

THE CALIFORNIA FAMILY COURT SYSTEM: EXPERIENCES OF PROTECTIVE  
MOTHERS OF ABUSED CHILDREN

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by  
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Approval of the Dissertation

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MOTHERS OF ABUSED CHILDREN

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AbstractTHE CALIFORNIA FAMILY COURT SYSTEM: EXPERIENCES OF  
PROTECTIVE MOTHERS OF ABUSED CHILDREN

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There is a national epidemic of children being physically, sexually, emotionally, and verbally abused and/or neglected by their fathers as a result of custody and visitation orders by the family court system (Rosin, 2014). In addition, the family court system mistreats mothers and children while violating both national and international human rights' laws. This mixed method study explores the experiences of mothers (herein referred to as "protective mothers") in California who attempt to protect their children while going through the custody and visitation process.

The study included 24 protective mothers who were recruited from the websites of the Center for Judicial Excellence, the California Protective Parents Association, and Facebook. The protective mothers took a 64-item anonymous online survey that collected both quantitative and narrative data, and were offered an optional follow-up interview via telephone. The survey addressed seven categories, including: "respondent demographics," "protection of child's best interests," "protection of child's safety,"

“equitable treatment of mothers,” “protection of mothers’ safety,” “effectiveness of the California family court system,” and the “adherence with national and international human rights legislation.”

The quantitative data were tabulated and the survey and interview responses were examined to identify common themes, consistent with the content analysis procedure outlined by Saldana (2011). The data showed that the protective mothers and their children are being abused and had negative experiences in the California family court system, which included mistreatment by the Judges, court officers, mediators, law enforcement, and the California Protective Services. A discrepancy was also found between national and international human rights’ laws and the treatment of the protective mothers and their children. The protective mothers took an active role in the research.

This study takes a broad approach to the issue, including both the subjective experiences of the participants and a comparison of those experiences to national and international human rights’ law. Suggestions for further research are included.

## Dedication

I am dedicating this dissertation to my daughter, Giovanna Mercurio, a little hero.

Although the topic of my dissertation is sensitive, it was from my personal experiences of protecting Giovanna in the California family court system that inspired me to write my dissertation. I wanted to make lemonade out of lemons by contributing to research that may help women and children in the future. Thank you, Giovanna, “dolly,” for taking me to the path that I was supposed to pursue.

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## Table of Contents

List of Tables .....	viii
<b>CHAPTER 1: INTRODUCTION</b> .....	<b>1</b>
Purpose.....	4
Researcher Background .....	4
Significance of the Study .....	5
Organization of the Study .....	5
 <b>CHAPTER 2: REVIEW OF LITERATURE</b> .....	 <b>6</b>
History of Child Protection Law.....	6
Current Risks for Women and Children in the California Family Court System.....	13
Single parenthood .....	18
Shared Parenting Movement.....	19
Mediators in the California family court system .....	22
Child Protection Services and family court system connection.....	24
Judges.....	27
Parental Alienation Syndrome and Munchausen By Proxy Syndrome .....	29
Domestic Violence and the Family Court System.....	34
Statistics in the California family court system .....	38
Family law case studies .....	41
Case 1 .....	41
Case 2.....	47
Case 3.....	50
Humanitarian National and International Law for Protection of Women and Children.....	52
Nicholson v Scopetta .....	57
Gonzales v United States .....	58
Legislation Improvements .....	60
The Morella Resolution .....	61
The Conyers Bill.....	61
The Greenbook Initiative .....	62
Legislative improvements in California.....	64
Brief Summary of Mercurio’s Practicum Research.....	65
 <b>CHAPTER 3: METHOD</b> .....	 <b>68</b>
Research Design.....	68
Participant Recruitment .....	68
Data Collection .....	69
Survey procedures.....	69
Data Analysis .....	71
 <b>CHAPTER 4: RESULTS AND FINDINGS</b> .....	 <b>73</b>
Survey Results .....	73
Respondent demographics .....	73

