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Divorce: Wisconsin is only other state with similar law

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SPRINGFIELD — When Betsy and Trevor Speer brought their new puppy home, they wanted to introduce their dad to the newest family addition: Pandy Bear, a small, light-brown poodle mix.

A few years ago, this small feat would have been nearly impossible — wishful thinking that quickly disintegrated as another casualty of their parents' divorce and the 1,500-mile distance from their Winfield home to his residence in southern Texas.

But that's all changed now. The children meet with their dad, John, once a week, using a computer and Web camera to put a face with their father's voice.

"I think it's better than talking on the phone, because I'm seeing my dad's face for the first time in a really long time," said 12-year-old Betsy, as she described the hourlong, show-and-tell sessions she splits with her 10-year-old brother.

In Illinois, lawmakers are considering a proposal that would recognize virtual visitations, including e-mail, instant messaging or video conferencing, as another way for divorced parents to communicate with their children.

While some moms and dads have taken advantage of the electronic meetings, many families don't know the technology exists. Further complicating widespread use is hesitation among lawyers and judges to suggest the visits because they fall under a murky, undefined legal category and could be abused by parents.

"There's a bit of a learning curve because most lawyers are relatively old, and they're not as comfortable with this as young people are," said Cheryl Hepfer, a Maryland attorney and past president of the American Academy of Matrimonial Lawyers. "In the next generation of lawyers, I think we'll see it used a lot more because they've grown up using these tools."

With 15 years on the bench, Kane County Associate Judge James Hallock appears to fit the image of an old-school judge. But the veteran jurist recognizes times, and longstanding family definitions, are changing. And he says there's no reason divorced families shouldn't have the same tools already used by everyone from college students and deployed soldiers to traveling parents and prisoners.

"There's no substitute for the traditional nuclear family, but I think we all have to be realistic in this era. The Cleavers don't live next door anymore," said Hallock, who presides over the county's domestic violence issues, after four years in family court. "It's the same as the old Humpty Dumpty story. We're never going to be able to put the family back together the way it was. This is a simple way to start mending the relationships."

The Speer family agrees, now swearing by the regular meetings for their two youngest children and 18-year-old daughter, Bianca, who occasionally sits in.

Face-to-face visits are quite costly, let alone travel concerns, so the Speer children haven't been able to see their dad much since their parents split nearly eight years ago. They tried to fit in phone calls here and there, but the parents say something was still lacking.

"When you have the elements that we face, the time and finances, it's tough," said mom, Brenda, who admits early hesitation when her ex-husband first asked to let her children take part in voluntary sessions at the DuPage County Family Center. "This can't replace visitation, but it's a close second. It's a compromise."

Conversation topics change from week to week. Sometimes Betsy and Trevor bring in their pet rat, Mr. Brisby, or their high-scoring homework assignments. On other days, they spill youthful secrets, telling their dad about broken hearts, junior high drama and new accomplishments.

"It's like we're growing up together," said dad, John.

Critics of virtual visitation say this option may make it easier for parents already bogged down with day-to-day life to forgo in-person visits. They say that could hurt children in the long run.

As a divorced dad, Ned Meisner says he would have loved to have done something like this. Concerns arise, though, because some parents might ignore the law and use the technological bridge to wiggle out of scheduled meetings.

"Unless you can learn how to send a hug over the computer, it isn't going to replace a personal, one-on-one visit," said Meisner, director of the Deerfield-based statewide chapter of the Children's Rights Council. "There's nothing that's going to replace the hug and the touch and the warmth of actually being there."

In hopes of avoiding such problems, the Illinois measure would allow these visits only to supplement, not replace, actual contact. The meetings, which could be either court-ordered or voluntary, would also prevent judges from using the virtual time as a reason to approve custody relocation requests.

Faced with the reality of his daughter's move from Utah to Wisconsin, a newly divorced Michael Gough was the first to lobby the cause. In 2004, Utah lawmakers approved the law.

"It seemed kind of odd that it required so much effort to use something that is so easy and so readily used today," he said, of the initial resistance to the virtual visits.

The father-daughter duo found a new way to bond — a vast improvement over the short, one-word answers he'd heard during their phone calls.

He was there, helping Saige read Pocahontas and Dr. Seuss, her two favorites, before bed. Later, she told the stories. Even holidays were a joint affair. Gough turned on his Web camera and let his daughter pick the present she wanted him to open for her.

Eventually though, the distance took its toll. He was lucky. His job is flexible. He packed his things and moved within miles of his now 7-year-old daughter.

Still, Gough says he knows everyone isn't as fortunate as he is, and that's why he continues to raise awareness for parents who may need alternative arrangements.

Wisconsin is the only other state to pass a similar visitation law. At least seven other states

are reviewing the concept. The Illinois proposal passed through the House without opposition, and is now being considered by the state Senate.

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