

### CHILD CUSTODY DISPUTES IN FAMILIES OF MUSLIM TRADITION

Warren D. Camp

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Islam is one of the fastest growing religions in America and by all accounts, there are 2.35 million Muslims in the country today. Muslims separate and divorce at rates consistent with the general population and almost half of those born in the United States are in relationships with non-Muslims. It is not surprising that issues of religious education take center stage in child custody disputes. In addition, 64% of foreign Muslims cite the U.S. disrespect for Islam as the overwhelming factor in their resentment for America and Americans and they constitute the greatest potential risk for child abduction of American Muslim children. As more Muslim Americans separate and access the family law courts, we as lawyers, judges and child custody experts must be prepared to address the unique aspects of religion and foreign travel that these families present.

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All jurisdictions in the United States recognize the use of mental health experts to investigate the best interests of minor children in child custody proceedings. Although courts vary widely in their procedures, the appointment of minor's counsel or a *guardian ad litem* is frequently used. Understandably, opinions and beliefs among professionals in the field of family law differ dramatically and human bias is a constant contaminant to the appropriate handling of such cases. This is particularly true for families of Islamic faith. The challenge that we as practitioners in the child custody field face is to recognize our biases and accept that we are not immune from the events of September 11, 2001, and the lasting effects that the infamous terrorist attacks in New York, Washington and Pennsylvania have left on our way of thinking.

On December 7, 2004, Kofi Annan, former Secretary General of the United Nations, coined the term "Islamophobia" to describe the widespread bigotry, suspicion, harassment and discrimination against Muslims (Krastev, 2004). Professionals who work with families in conflict are no exception. In one recent study of non-Muslim Americans, 60% report they are not at all knowledgeable about Islam, one-fourth believe Muslims teach their children to hate, and one-fifth of the respondents agree that the civil liberties of Muslims should be restricted because of security reasons (CAIR, 2006). Forty-four percent of Americans say Muslims are too extreme in their religious beliefs and less than half believe that U.S. Muslims are loyal to the United States. Nearly one-fourth admit that they would not want a Muslim as a neighbor and 32% of Americans surveyed report that there is nothing to admire about the Muslim world (Esposito & Mogahed, 2009). Sadly, an overwhelming majority of respondents are employed and college educated (CAIR, 2006).

Neither the Census Bureau nor the U.S. Immigration and Customs Enforcement collects data on religious faith and it is difficult to count accurately the number of Muslims in the United States. Islam is reported to be the fastest growing religion in the country, with over 80% of all mosques having been built within the past 25 years (Young, 1997). Twenty thousand Americans are reported to convert to Islam each year (NBC News, 2007). One recent demographic survey estimates the number to be 1.5 million adults and 850,000 Muslim Americans under the age of 18, for a total of 2.35 million Muslims nationwide (Pew, 2007). California, New York, Illinois, New Jersey, Indiana, Michigan and Virginia are home states for the vast majority (Muslim Population Statistics, 2009). The rate of marriage

Correspondence: warren@warrencamp.com

among Muslim Americans is slightly greater than the general public, but separation and divorce rates are almost identical (Pew, 2007). The unique cultural and religious aspects of this group present challenges for lawyers, judges and social scientists working in the fields of family law and child custody. Although the total number of Muslims in the U.S. represents less than one percent of the country's population, there is no excuse for ignorance and in states with significantly higher concentrations of such families, a profound understanding of the dynamics is essential.

### WHO ARE MUSLIM AMERICANS?

Faith is a compelling issue for Muslim Americans. Seventy-two percent report that their religion is very important in their life, compared with only 60% of respondents who self-identified as Christian. More than three-quarters are U.S. citizens, one in four are college educated and approximately 10% have graduate degrees. Their incomes are comparable to the U.S. population in general, although this is not the case in Western European countries where their salaries are significantly less than their non-Muslim counterparts. Surprisingly, although most report it is easier to assimilate into the U.S. culture than it is in other Western nations, the majority of those surveyed regard themselves first and foremost as Muslim and only secondarily identify as American (Pew, 2007; CAIR, 2006).

