



### **Message of the President:**

The Executive Council met last month for the first meeting since Brisbane World Conference, and one of the most exciting developments was the reports submitted by the vice-presidents who are now serving as chairs of the six standing committees. By spreading out responsibilities for oversight of the ongoing responsibilities of the society among standing committees headed by our very capable vice-presidents, the interests and progress of the Society will be enhanced. The committees and their chairs and members are listed below; please feel free to contact them if you have suggestions, questions or concerns regarding the committee subject matters.:

(1) Regional conferences & regional activities (to promote, monitor, assist conveners)

Chair Olivier Guillod; members R Deech, M Garrison, D Goubau, S Katz, M Melli, J Rubellin Devichi, S Parker, E Olivera Leite,

(2) Membership & Dues (to help Treas., to facilitate collection, accuracy, suggest policy)

Chair Bea Verschraegen; members BH Han, P Parkinson, R Deech, M Garrison, M Jantera-Jareborg, T Nhlapo, K Ono, J Rubellin Devichi, W Duncan,

(3) Publications (to help editors, monitor, suggest policy)

Chair Michael Freeman; members BH Han, O Dyuzheva, D Goubau, M-T Meulders, K Ono, B Rwezaura, J Sinclair, J Dewar, B Bennett Woodhouse,

(4) Elections & General Meeting (to assist planning, suggest policy)

Chair Peter Lodrup; members M Brinig, M Gec-Korosec, E Oliveira Leite, L Nielsen, M D Panforti, B Rwezaura, J Sinclair, R Frank,

(5) World conferences & other activities (to promote, monitor, policy, assist conveners)

Chair Nigel Lowe, members O Dyuzheva, S Katz, M Gec-Korosec, M-T Meulders, T Nhlapo, MD Panforti, J Dewar, S Parker,

(6) General Finances, administration, and organization (to monitor, sugg policy, amends)

Chair M Martin; members M Brinig, P Parker, J Eekelaar, M Jantera-Jareborg, M Melli, R Frank, W Duncan, B Woodhouse.

In its meeting last month the Executive Council spent much time discussing the 2002 World Conference will be held in both Copenhagen (August 4-6, 2002) and Oslo (August 7-9, 2002), with an overnight ferry boat ride in between (included in the cost of registration). The arrangements which have been made already by the two convenors, Professor Linda Nielsen (Denmark) and Professor Peter Lodrup (Norway) are superb and the conference will be one not to miss, so put in on your calendars now.

John Dewar and Stephen Parker submitted an extensive written report on the Tenth World Conference at Brisbane showing that there will be little if any debt remaining from the conference, and noting that plans for publication of selected papers are proceeding. The Council unanimously extended an official vote of thanks to John and Stephen for having achieved an outstanding conference with superb papers, accommodation and social events, and for having produced such an excellent detailed report.

We encourage all members of the Society in North America to attend (and invited all other ISFL members to come to) the ISFL regional conference to be held at Queens College in Kingston, Ontario on June 14-16th 2001. Nick Bala is the convenor and Margo Melli is chair of the scientific committee.

The Executive Council received proposals for two other regional conferences - one co-sponsored by the Chinese University of Politics and Law was for Beijing in either November of 2001 or May of 2002, and others for the Mediterranean included proposals from Jerusalem, Modena (Italy) and Tossa de Mar (near Barcelona, Spain). The Council was gratified by the proposals but concerned about timing issues asked for most of those proposed regional conferences to be postponed until after the 2002 World Conference in Copenhagen/Oslo. Thus, it appears that we are laying the foundation for increasing numbers of regional conferences in two years.

The Editor of the International Survey recently participated in a family law conference in Brazil sponsored by the IBDFAM organization and reports that the prospects for a jointly-sponsored conference there are very good. We have an excellent corps of ISFL members in Brazil and prospects for further growth and service to the professional community there and throughout Latin America.

Finally, we strongly encourage greater use of the ISFL homepage. As we rely more on internet to communicate the cost savings to our society (and its members) can be substantial. And we are in a period in our society (and globally) in which that is a matter of growing importance.

