

*** New Study: The Impact of Unilateral Divorce on Crime (2008) ***

Top Ten Secrets of No-Fault Divorce ...did you know?

What *is* no-fault divorce anyway?

Try asking anyone what it is – or better yet – *ask how it works*. Try asking a legislator, a judge, or a lawyer. Most will say it's a *'mutual'* process and that it *preserves privacy*. Or they say, "It means it's nobody's fault," or, "It prevents needless conflict." Will anyone say, "It's a one-sided process"?

In real life, very few couples end their marriage *'by agreement'* and then work out the details to do so. In his research, Frank Furstenberg found that "four out of five marriages ended unilaterally." (see page 22 in his book, *Divided Families*)

So, what happens during the no-fault divorce process to these four out of five couples where it's *not* a *'mutual'* process – when one spouse may want to preserve the family unit or get help for the marriage relationship? Is family preservation supported? Does anyone consider the kids?

An even more revealing question is: ***Were certain things purposely concealed about 'no-fault' divorce when it was being proposed in 1970?***

The top ten secrets of 'no-fault' divorce:

1. It is still a *'lawsuit.'* One party is suing the other .2. The U. S. Constitution requires that the party filing a lawsuit give a reason - a *'claim'* - but in a no-fault divorce lawsuit, there is no claim.3. When a party is sued, they are allowed *'defenses,'* but without a claim, there can be no defenses. 4. The party that files the lawsuit in a no-fault divorce always wins. 5. In a no-fault divorce, the judge doesn't *'judge'* but instead, performs a *'ministerial'* act, like a clerk in the state motor vehicle department.6. The party who has *'unclean hands'* can be the one filing the lawsuit, and often is. 7. No-fault divorce was originally (deceptively) sold as a mutual-agreement type of action, so the truth would be obscured about how the law would work - that it would actually be unilateral and a state-imposed outcome. 8. The State is not

neutral. It always takes the side of the party that files this type of lawsuit.⁹ No-fault divorce works like the '*takings*' doctrine with the State having the power of eminent domain over the benefits of marriage and *taking* them without due process, purportedly for the Public Good.¹⁰ The State's police powers can be deployed (and commonly are) to ensure the State's divorce policy.

How many of these things did you know? PLEASE READ ON...

In 1965, a national organization of lawyers announced a new 'Project' - to draft a 'model' divorce law for state legislatures to enact.

The result of their Project, which would change the face of public policy, would become known as 'no-fault divorce.'

California was seen as the test case when in 1969, Governor Reagan signed no-fault divorce into law. But the national 'Project' would deliver the product to the rest of the country.

Informal interviews reveal that no-fault divorce is not very well understood. Most people will say, "It means it's nobody's fault."

The purpose of this web site is to reveal more of the story about no-fault divorce - through a closer look inside the Project. The story is told 'in their own words,' using documents preserved from 40 years ago.

More than 3,000 pages of documents from archives around the country have been located. Each bullet point in [the list](#) is linked to a document from the Project. As more of these documents are processed, they will be posted... please check back.

The focus is on a specific statement(s) in the document. Many of the full-length documents are posted at another link.