With respect to household composition, Muslim families are not the monolithic stereotype that they have been portrayed. Twenty-three percent live in households with non-Muslim partners and among those Muslims born in the United States, the number living in mixed households is almost double (43%). Because native-born Muslims are twice as likely to be in relationships with non-Muslims, issues of faith and culture are certain to arise when they separate. Although 48% of all Muslims in multiple-person households report all the children to be of Muslim faith, among native-born Muslims, one in four are parenting non-Muslim children (Pew, 2007). The implications of this trend are significant for the family law courts. This is particularly true in cases involving choice of religious instruction for minor children.

### FREEDOM OF RELIGION

Family law courts are charged with the responsibility of protecting the best interests of minor children. Although state laws vary on the permissible level of intrusion into families to accomplish this goal, religious instruction is universally recognized as an area of substantial constitutional limitation. This position was first articulated in *Wisconsin v. Yoder* (1972) 406 U.S. 205, when the United States Supreme Court concluded that Amish children could not be placed under compulsory education beyond the eighth grade because it violated their parents' fundamental right to freedom of religion. Although one legal scholar argues that the reasoning in *Yoder* should not apply to child custody cases because it eviscerates the judge's ability to consider all the factors relevant to best interests, this approach has not been embraced by family law courts (Shulman, 2008). Because such a significant percentage of native-born Muslims are in relationships with non-Muslim partners, we as lawyers and child custody experts must be prepared to address issues of faith in child custody cases.

Unlike other religious disputes, those involving Muslim families are arguably different because of the international dimension involved and because friends and relatives outside the United States constitute the greatest threat of child kidnapping. Frequently, Muslim Americans leave behind family in Arab and Western European countries. The perception that the American courts are disrespecting children by not enforcing Muslim religious education creates a hostile potential for child abduction. Foreign Muslims believe that the United States is morally decadent (64%) and the West's disrespect for Islam is an overwhelming factor in their resentment of America and Americans (Esposito & Mogahed, 2009). Even the most well-intentioned parent may not be able to prevent extended family members from interfering, and it is not unique for such relatives to detain children in foreign countries to ensure their Muslim religious education that the American parent is not otherwise perceived to be providing.

Family courts have taken three different positions on the issue of religious instruction in child custody orders. First, the court will restrict a parent's religious activities only if the other parent proves that such activities cause substantial or actual harm to the child. This standard represents the majority view and is followed in most states, including California, Colorado, Florida, Idaho, Indiana, Iowa, Maryland, Massachusetts, Montana, Nebraska, New Jersey, New York, North Dakota, Ohio, Rhode Island, Utah, Vermont and Washington. Parents are generally free to expose their children to religious training without restriction as long as it does not interfere with the other parent's custodial time.

For example, in *Munoz v. Munoz* (1971) 79 Wash.2d 810, the Washington Supreme Court ruled that exposing children to two different religions (Mormon and Catholic) is not harmful by itself and does not justify restricting a parent's religious activities. In *Pater v. Pater* (1992) 63 Ohio St. 3d 393, 588 N.E.2d 794, the Ohio Supreme Court ruled that religious customs of the Jehovah's Witness that restrict a child's social activities—even if they separate him or her from peers or go against community standards—are not enough to justify court intervention unless the practices harm the mental or physical health of the child.

However, issues of religious instruction should not be viewed as an automatic pass, and in appropriate cases courts have found that the requisite harm did exist. In *Kendall v. Kendall* (1997) 426 Mass. 238, 687 N.E.2d 1228, the Massachusetts Supreme Court ruled that a father's conduct intentionally interfered with the mother's choice to raise the children Orthodox Jewish. He cut his son's payes (curls customarily worn by Orthodox Jewish males) and told his children that heathens outside his fundamentalist faith were damned to go to hell. The court barred the father from sharing his religious beliefs, praying, or studying the Bible with his children.

