *I also learned that getting two birthday parties will double the presents. Twice as much invested in my prom dress wasn't so bad either!*

***“The Best Parent is...  
Both Parents”***

## Who Gets Custody Now? Dramatic Changes in Children’s Living Arrangements After Divorce

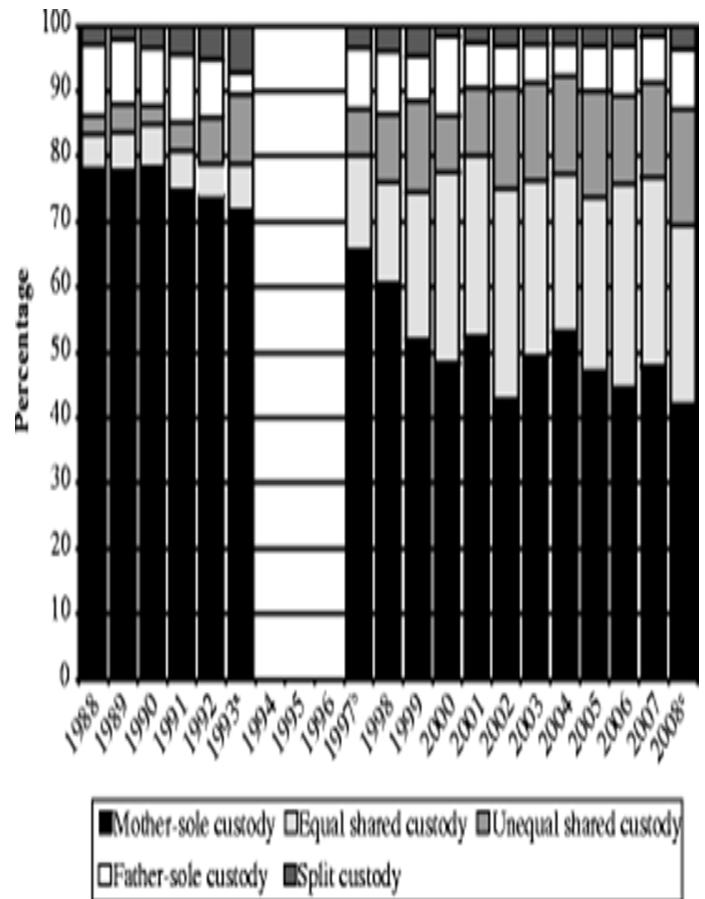
Maria Cancian University of Wisconsin–Madison , Daniel R. Meyer University of Wisconsin–Madison, Patricia R. Brown University of Wisconsin–Madison, Steven T. Cook University of Wisconsin–Madison August 2014, Volume 51, Issue 4, pp 1381-1396 First online: 09 May 2014

**Excerpts:** “In this article, we consider legal decisions regarding physical placement or custody (i.e., with whom children are to live following divorce). Several physical custody arrangements are possible. *“Sole custody” means that children primarily or exclusively live with one parent;* the other parent may have a schedule for seeing the children, in some cases including a limited number of overnight visits. As used in this article, “shared custody” refers to cases in which the children spend a significant number of overnights with each parent. For some analyses, we differentiate between “equal” shared custody and “unequal.” States have different thresholds for what distinguishes sole custody from unequal shared custody; here, we use the current Wisconsin distinction in which unequal shared custody involves a child staying with one parent 25 % to 49 % of the time and the other parent 51 % to 75 % of the time, with “time” being defined by the number of nights spent with the parent. This then means that the five main custody types for a single child who lives with at least one parent can be differentiated by the percentage of overnights.

**Results:** We begin by examining the trend in physical custody. Cancian and Meyer (1998) documented that between 1986 and 1993/1994, the share of cases awarded mother–sole custody fell from 80 % to 74 %. **Here we show that by 2008, mother–sole custody declined further to 42 %.** This decline is largely mirrored by a dramatic increase in shared custody: equal shared custody increased from 5 % to 27 % of all cases, and unequal shared custody increased from 3 % to 18 % of all cases. Most of the unequal shared custody cases—more than 80 %—have children staying with mothers the majority of the time (mother–primary shared custody). There is little change in the share of cases that are awarded father–sole custody: 11 % in 1988 and 9 % in 2008. Overall, the trend away from mother–sole custody and toward shared custody is dramatic, representing a substantial change in the living situations of children of divorce over a relatively short period.