Professor Lynn D. Wardle

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### **Report of the Secretary-General:**

The Executive Council met in Paris on 17 February 2001 and had a long and productive meeting. The Council co-opted a new Vice-President, Professor Miguel Martin-Casals, Spain, and a new Council member, Dr Bong

Hee Han, Korea. The meeting spent a considerable time discussing the forthcoming World Conference in Copenhagen and Oslo in August 2002. Plans are very well-advanced for what promises to be an exciting and stimulating conference in the capable hands of Professors Peter Lodrup and Linda Nielsen. The Council formally congratulated the organisers of the Brisbane conference, Professors John Dewar and Stephen Parker, for their excellent work. Regional conferences were also discussed, with a number of possible venues being suggested for conferences over the next two years.

The Council discussed ways in which the International Survey of Family Law, a copy of which all members receive, might be promoted. This excellent coverage of family law edited by Andrew Bainham deserves as wide a readership as possible. May I therefore urge all members to check that their libraries hold a copy, and if not, to request that a copy be ordered?

Finally, may I make what is now a standard plea, for members to ensure that Paul Vlaardingerbroek and I have your current address, including, where possible, your email address? This greatly facilitates our communicating with members, and helps reduce the costs for the Society. We are hoping to send out an up to date membership list in due course. This will be done primarily by email, and we will only send copies by post where members indicate that they require this, **so please contact Paul if you need a posted copy.**

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## **Report of the Treasurer:**

Dear members,

In December I sent many reminders for the subscription for 2001. However, not everyone returned the subscription form. To avoid mailing costs, please return the form to me without any delay. Besides this I draw your attention for the following. Within soon the new Surveys will be sent to the ISFL-members. If you moved to another address please let me know this immediately.

*Those who want to withdraw their membership should do so in time and at least two months before the end of their subscription period, so before November 2001!* You will find my address and email number in the subscription form and letterhead.

Every member who has paid his subscription receives a membership card from me, which card indicates the years of payment.

Shortly I will send *second* reminders for the subscription for 2001-2003 to those members who still have not yet paid their dues for this year or even for the past year(s). Please note that I send (rather expensive) reminders to our members and that one reminder should be sufficient (!). To avoid unnecessary costs the members who do not pay their subscription after the second reminder will be deleted as member of ISFL. I ask those who do not pay their subscription in time, to avoid unnecessary costs and pay (from now on) at my first request. I thank you in advance for your cooperation in this matter. Unfortunately we had to delete a lot of members who had not paid their dues in the past years.

To promote the membership of our society you will find information and an inscription form in the membership booklet and in the International Survey. Please, promote our society with your colleagues and ask them to become members of ISFL. The more members we have, the more profit we can offer to our members.

Because of the high prices of the British Pound, the costs of the International Survey have been raised with approval of the council. *From 1 January 2002 the subscription will be raised up to:*

One year Hfl. 90, -, three years Hfl. 220,- and for five years (this is new): Hfl. 370,-. The membership fee in Euro's would be for one year 41 Euro, for three years 100 Euro and for five years 168 Euro.

### Balance Sheet ISFL 2000

IN	
Subscriptions	3004335
Royalties	281645
Interest	43774
Sundries	167592
Durban conf.	100000
Subsaldo	3597346
<b>Negative result</b>	751504
Total	4348850

OUT	
Bank charges	18003
Treasurer	59000
President	248158
Survey	26875
Sundries*	1353084
Board	23730
	4348850

#### **\*Sundries (out):**

Translation Oxford-contribution	239881
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Subscription which had to be returned	5000
World-Conference Brisbane	874860
Regional Conference (float; convenor Prof. Nick Bala)	123277
Travel expenses Dr. Andrew Bainham to Brasil (Survey)	110066
Total	1353084

All currency is Hfl.

March 2001

Paul Vlaardingerbroek, Treasurer

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Report of ***The International Survey Editor:***

I THE TRANSITION FROM KLUWER TO JORDANS

The recent history of the International Survey has been dominated by the change of publishers from Kluwer, who published the first four volumes, to Jordans who published the last. This was in many ways not an easy transition.

It involved extensive consultation with Council members, the drawing up of a new contract and liaison between both publishers for the handover. The process really started in September 1999 at the Executive Council's Oxford meeting and it took the best part of a year for all the various issues to be resolved.