Adherence with national and international human rights legislation.....	79
Article I of American Declaration .....	79
Article II of American Declaration .....	80
Article VII of American Declaration .....	81
Article 9.1 of the International Covenant on Civil and Political Rights.....	81
Article 3 of the International Covenant on Civil and Political Rights.....	82
Article 2(d) of the Convention on the Elimination of All Forms of Discrimination against Women.....	82
Combating sexual violence per the Convention on the Elimination of All Forms of Discrimination against Women .....	83
Article 19.1 of the Convention on the Rights of the Child .....	83
Eliminating gender-based violence per the United Nations General Assembly.....	83
California family law code 3027.5.....	84
California family law code AB-1050.....	85
Protection of child’s best interests .....	85
Placing fathers’ rights above best interests of the child.....	86
Protecting the best interest of children.....	88
Defaulting to 50/50 visitation .....	88
Listening to children’s wishes .....	89
Protection of child’s safety .....	90
Taking measures to protect safety.....	90
Punishing participant for trying to protect child .....	95
Honoring and issuing restraining orders .....	96
Use of external documents.....	97
Equitable treatment of mothers .....	97
Protection of mothers’ safety .....	99
Effectiveness of the California family court system.....	101
Interview Results .....	103
Experiences with the California family court system .....	103
Additional experiences to report.....	104
Suggestions to improve the courts .....	104
Positive aspects of the California family court system.....	105
Summary.....	105
 CHAPTER 5: DISCUSSION.....	 107
Summary of Methods.....	107
Summary of Findings.....	108
Adherence with national and international laws .....	109
Protection of the child’s best interests .....	110
Protection of the child’s safety .....	111
Equitable treatment of mothers .....	111
Protection of the mother’s safety .....	112
Effectiveness of the courts .....	112
Limitations and Research Issues.....	113
Suggestions for Future Research .....	115

Conclusion .....	116
REFERENCES .....	118
APPENDICES	
A. Participant Survey .....	125
B. Interview Script .....	138
C. Raw Survey Data.....	139
D. Raw Interview Data .....	234

**List of Tables**

Table 1. Participant Demographics.....	74
Table 2. Adjudicating California Family Courts .....	75
Table 3. California Family Courts' Adherence with Human Rights Legislation .....	80
Table 4. California Family Courts' Protection of Children's Best Interests.....	86
Table 5. California Family Courts' Protection of Children's Safety .....	91
Table 6. California Family Courts' Equitable Treatment of Mothers.....	98
Table 7. California Family Courts' Protection of Mothers Safety.....	100
Table 8. Effectiveness of the California Family Courts.....	101

## Chapter 1: Introduction

The high rates of divorce, children born outside of marriage, domestic violence, and child abuse mean that children are increasingly in situations that are far from healthy and secure. Extensive budget cuts in the systems that work to protect children have only exacerbated the problem. The result is that there are numerous cases of the courts handing children over to paternal perpetrators of abuse, despite their mothers' pleas to protect the children (Silberg, 2008). All too often, these attempts result in negative ramifications for the protective mother<sup>1</sup>.

Until the late 19<sup>th</sup> century in the United States, issues of child custody were handled under property law, as children were considered to be parents' (typically the father's) property (Stryker, 2007). Accordingly, the precedence for more than 5,000 years was to give fathers sole custody. In the 19<sup>th</sup> century, women with impeccable qualifications were able to have sole custody for very young children to provide so-called maternal tenderness. After a child's earliest years, mothers retained custody only if a father did not try to later regain custody.

In the 20<sup>th</sup> century, the shift from agrarian to industrial careers triggered population shifts from rural to urban settings, prompting revisions to child protection laws for households (McGowan, 2010). Twentieth century family court laws were written with the intention of looking out for the children's so-called best interests rather than viewing them solely as only their father's property (Stryker, 2007). However, despite the focus on children's best interests, women were still held at an impossibly higher parenting standard than men, and men could be given sole custody simply for showing minimum interest in their child (Chesler, 2011). Even absent or violent fathers who

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<sup>1</sup> a protective mother is defined in this study as one who acts in a protective manner for her child in a custody/visitation family court case

challenged mothers for custody were granted sole custody in 70% of cases. In 1975, a famous scientist, Lee Salk, challenged his wife who was a homemaker for custody (Chesler, 2011). He won because the courts viewed his career as more interesting and exciting than hers. Even when women were granted sole custody, gender bias still appeared in the family court system in other ways (Rosen, 2014).

