

network notes

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Minnesota Supreme Court decides two important cases affecting rights of fathers

Two cases recently heard by the Minnesota Supreme Court continue a string of decisions which have added clarity to the legal rights of fathers. The two cases, cited below, expand the understanding of fathers' access to children in situations involving a voluntary recognition of paternity and an adoption, respectively.

On July 31, 2008, the Minnesota Supreme Court issued an important decision clarifying the right of an unmarried father to receive parenting time when he is a respondent in an Order for Protection hearing. Prior to the Minnesota Supreme Court's decision in *Beardsley v. Garcia*, judges at the district court level interpreted the law in different ways. Some thought they did not have the authority to award parenting time to a father whose paternity was established by a Recognition of Parentage (ROP), but hadn't otherwise gone to court to

"Court", continued on page 2 . ►

Research examines child wellbeing and parental work in poor families

After Congress passed the 1996 welfare reform legislation, some family advocates feared that the increased work requirements for welfare recipients would result in declines in child wellbeing due to lower levels of parental involvement in child rearing. The legislation was intended to "increase employment and income of needy families and to decrease child poverty."

"increased work effort is associated with improved child outcomes"

A new report from Child Trends finds that the fears of diminished child wellbeing may be unfounded. Children of working poor families performed better on many outcomes than children of non-working poor families.

Working poor is a definition

based on families earning not more than 100% of federal poverty guidelines and employed at least 35 hours per week for two-parent families or 20 hours per week for single-parent families.

The study examined changes in child wellbeing from 1997 to 2004. Over the seven years, working poor families improved on 10 of 17 measures of child wellbeing. Among notable improvements were meals with father, meals with mother, mother involvement, father involvement, and parental aggravation. The father involvement index measured fathers' interactions with, expectations for, and praises for their children. Parental aggravation included "doing things that really bother me; makes me angry, etc."

Working poor families scored higher than non-working poor families on 12 of 17 measures of child wellbeing. Notably, working poor families were better off when measuring the father's

"Working poor", continued on page 3 . ►

Our mission

The Minnesota Fathers & Families Network enhances healthy father-child relationships by promoting initiatives that inform public policy and further develop the field of fatherhood practitioners statewide.

A voice for fatherhood

MFFN seeks to provide a voice for Minnesota's fatherhood and family services organizations. If you have a best practice or information you would like to share, please contact MFFN. *Network Notes* is published each February, May, August, and November.

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Male Socialization: Building Fathers of the Future

The Upper Midwest's Premier Training Event for Professionals Interested in Promoting Healthy Fatherhood and Family Services

January 12–13, 2009
Saint Cloud, Minnesota

www.mnfathers.org
Details on page 3.

Leading Minnesota's campaign for healthy fatherhood.

State court impacts fathers

◀ “Court”, continued from page 1.

obtain custody or parenting time rights. Other judges did grant parenting time in these situations.

Now, the Minnesota Supreme Court has made clear that these kinds of unmarried fathers (ROP fathers) can be awarded temporary parenting time in an Order for Protection hearing. In awarding parenting time in these cases, the judge must give primary consideration to the safety of the victim and children. Two justices disagreed with the decision and dissented.

In another decision, C.O. v. John Doe, filed October 2, 2008, the Minnesota Supreme Court decided an important case involving the rights of a parent who consents to an adoption, but retains rights under a “contact agreement.” A contact agreement, often referred to colloquially as an “open adoption,” is a specific provision under Minnesota adoption law. It is an agreement that must be entered in writing at the time of the adoption order and allows communication with or contact between an adopted minor, adoptive parents, and a birth

parent or foster parent, under terms specified by the parties.

In this case, the Minnesota Supreme Court reversed the Court of Appeals and held that the father had the right to an evidentiary hearing before the district court could modify or terminate the contact agreement. (An evidentiary hearing is one in which witnesses and documents must be produced, and can be cross-examined, unlike the hearing that occurred at the district court which was based on written affidavits.) The court further decided that the burden of proof is on the person seeking modification of the contact agreement and that the level of proof is a “preponderance of the evidence.”

Details: The 23-page opinion in Beardsley v. Garcia was authored by Justice Barry Anderson. The decision can be found at: www.lawlibrary.state.mn.us/archive/supct/0807/A060922-0731.pdf.

The 19-page decision in C.O. v. John Doe was authored by Justice Alan Page. It can be found at: www.lawlibrary.state.mn.us/archive/supct/0810/OPA070826-1002.pdf.

Recent funders

MFFN thanks the following corporate and foundation donors who have made contributions or pledges for 2008:

- Bush Foundation
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MFFN offers valuable resources for dads

MFFN offers a variety of electronic and print resources for professionals who work with fathers — and for fathers, themselves. Check them out online at www.mnfathers.org/resources.html.

Unmarried Fathers’ Guide to Paternity, Custody, Parenting Time and Child Support in Minnesota

This book provides a step-by-step guide to unmarried men who are struggling to navigate family law systems. For example, if a father signed a Recognition of Parentage, what are his next steps for establishing parenting time? Or if a father started a new job, what steps must he take to modify the amount of monthly child support payments?