However, as Council members will be aware, the first Jordans volume was published in 2000, in time for the Brisbane conference. As far as I have been able to judge from comments made to me, there has been general satisfaction with the Jordans product. Only a hardback version is now being produced and every member of the Society receives this automatically. As far as I am aware, distribution to the membership has gone smoothly. I know that there has been an initial hitch with distribution to those contributors who are not members of the Society. Some of these did not receive their copies but the matter was speedily resolved when it was pointed out to the publishers. I think it is too early to report in any meaningful way on the commercial sales of the Survey viz the sales over and above the 600 plus copies which the Society purchases for its membership. What I can tell the Council is that Jordans had some difficulty extracting from Kluwer details of the so-called 'standing orders' for the Survey. When (eventually) this information was obtained the orders concerned did not amount to more than about forty (40) in number. This is a figure which bears little resemblance to the figures which I was given by Kluwer for sales of the hardback but, it must be remembered, there were no royalties payable under the Kluwer contract and this made it difficult to obtain reliable information. What is clear, even at this early stage, is that we are unlikely to see major commercial sales of the Survey. Present indications are that Jordans have sold over 100 copies and expect this figure to rise to at least 150. This would be not very far removed from the figures which I used to be given by Kluwer- with the important difference -that these sales will generate some, albeit small, royalties.

One matter which the Council may wish ponder in Paris is why it is that the Survey is clearly not selling to very many libraries. I would have expected library sales alone to produce a few hundred commercial sales for the Survey-given that at £60.00 its price is now roughly half that charged by Kluwer. Can we as a Society do anything about this? I suggest that we ought at least to find some way of asking the Society's membership to try to prevail on their own institutions to acquire a copy for their respective libraries. Indeed, I do wonder how any institution which has claims to be providing a course in Family Law can really afford to be without a book which provides valuable information on what is happening in the rest of the world. Perhaps we can all do more in selling the Survey to our own institutions. It might be an interesting exercise for the Council in Paris to find out how many of the libraries attached to the institutions of Council members who are present do already carry the survey. I suspect the answer is 'not very many'. So far as content and coverage is concerned, the 2000 edition of the Survey contained thirty articles as usual and I think that it was, in terms of quality, at least as strong as the Kluwer volumes. I am happy to report that the 2001 Survey is now moving into proof stage. It contains another thirty articles and publication is expected in May/June.

II ASSOCIATE EDITORS FOR THE SURVEY Such is the relentless nature of the commissioning process for the Survey that I should also report here on the state of the commissioning for the 2002 Survey. Even as I do,



the spectre of the 2003 Survey is slowly moving into view and thought will need to be given to this by the summer. I was therefore delighted when, at the suggestion of Lynn Wardle, the Council in Brisbane approved the appointment of Associate Editors. At my suggestion, the President approached three people with a view to obtaining Associate Editors for Africa, Asia and the Americas. I am pleased to report that Bart Rwezaura, Associate Professor of Law at the University of Hong Kong (but, importantly, originally from Tanzania) has agreed to become Associate Editor for Africa and that Savitri Goonesekere, Vice-Chancellor at the University of Colombo, Sri Lanka has agreed to become Associate Editor for Asia. Time will tell whether the appointment of Associate Editors will make the task of commissioning significantly less of a nightmare for the General Editor than it is at the moment. I am optimistic that it will. Although neither Associate Editor has been much involved with the forthcoming 2001 Survey, I have decided that it is appropriate that the new positions should be reflected immediately and I have amended the title page accordingly. We also approached Eileen Boxill of Jamaica and invited her to become Associate Editor for the Americas. She contacted me and said that, while she was happy to give what assistance she could with the Caribbean region, she did not wish to have the ongoing responsibility of a formal Associate Editorship. I expressed my gratitude to her and set about thinking how we might secure an Associate Editor for what is perhaps the Survey's 'weakest link'-Latin America.

