

*From the USA but relevant elsewhere - for those men with a choice.*

## **DON'T MOVE OUT! HOW FATHERS BECOME THEIR OWN WORST ENEMIES**

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Why do so many fathers sheepishly leave their homes when their wives ask or order them to leave?

Studies have shown that women request or demand separations far more often than men do.

Fathers often voluntarily abandon their homes, their possessions, and worst of all, their children.

By moving out, they disadvantage themselves in any forthcoming custody, alimony, or equitable distribution dispute.

Are fathers just sheep who passively do what they are told by wives who no longer want them? Why do they do this?

**My fifteen years experience as a family lawyer reveals five reasons:**

1. Fathers unnecessarily blame themselves for the difficulties in the marriage and therefore mistakenly believe they should be the ones to leave when things get difficult;
2. Fathers sometimes see themselves and their mates in stereotypical terms: men are tougher and women weaker, so, they think that fathers should leave the house and find temporary shelter while women should stay in a secure environment;
3. Fathers mistakenly regard the mother as more essential to the well-being of the children than fathers. Therefore, they decide that the children should remain with the mother at the time of separation;
4. Some fathers are scared off by mothers' threats of domestic violence; and
5. Fathers naively and mistakenly believe the mother when she says, "I need some space. Let's work things out and then you can come back."

None of the above reasons justify a father abandoning his home and children when asked to do so by his wife, except one: a father should leave if it is the only way to avoid death or serious bodily harm. If the father thinks he may kill or maim his wife, or that the mother may kill or maim him, then he should leave to preserve life. That is the only reason. Unfortunately, fathers can be their own worst enemies.

**Here's why the five justifications for leaving are wrong:**

1. The death of a relationship or difficulties between two people is rarely if ever caused solely by the fault of one person. Both people should be blamed for a breakdown in a relationship.
2. Men are not "tougher" than women or vice-versa. To the contrary, women may be "tougher" because they live longer than men. The personality characteristics of men and women differ from person-to-person. One cannot generalise this point.
3. Fathers are just as essential as mothers to the welfare and health of children. Countless books and articles describe how children need strong, nurturing, present fathers to ensure their healthy psycho-sexual development. One cannot generalise on this point either.
4. Unfortunately, many mothers threaten domestic violence against fathers or threaten to file false allegations of domestic violence against fathers in order to run them out of the marital home. False allegations of domestic violence are distressingly common. These threats should not compel fathers to abandon their homes and children when the marriage turns sour. If the mother makes these threats, then fathers should act cautiously and stay away from the mother while inside the marital home. This may mean sleeping in different bedrooms or floors of the home, setting different meal schedules so that spouses do not share meals, generally avoiding each other as much as possible. It will be difficult, but it can be done. It may put strain on the children, but it is far worse for the children to see their father leave with no guarantees of seeing him regularly. I have seen some creative judges order this type of arrangement and order that each parent enjoy separate parenting time while living under the same roof.
5. Wives often trick the husband into leaving, by saying, "I need some space for a few months. Please leave and we'll work things out and then you can come back." In all my years of family practice, I can recall only one case in which the couple reconciled after the separation. I'm sure it happens once in a while, but it is extremely rare. If the parties really want to work at reconciliation, they can go to counselling while living under the same roof, but in different bedrooms or levels of the house. Unfortunately, some wives have absolutely no intention to reconcile; some may have the intention at first, but quickly change their mind.

**FATHERS SHOULD NEVER LEAVE THE MARITAL HOME AND THEIR CHILDREN UNLESS THE PARTIES HAVE ENTERED INTO A BINDING WRITTEN AGREEMENT WITH RESPECT TO CUSTODY AND PARENTING TIME OF THE CHILDREN.**

*This agreement should be filed in court as a consent order.*

By abandoning the marital home, fathers send a terrible message to the children (especially children too young to understand) that the children do not matter to them. By leaving, fathers lose practically all their negotiating leverage when it comes to custody, equitable distribution, and alimony.

When the mother demands that the father leave, he should politely, but firmly, say, "I'd be delighted to leave, but I want a binding written separation agreement in place first; I want that agreement to guarantee me adequate parenting time with my children and impose a reasonable interim support amount. If you are unwilling to do this, I am not moving out; I suggest you leave."

By simply leaving without any custody agreement, fathers disadvantage themselves later in any custody dispute.

Let's suppose the dad leaves, gets a new apartment, and calls the mother asking, "I'd like to see the kids, have them stay at my place." The mother may be cooperative, but she may not. She may try to obstruct visits by claiming that the kids don't want to see dad overnight, that Dad's new apartment isn't "good enough", or that the kids are too "busy", etc. etc.

Leaving the kids behind presents the mother with the opportunity to bad-mouth Dad to the kids, and alienate them from Dad without Dad being present to combat that alienation.

**BY MOVING OUT WITHOUT ANY AGREEMENT,  
DADS PUT THEMSELVES AT THE MERCY OF THE MOTHER WHEN IT COMES TO THE KIDS.**

Once Dad leaves the marital home and the children behind, and he sees the children infrequently or every other weekend, then he probably will never be able to increase his time later. Judges employ the theory of the "status quo" and "primary parent." This means that absent some emergency situation, Judges always favour the then current parenting time schedule and favour the parent who has the children more time. If time passes and the children visit the father only every other weekend, then the father will have a difficult or impossible time trying to increase this time later.

**SO, DON'T EVER LEAVE. INSIST THAT SHE LEAVE IF SHE WANTS A SEPARATION SO BADLY. HANG IN THERE UNTIL YOU AND YOUR WIFE MAKE A WRITTEN AGREEMENT FILED IN COURT THAT GUARANTEES YOU THE PARENTING TIME YOU NEED TO SUSTAIN A HEALTHY FATHER-CHILD RELATIONSHIP.**

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