*This change occurred throughout the period and does not seem to be greatly affected by the 2000 change in the custody statute explicitly stating a preference for placement with both parents.”*

**In fact, in the last decade, we reached a significant milestone: there are more divorce judgments without mother–sole custody than with it”**



**WFCF has 1,016 members**

WFCF reaches 1,485 people with its database

WFCF has 450 facebook followers



## This Divorce Arrangement Stresses Kids Out Most

Mandy Oaklander

TIME April 27, 2015

Regarding the wellbeing of kids with divorced parents, the debate over what kind of custody arrangement is best rages on. But a new study, published Monday in the *Journal of Epidemiology & Community Health*, suggests that children fare better when they spend time living with both of their parents.

That goes against some current thinking that kids in shared-custody situations are exposed to more stress due to constantly moving around and the social upheaval that can come along with that. “Child experts and people in general assumed that these children should be more stressed,” says study author Malin Bergström, PhD, researcher at the Centre for Health Equity Studies in Stockholm, Sweden. “But this study opposes a major concern that this should not be good for children.”

The researchers wanted to see if kids who lived part time with both parents were more stressed than those who lived with just one parent. They looked at national data from almost 150,000 12- and 15-year-old students—each in either 6th grade or 9th grade—and studied their psychosomatic health problems, including sleep problems, difficulty concentrating, loss of appetite, headaches, stomachaches and feeling tense, sad or dizzy. They found that 69% of them lived in nuclear families, while 19% spent time living with both parents and about 13% lived with only one parent.

Kids in nuclear families reported the fewest psychosomatic problems, but the more interesting finding was that students who lived with both of their separated parents reported significantly fewer problems than kids who lived with only one parent.

“We think that having everyday contact with both parents seems to be more important, in terms of stress, than living in two different homes,” says Bergström. “It may be difficult to keep up on engaged parenting if you only see your child every second weekend.” Having two parents also tends to double the number of resources a kid is exposed to,

including social circles, family and material goods like money. “Only having access to half of that may make children more vulnerable or stressed than having it from both parents, even though they don’t live together,” she says.

Girls reported more psychosomatic problems than boys did, and the most frequent problem for girls was sadness. Sleep problems were the most common in kids overall.

In Sweden, joint-custody parenting has risen dramatically in the past few decades; in the 1980s, only 1% of kids of divorced parents lived in joint-custody arrangements, but that number jumped to 40% in 2010. Shared parenting is less common in the U.S., says Ned Holstein, MD, founder and acting executive director of the National Parents Organization, and he estimates the rate is less than 20%. Still, he says that the research in favor of shared parenting for kids is overwhelming. “You’ll hear opponents say, ‘You’ll turn them into suitcase kids; they don’t want to be dragged back and forth,’” Holstein says. “Clearly, taking the suitcase back and forth once or twice a week so that you spend a lot of time with both parents is way better for the kids than the alternative of basically losing an intimate and closely loving relationship with one parent.”

### Fathers Night Out (Madison)



## Wisconsin Child Custody/Placement

Information Provided by: [Max D. Harris, Esq.](#)

In Wisconsin the term "legal custody" refers **not to where the children are to live but to the allocation of decision-making authority** among the parties with respect to major decisions. The term "**physical placement**" is used to refer to where the children are to live, and the term "periods of physical placement" refers to the time the children are placed with a particular parent or custodian

Legal custody may be sole or joint, or mixed sole and joint (joint in some areas but sole in others). **Joint legal custody means both parents have a right to participate in major decisions affecting the children**; sole legal custody means only the parent with legal custody has the right to decide major decisions affecting the children. Occasionally the court will grant joint legal custody on most issues but identify certain areas where one parent has sole legal custody.

The court may grant joint legal custody if it finds that it is in the best interests of the children and either both parents request it or one parent requests it and the court finds all three of the following: 1) both parents are capable of performing parental duties, 2) no conditions exist which would substantially interfere with the exercise of joint legal custody, and 3) the parties will be able to cooperate in the future decision-making required by joint legal custody.

Under certain circumstances the court may transfer legal custody to a relative of the children or to an agency if the court finds that neither parent is able to adequately care for the children. This third-party custody decision under a divorce decree is rare but seems to be becoming more common as more and more children are left with relatives by distressed spouses prior to divorce.