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Pioneer Members of ISFL

submitted by Stephanie Charlesworth

The following are the recipients of pioneer membership presentations at the International IFSL conference in Brisbane last July: Professor Frank Bates, The Hon Richard Chisholm, Dr Peter Nygh, Dr Henry Finlay, Professor Donald MacDougall, Dr Surai Khetarpal, Hon Claire l'Heureux-Dube, Dr Svend Danielsen, Professor Koji Ono, Professor Pedro Ruiz da Silva, Professor Alistair Bissett-Johnson, Professor Michael Freeman, and Professor Sanford Katz.

Those who were not present at the conference but had presentation pens sent on by mail or by hand were: Professor Anders Agell, Professor Peter Lodrup, Mr Kim Paterson, Mr J. Neville Turner, The Hon Austin Asche, The Hon Elizabeth Evatt, Professor M.T. Meulders-Klein, Mr John Eekelaar, Professor David Pearl,

Professor Inger Margritte Pedersen, Professor Masakazu Ueno, Mr Carl Clive, Professor R Lempp, Professor J. Payne, Hon. M. Rood de Boer, Professor G. Garcia Cantero, Professor Ichiro Shimazu and Professor Seichi Isono.

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## **Monitoring the CRC: the role/activities of the UN Committee on the Rights of the Child**

by Jaap E. Doek, Rapporteur of the Committee.

### 1. Introduction

In many plenary presentations and in perhaps most of the workshops at the ISFL's 10th World Conference in Brisbane (July 2000) references were made to the International Convention on the Rights of the Child (CRC). Later conversations suggested that members would benefit from regularly receiving information about the monitoring of the implementation of the CRC. For instance, reports submitted to the Committee frequently contain interesting information (e.g. legislative activities/problems in practice) in the area of family law (parental rights, foster care, adoption, filiation, artificial procreation etc.).

Furthermore, members may become aware of meetings between a country of particular interest and the Committee. After such a meeting, the Committee issues Concluding Observations and Recommendations which might interest members. Given the nature of this newsletter, I'll limit myself (in principle) to "facts and figures". In this first contribution, I'll introduce the Committee and give an update on the Convention. I plan to regularly include the agenda of recent and upcoming sessions of the Committee. More detailed information about the Convention, the Committee, the Country Reports and the Concluding Observations can be found on [www.unhchr.ch](http://www.unhchr.ch). For the most recent information or for specific questions, one could contact the secretariat of the Committee in Geneva, Paolo David, whose e-mail address is: [p david.unhehr@unog.ch](mailto:p david.unhehr@unog.ch).

### 2. The Convention (CRC)

The major development concerning the Convention was the adoption by the General Assembly of the UN (Resolution A/S4/L.84. May 16 2000) of two optional protocols to the CRC: a the optional protocol on involvement of children in armed conflicts; and b the optional protocol on the sale of children, child prostitution and child pornography.

A remarkable feature of both protocols is that they are open for signature, not only by States party to the CRC, but also for States that have signed but not yet ratified the CRC, such as the U.S.A. For the texts, see [www.unhchr.ch](http://www.unhchr.ch).

### 3. The Committee on the Rights of the Child

#### a. its election and composition

The Committee consists of ten experts of high moral standing and recognized competence in the field covered by the Convention (art. 43, para 2 CRC. Similar description of other human rights committees can be found in art. 28, para 2 of the Intern. Cov. on Civil and Political Rights (ICCPR); and art. 17, para 1 of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)). The ten experts are elected by the States Parties in a meeting which usually takes place in UN head quarters in New York. Every State Party can submit one candidate, who has to be a national of that State, for this election. Members of the committee serve a term of four years. Every two years, five new members are elected. Reelection is possible but a member can only stand for reelection if her or his government submits her/him again as candidate. The number of candidates for the five vacancies usually varies from 20 to 30. The candidate who obtains the largest number of votes and an absolute majority of the votes of the States Parties (one vote each), present and voting. The consequence of this rule is that often more than one voting round is necessary to fill the five vacancies. The next election takes place in February 2001. The term of the following members shall expire on Feb. 28, 2001: Mrs. Sardenberg (Brasil), Mrs. Rilantono (who replaced Mrs. Mboi, Indonesia), Mrs. Mokhuane (South Africa), Mr. Fulci (Italy), Mr. Rabah (Lebanon). Outgoing members can be reelected. It is almost self evident that this system is not free from political influences, meaning that sometimes rather strong lobbying takes place to support a candidate in which the "quid-pro-quo" rule often applies. The ballot is a secret one, and, given the political lobbying, it is not always possible to achieve the desired equitable geographical distribution (see art. 43, para 2 CRC). Part of the problem is that the Committee consists of only ten members while most other Human Rights Committees have 18 members. But the States Parties have agreed in principle to expand the committee to 18 members; this will happen as soon as the necessary signatories (at least 120) are collected. The proposal will allow the committee to increase the number of country reports it considers annually.

