

Appendix A

**RESOLVE 2001
CHAPTER 121**

H.P. 0370 - L.D. 472

Resolve, to Establish a Fatherhood Issues Study Commission

Sec. 1. Commission on Fatherhood Issues established. Resolved: That the Commission on Fatherhood Issues, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of the following 9 members:

1. Two members of the Senate, appointed by the President of the Senate, one of whom is a member of the Joint Standing Committee on Judiciary and one of whom is a member of the Joint Standing Committee on Health and Human Services;

2. Three members of the House of Representatives, appointed by the Speaker of the House of Representatives, at least one of whom is a member of the Joint Standing Committee on Judiciary and at least one of whom is a member of the Joint Standing Committee on Health and Human Services;

3. Two public members appointed by the President of the Senate; and

4. Two public members appointed by the Speaker of the House; and be it further

Sec. 3. Chairs. Resolved: That the first named Senate member is the Senate chair of the commission and the first named House of Representatives member is the House chair of the commission; and be it further

Sec. 4. Appointments; meetings. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The Executive Director of the Legislative Council must be notified by the appointing authorities once the selections have been made. When the appointment of all members has been completed, the chairs of the commission shall convene the first meeting of the commission no later than August 21, 2002. The chairs of the commission shall call no more than 4 meetings; and be it further

Sec. 5. Duties. Resolved: That the commission shall study issues associated with being a father in the State.

1. In conducting the study, the commission shall:

- A. Determine the multiple barriers to fathers' involvement in the lives of their children;
- B. Identify the availability of private and public services statewide to enhance the parenting abilities of fathers;
- C. Identify significant personal, institutional, legal and cultural barriers to active, positive parenting by fathers; and
- D. Identify and develop strategies to improve the parenting abilities of fathers across the socioeconomic spectrum and varying resident status; and be it further

Sec. 6. Staff assistance. Resolved: That, upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the commission; and be it further

Sec. 7. Compensation. Resolved: That the legislative members of the commission are entitled to the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for necessary expenses incurred for their attendance at authorized meetings of the commission. Public members not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses; and be it further

Sec. 8. Report. Resolved: That the commission shall submit its report, together with any necessary implementing legislation, no later than November 6, 2002. The commission is authorized to introduce legislation related to its report to the First Regular Session of the 121st Legislature. If the commission requires a limited extension of time to conclude its work, it may apply to the Legislative Council, which may grant the extension; and be it further

Sec. 9. Budget. Resolved: That the chairs of the commission, with assistance from the commission staff, shall administer the commission's budget. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for approval. The commission may not incur expenses that would result in the commission's exceeding its approved budget. Upon request from the commission, the Executive Director of the Legislative Council shall promptly provide the commission chairs and staff with a status report on the commission's budget, expenditures incurred and paid and available funds; and be it further

Sec. 10. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Commission on Fatherhood Issues

Initiative: Provides funds for the per diem and expenses of legislative members and the reimbursement of necessary expenses of public members of the Commission on Fatherhood Issues, as well as printing and mailing costs.

General Fund	2001-02	2002-03
Personal Services	\$0	\$1,100
All Other	<u>0</u>	<u>2,600</u>
General Fund Total	\$0	\$3,700

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Appendix B

COMMISSION ON FATHERHOOD ISSUES Resolves 2001, Ch. 121

Appointment(s) by the President:

Sen. Michael J. McAlevey Chair
P.O. Box 340
Waterboro, ME 04087

Sen. Peggy A. Pendleton
110 Holmes Road
Scarborough, ME 04074

Mr. Donald Farrell Public Member
Families First
257A Water Street
Augusta, ME 04330

Mr. Michael Heath Public Member
Christian Civic League of Maine
70 Sewall Street
Augusta, ME 04330

Appointment(s) by the Speaker:

Rep. Deborah L. Simpson Chair
84 Summer Street
Auburn, Maine 04210

Rep. Marie Laverriere Boucher
69 Foss Street
Biddeford, ME. 04005

Rep. Glenn Cummings
24 Nevens Street
Portland, ME. 04103

Mrs. Emily Douglass, Ph. D. Public Member
47 Forest Street
Saco, ME 04072

Mrs. Heidi Leinonen Public Member
Caring Unlimited
PO Box 590
Sanford, ME 04073

Staffing Assistance:

Phillip McCarthy, Legislative Analyst
Margaret J. Reinsch, Legislative Analyst
Alison L. Ames, Legislative Researcher
Office of Policy & Legal Analysis

