

The original documents are located in Box 17, folder “Federal/State Relations” of the Philip Buchen Files at the Gerald R. Ford Presidential Library.

Copyright Notice

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

Federal-state
LE
relations

June 13, 1975

Dear Judge Allen:

On behalf of the President, I would like to thank you for your letter of April 28 expressing your concern on the need for equal application of the laws in domestic relation matters throughout the United States. You can be assured that your views will be given serious consideration.

In the meantime, the National Conference of Commissioners on Uniform State Laws is presently attempting to confront this issue. They have already approved legislation in such areas as marriage and divorce, parentage and child custody. They have indicated to my office that they look forward to hearing from you to discuss your mutual efforts concerning the uniformity of state laws in this important area. They may be contacted at the following address:

National Conference of Commissioners on
Uniform State Laws
645 North Michigan Avenue
Suite 510
Chicago, Illinois 60611

Your views on this issue are appreciated, and I look forward to learning of what progress you make in this regard.

With best wishes,

Sincerely,

/s/

Philip W. Buchen
Counsel to the President

The Honorable Tom M. Allen
Judge
Superior Court of the Stone Mountain Judicial District
Decatur, Georgia 30030



KAL:BNR:dlm

THE WHITE HOUSE

WASHINGTON

May 9, 1975

MEMORANDUM FOR: KEN LAZARUS

FROM: PHILIP BUCHEN *P.W.B.*

Attached is a copy of a letter to me from Warren Rustand directed to the President on the matter of equal application of laws between States concerning domestic matters.

It was written by Tom Allen, Judge of the Superior Courts of Stone Mountain Judicial Circuit, Decatur, Georgia.

Kindly prepare a suggested reply for me to send in behalf of the President.

Attachment



THE WHITE HOUSE
WASHINGTON

Date: May 6, 1975

MEMORANDUM FOR: Mr. Buchen

FROM: WARREN RUSTAND

SUBJECT: Judge Tom Allen, Superior Court of Georgia
re: equal application of laws between states
concerning domestic matters.

The attached is for your appropriate handling.

Thank you.



P. Audgence

STATE OF GEORGIA
SUPERIOR COURTS OF THE STONE MOUNTAIN JUDICIAL CIRCUIT
DECATUR, GEORGIA 30030

JUDGE TOM M. ALLEN

DEKALB AND ROCKDALE
COUNTIES

April 28, 1975

TID
SCHEDULE BD.
DATE RECEIVED
MAY 3 1975
MESSAGE
SPEAKERS BUREAU
OTHER *Mr. Buchen*
APPOINTMENT OFFICE

President Gerald R. Ford
White House
Washington, D. C.

Dear Mr. President:

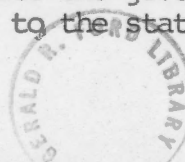
By way of introduction, I am one of the only four Republican Superior Court Judges in the entire State and have therefore been involved in more judicial reform and attempts to improve the over all justice system than normally found in Superior Court Judges in general.

Upon taking the bench in January, 1973, through a series of communications and visits, I was appointed Chairman of a Special American Bar Association Sub-Committee under the Family Law Section to draft a Model Family Court Act to submit to the ABA. As a second assignment, I have proposed that an amendment be submitted to Congress to amend the United States Constitution in order to achieve equal application of the laws in domestic relation matters throughout the United States; thus the purpose of this letter.

Mr. President, at a time when the economy enjoys no certainty of stability, the most tragic result is witnessed in divorce courts across the nation daily and in the Juvenile Courts of every state. From judge to judge, jury to jury, circuit to circuit and state to state, there is no semblance of uniformity of treatment in families and the human problems brought before the courts daily effect the family unit and the majority of our citizens for generations to come. There are no stable guidelines for even the wisest of judges to follow and with every family involvement with the court comes a further atrophy of judicial respect.

The Constitution of the United States supposing to grant equal protection of the law is silent on the matter of equal application of laws between states in the most crucial area of abuse which is the treatment of domestic matters.

As a highly mobile society where families move by the tens of thousands weekly from state to state the government of the United States through the powers granted to the states should insure that



SUPERIOR COURTS OF THE STONE MOUNTAIN JUDICIAL CIRCUIT

DECATUR, GEORGIA 30030

JUDGE TOM M. ALLEN

DEKALB AND ROCKDALE
COUNTIES

Page 2.