#### b. role and functioning in practice

In order to play its role of monitor of the implementation of the CRC, the Committee examines the reports States Parties submit, for the first time 2 years after ratification and thereafter every 5 years. These reports from governments (with the possibility of presenting the situation too positively) are usually complemented by reports from international organizations like UNICEF, WHO, ILO etc. and international NGO's such as Defence for Children International, Human Rights Watch, Save the Children etc. In addition, national NGOs are often well represented with critical reports and suggestions.

In preparation of the meeting with the government the Committee (in a pre-session working group) meets with representatives of organizations mentioned before in order to get a more complete picture. At the same time, the secretariat collects existing written information from various sources (e.g., UN documents/media) and provides the committee with an analytical summary of all the available information. The Committee meets three times per year for four weeks (three weeks formal sessions and one week preparing the next session, the so called pre-session meeting).

In the course of last year the committee worked hard to make its working methods more efficient. As a result, the committee deals with nine country reports per session (instead of 6) and therefore also with nine during the pre-session meeting. It means that 27 instead of 18 country reports can be discussed per year. But it also means that the members have to do considerable more reading than before. The committee really needs more members to allow not only for more country reports per year, but also for a less heavy burden for the members.

For the discussion and examining of a country report the Committee meets with representatives of the government concerned. This meeting takes one day (six hrs). More could be better given the wide range of topics the Committee has to consider (one should read the Convention) but cannot be afforded. There is already a waiting list and a waiting time of about one or two yrs which the committee wants to reduce (see increase of number of reports per session from six to nine).

The Committee discussion is not to be judgemental or condemning. It is the Committee's role to help the governments concerned identify factors and difficulties affecting the degree of fulfilment of the obligations of the Convention (see art. 44, para 2 CRC).

After the dialogue with the government, the Committee drafts and adopts so called Concluding Observations and Recommendations. This document can be considered as the agenda for the next five years for that country.

#### 4. The agenda of the Committee

As a tradition the Committee organizes during its full session a discussion day. On September 22, 2000 this discussion day will be devoted to State Violence Against Children. Followed in 2001 with a discussion day on Violence against children in the family and school context.

The following countries have recently met with the Committee to discuss their reports:

24th Session (May 15-June 6, 2000): Iran, Georgia, Jordan, Norway, Kyrgyzstan, Cambodia, Malta, Suriname, Djibouti.

25th Session (September 18-October 6, 2000): Finland, Burundi, UK (Isle of Man + overseas Territories), Tajikistan, Colombia, Central African Republic, Marshall Islands, Slovakia, Isl.Fed.Rep. Comoros.

26th Session (January 8-20, 2001): Latvia, Lithuania, Egypt, Saudi Arabia, Ethiopia, Lesotho, Dominican Republic, Liechtenstein, Palau.

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### **Web Pages in Spanish**

Miquel Martin has offered to translate key ISFL Web pages into Spanish which will be linked to the main ISFL Web site. His email address is martin@dret.udg.es.

### **Upcoming Conferences & Calls for Papers:**

The North American Conference has scheduled its 2001 conference for June 14-16. It will be held at Queen's University, Kingston, Ontario, Canada. The theme - Defining the Family: Familial Rights and Obligations in the New Century - is intended to be inclusive.

The Conference site is well-known for its history and scenic beauty. Participants at the Conference will enjoy a dinner cruise on Lake Erie on Friday night as well as a speech from the Director of the Canadian Law Commission on Saturday. Conference delegates may wish to bring spouses, partners and children as travelling companions, as Kingston is a historic city situated at the gateway to the scenic Thousand Islands, and within a couple of hours by car or train from some of Canada's major urban centres Montreal, Toronto and Ottawa.