Awareness has grown within the last three decades about dysfunctions in the United States family courts (Rosen, 2014). Changes in social practices in recent decades require constant monitoring of family law and social services to prevent social practices that produce inequalities (Stryker, 2007).

The protective parents' movement has emerged to protect children, especially in the family court system (Rosen, 2014). This movement is at an intersection with the child protection movement, the incest survivor movement, and the battered women's movement. However, the protective parents' movement does not receive the same level of government support and resources as the other three movements. Along with these movements is the fathers' rights movement, which leveraged the Tender Years Doctrine, 19<sup>th</sup> century British legislation, to claim that there is a historical bias against fathers. The Tender Years Doctrine allowed mothers to keep custody of children during their very earliest years. It was actually one of the first legislative initiatives to protect mothers from losing custody of their children. The father's right movement asserts its goal as preserving joint custody and shared parenting.

The fathers' rights movement has greatly influenced family court rulings primarily through a strategy of denying any claims of domestic violence and child abuse (Rosen, 2014). In court, they discredit victims who claim domestic violence and child abuse. This can increase risks for women and children who already are facing

disadvantages in the historically gender biased court system. In particular, claims of sexual abuse committed by the fathers are discredited and alleged to be false during custody disputes. This is notable given that false allegations of sexual abuse during custody disputes are quite rare (Thoennes & Tjaden, 1990). Even when substantial evidence of sexual abuse is presented to the court, custody and visitation still is given to the abusive father (Rosen, 2014). Moreover, mothers sometimes lose custody and visitation for going to the judge in an attempt to protect her children in such cases.

Documentation of the growing problem of putting children in the hands of perpetrators and punishing the protective parent is increasing across academic studies, conferences, books, and movies (Rosen, 2014). Research on the Massachusetts family court system revealed that mothers' and children's human rights were being violated. Rights violations concerned their bodily integrity, security of person, equal protection under law, and freedom from torture, among others guaranteed under the international human rights laws (Silverman, Mesh, Cuthbert, Slote, & Bancroft, 2004). In 2004, during a conference in New York, battered women from across the nation testified to having experienced similar violations to their human rights in the family court systems ("Conference Shines," 2013). Currently, more than 1,000 cases have been documented about protective mothers being punished through loss of visitation or custody for believing their children's allegations of abuse and trying to protect their children in the family court systems (Rosen, 2014). Moreover, Rosen alleges that the incidence of abuse toward women and children in the family court system continues to increase.

The solution may involve the support of federal leadership, due to the systemic human rights violations by the family court system.

In 1997, a group of senators testified at the House of Representatives to submit a concurrent resolution, which was then referred to the Committee on the Judiciary (Rosen, 2014). The purpose of the resolution was to let Congress know about the problems concerning child custody, child abuse, and victims of domestic violence and to offer solutions to Congress. This study offers a focused examination of the California family court system to determine the extent to which children are being protected from abuse.

### **Purpose**

This qualitative study examined the ways in which California family courts are treating mothers who are trying to protect their children from perpetrators of abuse, and to assess whether the children and women involved in the California family court system are being honored according to the international human rights laws. Two research questions were examined:

1. Is the California family court system violating the national and international human rights' laws of women and children?
2. Are protective mothers<sup>2</sup> and their children being abused by the California family court system?

The mothers involved in this study are involved in the California family court system because they are seeking to protect their children from perpetrators of abuse. The study involved an online survey of 24 individuals and an optional follow-up phone call.