Secondly, some courts have taken the position that the potential risk of future harm from conflicted religious exposure is sufficient to justify intervention. This approach represents a heavily disfavored minority position and only Montana, North Carolina and Minnesota have adopted it. The most extreme example is *MacLagan v. Klein* (1996) 123 N.C. App. 557, in which a North Carolina court ruled that because a young girl had identified as Jewish since age three, exposure to the Methodist religion might interfere with her Jewish identity and adversely affect her emotional well-being. Based on its concern that the girl might suffer harm in the future, the court gave the Jewish father sole control over the child's religious education.

Finally, a small handful of courts have followed a strict legal custody analysis without consideration of actual or potential harm. Arkansas, Wisconsin and Pennsylvania are typical. In *Johns v. Johns* (1996) 53 Ark. App. 90, 918 S.W. 2d 728, the father complained that the mother, who had sole legal and physical custody of the children, was preventing him from visiting with his children. The mother's defense was that the father did not take the children to church and Sunday school while they were in his care. The court reasoned that because the mother had sole legal custody, her desire that the children attend church each week was paramount and father was ordered to take the children to church while in his care.

In *Zummo v. Zummo* (1990) 394 Pa. Super. 30, 574 A.2d 1130, the court resolved the dispute between a Jewish father and Catholic mother. Because the couple shared joint legal custody, they each had the right to instill religious beliefs in their children during their own periods of care for them. Although this approach represents still another minority view, it has significant justification. Most child custody regimes distinguish between legal custody and decision-making on the one hand, and physical custody on the other. Even in jurisdictions that favor non-interference in each parent's choice of separate religious instruction, a parent who has been stripped of legal custody has no presumptive right to make such decisions on behalf of the minor child and the remaining parent with legal custody is the only adult who is vested with such authority.<sup>1</sup>

There are two important points to be learned from these cases. First, courts are unpredictable in their analysis and lawyers and mental health experts cannot always predict the best solution or the final results.

Secondly, because 62% of Muslim Americans consider their religion extremely important, and a great majority of non-American Muslims perceive the United States as disrespectful of Islam, the better practice is to encourage litigants to acknowledge the Muslim heritage and assist them to draft a custody agreement that includes Islamic religious education (Esposito & Mogahed, 2009; CAIR,

2006). These agreements can be structured in many ways, but recognition of the Muslim religion is key.<sup>2</sup> Such agreements, once voluntarily entered into, are customarily enforced by the courts absent a showing of actual harm to the child.

### THE EXTENDED FAMILY AND THE HIDDEN ABDUCTION DANGER

Because many Muslim Americans still have family members in Western European and Muslim countries, foreign travel with minor children presents the greatest risk for child abduction. Eighty-one percent of foreign Muslims regard marriage and children as extremely important and 83% believe that Western nations do not respect Islamic values and traditions (Esposito & Mogahed, 2009). Given these statistics, it is not surprising that foreign travel by American Muslim parents with their children presents a substantial risk of international child abduction. With the exception of Turkey, no predominantly Muslim country has acceded to the Convention of 25 October 1980 on the Civil Aspects of International Child Abduction (HCCH, 2009a), and of the 29 countries currently on the U.S. State Department's Travel Warning Advisory list, 15 are predominantly Muslim (State Department, 2009a).

Muslim countries derive their domestic relations law from Shari'a religious doctrine (Rehman, 2007). Although countries vary broadly, the custody of young children is automatically placed with the Muslim mother but transfers to the father as they mature. Islam is a patrilineal religion and children are assigned their father's Muslim faith by default. Non-Muslim mothers are disentitled to any form of custody of their minor children immediately upon birth. Instances of Muslim women bearing children with non-Muslim men are extremely rare and they are frequently the victims of familial domestic violence. Male relatives routinely abduct the children to restore family honor and return the children to an environment of proper Islamic instruction (Pearl, 1987).

