

Alimony Reform Ramps Up in NJ

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Demonstrators at the Hunterdon County Courthouse protesting New Jersey's Archaic Alimony Laws

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In what country would a judge impose a lifetime sentence of involuntary servitude on one citizen to support another fully functional citizen with the understanding that non-compliance equated to imprisonment? Modern day Iran? Nazi Germany? Josef Stalin's Russia? Certainly not the United States of America. Think again. It happens every day in the dysfunctional, incompetent and corrupt family law courts in the state of New Jersey.

On February 7, a handful of protestors representing thousands of concerned citizens in the Garden State gathered at the Hunterdon County Courthouse to bring attention to the injustice that exists in the state's outdated alimony laws and to show moral support for one of the innocent victims of the broken family court system in NJ, John Waldorf.

John Waldorf, 60, has been a hard working licensed civil engineer, honest, law abiding citizen his entire life and was never on the wrong side of the New Jersey judicial system until he fell in arrears on his alimony payments to his ex-wife. Since being divorced for approximately four years, he has been arrested three times and incarcerated twice for his inability to pay \$8,000 per month to his ex-wife who is an experienced and accomplished attorney capable of earning a sizable income and being an independent and contributing member of society. According to Mr. Waldorf, his ex-wife finds it more lucrative to have him support her rather than going out and earning a living herself.

The sad truth is that the judge in his case has awarded Mr. Waldorf's ex-wife monthly alimony far in excess of what John earns, has ever earned or is capable of earning and has also demanded that he pay \$100,000 for her legal fees. Mr. Waldorf had tears in his eyes as he stated, "I have lost my son, my house and all my savings and have nothing left. I keep borrowing from my friends and family to stay out of jail and I have no way of repaying them or meeting the punitive financial demands placed on me by the family court system in NJ. What happened to my civil rights? My liberty and freedom to have a peaceful and happy life have been confiscated and I have no hope left." When questioned about the financial discrepancy here, Mr. Waldorf has stated the judge indicated that his earnings and ability to pay were immaterial and that he would be jailed in two weeks if he didn't find more money to pay his ex-wife. Although the U.S. government outlawed debtor's prison in 1833, apparently the judges in NJ family court don't believe that the law applies to them.

Alimony reform is a growing movement in the United States with pending legislation in process in both Florida and New Jersey. Last year, a citizen led effort successfully drove major alimony reform in the state of Massachusetts, concluding in a sweeping overhaul of laws that were just signed by the governor. The national news media has given a great deal of attention to this subject recently and with good reason; reform is needed. Anderson Cooper recently conducted an interview with a woman in California who was legally forced to pay alimony to her abusive and violent ex-husband who had raped her. Outrageous as this may seem, stories like this is all too common place. To read about more situations like this which almost seem like that they came out of a Stephen King novel, I suggest you visit the New Jersey Alimony Reform (NJAR) web site: www.njalimonyreform.org.

New Jersey Alimony Reform (NJAR) is a grassroots non-profit organization comprised of men and women who seek to raise awareness of this issue and work with legislative officials to reform the current New Jersey alimony laws so that there is justice, fairness and a restoration of accountability in applying the law and between parties in the dissolution of a marriage. According to Tom Leustek, the founder of NJAR, alimony should be rehabilitative in nature as opposed to being permanent which in many cases equates to being punitive. In other words, it should be a helping hand and not a hand-out, designed to financially assist someone from making the transition of being married to being independent and self-sufficient.

Most individuals who pay alimony that I have spoken to are not against alimony, but rather against the prevailing sense of entitlement that some recipients feel that they are owed something rather than looking at it as a temporary measure to help them get started in the next phase of their life. One individual commented, "If President Clinton and Congress could reform welfare in the 1990's so that it wasn't a permanent entitlement, but rather rehabilitative assistance, why can't New Jersey do the same thing with alimony laws".

The challenge is in reforming a system where lawyers who make \$500 an hour or more have no incentive to cultivate cooperation, civility and fairness, when prolonged conflict, legal manipulation and arguing equates to more billable hours and higher incomes for themselves.

Regardless of how you may feel about alimony reform, this issue won't be going away soon or without a resolution. By strange coincidence, I actually met Anderson Cooper last week at LaGuardia airport and spoke to him about his reporting on this subject. His observation was that this is a serious issue facing our society and that some of the gross injustices such as paying domestic violence offenders alimony didn't make any sense in a modern, rational world.

In the end, this is not merely a marital legal issue but one of ensuring the rights of all of citizens and protecting American values such as liberty, justice, fairness, hard work and personal accountability. After all, where in our Constitution or Bill of Rights does it state that one citizen has more rights than another? There is a deep human element in the stories and lives of people such as John Waldorf, Tom Leustek and the many others that needs to be told and our future reportage intends to do just that.