### **Researcher Background**

I am very passionate about this subject, as I have personal experiences as a protective mother with the family court system in North Carolina and California. From personal experience, I realized that the family court system does not always fulfill its mission to protect children. This inspired me to conduct my own study into the California

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<sup>2</sup> a protective mother is defined in this study as one who acts in a protective manner for her child in a custody/visitation family court case

family court system to assess whether women and children are being treated properly by authorities and officers of the court, according to the international human rights conventions. I wanted to contribute to the understanding of the issue, in order to support the rights of protective mothers and their children.

### **Significance of the Study**

This study provides insights about the experiences of protective mothers of abused children within the California family court system. Specifically, it documents instances when mothers' rights to protect their children in the California family court system have been violated and children and women's safety have been violated; based on international and national human rights laws of women and children. It further documents instances where mothers and children have been abused by the California family court system, which is a violation of international and national human rights laws of women and children. Additional insights were generated regarding the protection of children in the California family court system and whether the best interest of the child model is being practiced by the judges and court officers. I hope that these insights will provide useful directions for continued social reform and research.

### **Organization of the Study**

This chapter provided the background to the study and presented the study purpose. My background and significance of the study also were described. Chapter 2 provides a review of literature related to the present study. Chapter 3 describes the methods used in the present study. Chapter 4 reports the results of the study and chapter 5 offers a discussion of the results.

## Chapter 2: Review of Literature

### History of Child Protection Law

Different time periods and according cultures have influenced how Americans treat their children. During the 17th century, Colonial Americans did not have strong attachments with their children because most of them died at a young age (McGowan, 2010). It was rare for children to survive infancy, and those who did survive were viewed as property and free labor. In the colonies, the focus of parenting was to teach children how to be industrious workers. How this was achieved was up to the parents. The church oversaw some matters; but for the most part the family was the primary self-contained institution. The state had hardly any involvement in the family affairs, and it was confusing where the state stood, due to the powers of the church.

In the mid to late 17<sup>th</sup> century, the American colonies enacted the Stubborn Child Laws that followed Deuteronomy 21:18-21 (1), which actually ordered the death penalty for “stubborn or rebellious [sons who] will not obey their parents’ voice and chastisement” (Brinley, 1865, pp. 10-11). The laws of the colonies showed that the children had hardly any rights and few expectations. This attitude toward children remained the same until the early nineteenth century, when the Industrial Revolution started.

The Industrial Revolution changed the American culture to a softer culture with more personalization (McGowan, 2010). Men started working industrial jobs in the cities, instead of in the fields. As a result, women and children moved inside the homes and away from working in the fields. The result was redefined roles for women, men, and children. The focus of child rearing changed from raising children as field workers to raising children to be industrious laborers, which required a variety of jobs of different

needs of skill levels, intelligence, morals, and personalities. The roles of animals also changed (Sznajder, 1996). Some of the animals were viewed as companions rather than mere workers and were moved out of the fields and into the homes.

In the 19<sup>th</sup> century, child welfare began to extend beyond the family unit and became a social issue (Shull, 1999). Corporal punishment was still the standard of disciplining children. However, some Americans began advocating for alternative disciplinary methods to distinguish themselves from the influx of immigrants from the industrial revolution. The communities formed as a result of industrialization began to reveal a link between poverty and crime. Public institutions were created to reform neglected children and to attempt to keep them from becoming criminals.

It was not until the mid-19<sup>th</sup> century that child welfare organizations were formed in the United States (Bell, 2011). Many of the public and private child welfare organizations were in New York. The government started using taxpayer money to fund almshouses and labor camps and to have troubled and neglected youth shipped out on orphan trains for labor or to foster homes (McGowan, 2010). The transfer of power from church to state became evident; however, people were tired of the state taking their tax money to help with child welfare, when the problems seemed too much a mess to solve (Costin, 1991).