### CONSTITUTIONAL LIMITS ON TRAVEL

Although custody in one country and visitation in another is unusual, it is not as rare as one would expect and courts are unanimous that any restrictions on such travel with a minor child are highly disfavored absent compelling government interest to the contrary. The right to travel has long been recognized as fundamental and grounded upon the Privileges and Immunities Clause of Article IV, Section 2, of the United States Constitution (*Edwards v. State of California* (1941) 314 U.S. 160). Court action that places restrictions on fundamental rights must survive strict scrutiny analysis (*Jones v. Helms* (1981) 452 U.S. 412; *U.S. v. Carolene Products Co.* (1938) 304 U.S. 144). Under this standard, the state must show that it has a compelling purpose for denying the fundamental right and that the remedy chosen is narrowly tailored to meet the stated purpose (*Shapiro v. Thompson* (1959) 394 U.S. 628). Compounded with this is a parent's fundamental liberty interest in the care, custody and management of their natural children and due process must be provided when the state interferes with that relationship (*Santosky v. Kramer* (1982) 455 U.S. 745).

State action forcing a parent to choose between exercising his or her fundamental right to travel and other constitutionally protected rights violates the right to travel unless it is justified by a compelling state interest (*Dunn v. Blumstein* (1972) 405 U.S. 330). Not surprisingly, courts have taken the position that protecting the best interest of a child is such a compelling government interest (*Ziegler v. Ziegler* (1985) 107 Idaho 527, 691 P.2d 773), and the key is to establish an appropriate balance between the parent's interests in custody of their children and the child's interests in family relationships and stable placements.

Courts have wrestled with balancing these interests and states have addressed the issue of the right to travel in child custody cases. The rights of a parent and the duty of state courts to adjudicate custody and placement questions do not themselves justify restricting the right to travel under the U.S. Constitution (*Watt v. Watt* (1999) 971 P.2d 608; *Jaramillo v. Jaramillo* (1992) 823 P.2d 299; *In the Matter of the Custody of D.M.G. & T.J.G.* (1998) 951 P.2d 1377; *In re Marriage of Ciesluk* (2005) 113

P.3d 135). At least one legal scholar believes the standard is even higher and argues that states will not truncate a parent's right to travel absent the most extraordinary of circumstances (LaFrance, 1995).

Curiously, many scholars have ignored the second constitutional dimension to this issue—the rights of the child. Although a child has a fundamental right to have a placement that is stable and permanent and to be free from being the victim of abduction (*In re Jasmon O.* (1994) 8 Cal.4th 398; *In re Zachary H.* (1999) 73 Cal.App.4th 51), children also have fundamental constitutional interests in family relationships. These interests include not only the parent-child bond but liberty interests protected by the Due Process Clause of the 14<sup>th</sup> Amendment to the U.S. Constitution that embrace family relationships and familial ties (*Franz v. U.S.* (1983) 707 F.2d 582; *Doe v. Irwin* (1985) 441 F.Supp. 1247; *Kelson v. Springfield* (1985) 767 F.2d 651; *Bell v. City of Milwaukee* (1985) 746 F.2d. 1205).

### EMERGING EVIDENCE OF LIBERALISM

Debates in many parts of the Muslim world center on the changing roles of men, women, and children in modern society. These debates come into sharp focus as more and more Muslims cite the breakdown of the traditional family as the aspect of the Western societies they least admire. The primary cause of broad-based anger and anti-Americanism is not a clash of civilizations—it is the perceived effect of U.S. foreign policy in the Muslim world. For the most part, foreign Muslims draw a distinction between Western nations and their leaders. For example, 62% of Muslim moderates expressed an absolute dislike for former U.S. leaders, but significantly lower numbers disliked Americans in general. The same distinctions are true for Germany, France and other Western European countries (Esposito & Mogahed, 2009). After the November 2008 presidential election in the U.S., we can expect to see a marked decrease in anti-American sentiment which is likely to play itself out on individual levels as Muslim Americans increase their foreign travel with their minor children.

