

A Father's Rights

Courts, legislatures and juries are becoming more aware of the necessity of father's being involved in the lives of their children. Children with positive father involvement have fewer behavior problems, higher levels of sociability, and perform better in school.

Recent research suggests that father involvement during pregnancy affects multiple areas of child and family well-being, from prenatal care initiation and mother and child health outcomes, to the likelihood that the father will provide ongoing financial and emotional support. This body of research is gaining momentum. Local and regional governmental agencies are focusing more and more on parental father involvement in the lives of children.

As a result of the changes taking place in society today, the Courts are now recognizing a father's ability to care for his children as becoming equal to that of the mother. Starting out on an equal plane, the Court may look to which parent is more stable, has a superior income, has a parenting plan in place for the child and is capable of providing proper child care and spending more quality time with the child.

If a father ignorantly gives up rights to his children based on prejudices of the past in the Court system he can feed a mother's confidence and sponsor unnecessary ongoing litigation. The number one mistake made by father's in the court system today is a failure to take the time to learn how the system works. Failing to learn how the family law system works may doom your case. Once you have learned the ins and outs of the family law system you will need to form a plan, set goals and never relent in enforcing your rights as a father.

Five of the biggest mistakes men make in a legal action are: 1) failing to respond to the legal action itself; 2) obtaining incorrect legal advice (from friends and family rather than a legal expert); 3) signing a settlement agreement they are not in agreement with and later deeply regretting it; 4) failing to perform under the actual settlement agreement signed; and 5) getting frustrated and/or acquiescing to unreasonable orders.

Some of the things you may want to consider as you prepare for the custody battle are as follows:

1. Who has the financial ability to best care for the child(ren)? Be sure to have income tax verification, W-2 Forms and other financial information available.
2. Form a parenting plan (child care, after school care, transportation, pediatrician, etc.).
3. Who is more stable and/or can provide the best home for the child(ren)?
4. Where has the child(ren) been attending school? Is it possible to keep the child in the same school district?
5. Prepare a chronology of events leading up to the divorce including treatment of the child(ren), time spent with the child(ren), activities with the child(ren), the child(ren)'s schedule.
6. Consider if a home study should be prepared regarding each home of the child.
7. Consider whether a psychological evaluation should be done on the mother?
8. Is drug testing necessary? (Be sure to request hair follicle drug testing.)
9. Is there an alcohol or other addiction problem in the home?
10. Who can provide the best moral upbringing for the children?
11. Is there evidence such as pictures, video tapes, etc. that may help your case?
12. Avoid unnecessary compromising photos or data on Facebook or other social networking sites.

List any other relevant issues you feel may be important to your case before you meet with an attorney.

The most important thing to remember is that your failure, if based on dated concepts and inapplicable worn out prejudices, will be her victory and your parental failure.

