

Position Survey

1. Under what conditions if any, should preferential treatment be shown to one gender in family law cases? Which gender and with what restrictions? Explain:

There should be no preference based on gender.

2. What percentage of all domestic violence do you believe is committed by men?
Circle One 100% 90% 80% 70% 60% 50% 40% 30% 20% 10%
Based on (a) news reports, (b) case statistics, (c) prosecutions, (d) research studies, (e) other

I have not seen exact figures so this is only a guess based on news reports

3. To your knowledge and in your opinion, does the issuance of a protective order result in decreased domestic violence? Explain:

These orders, in the presence of proven evidence of violent behavior, may prevent future violence.

4. Do you believe the current Family Law system treats both men and women equally and what would you change if given the opportunity? Explain:

No. The law, in its application, has discriminated against men. The following changes should be made:

- Court ordered visitation rights for non-custodial parents should be firmly enforced with strict penalties for non-compliance.*
- Reduction of child support/alimony in cases of job loss or substantial salary reduction should be made quicker and without the need for the non-custodial parent to spend high legal fees to prove that he is destitute.*
- Unemployed non-custodial parents should not have their unemployment compensation garnished and paid to custodial parents who are earning over \$100,000 per year.*
- Non-custodial parents should be able to get the courts to move quickly to ensure that children get essential medical treatment in cases where the custodial parent denies the child treatment (i.e. for religious reasons).*
- The presumption that women, merely because of their gender, are better fitted to receive custody must be eliminated.*
- The period for which a person can, Ex Parte, be put out of his or her home before being given an opportunity to appear in court is far too long and should be greatly shortened.*

5. Do you believe that false testimony occurs frequently in contested custody or divorce cases? If so, what can be done to deal with this situation? Explain:

Yes. Any persons, including "expert witnesses", willfully giving false testimony in court should be subject to perjury laws.

6. Currently, judges issuing protective orders via Ex Parte' requests consider only the written statement made in the request and if the accused is capable of carrying out the alleged action. Do you feel that the civil rights of the accused are adequately protected under these conditions? If not, what changes would you recommend? Explain:

If murderers and other felons are given their day in court, why shouldn't separated and divorced men be accorded the same right? Ex Parte requests for prolonged periods should be granted only in compelling cases where there is a strong and reasonable possibility of harm to other family members.

7. Are you concerned that the number of domestic violence protective orders fall disproportionately against men and to what do you attribute it? Explain:

The number of domestic violence protective orders is higher against men since there frequently appears to be a presumption that the man is the "heavy" in domestic violence cases. While this is often true, it is a conclusion that is often too quickly jumped to. The courts should look at the facts of each case more closely and avoid conclusions based on gender stereotypes. People of both genders should be treated fairly and equally.

8. Would you support legislation to modify the current domestic violence statues to correct abuses currently occurring in the system? Explain:

Yes. Ex parte requests should require much more rigorous proofs before they are granted. The period for which a person can be put out of his or her home before being given an opportunity to appear in court is far too long and should be greatly shortened.

9. Do you believe that given the opportunity, as a single parent, both men and women are equally capable of raising children? Explain:

Yes. Men have frequently demonstrated that they make as good single parents as women. But joint legal and physical custody is more desirable in most cases than giving either parent full custody. Children need two parents.

10. Would you support legislation to direct judges to require the joint legal physical custody of children unless there are compelling reasons not to do so? Explain:

Yes, as long as the safety of the child(ren) is ensured.

11. What are the compelling reasons for not giving joint legal physical custody of children to both parents who live in the same jurisdiction? Explain:

In cases where one or both of the parents have shown that they may cause physical harm or serious mental abuse to the child. In all cases, the child(ren)'s wellbeing should come first. However both parents should be treat fairly as well.