In his speech in Cairo, Egypt, President Obama led the charge for a new beginning between the United States and Muslims around the world; one based upon mutual interest and mutual respect. The mere fact that an African-American with the name Barack Hussein Obama could be elected President is in itself significant evidence that the richness of religious diversity must and can be upheld (New Beginning, 2009).<sup>3</sup>

There is growing evidence that Muslim appreciation for the U.S. has been shifting for several years. In a poll released December 19, 2005, by the nonprofit organization Terror Free Tomorrow and conducted by Pakistan's foremost pollsters ACNielsen Pakistan, the favorable opinion of the U.S. doubled to more than 46% at the end of November from only 23% earlier in May of that same year. A similar transition has occurred in Indonesia, the world's most populous Muslim nation. The direct cause for this dramatic shift in opinion is attributed to the American humanitarian assistance for Pakistani victims of the October 8, 2005 earthquake that killed at least 87,000, as well as the American relief to the victims of the 2004 tsunami in Thailand (Haqqani & Ballen, 2005). In his Cairo speech, President Obama continued to pledge such support with the announcement of his plan to invest \$1.5 billion each year in Pakistan to build schools, hospitals, roads and businesses, and \$2.8 billion to help Afghans develop their economy and deliver services that people depend upon (New Beginning, 2009). Most political analysts agree that these changes in Pakistan, Afghanistan and Indonesia influence thinking in other countries and we can expect a broader shift in public sentiment across the Muslim world (Haqqani & Ballen, 2005).

We have already begun to witness the global effects of this shift. Although the United States severed diplomatic and consular relations with the government of Iran on April 7, 1980, as a result of the events surrounding the seizure of the U.S. embassy in Tehran on November 4, 1979 (State Department, 2009b), images of Iranian protestors outraged by the June 13, 2009 victory of President Mahmoud Ahmadinejad over moderate challenger Mir Hossein Mousari have inundated Western newscasts. While 30 years ago it was the most conservative anti-American nation in the world, a new, younger generation of activists is calling for an end to the Mullah regimes and a greater push towards democracy.

These developments are only threads in a greater trend that has swept through the legal community dealing with custody and visitation issues at the international level. Although no major Muslim nation is a signatory to the Hague Convention, smaller bilateral treaties with Muslim countries resolving international custody disputes have proliferated for nearly three decades. These pairings include Australia/Egypt, Belgium/Morocco, Belgium/Tunisia, Canada/Egypt, Canada/Lebanon, France/Algeria, France/Egypt, France/Lebanon, France/Morocco, and France/Tunisia (Gosselain, 2002). Moreover, in 2009, judges and custody experts met in St. Julian's, Malta, for the third round of discussions on securing better protection for cross-frontier rights of contact for parents and their children and the difficulties posed by international abduction between the nations concerned. In addition to Western delegations, Muslim representatives from Bangladesh, Egypt, India, Israel, Jordan, Morocco, Oman, Pakistan, Qatar, Tunisia, Turkey, and the League of the Arab States participated (HCCH, 2009b). The joint declaration issued at the conference recognizes a need for co-operation between "Hague State Parties" and "non-Hague State Parties," mutual recognition of decisions, the establishment of a network of Central Authorities, and a call for the development of trans-border mediation services in cases of child custody disputes. Twenty years ago, such cooperation was non-existent. Today, it is a global trend that continues to garner international support.

### RECOMMENDATION FOR BEST PRACTICES

Courts have wrestled with child custody questions and prohibitions on foreign travel for over a decade, and while most international law does not yet exist, a standardized set of custody provisions for the prompt return of children is evolving (*Tropea v. Tropea* (1996) 87 N.Y.2d 727; *Marriage of Condon* (1998) 62 Cal.App.4th 533; *Marriage of Lasich* (2002) 99 Cal.App.4th 702; *Marriage of Abargil* (2003) Cal.App.4th 1294). They include:

1. Posting a substantial financial bond in a specific amount sufficient to ensure compliance with the court's judgment and orders. Bonding companies have begun marketing such products, and Accredited Surety & Casualty underwriting guidelines for child custody bonds have been drafted (Jallad, 2006);
2. Consenting to the issuing state's continuing jurisdiction over the child;
3. Agreeing to a prohibition against attempting to modify the judgment elsewhere;
4. Agreeing that any attempt by a parent to modify the judgment by application to any other court would be deemed a violation of the court's judgment and grounds for forfeiture of the bond and other appropriate sanctions;
5. Registering the trial court's judgment with the proper foreign authorities such that it would not be the enforcement of a U.S. custody order in a foreign country but rather the enforcement of that foreign country's own domestic custody order;
6. Refraining from taking the minor child to the foreign country until the judgment has been registered there and satisfactory proof has been provided to the local court;
7. Registering the custody order under the Hague Convention where foreign travel involves Hague states;
8. Requiring the traveling parent to waive extradition if an arrest warrant is issued for parental kidnapping under the Federal Parental Kidnapping Prevention Act (18 U.S.C. §1204);
9. If the traveling parent is a recipient of child support, providing that support payments will be forfeited in the event of non-compliance; and
10. If the traveling parent is a support obligor, requiring that parent to deposit support payments in trust in advance of the travel.

Although no appellate case has commented on the practice, some courts in California have experimented with restricting a parent of several children to travel with only one child at a time. The likelihood that a parent will abduct only one child while leaving siblings behind is thought to be a significant deterrent to the risk of child kidnapping.

In 2006, the National Conference of Commissioners on Uniform State Laws approved and recommended for enactment of the Uniform Child Abduction Prevention Act (UCAPA, 2006). It is a multi-disciplinary approach to managing foreign travel, relocation, and abduction in child custody cases. Most significant is the Act's enumerated abduction risk factors, and lawyers, judges and custody experts who practice within the domestic relations theater are well served to be thoroughly familiar with its provisions. The full text of UCAPA can be retrieved from <http://www.law.upenn.edu/bll/archives/ulc/ucapa/2006finalact.htm>.

As of the publication date of this article, the UCAPA has been adopted in Nebraska, South Dakota, Utah, Kansas, Colorado, Nevada, and Mississippi. It has also been adopted, but with substantial modification, in Oregon and Louisiana.

At the same time, however, an organized grassroots movement has emerged in opposition to UCAPA and it has successfully blocked its adoption in New Hampshire, New Jersey, Idaho, Pennsylvania, Texas, Connecticut and South Carolina. At the heart of this opposition force is the concern that the Act's risk factors are so over-reaching and ambiguous that even the most well-intentioned parents will be branded as potential abductors. For example, § 3(F) of the Act lists obtaining a child's medical, school or birth records as indicia of intention to abduct. Opponents of the legislation rightfully argue that these same behaviors are committed by caring and loving parents every single day, and the potential for misuse far outweighs the likely benefits as a tool to prevent child abduction. Furthermore, all family law judges are vested with broad discretion to consider the unique circumstances of each family, and any single state's rejection of the Act in no way prevents its family law courts from considering its provisions without blindly mandating its application.

As another example, UCAPA mandates that all traveling parents first submit to court ordered counseling on the injurious psychological effects of child abduction on children. The recommended skill-set for this therapeutic counseling is still unclear, and the wisdom in imposing such an overwhelming inconvenience and expense on parents who are otherwise traveling in good faith with their children is certainly debatable. However, it is a bold preventive measure that has previously been overlooked and therapists and lawyers should not hesitate to include it as an option in appropriate cases.

## CONCLUSION

Muslims in the U.S. are no different from Americans in general. They value their religion and customs, participate in poly-denominational relationships, and divorce at rates consistent with the general population. As America moves forward in its goal to free itself from its historic hostility toward Islam, local family law courts can expect greater numbers of Muslim Americans to reach out to their past and embrace the Muslim religion. More will seek to travel to foreign countries where friends, relatives and traditions hold strong ties. Our courts and the entire infrastructure of the domestic relations system must be prepared to recognize and embrace such cultural differences while delicately balancing the best interests of minor children against the constitutional questions that these cases present.