April 28, 1975

our citizens receive the finest and highest equality of treatment under the law of any nation on earth.

Congress is already aware of the courts problem confronting mothers and children by errant fathers moving from state to state and has attempted to enact legislation to cope with this problem which I believe does more damage than good.

I would suggest that as President of the United States, it would be proper for you to ask the Congress for legislation amending the 14th Amendment to provide that in the area of domestic and family law that no state shall deny equal application of the laws thereby paving the way for a Uniform Court of Family Relations among the fifty states so that every citizen would know that he may receive the highest form of justice than presently known.

The State of Hawaii has one of the finest Family Courts and it is by using that Court as a pattern that I shall attempt to present to the Family Law Section of the American Bar a Model Family Court Act with a complete revision of all of the substantive laws tailored in such a manner that they could be applicable through all the fifty states and to achieve a higher degree of uniformity without resorting to the Federal Court process.

It must be remembered that we are the only nation with fifty different sets of laws governing a single peoples and only with a Constitutional Amendment will we be able to stabilize the family unit and reinstate it as the foundation cement of our society and culture.

I believe this can be done among the states without resorting to Federal control if the states are given a constitutional mandate to create such uniformity.

Mr. President, I do not advocate Federal control under this area of law but since our constitution is framed to protect the rights of its citizens, I firmly believe that the time in our history is upon us when the family itself could be recognized as the strength of our heritage in our society and given constitutional attention



STATE OF GEORGIA
SUPERIOR COURTS OF THE STONE MOUNTAIN JUDICIAL CIRCUIT
DECATUR, GEORGIA 30030

JUDGE TOM M. ALLEN

DEKALB AND ROCKDALE
COUNTIES

Page 3.

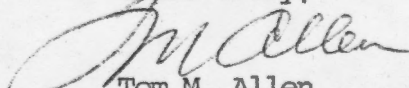
April 28, 1975

and protection. The purpose of this letter is to establish contact with your office with an attempt to obtain your opinion and I am forwarding a copy to Senator Herman Talmadge, Senator Sam Nunn and the Representative from my District, Representative Elliott Levitas.

If the idea appeals to you, I would appreciate your comment and would be honored to fully discuss the proposal and the proposed amendment and changes in the law with you in person at your pleasure.

I respectfully remain,

Yours truly,


Tom M. Allen
Judge

TMA:ls
cc:
Senator Herman Talmadge
Senator Sam Nunn
Representative Elliott Levitas
Mr. Harry X. Cole, Chairman
Family Law Section
American Bar Association



THE WHITE HOUSE

WASHINGTON

July 18, 1975

MEMORANDUM FOR:

ROGER SEMARAD

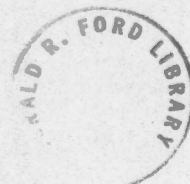
FROM:

PHILIP BUCHEN

Attached is a letter from a friend of mine, Bob Howlett, who continues to express concern over the pending legislation on collective bargaining in State and local governments.

I would appreciate your passing this on to whomever will be taking over your responsibilities in this area so that he can keep Bob Howlett informed.

Attachment





DEPARTMENT OF LABOR
EMPLOYMENT RELATIONS COMMISSION

Howlett
Robt

WILLIAM G. MILLIKEN, Governor
KEITH MOLIN, Director

400 TRUST BUILDING, GRAND RAPIDS, MICHIGAN 49502 - Phone 459-3531

July 11, 1975

COMMISSIONERS
ROBERT G. HOWLETT,
Chairman
MORRIS MILLMET
WILLIAM M. ELLMANN

Philip W. Buchen, Esq.
The White House
Washington, D.C..

Dear Phil:

This is a supplement to my conversation of some time ago concerning the pending legislation to vest in the federal government regulatory power over state and local public sector collective bargaining.

The White House official who has charge of the matter and who is now leaving was Roger Semarad. We met with him and with then Under-Secretary of Labor Richard F. Schubert.

Semarad worked under William E. Timmons, I believe.

I am advised by Bob Helsby of New York that the Labor Department has prepared a report on this subject which has not, however, been made public.

Sincerely,

Bob Howlett
RM

Robert G. Howlett
Chairman

RGH:rm1