The court will want the children to spend time with both parents, and by statutory law must allocate periods of physical placement between the parties unless the court finds that physical placement with a parent would endanger the children's physical, mental or emotional health. Absolute denial of periods of physical placement is very rare, but if ordered, may provide a basis for eventual termination of parental rights.

In most cases each parent is awarded periods of physical placement of the children. The actual placement arrangement may take one of three basic forms:

- **The Traditional Form** - One parent has primary placement of the children and the other parent has periods of placement which usually take the form of every other weekend during the school year plus extra time in the summer. There is also usually an alternating of holidays and a sharing of Christmas.
- **Shared Placement** - In recent years the idea of the parents sharing placement of the children more equally has grown in popularity. This may take the form of equal shared placement, such as alternating week or two-week periods, or some other form of shared placement which is not equal but in which the parent with less time has substantially more time than the noncustodial parent under the traditional form. Parents who work different shifts may also find shared placement an effective way of sharing responsibility and care of the children. There is a special shared placement child support rule which lowers the child support obligation in recognition of the additional care and support provided by a shared placement format.
- **Split Custody** - Occasionally, and for a wide variety of reasons, children are split up between the parents, with each parent having periods of placement with the child or children primarily placed with the other parent. With split custody, the visitation schedules are usually set up to have the children together every weekend and for substantial times in the summer. There is a special split custody child support rule which offsets and nets the child obligations of the parent.

### Factors for Determining Placement

If the parties cannot reach an agreement about the placement arrangement for the children the court may have to decide the issue after a trial. The interests of the children are represented at the trial by an attorney, known as a guardian ad litem, appointed by the court to represent the children's interests. A custody study is usually prepared for the benefit of the court and plays a significant role in the guardian ad litem's position and the court's decision.

The court shall consider the following ten factors in making its determination:

- The wishes of the parents.
- The wishes of the children.
- The relationships of the children with the parents and other significant persons. (*continued on page 6*)

- The children's adjustments to home, community, school and religion.
- The mental and physical health of the parties and the children.
- The availability of child care services.
- Whether one party is likely to unreasonably interfere with the children's relationships with the other party.
- Whether there is evidence that a party has engaged in child abuse.
- Whether there is evidence that a party has engaged in inter-spousal battery.
- Whether either party has a significant problem with alcohol or drug abuse

## Former Family Court Judge Linda Dessau says pushy lawyers drag out cases

Victoria Date March 23, 2014

(0)

Jane Lee *Legal Affairs Reporter for The Age*

In a speech titled "**Everything I've Always Wanted to Say**", recently *retired Family Court Judge Linda Dessau* says overly combative family lawyers can give parents misguided advice and put families through unnecessary, drawn-out legal battles.

In a wide-ranging speech on Friday Ms Dessau, who sat on the Family Court for 18 years, also spoke of the need for greater resources for the courts to prevent delay, and the importance of the legal profession becoming more representative of women and different cultures.

Ms Dessau said **most family lawyers had a good grasp of the law** and often stood "fearlessly between the client and their tormentor. **They know when to fight cases, they know when to settle.**" But a small minority ran "scatter-gun" cases because they

did not understand what mattered.

"I felt most impotent as a judge when I couldn't rescue the parties, as I saw it, from unnecessary or obscenely expensive litigation which could easily have been different, in my view, with a different lawyer involved," Ms Dessau said at a Law Institute of Victoria lunch.

"Sometimes they just gave misguided advice, often at the start of the case, like, 'Just nick off (*to go away, or to leave*) with the kids' or, 'Just close all the bank accounts' and that set up **unnecessarily bitter and protracted litigation.**"

Ms Dessau told Fairfax Media that while such lawyers were in the minority, they had a big impact on their clients and the court's resources. She said good judges always tried to intervene, and usually could ensure such cases moved as quickly as possible. "But sometimes the judge just doesn't have that power."

Ms Dessau said the court could order costs against a party and a lawyer if some matters were unreasonably pursued and "if they feel that the lawyer's wrong. That's the only tool really available to the judge in the worst cases."