Kingston offers museums, art galleries, a historic fort, summer theatre and shopping, as well as the possibility of renting wind surfers, bicycles etc. and boat cruises.

Further information is posted on the North American Conference Web page, or you may contact one of the following:

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FAX (202) 806-8428

[lnolan@law.howard.edu](mailto:lnolan@law.howard.edu)

**Web address for the conference:** <http://qsilver.queensu.ca/law/ISFLJune2001/>

**REPORT ON THE 11 WORLD CONFERENCE - COPENHAGEN - OSLO.**

**Convenors: Linda Nielsen (Copenhagen part) - Peter Lødrup (Oslo part.)**

**Organizing committees:**

Copenhagen: Linda Nielsen, Svend Danielsen, Annette Kronborg Siv Sandberg.

Oslo: Peter Lødrup, Lucy Smith, Tone Sverdup, Jan E. Helgesen, Eva Modvar, Tove Friisøe

**Dates:**

Sunday August 4 - Friday August 9 - or

Sunday August 11 - Friday August 16

**Venue:**

Copenhagen Sunday August 4 - Tuesday August 6.

Oslo Wednesday August 7 - Friday August 9

**Conference sites:**

Copenhagen - University of Copenhagen, in the city centre

Oslo - Faculty of Law, University of Oslo, in the city centre

In Copenhagen the Conference will take place in the main University building in the center of Copenhagen where the registration and the opening reception will be. Some sessions will be in two auditoriums 2 minutes walk away (Faculty of Law). Coffee will be served in the building where the sessions take place, and lunch in an auditorium 1 minute walk from the main building and the Faculty of Law. If the economic situation allows we can arrange live music in the University garden at the opening reception.

In Oslo the Conference will take place in the buildings of the Faculty of Law. Plenary sessions will be held in the University Aula (where the Nobel Peace Prize Ceremony was held up to 1993). Walking distance between the two buildings where sessions will take place is two minutes. The Faculty is located in the Main Street of Oslo, between the Royal Palace and the Parliament building.

All meals will be served in two big tents in the University garden. The tents will be open from 1000 a.m. for free coffee, snacks etc.

The Conference office will be located in the foyer of the University Aula.

**Registration fee:**

The registration fee of \$ 450 and \$500 for non-members will include:

In Copenhagen: Two lunches, buffet (Monday). Tickets on Monday after the buffet to Tivoli including dance from 2200 p.m.

On the boat: Boat ticket and dinner (value \$ 220 pr. person)

In Oslo: Reception, three lunches and dinner on Tuesday

Bus sightseeing on Wednesday

**Subject: Family Life and Human Rights**

Family Life and State Intervention

The Right to Family Life - Family Reunion



Different Aspects of International Conventions Regarding Family Life

Human Rights and Equality within the Family

Children's Rights - International Conventions

Family Rights and Gene Technology

**Conference structure:** There will be plenary sessions and three parallel group sessions.

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New Horizons in Family Law - Brazil.

Águida Arruda Barbosa reports:

The Brazilian Institute of Family Law - IBDFAM has the honor to invite the members of ISLF to attend its 3rd National Conference, October 24-27, in Belo Horizonte, Minas Gerais, Brazil.

Since the last World Conference in Australia, both institutions began to strengthen their relationship, and in March, Dr. Andrew Bainham - editor of the International Survey of Family Law - gave two lectures enjoyed by the Brazilian audience. As one can see by the creativity of its music, known worldwide, the Brazilian culture integrates many tendencies and social differences, what together with political stability offers a fertile soil for the practice, study and discussion of family law. IBDFAM is a relatively young institution that congregates over 600 members. The two last conferences were in 1997 and 1999, and the last one was attended by more than a 1000 professionals and over 50 expositors. The participants can enjoy the tranquility of Belo Horizonte and the historical cities nearby, declared by ONU Humanity's Patrimony.

