



Janet Poley, Nebraska legislative chairperson for the National Organization for Women

Photo by Liz Beard

Amended divorce laws goal of women's group

By Liz Crumley

Nebraska's current no-fault divorce laws are "a rip-off" for some women, according to Ellen Sim Dewey, legislative chairperson for Omaha's chapter of National Organization for Women (NOW).

Consequently, Dewey said, she plans to introduce three bills to the Nebraska Legislature to amend the present laws.

Nebraska's no-fault divorce laws were passed July 6, 1972, according to Janet Poley, legislative chairperson for Lincoln's NOW chapter.

However, because of reasons unknown to Poley, two sections dealing with property settlement guidelines and child support were left out of the Nebraska law.

This apparent oversight, she said, leaves the older non-working woman at a definite disadvantage in divorce proceedings. Now, in divorce proceedings, property settlements are left to the judge's or occasionally the attorney's discretion, Poley said.

Representation problem

"I know some women that have had problems in getting adequately represented," she said. "Some lawyers just don't want to get that deeply involved in divorce cases."

The contract, Dewey said, is the laws under which a couple is married.

Under old divorce laws, divorce proceedings could be brought only under a fault petition, she said. Under the present unilateral divorce law, a divorce is automatic, for whatever reasons.

The law states that the court decides whether a marriage is irretrievably broken and then decides accordingly about the divorce petition.

However, she said, if one person says the marriage is irretrievably broken, the judge must issue a divorce decree.

According to Dewey, since Nebraska's no-fault law went into effect in 1972, no petitions for divorce have been denied.

The three-bill package Dewey wants to introduce involves community property, private marriage contracts, divorce and child custody legislation.

Under the divorce bill, if both parties request a divorce, proceedings would be the same as under present no-fault laws.

Legal separation

If the divorce is contested by one party and the court finds that conditions for divorce as set forth in an individual marriage contract, if it exists, are not met, or if the party wanting the divorce generat-

conflict in the marriage, the judge "shall enter a decree for a legal separation,"—not a divorce—if the marriage took place prior to July 6, 1972. This also would apply to marriages at least 10 years old by the effective date of the act (if passed), or if there were children. If the divorce is contested by one party, and certain conditions are not met, the court will make inquiry into whether the marriage is irretrievably broken (same proceedings in present no-fault cases). However, the court will consider conditions for a divorce as stated in a private marriage contract if one exists.

Poley said she thinks there should be some recourse other than the legal separation Dewey advocates, if one party desires a divorce under conditions stated above.

Needs study

"Before Lincoln's NOW chapter goes on record supporting it, all the ramifications need to be studied," she said.

In Dewey's second bill, all marital assets would be classified as community property except those acquired by and filed as gift and inheritance. In case of a divorce, the court would equally divide community property. Though division of real estate guidelines say the woman should receive between one-third and one-half, Dewey said, recent surveys indicate the average woman receives only one-sixth of the real estate.

The present guidelines also do not provide for other assets of the marriage, Dewey said. These include health and life insurance and retirement benefits, she said, adding that the wife, whether she is a housewife or not, contributes to their payment. Provisions also are not provided for the social power and status a divorced woman lose.

Community property

However, Poley said her objection to this bill is that it allows no provision for any other classification other than that of community property. A person either files it as his or her own property or else it becomes community property.

The marriage contract bill does provide the opportunity for classification other than community property, but Poley said she didn't think it would pass.

"No state, to my knowledge, has passed legislation authorizing private marriage contracts and I doubt seriously whether Nebraska will be the first," Poley said.

The bill concerning private marriage contract basically states two ideas: marriage is a civil contract (defined by current laws) and the contract cannot be abridged by the State of Nebraska.

Same laws apply

This means that if a person is married under certain laws of marriage and divorce, those same laws will apply even if the state changes them, Dewey said.

The body of the bill provides for the formation, before or during the marriage, and enforcement of an "interspousal contract."

This contract can provide for outside and inside the home obligations, both economic and physical, calculation of the child custodial duties, establishment of community property and establishment of conditions under which divorce could be obtained.

NOW opposes the legislating of personal life, she said.

"Suppose a woman signed a marriage contract at the age of 20 saying she would stay in the home doing house work and then four years later wanted a career. Her husband could keep her there," she said.

Child custody

The bill concerning child custody states that the judge shall not deny custody of the child to either parent on the basis of offenses or alleged unfitness unless those actions would interfere with the parent-child relationship.

This could mean that the judge could not deny custody to a parent based on charges of adultery, Dewey said.

Dewey's proposals have met some disagreement, though. Sen. Roland Luedtke, a Lincoln, said he had been approached by Dewey many times and he strongly disagreed with almost all of her bills, even though he had not studied the legal questions they raise.

"We make laws for people to live together under happily—not under the assumption that they are going to break up," he said.

'To create dissension' Durham: conspiracy real

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agents on the reservation was a part of AIM's greater conspiracy.