In 1830, the case against Reverend Samuel Arnold of New Hampshire became an example of the movement of authority from church to state (Bell, 2011). It also became an example of how disciplinary practices began to shift away from corporal punishment, and how authorities began to advance the rights of children. Almon was Reverend Arnold's four-year-old adopted son, whom he beat because the child was "obstinate," (Arnold, 1830, p. 71). He refused to read the word *gutter* aloud. Reverend Arnold took

Almon to a cellar and tied up his arm, beat him with wooden switches until his shoes were so filled with blood that there were puddles of blood on the floor. The Reverend did not relent until Almon said the word gutter. Reverend Arnold believed the child would be obedient for life because the child was subdued to finally say the word gutter. However, Almon died. Reverend Arnold tried to use scripture for his defense (and later wrote a book to document his defense), but the public was outraged. Almon's incident was viewed by the public as a non-family affair and so was unjust because Reverend Arnold killed somebody else's son (Shull, 1999). Unfortunately, the public did not have outrage for all cases of brutal corporal punishment.

Organized child protection started with Etta Wheeler, a Methodist religious missionary (Myers, 2004). In April 1874, Etta Wheeler rescued a 9-year-old named Mary Ellen Wilson from New York because she was being beaten and neglected by her guardians in Hell's Kitchen, one of the worst known tenements in America. Wilson was one of the first victims to be recognized by the media, and became the subject of the first prosecuted child abuse case (Jalongo, 2006). The case of Mary Ellen Wilson was the beginning of the child protection movement, which was catapulted by the social changes during this time period.

Mary Ellen was not the biological daughter of the Connellys, so it was not viewed as a private family matter, the same as the case with Almon (Watkins, 1990). Mary Ellen Wilson, born in 1864, in New York City, was the daughter of Francis and Thomas Wilson, but Thomas died when Mary was an infant and so Francis had to work. As a result, Francis boarded Mary Ellen with a lady by the name of Mary Score. Francis was living in poverty and got behind in payments for Mary and could not visit with her. As a result, Mary Score gave Mary Ellen to the city's Department of Charities when Mary was

2 years old (Watkins, 1990). The department placed her with Mary and Francis Connolly, her foster parents.

Etta Wheeler visited the tenement where Mary Ellen resided with the foster parents, the Connollys. A chronically ill tenant who was homebound, named Mary Smitt, told Etta Wheeler that she heard cries from Mary. Mary Smitt reported that Mary was bruised, naked, and shivering outside of her home. In December of 1873, Wheeler went to investigate the claim but was stopped by the Connollys. However, Wheeler was still able to see Mary washing dishes in the kitchen, bruised and barefoot. Wheeler then set out to rescue the girl, but the police did not help her because nobody had witnessed the assaults (Jalongo, 2006). The local charities donated clothes but had no authority to remove Mary from the home. Wheeler contacted Bergh, the president of the Society for the Prevention of Cruelty to Animals, due to advice from her niece. Berg told Wheeler, “The child is an animal. If there is no justice for it as a human being, it shall at least have the right of the cur in the street . . . it shall not be abused” (Costin, 1991, p. 204).

It only took 2 days for Bergh to arrange for Wheeler to go to a grand jury and testify about Mary Ellen’s injuries to Judge Abraham Lawrence in the New York Supreme Court. Berg also sent an investigator to the home, Elbridge Gerry, an attorney for the Society for the Prevention of Cruelty to Animals. Gerry was disguised as a census worker, to verify the allegations of abuse on Mary by several neighbors. Elbridge Gerry prepared section 65 of writ of habeas corpus, to petition Mary Ellen to be removed from her home, so that she could testify about her mistreatment to the judge. As a result, the judge ordered the New York City Police Department to remove Mary Ellen from the abusive home (Myers, 2004).

Mary Ellen testified that Mary Connolly had stabbed her in the face with scissors a few days earlier (Jalongo, 2006). She testified to being forced in isolation, and deprived of food, bedding, and clothing. She also had to do unreasonable labor. She was given lashings every day with a twisted leather whip. Mary Connolly was only convicted of felonious assault, even though she was charged with four accounts of assault and twelve counts of assault and intent to willfully kill with the scissors. Judge Lawrence ruled that Mary Ellen be removed from the home, and Mary Connolly was ordered to serve one year of hard labor in the penitentiary (Watkins, 1990).