Appendix C

Summary of Public Comment Presented to the Commission on Fatherhood Issues

Name/Residence/Affiliation	Summary of Comment Provided
<p>Robert Costa, divorced father of a child</p>	<ul style="list-style-type: none"> ◆ According to a report in the Bangor Daily News and my research in Washington County, 95% of children are placed in the primary custody of mothers; ◆ Judges need to put parents together to work out custody arrangements and provide help if needed; ◆ Why is it that shared custody arrangements aren't made until a child is 12 years old, when 15 might be better? ◆ Despite a protection from abuse (PFA) order, I am welcomed by teachers in school who find me to be a good dad; ◆ We're told not to worry about our children since they are resilient; ◆ Judge ordered me to make my son obey a court order to live in a dwelling with no running water; and ◆ Discrimination in any form (e.g., against women and minorities) is bad for society; and against boys and men is also wrong and must be ended.
<p>Richard Sicora, Deer Isle, divorced father and (former leader of Maine Dads with Robert Botham)</p>	<ul style="list-style-type: none"> ◆ Child in foster care for 18 months and dealt with DHS, who were unfair; we need to resuscitate ombudsmen program; DHS has absolute power and absolute power corrupts; ◆ Good dads need to be allowed to spend time with their children; ◆ Courts need to be more responsive and should expedite proceedings; and we need to cut through the fog and get to resolving problems; ◆ Abuse of Protection From Abuse (PFA) order is still a problem; ◆ Also problematic that parents can't work together in best interests of children; and need to find a way to have parents get together; and ◆ Need to redistribute funds to provide services to fathers as well as mothers.

<p>Ed Fredericson, father of 13 and 16 year old daughters</p>	<ul style="list-style-type: none"> ◆ A segment of dads that support their children morally are falling through the cracks; ◆ There are at least two approaches to solving these problems and we need to educate boys as part of a cost-effective solution: (1) PFA orders are alienating fathers and exacerbating the situation; it's martial law and unfair to fathers; PFAs are all about control and if you are served, you're at a distinct disadvantage from there on out; and (2) need accountability in PFA orders since the moral and emotional abuse that is visited upon a father is every bit as damaging as physical abuse; ◆ Each parent should have custody 50% of the time unless they are not fit to meet these responsibilities; and how can a father set a good example for their children when they only have their children 30% of the time? ◆ Wasting resources to file for "guardian ad litem" and this doesn't help anyone; ◆ Court system is based on 1950 society and we're in new millennium now; families have changed and the judicial system needs to change; and ◆ Divorce "baggage" also affects the new ilies that follow.
<p>Joe Walker, divorced father of 13 year old and 16 year old</p>	<ul style="list-style-type: none"> ◆ Have 50% custody of my children and take good care of them; ◆ Lost job and filed motion to modify child support payments in December, 2001 due to change in circumstances; ◆ DHS sent me a threatening letter to inform me of the hearing; and ◆ I haven't had a court order to change child support; and I still make child support payments even though I earn less than half of what I used to make.
<p>Tom Chandel</p>	<ul style="list-style-type: none"> ◆ Since court orders now clearly substantiate a non-custodial parent's right and responsibility to participate in making decisions related to their child's education, we need to strengthen the statutory provision that says schools "may" provide records to "must"; ◆ Shared parenting should be the "presumption"

	<p>when a mother and father disagree on primary custody;</p> <ul style="list-style-type: none"> ◆ In setting up child support payments, courts must assess amounts fairly by considering visitation time and other factors; ◆ Modification of child support payments may be appealed to DHS, but adjustments are only made 50% of the time; ◆ DHS focuses their child support enforcement efforts on fathers with money; and ◆ Tax laws will be addressed at the Federal level and Congress is going in a different direction; state tax is based on the Federal Adjusted Gross Income.
Laura Fortman, Maine Women's Lobby	<ul style="list-style-type: none"> ◆ In response to comments made by a Commission member, refuted the accusation that Maine Women's Lobby publicly testified against the bill that created this study; and ◆ Steve Andrews' presentation on fathers' concerns reminded me of where women were 30 years ago.
Mona Bloom, Auburn, M.S. in Developmental Psychology and freelance journalist	<ul style="list-style-type: none"> ◆ From research on and interviews with divorced fathers, learned that attorneys advise men not to go to court to contest divorce case, but instead, to participate in mediation and parent education programs; ◆ Found that there is much confusion around the role of testosterone and related neurological and biological factors involved in male aggression; and ◆ Sense that societal transformations, particularly cultural and economic shifts, over the last 50 years are major factors that contribute to the confusion many men feel regarding their role as husbands and fathers.
David A. Roberts, Arnold, Maryland, divorced father and former Maine resident	<ul style="list-style-type: none"> ◆ Sent copies of legal petition to impeach Governor King and DHS Commissioner Concannon for violating Maine Constitution and failing to uphold Maine law with respect to the rights of non-custodial fathers.
Donald A. Meagher, Jr.,	<ul style="list-style-type: none"> ◆ Maine statutes on divorce,