Information on the IBDFAM can be obtained from:

[ibdfam@net.em.com.br](mailto:ibdfam@net.em.com.br)

[www.netpage.em.com.br/ibdfam](http://www.netpage.em.com.br/ibdfam)

IBDFAM - Avenida Augusto de Lima, 479 conj. 1505/7 Centro

Belo Horizonte Minas Gerais

Brazil

30190-000



*Australian Journal of Family Law*

Dear colleagues in the ISFL,

I have recently taken over from the Hon. Dr Peter Nygh as General Editor of the Australian Journal of Family Law. After 14 years, the Journal is now very well established and is an important forum for the discussion of family law in this country. Family law is widely construed, and encompasses all issues concerning the law and family life.

The Journal welcomes articles from overseas on issues which may be of interest to family lawyers in Australia. I am writing now to invite you to submit articles to the Journal which may be of interest, and to encourage other colleagues or research students to do so as well. There is not a strict word limit, but articles are normally 4,000-8,000 words, while comments and casenotes are between 2,000 and 4,500 words.

My email address can be used to send contributions. The postal address is: Australian Journal of Family Law, Butterworths, Locked Bag 2222, Chatswood Delivery Centre, Chatswood, NSW 2067, Australia.

Patrick Parkinson

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Recent Publications of Note by ISFL Members:

(Compiled by Associate Editor Laurence C. Nolan, Professor of Law, Howard University School of Law, 2900 Van Ness St., N.W., Washington, D.C. 20008, tel. (202)806-8064, fax - 8428 [nolan@law.howard.edu](mailto:nolan@law.howard.edu))

## **1. Family Law in General: History; Theories; Overviews**

*John Eekelaar, Mavis Maclean and Sarah Beinart*, Family Lawyers: the Divorce Work of Solicitors (Oxford: Hart Publishing 2000).

*Sanford N. Katz, John Eekelaar and Marvis Maclean* (eds), Cross Currents: Family Law and Policy in the U.S. and England (Oxford University Press 2000).

*Mavis Maclean* (ed), Making Law for Families (Hart Publishing 2000).

*Frank Martin*, The Politics of Children's Rights (Cork University Press 2000).

*Laura W. Morgan*, "The Federalization of Child Support: A Shift in the Ruling Paradigm: Child Support as Outside the Contours of 'Family Law'," 16 Journal of the American Academy of Matrimonial Lawyers 195 (1999).

*Rainer Frank*, "Le Centenaire Du BGB: Le Droit De La Famille Face Aux Exigences Du Raisonnement Politique, De La Consitution Et De La Cohérence Du Système Juridique (The Century of the German Civil Code: Family Law Confronts the Exigencies of Political Reasoning, of the Constitution and of the Coherence of the Judicial System)," Revue Internationale De Droit Compare (International Review of Comparative Law) 819-842 (2000).

*Lynn Wardle*, Publisher, Synder, Wilkins & Bell, editors, Utah Juvenile Court Guidebook, 2000 Update.

## **2. Before/Creation of Spousal or Quasi-Spousal Relations**

*Brian H. Bix*, "State of the Union: The States' Interest in the Marital Status of Their Citizens," 55 *University of Miami Law Review* 1 (2000).

*Harry D. Krause*, "Marriage for the New Millennium: Heterosexual, Same Sex - Or Not At All?," 34 *Family Law Quarterly* 271 (2000).

*Antoinette Sedillo Lopez*, "Evolving Indigenous Law: Navajo Marriage-Cultural Traditions and Modern Challenges," 17 *Arizona Journal of International and Comparative Law* 283 (2000).

*Mark Strasser*, "Loving in the New Millennium: On Equal Protection and the Right to Marry," 7 *University of Chicago Law School Roundtable* 61 (2000).

*Mark Strasser*, "Baehr Mysteries, Retroactivity, and the Concept of Law," 41 *Santa Clara Law Review* 161 (2000).

*Mark Strasser*, "Mission Impossible: On Baker, Equal Benefits, and the Imposition of Stigma," 9 *William and Mary Bill of Rights Journal* 1 (2000).

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### **3. Before/Creation of Parent-Child or Similar Relations**

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*Katherine Shaw Spaht*, "The Remnant of Forced heirship: the Interrelationship of Undue Influence, What's Become of Disinheritance, and the Unfinished Business of the Stepparent Usufruct," 60 *Louisiana Law Review* 637 (2000).