# Wisconsin Fathers for Children and Families

**Do It Yourself  
Pro Se Help**

**Dads Helpline**

**Legal Resources**

**Fathers Night Out**



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**Father Questions/Answers**

**I need advice, or help or something.** I live in California as a Marine and my wife is a Marine. I have two kids in Wisconsin with my ex. They visit four weeks out of the year, and they are 4 and 6 years old. **It states in our divorce agreement that we alternate holidays.** So I asked for Christmas this year, which I haven't gotten since we separated three years ago. The lawyer told me it doesn't make sense for a Jewish father and stepmother to have their Lutheran kids during Christmas. Is this not discrimination? My kids celebrate the holiday; their mom is not religious AT ALL. *We intend to have a Christmas tree for them, and I would like to see my kid's faces on that holiday.*

I got rid of my lawyer, and I can't keep paying for one. I plan on making all these legal steps myself. What do I do?

The lawyer that told you it doesn't make sense for the kids to be with you for Christmas represents which person? That comment may reflect ignorance rather than discrimination. Your divorce decree says that you are supposed to alternate holidays. I'm not sure that the fact that the kids haven't been with you for Christmas for three years is relevant from a legal standpoint. What matters legally is how long ago the divorce decree went into effect. If since THAT time your ex has willfully and unreasonably kept the kids for any holiday two or more years in a row over your objection, she's in contempt of court. The standard practice is then for you to file a **Petition to Enforce Physical Placement Orders**. *That should get you a hearing within 30 days, and if the judge finds your ex to have violated his/her orders you're supposed to get make up*

*time, and she's supposed to pay all your legal and other expenses for bringing the action.* There is no reason why you can't represent yourself in court. First, learn **Wisconsin Statutes 767**. Some WI counties and courts have very helpful information on their websites designed to help *pro se* litigants. And by all means network with men and women going through similar post-divorce conflicts. It's a complex system, but you can learn an awful lot about how to navigate the system by talking to people who have been through it. Visit the **WFCF website** and click on **legal resources** and **enforcement of placement**.

**Shared parenting is supported** by 43 peer reviewed papers, 110 world experts and **more than 70 percent public support**. **Studies show children denied shared parenting have higher substance abuse, behavioral issues and physical, social and emotional problems**. Shared parenting is practiced in a number of states. In 2012, Arizona implemented laws encouraging judges to maximize the time children spend with both parents, and in 2015, Utah implemented a law providing a minimum of 40 percent time with each parent.

Further, fatherlessness is an epidemic. Researchers from Princeton, Cornell and Berkley published "The Causal Effects of Father Absence," concluding problems experienced by children of divorce are caused by father absence with others examining the correlation between fatherlessness and school-shooting perpetrators.

Recently, actor and economist **Ben Stein** wrote "**A World Without Fathers: That's Why Our Country is Falling Apart.**" In introducing a shared parenting bill in Missouri, **Republican Sen. Wayne Wallingford plainly said**, "*Most fatherlessness is not caused by abandonment; it's created by an outdated court system.*"



# Fathers Night Out

## Support and Social Dinner Meeting

**Milwaukee:** Milwaukee area meetings are held the *second Wednesday of the month* 7:00 PM at:  
**Brisco County Wood Grill**, N96W16865 Cumberland Ct., Menomonee Falls, WI 53051

**Madison:** Madison area meetings are held the *third Monday of the month* 6:15 PM at:  
**World Buffet**, South Town Mall, 2451 West Broadway, Monona, WI 53713

**Fox Valley:** Fox Valley area meetings are held the *third Tuesday of the month* 6:30 PM at:  
**5th Quarter**, 2101 American Dr, Little Chute, WI 54140

**Central WI:** Central WI area meetings are held the *second Monday of the month* 7:30 PM at:  
**Korner Kitchen**, 4890 Hwy H, Edgar, WI 54426

**NW WI:** Northwest WI area meetings are held the *third Thursday of each month* 7 PM at:  
**Milwaukee Burger Company**, 2620 E Clairemont Ave, Eau Claire, WI

**Janesville:** Beloit/Janesville area meetings are held the *first Tuesday of the month* 7 PM at:  
**World Buffet**, 2701 Milton Ave, Janesville, WI

**Visit: [www.wisconsinfathers.org](http://www.wisconsinfathers.org)**  
**for more information**

## Wisconsin Fathers for Children and Families



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