

Trash talking rarely wins child custody battles: lawyer

Remaining civil vital to success in family court

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Proper planning, professional advice and persistence are keys to increasing the chances of winning a child custody dispute.

But, according to family law lawyer Gene Colman, the most important thing is to maintain civility with the person challenging you for custody.

"It's my familiar theme -- avoid trashing the other parent," he said. "Avoid the general bad-mouthing and degrading. Sometimes it's difficult but you have to avoid it."

Colman made his comments Monday evening before about 90 guests at a public gathering to discuss family law issues inside a Reimer corporate building on the North Service Road.

The meeting was organized by the Family Justice Review Committee. According to its mission statement, the committee is a non-profit, community-based citizen's organization dedicated to advancing equality, freedom, fairness, justice and accountability for the benefit of all citizens in matters relating to families and the criminal justice system.

Colman's presentation, entitled How to build a persuasive custody case in family court, lasted about 90 minutes and included an overview of custody issues, the family court system and what to expect from lawyers, judges and other professionals during custody battles.

Colman offered 10 specific mistakes that are most often made by lawyers and people who represent themselves in custody battles. Among them are not being prepared prior to hearings, using hearsay evidence, failing to accurately address your parenting skills and unnecessarily bad-mouthing the other parent.

Colman also offered the audience information about dispute resolution processes that don't involve going to court, including arbitration and mediation.

Oriana Currie, one of the event's organizers, said creating more awareness about family court issues is the key to making changes to what some see as a flawed justice system.

"This is a problem that doesn't get much press. It's a problem that people don't talk about," she said. "It's an underground problem, really."

Following the presentation, Colman fielded questions from some in the audience. Their queries were mostly about procedural tactics involved with family court disputes but it was clear some in attendance are frustrated with being in the system. One woman even broke down during question period and left the room crying.

Lori Cox came down from Brampton to hear Colman. She is exasperated with being involved in the court system but sees a light at the end of the tunnel.

"It's hell. I blame the courts and I blame the judges," she said. "(But) I think we'll be able to change it. More people need to be aware."

Additional information about Colman and family law issues is available on his Web site www.4famlaw.com.

Information about the FJRC is available by phoning 1-416-410-4115 or going online at <http://www.canadacourtwatch.com>