The Unmarried Fathers’ Guide is a great resource for professionals and fathers, but is not intended to substitute for the advice of a legal

professional. The 46-page guide may be accessed here: www.mnfathers.org/resources.html. Contact MFFN for information about purchasing print copies in bulk.



The Daddy Book

This excellent resource and activity book, designed for new fathers, has detailed information about child development, father-child activities, and much more. The book includes space for fathers to jot down milestones in the baby’s first year, reflections on being a new dad, and age-appropriate games and activities for dads and infants.

The 73-page book is free to download online: www.mnfathers.org/08daddybook.pdf. Alternately, you may pre-order bulk quantities of print copies (available at about \$5.00 each), by contacting MFFN. We anticipate that print copies will be available for distribution in January 2009. To reserve copies now, please contact us at (651) 222-7432 or info@mnfathers.org.



healthy community = healthy fathers = healthy families

Professional conference promotes healthy male socialization



The sixth annual Minnesota Fatherhood Summit, a conference for professionals, will take place at the St. Cloud Civic Center on Monday–Tuesday, January 12–13, 2009.

Keynote presenters will include noted national speakers who will discuss key issues about male socialization and its impact on communities, families, and the institutions where we work and learn.

Dr. Christopher Kilmartin, from The University of Mary Washington in Virginia, will speak on the past, present, and future of gender roles in the family and the workplace. Dr. Kilmartin will also present a workshop and comedy act during the conference. **Dr. Leola Johnson**, Macalester College, and **Joe Kelly**, a nationally noted author on fatherhood, will present a session exploring media impacts on boys, men, and fathers. **Dr. Michael Obsatz**, Macalester College, will explore nonviolence as a path toward healthy manhood.

Sessions will be geared toward professionals, practitioners, policy makers and parents interested in learning about healthy male involvement in early-childhood education, social services, family services, health care, legal arenas, public policy, and more.

Minnesota Fatherhood Summit

January 12–13, 2009
Saint Cloud Civic Center
Saint Cloud, Minn.

Details: www.mnfathers.org/summit.html or call (651) 222-7432.

How can family professionals promote healthy masculinity for the benefit of children, families, and communities?

Join us at the 6th annual Minnesota Fatherhood Summit for **tips, tools, and resources** to improve your ability to work with boys and fathers in healthy ways.

Working poor families and child wellbeing

◀ “Working poor”, continued from page 1.

educational aspirations for his child and positive parental attitudes toward the community.

It is true that father involvement and mother involvement improved significantly among both working poor and non-working poor families between 1997 and 2004. However, non-working poor parents were slightly more involved in both years. Higher involvement among non-working poor families may be attributable to the simple fact that non-working poor parents likely spend more time around the home.

Further research may be required to explore possible links between employment and father involvement. Lack of employment is often cited anecdotally as a reason that many men become absent from their children. For many men, being a father and being a breadwinner are inextricably linked. Further research may help to reveal how these connections play out in family life for cohabiting and nonresidential fathers.

The study examined differences in parental education, race, family structure, and parental age. The increases in child wellbeing, noted earlier, remained even after controlling for these differences in family characteristics. Nevertheless, the report states, “causal conclusions based on these data are not possible.”

While conclusions about the causes for increased parental involvement are unclear, the good news is that welfare reform is not leading to decreased parental involvement. The report shows that increased work requirements have not led to lower child wellbeing, as earlier feared.

The authors note that increased levels of work have led to an “increase in working poor families’ share of all poor families.” Furthermore, this increase has “not led to deteriorating child outcomes and indeed is more consistent with the reverse – that increased work effort among low-income families is associated with better child outcomes.”

Details: Child Trends Research Brief, publication #2008-33, September 2008. “The Well-Being of Children in Working Poor and Other Families: 1997 and 2004.” www.childtrends.org.

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Leading Minnesota's campaign for healthy fatherhood.



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Protective Factors focus on prevention of abuse and neglect

Supporting parents to raise healthy children is a central goal for all family service programs, early childhood educational institutions, and social service agencies. An understanding of the protective fac-

tors can help to target services toward attributes that are proven to aid families in creating nurturing environments.

With support from the Doris Duke Charitable Foundation, the Center for the Study of Social Policy (CSSP) spent two years researching and identifying five protective factors that prevent child abuse and neglect. According to CSSP, "extensive research supports the common-sense notion that when these Protective Factors are present and robust in a family, the likelihood of child abuse and neglect diminish."

For fatherhood programs and, indeed, all staff who interact with fathers, an understanding of the protective factors can support healthy father-child involvement. Ask dads how they keep themselves flexible when they are caring for their kids. Who do dads rely on for support about parenting? How do they encourage their kids to use language, actions, and emotions to communicate honestly and openly?

Details: Visit www.strengtheningfamilies.net for tools and resources including an organizational self assessment and sample training sessions. The Minn. Dept. of Human Services and Ready 4 K are leading efforts to build protective factors around Minnesota's children and families. Together, we can build healthy families and prevent child abuse across Minnesota.

Protective Factor	Translation
1. Parental resilience	• Be strong and flexible
2. Social connections	• Parents need friends
3. Knowledge of parenting and child development	• Being a great parent is part natural and part learned
4. Concrete support in times of need	• We all need help sometimes
5. Social and emotional competence of children	• Parents need to help their children communicate