He said that conspiracy was to create such a strain on BIA and state police that federal intervention would be the only alternative. He said AIM leaders detest local police far more than FBI agents.

He said federal intervention was the means and partial end to a greater conspiracy carried on at the highest levels of Washington.

Durham said a conspiracy exists internationally to usurp individual freedoms by taking away control from local police.

"The Rockefeller Foundation, the Council on Foreign Relations, including Henry Kissinger and other State Dept. officials are all in this together," he said. "It's like a pincer movement, with the international socialists at the top and the terrorist groups like AIM at the bottom. Guns and ammunition worth \$6,200, bought with a federal government social understanding grant were smuggled in from Canada and stored in Dennis Banks' apartment. I saw them."

"Several hundred thousand dollars of government funds are being used for Indian survival schools," Durham said. "Some of these schools teach Indian children the dignity of their heritage, others teach them to

hate police and white people. Part of the international conspiracy is to create dissension among the races so the big shots can force more of their bureaucracy on all of us."

Other terrorist groups are cooperating with AIM according to Durham. He said the Weatherman, Fighting American Indians, the Palestinian Liberation Organization, the Irish Republican Army and the government of Cuba have offered support to AIM in its intentions.

"The Fighting American Indians have placed 13 sophisticated copper and sulfuric acid bombs in bulk petroleum storage plants to be detonated at their leisure," he said.

He said the Lincoln police force is known throughout the country for its efficiency and progressiveness.

Membership in the John Birch Society is the best method for Americans to ensure a safe and sane Bicentennial celebration, according to Durham. He said the organization may be the only safeguard between America and anarchy.

After his speech Tuesday Durham urged those attending to pledge donations to the John Birch Society or the Support Your Local Police Committee. Door prizes were awarded.

Search panel begins work

The committee to find nominees for the UNL chancellor's post is preparing to investigate applicants.

According to search committee chairman Richard Gilbert, the 17-person committee is split into three subcommittees, each to investigate applicants.

The subcommittee's tasks are to "build up a dossier on each applicant and to decide if the candidate can fulfill the minimum requirements," Gilbert said.

The subcommittees do not have the power to reject a candidate, but simply will present their findings.

Gilbert said the committee will place candidates in three categories: those with strong possibilities, those who have weak possibilities and those somewhere in between. To compile information, committee members will use telephone interviews and printed materials.

Middle category

Most candidates probably will fall into the middle category at first, Gilbert said.

Lucille Griess, subcommittee chairman, said she hopes to interview people who have known or worked with the candidates, and said she expects the subcommittees to talk with the candidates' co-workers or supervisors.

"After the interviews, we will have some groundwork and hope to move some mountains," Griess said.

To find possible candidates, Gilbert said, the committee has contacted university presidents and heads of faculty.

They advertised in the *Chronicle of Higher Education*, the major publication for higher education.

Oct. 20 is the application deadline.

BULLETIN BOARD: Positions available

CHANCELLOR

UNIVERSITY OF NEBRASKA-LINCOLN

Nominations and applications for the position of Chancellor of the University of Nebraska-Lincoln (UN-L) are invited. UN-L, founded in 1867, is the oldest component institution of the University of Nebraska system. It is the state's Land-Grant University and is a comprehensive undergraduate and graduate institution with an enrollment of more than 22,000 students and a faculty of 1,100. Candidates should have achieved academic excellence, have had university teaching experience and experience in academic administration, should be able to represent the University in the national educational community, and should have the ability to interpret and to communicate to the state community the contributions and needs of the faculty, students, and staff of the institution. Salary commensurate with experience and abilities.

Send résumés by October 20 to:

Richard E. Gilbert, Chairman
Chancellor Search Committee
Department of Chemical Engineering
University of Nebraska
Lincoln, Nebraska 68588

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Advertisement for UNL chancellor in *The Chronicle of Higher Education*, Sept. 22, 1975.

Gilbert said the committee hopes to submit five to 10 names to NU President D.B. Varner, who will interview the finalists. The NU Board of Regents then will approve or reject Varner's choice, Gilbert said.

The search committee consists of 15 voting members and two nonvoting members, who represent the University of Nebraska Medical Center and the University of Nebraska at Omaha.

Members of the three subcommittees

are:

Subcommittee One: Chairwoman Lucille Griess, Carolyn Grice, C. Cale Hudson, Beth Klosterman and William Smith.

Subcommittee Two: Chairwoman Mrs. Harold Anderson, Clinton Hoover, Sam Jensen, Lowell Moser and Susie Reitz.

Subcommittee Three: Chairman William Coiwell, James Macomber, William Pedersen, John Robinson and Robert Rosenlof.

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The Presidential Search accepting nominations at Antioch College, Antioch of higher education centers Yellow Springs, Ohio and buses and units through Hampshire, Massachusetts, Hampton, D.C., Texas, and instructional programs in education, labor studies, nursing or applying should national college or community experience, contact and class groups, demonstration, fund raising, and innovation, and excellence or applications with current then October 31, 1975 to:

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