

Father battles school for children's records

By KATIE KERWIN

Should a parent have to fight school administrators and even go to court to find out how his child is doing in school?

That is what George Cowen has been waging a six-year legal battle to find out.

After years in and out of courtrooms, Cowen feels increasingly confident that soon he will be allowed to visit his daughters' schools and receive the same information that is available to other parents.

COWEN'S PROBLEMS began when he was divorced in 1971 and his ex-wife was given custody of the couple's two daughters. Through visitation rights the father continued to spend considerable amounts of time with his children. He even requested that the children's school keep him informed of their progress, forward copies of their report cards, and arrange conferences between himself and the girls' teachers.

The following year Cowen's former wife requested that the school deny him access to information regarding the girls. Despite his objections, the school informed him that he would no longer be permitted in the school because it was against the wishes of the custodial parent.

"All I wanted," said Cowen, "was to remain a parent to my children. When you are divorced from your wife, why should you be divorced from your children as well?"

In 1974 the children and their mother moved to Birmingham where the girls were enrolled in the public schools. The mother instructed her

lawyer to write to the school, again requesting that her former husband be denied access to records and visitation.

"I was denied access to school plays and conference conferences," Cowen relates. As a result, his daughters continued to be denied the presence of their father at all school functions.

"I think," he states, "that we lost sight of the fact that it wasn't just me, the kids got hurt too."

THE SITUATION appeared to have reached a stalemate until March, 1977, when Cowen said he became aware of the Birmingham school policy allowing non-custodial parents the same right to information that any other parent possesses. Cowen describes telling school Supt. Donald Peckepough of being denied those rights, to which Peckepough replied there was no reason he should not be able to visit his children's school. Shortly thereafter, Cowen said, he was invited to attend conferences at the school.

However, said Cowen, the following month his former wife and her attorney sought an injunction that would restrain him from going to the school. Although the request for the injunction was later withdrawn, in May, 1977, Cowen filed a suit charging his former wife, her husband, the Oak Park board of education where the children were previously enrolled, the Birmingham board of education, and several Birmingham school officials with inflicting severe emotional stress.

COWEN acknowledges that it is best to leave the determination of a

child's education and future in the hands of the custodial parent; because, he said, that prevents a possibility of the child's welfare becoming a battleground. But, he asserts, having a father present at school conferences, plays and conferences has more of a supportive than detrimental effect.

"I'm not after the right to influence," he said. "I just want the right to information." The situation reached the point of absurdity, he said, when one daughter lived with him for three months of the school year and yet he was unable to enter the school.

"I couldn't get near to the school except to drop her off," he said, shaking his head in disbelief.

ATTORNEY DENISE Alexander sees Cowen's experiences as a universal problem. Most of the skirmishes that follow divorce between parents, she said, involve custody, child support or visitation rights. Since all three subjects affect the children's welfare and future, they place the child squarely in the middle of the battlefield.

Alexander is an advocate for change in the present system as a result of her own experience, which includes several occasions when judges have asked her to represent a child's best interests in a divorce or custody case. Her concern, she explained, is who is actually looking out for what is best for the children?

"The husband and wife are usually so busy trying to promote their own interests that they don't pay too much attention to the effect on the child who is the one who will suffer from it all," Ms. Alexander noted. "The courts become so interested

in clearing the dockets and resolving the financial aspects that they may neglect what happens to the child," she added. "The Friend of the Court usually enters only when the support payments are not coming in."

Justice is not always done because no one was there advocating for kids; and therefore they are frequently reduced to the role of pawns in the "who gets what" game. I do a tremendous amount of pro bono work and I see the disasters that result."

Among her specific recommendations are better counseling and service by the Friend of the Court and the appointment of lawyers to represent children as a third party in divorce proceedings.

"The court could listen to kids, maybe privately, so the mother and father couldn't hear," suggests his 13-year-old daughter. She also believes children should be asked, when old enough, with whom they wish to live with and what forms of visitation they prefer.

"The child's opinion should be considered even though he shouldn't necessarily make the decision himself," she added.

"Sometimes when the children are torn by their parents' divorce," she explained, "to get attention they get into trouble."

Leaving the settlement of the divorce aftermath to the ex-spouses is seldom a practical solution, she points out, because inability to get along led to the break-up in the first place.

Therefore, she said, the third-party solution provided by a child advocate is often preferable. However, the third-party solution meets with opposition from many members of the legal profession.

"They don't want anybody meddling," she points out.

Cowen notes that while pursuing the issue of the rights of non-custodial parents, he became increasingly aware of the powerless position into which his daughters and other children are locked.

The effect on the children, which should have been the most important consideration, he said, was overlooked by lawyers, school administrators, his ex-wife and the courts.

Residents join LIT fraternity

James Arnold of Farmington Hills and Alan DeMarco of Farmington have become charter members of the Lawrence Institute of Technology student chapter of the American Society of Civil Engineers.

The new chapter was chartered during special ceremonies held at the Southfield College on Nov. 30. The new members are enrolled in the construction engineering program at LIT.

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FLOYD A. CAIRNS, City Clerk

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MON.-FRI. 8-5 SAT. 8-12

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the CITY COUNCIL of the CITY OF FARMINGTON, MICHIGAN, proposes to acquire and construct street improvements consisting of a 7' ASPHALT OVERLAY AND DITCHING on HAWTHORNE STREET from Silverdale to New Mile Road.

The City Council further proposes to specially assess a part or all of the cost of said improvements against the following described lots and parcels of land:

26-276-002; 26-276-010 through 011;
26-277-001 through 003; 26-288-017 through 021;
26-289-029 through 031; 26-304-019 through 021;
26-309-028 through 029.

The City Council has caused the City Manager to have prepared plans and specifications and an estimate of cost of said improvement, and the same, together with the City Manager's recommendations and findings concerning said improvement, are on file with the City Clerk and are available for public examination.

TAKE FURTHER NOTICE that the City Council will meet at the City Council Chambers in the CITY HALL ON MONDAY, DECEMBER 18, 1978 at 8:00 o'clock P.M., for the purpose of hearing all persons affected by said street improvement.

NEDEA VIANE
CITY CLERK

Published: December 7, 1978

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