## **6. Termination/Post-Relations of Spouses & Quasi-Spouses**

*Margaret F. Brinig* and Douglas W. Allen, "'These Boots are Made for Walking': Why Most Divorce Filers are Women," 2 *American Law and Economics Review* 126 (2000).

*Dominique Goubau*, "The Clear and Clouded World of Spousal Support in Canada," 3 *Canadian Family Law Quarterly* 333 (2001).

*Dominique Goubau*, "Joint Exercise of Parental Authority: The Quebec Civil Law Perspective," 17 *Canadian Journal of Family Law*, 333 (2000).



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*Marygold Melli*, "Whatever Happened to Divorce," 2000 Wisconsin Law Review. 637.

## **7. Termination/Post-Relations of Parents and Children**

*Margaret M. Mahoney*, "The Rights and Duties of Stepparents at the Time of Divorce," 14 American Journal of Family Law 252 (2000).

*Marygold Melli*, "Time Sharing by Parents and Its Relation to Child Support," 20 Fair Share 2 (July 2000) .

*Robin Fretwell Wilson*, "Children at Risk: The Sexual Exploitation of Female Children After Divorce," 86 Cornell Law Review 251 (2000).

*Jennifer Wriggins*, "Parental Rights Termination Jurisprudence; Questioning The Framework, 52 South Carolina Law Review," 241 (2000).

### **Other Publications Notes:**

Mireille D.-Castelli et *Dominique Goubau*, *Précis de droit de la famille*, Québec, Les Presses de l'Université Laval, 2001, 488 p.

*Stephanie Charlesworth*, J.Neville Turner and Lynne Foreman, *Disputed Families: The Law* The Federation Press Sydney, 2000.

*Marygold Melli* co-edited with Tom Oldham, *CHILD SUPPORT: The Next Frontier*. In addition to essays by the editors, the volume included essays by several ISFL members -- *June Carbone*, *Marsha Garrison*, *John Eeklaar*, and *Allen Parkman*.

*Laura W. Morgan* compiles a list of family related law review articles each month at <http://www.famlawlit.com/>

The third edition of *Marvin Snyder's Value of Pensions in Divorce* (Panel Publishers, N.Y. 2000) is now available.

**NOTE:** The Newsletter will publish notices of recent publications dealing with family law topics if the following information--Name of author, title of article or chapter, title of book or journal in which it is published, the volume and pages, the year of publication (and if the title of the article, chapter and/or book or journal is not in English a translation of the same into English - so that the entry can be placed in the appropriate category)--is sent to Prof. Laurence C. Nolan, Howard University School of Law, 2900 Van Ness Street, N.W., Washington, DC 20008; 202-806-8428 (fax); [nolan@law.howard.edu](mailto:nolan@law.howard.edu) (e-mail).

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### **Personal Notices:**

In October 2000, *Marygold Melli* organized a Conference at the University of Wisconsin Law School on Divorce Reform: 2000. In May 2000, she made a presentation on Issues in Shared Time and Child Support to the State of Ohio Child Support Guidelines Council.

*Claire Archbold* has been appointed to the Northern Ireland Office of Law Reform, the government body with responsibility for family law reform in Northern Ireland. She will be Senior Legal Officer with responsibility for family law, equality and human rights. Her new e-mail address is [claire.archbold@dfpni.gov.uk](mailto:claire.archbold@dfpni.gov.uk) .

*Carol Bruch* received an honorary doctoral degree from the University of Basel in recognition of her work in family law and comparative law on behalf of children.

In October, *Sanford N. Katz* was appointed as the inaugural holder of the Libby Chair at Boston College Law School.

*Thandabantu Nhlapo* of the Republic of South Africa has been posted to Washington DC as Deputy Chief of Mission.

In January of 2001, the Executive Council of the International Society of Family Law unanimously voted to extend to *Peter Schofield* the status of Honorary Member of the Society. This is an honor extended to very few (perhaps a dozen individuals in the past twenty-five years) and is reserved for scholars of distinction who have made over time extraordinary contributions of significant value to the Society and its members.