## NOTES

1. While family law courts vary greatly in their use of sole legal custody as a parenting plan option, we are family law practitioners who generally see such orders only in cases of demonstrated impaired judgment such as abandonment, domestic violence, child abuse, substance addiction and mental health issues.

2. The following are some sample clauses that can be included when preparing custody agreements:

**Sample Clause A:** Children to Be Raised According to Specific Religious Faith

The parties acknowledge and agree that their children shall be raised in the Muslim faith. The parties agree to encourage the children to attend mosque and to actively promote a healthy awareness and appreciation for this religious faith.

**Sample Clauses B:** Children to Be Raised According to Specific Religious Faith Despite One Parent's Different Faith

The parties represent and acknowledge that their children have been raised pursuant to the tenets and faith of the [religion A] religion. Notwithstanding father/mother's representation that he/she practices/intends to convert to [religion B], the parties agree that the children shall continue to be raised [religion A] and each agrees to actively foster, encourage and cooperate with the children in this regard.

**Sample Clauses C:** Apportioning the Costs of Religious Instruction

The parties represent and acknowledge that the children have been and shall continue to be raised in accordance with the Muslim faith. Both parties agree to actively encourage and support the children's religious upbringing in this regard. The parties shall enroll the children in school at [religious school] in [city], [state], or such [religious school] as the parties may otherwise agree. The parties further agree that all costs related to the children's attendance at and membership in the [religious school] including, without limitation, religious school tuition and costs, shall be shared equally/paid exclusively by father/mother.

**One Party Responsible for Religious Costs**

Father/Mother agrees to be responsible for all costs and expenses related to the children's religious education, including but not limited to mosque/church/temple dues, religious school, etc. Father/Mother further agrees to be responsible for making appropriate arrangements for the children's transportation to and from religious school and events. Father/Mother agrees to make the children available so that they may participate in religious school and any agreed upon religious events.

**Costs of Special Ceremonies**

The parties acknowledge their understanding that their child, [name], will have [his/her] bar/bat mitzvah/confirmation/other religious celebration in the next \_ years. The parties agree to each be responsible for all costs of the celebration, including, without limitation, temple/church/mosque and reception costs, invitations, band, etc., father/mother.

**Sample Clauses D:** Children to Be Raised According to Specific Religious Faith With Specific Restrictions

Notwithstanding that the children have been raised according to the [specify religion] faith, they will be permitted to participate with father/mother his/her family at [specify] holidays. In no event shall this be construed so as to impede or interfere with the children's upbringing in the [specify religion] faith. The parties agree that the children may be brought to a church or religious service of any nature outside the [specify religion] faith. During such services, they [will be permitted to participate fully] [are only permitted to be guests in a non-participatory capacity so as to permit them to be guests at events such as weddings, communions, confirmations, christenings and funerals involving family and friends].

3. It is not surprising that President Obama chose Cairo as the venue for this historic speech. In international law, Egypt is widely viewed as the most moderate of Muslim nations. Approximately 20% of Egyptians are non-Muslim and belong to the Coptic Orthodox Church, Coptic Catholic church, Evangelical Church of Egypt, or other Protestant denominations. Egypt has the largest Christian community in the Middle East.

It is also the only Muslim country to ratify the convention of 14 March 1978 on Celebration and Recognition of the Validity of Marriages and the Convention of 1 June 1970 on the Recognition of Divorces and Legal Separations. Not even the United States has acceded to these international treaties.

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*Warren D. Camp practices exclusively family law in Palm Desert, California. He is a certified specialist in family law accredited by the California State Bar Board of Legal Specialization, as well as a certified family law trial expert accredited by the National Board of Trial Advocacy. He is a Fellow of both the American and International Academy of Matrimonial Lawyers. From 1998 to 2002, he sat as a Superior Court family law bench officer in Riverside County, California. He recently completed his Master's Degree in dispute resolution from the Werner Institute, Creighton University School of Law, Omaha, Nebraska. He has also completed advanced training in dispute resolution from the Mendoza College of Business at Notre Dame University, and the Strauss Institute at Pepperdine University School of Law in Malibu, California.*