Bangor, divorced father of three children	<p>child custody and child support create significant institutional and legal barriers to fatherhood; and</p> <ul style="list-style-type: none"> ◆ Non-custodial parents are relegated to second-class citizenship status.
David Oxtan, Gardiner, grandparent	<ul style="list-style-type: none"> ◆ Maine laws needs to clarify the visitation rights of grandparents and step-grandparents.
Paula W. Wood, Newport, Rhode Island, son resides in Hancock County	<ul style="list-style-type: none"> ◆ Son was falsely accused of spousal abuse and has suffered numerous personal attacks and the loss of his job due to the false accusations; and ◆ Fathers are subjected to overwhelming injustice in our laws and our courts.

<http://www.unitedwaygp.org/Initiatives/Initiatives.htm>."

2. Ingraham "Resource Link." Ingraham, a multi-faceted provider of crisis response, residential and community support programs in Cumberland County, has developed a directory of community services available in Southern Maine and throughout the state. The "Resource Link" directory contains information on the following types of community service agencies and organizations:

- ♦ Non-profit (501(c)3) agencies offering community services to the region;
- ♦ Federal, state and local government offices;
- ♦ Hospitals, drug treatment centers, residential care homes, home health agencies, non-profit home care agencies, assisted living facilities, continuing care communities and adult day health centers;
- ♦ Professional associations offering a public service; and
- ♦ Advocacy groups

The "Resource Link" directory is available in "web" and "print" versions. Access to the "web" version requires a monthly subscription fee (a 30-day trial membership may be available) and

the "print" version is also available for a nominal charge. For further information, please contact Ingraham at (207) 874-1055 or visit their web site at the following URL:

"http://www.ingraham.info/." Ingraham also operates a crisis services hotline in Cumberland County, (call 774-HELP or 774-0700 (TTY)), and in Maine outside of Cumberland County, (call toll-free 1-888-568-1112).

3. Non-Custodial Parent Outreach and Investigation Project

(NCPOIP). NCPOIP is a two-year demonstration project (July, 2001 to July, 2003) awarded to the Maine Department of Human Services, Division of Support Enforcement and Recovery, by the Federal Office of Child Support Enforcement. The purpose of the project is to facilitate payment of child support from chronic non-paying parents and putative fathers who are statutorily in default in a legal proceeding. The NCPOIP project works in partnership with the Muskie School of Public Service's Institute for Public Sector Innovation, the Maine Department of the Attorney General, the Maine Judiciary and various community-based organizations. The Attorney General employs the outreach investigators, who explain the legal process to the defaulting parents, identify barriers to the participation in the process or the payment of support and works with the individual to resolve barriers and refers the individual to community-based organizations who are able to help resolve barriers. Barriers identified to date are: literacy, mental illness, substance abuse, education, access to health care, housing, transportation, visitation, and prior involvement with the criminal justice system.

The NCPOIP project runs in York, Somerset and Penobscot counties. The Muskie Institute has created resource guides for these counties to help investigators identify community resources. Many non-custodial parents have received help in obtaining health care, transportation, job training and counseling via referrals to community-based organizations through the use of these resource guides. For further information on the specific program and service contained in the "NCPOIP Resource Guide," contact Diane Friese, Project Director, Muskie School of Public Service's Institute for Public Sector Innovation at (207) 626-5283 or Alan Robitaille, Project Investigator, the Maine Department of the Attorney General at (207) 626-8800. Further information on the NCPOIP project may be found by visiting the web sites of the Muskie School and the Attorney General at the following URLs:

"http://muskie.usm.maine.edu/research/research_institutes_ipsi.jsp"
and "<http://www.state.me.us/ag/childfamilies/support.html>."

4. The University of Maine Cooperative Extension Service "Gender Project." The University of Maine Cooperative Extension Gender Project is a statewide initiative to explore gender socialization and equity issues and help young people get beyond the often

unhelpful messages they receive about what it means to be male and female today and grow up to be whole people. The focus of the Gender Project is to explore ways the current research on gender development can be applied in our homes, schools, and communities to support young people in growing up whole -- that is, beyond the cultural limitations of gender roles. Gender Project educators provide educational support to parents, teachers, coaches and other adults who work with young people as they explore gender issues and develop strategies to implement in their communities. Through the dissemination of current research, such as "Family Topics for Maine Educators: Understanding Gender Differences: Strategies to Support Girls and Boys, and related outreach activities, the Gender Project resources provide opportunities for networking, sharing experiences and mutual support. For further information on the Gender Project, contact Aileen Fortune, University of Maine Cooperative Extension, York County Office, at (800) 287-1535 (within Maine) or (207) 324-2814; or visit their web site at the following URL: "http://www.umaine.edu/umext/genderproject/."