

# Chicago Daily Law Bulletin®

VOLUME 165, NO. 114

LAW BULLETIN MEDIA

## Father's Day nice concept, but let's think about dad every day

Sunday is Father's Day — a day to recognize the men who helped us grow up. Fathers took us to school, took us to church, took us to the baseball game, and even if they weren't perfect, set an example of how to behave as a grown-up in the world.

Our fathers had a large impact on us, even if they had to spend a lot of time away from home, working like mules to support their families.

Father's Day is also a day to take stock of how unfair our system is to fathers the other 364 days of the year. If and when parents break up, the children will end up with the mother, unless the father is willing to engage in complex, frustrating and soul-crushing litigation. But many loving fathers pursue such litigation because their children are worth it.

When custody is granted solely to the mother, the father loses any authority to make decisions about his children, or to even offer advice and influence, such as whether they're hanging out with the wrong crowd.

Once a man is no longer wanted by his wife or girlfriend, society pushes him

away from his children, too. Yet when amateur sociologists look for a place to affix blame for the ills of society, the absent father is their No. 1 target.

Changing attitudes is not easy.

I've been at it for four decades, in court, at national conferences, as an author and as an advocate for fathers' rights legislation. We've made progress, but we still have far to go to ensure that fathers are welcome and active in their children's lives.

Here's what we must do now:

- Begin child custody disputes with the presumption that joint custody is in the best interest of the child. Thirteen states have such a presumption in their statutes. Illinois does not.

- Require child support accountability. While many states have statutes that establish how much a noncustodial parent must pay a custodial parent in child support, there is little or nothing in the way of laws on how the child support can be spent.

I've had clients who write checks for thousands each month to support their children, only to find that the kids



**JEFFREY M. LEVING**

JEFFREY M. LEVING is president of the Law Offices of Jeffrey M. Leving Ltd. in Chicago. His law firm focuses on the rights of fathers. He is the creator of Illinois' original joint custody law and the author of "Fathers' Rights: Hard-Hitting and Fair Advice for Every Father Involved in a Custody Dispute."

are neglected, in terms of clothes and shoes, medical care, extracurricular school activities, sports equipment, books and so on.

Dads feel like they're being used as an ATM by the mother. Child-support payers should be able to insist in court that their payments go to support their children.

- End the foolish policy of

suspending the driver's licenses of those who are 90 days or more behind in paying child support. The Family Financial Responsibility Act, marketed as the "Deadbeats Don't Drive Law," took effect in Illinois in 1996.

A quarter century ago, perhaps our lawmakers believed that Illinois was populated by delinquent fathers who were withholding child support just to be jerks. The reality is that many fathers struggle to pay what the court orders and fall behind because of other unexpected bills, loss of employment, diminished hours on the job or other vagaries of life.

Suspending the licenses that they need — to get to work, or perhaps for the job itself, and to survive and pay child support — is counterproductive and unjust. This law ought to be repealed.

Let's recognize the value of fathers beyond some platitudes one day a year.

Fathers shouldn't be punished because the relationship with their kids' mother didn't work out.

Children need their fathers, and civilization needs children who are raised with their fathers as part of their lives.