Mary Ellen was immediately placed in a shelter for adolescent girls (Watkins, 1990). Ms. Wheeler got approval from Judge Lawrence to place Mary Ellen with her mother, Sally Angell. Sally Angell died and then Etta Wheeler place Mary Ellen with her younger sister, Elizabeth Spencer, who was stable and nurturing.

Elbridge Gerry notified *The New York Times* of the Mary Ellen Case (Watkins, 1990). Public awareness of the need to rescue and protect abused children was heightened due to the publication of the trial. Media in Mary Ellen's case helped gain the public's support against cruelty towards children (Jalongo, 2006). The media learned the value of sensationalism, the belief that some stories are more newsworthy than others. A boy had been beaten to death in New York for not running an errand properly but received no media notice; therefore, there was no public outcry. It seems that abused girls were more newsworthy than abused boys.

The testimony from Mary Ellen revealed mistakes made by authorities in child protection (Costin, 1991). The Connollys failed to check in with authorities annually, to show that they cared for Mary properly. The authorities never investigated when they failed to check in. The child welfare organizations perpetuated the abuse and neglect of

Mary due to their carelessness. The government's credibility with the protection agencies was inefficient and corrupted.

Mary Ellen married a widower when she was 24 and had two daughters—one she named Etta and one Florence, both of whom who became teachers (Costin, 1991). She was also a foster mother to Eunice, who became a businesswoman. Mary Ellen's children described her as gentle and not much of a disciplinarian. Mary Ellen spoke at the American Humane Association at the national conference in 1913, in Rochester, NY, with Ms. Wheeler. Her keynote address was entitled, "The Story of Mary Ellen, Which Started the Child Saving Crusade Throughout the World," published by the American Human Association. Mary Ellen died in 1956, at the age of 92.

In the late 19<sup>th</sup> century, philanthropists and citizens created private organizations such as the City Vigilance League, the Society for the Prevention of Crime, and the Society for the Suppression of Vice (Shull, 1999). Within a year, Bergh and Gerry then decided to create a non-governmental charitable society, which was solely devoted to child protection (Myers, 2004). The society became the New York Society for the Prevention of Cruelty to Children (NYSPCC). The NYSPCC was the world's first organization devoted to child protection. Gerry served as the president of the NYSPCC until the 20<sup>th</sup> century. By 1922, 300 non-governmental child protection societies were formed throughout the United States, but they declined significantly in the 1930s, after the Great Depression, when there were not as many charitable contributions (Rosen, 2014). The first juvenile courts were formed in Chicago in 1899, to have state involvement for child abuse and neglect cases, although they were mostly concerned with delinquency. By 1919, most of the states had juvenile courts. Federal involvement in child abuse and neglect started in 1912, with the U.S. Department of Health and

Education and Welfare. It tracked infant mortality and provided funding for infant health and nutrition. In 1935, congress passed the Social Security Act, which aided dependent children and provided funding for poor families. It also bridged the gap between the Children's Bureau and the state public welfare agencies, to work together to service and protect homeless, dependent, or neglected children, and children who may become delinquent.

Berg and Gerry wrote the first chapter of children's rights (Sznaider, 1996). The anti-cruelty movement was started and was a result of the Enlightenment and the Industrial Revolution. Before the Enlightenment, pain caused by the State or the upper classes was viewed as outside of moral concerns and accepted as normal by the lower class. By the mid-19<sup>th</sup> century, Enlightenment and the Industrial society became more liberal and egalitarian. The middle class was expanded and the culture was more sensitive to pain. Since the middle class was expanded, and people viewed each other more as equals than before, they became empathetic to pain inflicted on equals, and pain was viewed as evil or cruel. The empathy towards pain was also carried towards animals because they too could suffer. By the 1870s, the Darwinian concept that there could be a link between animals and humans contributed to the blurring of the lines between humans and animals (Costlin, 1991). Since animals could feel pain, Bergh believed that then children could feel pain too and deserved protection.

Freeing Mary Ellen from her abusive home could be seen as the beginning of the women's rights movement (Costin, 1991). Women were claiming equality with respect to childbearing and childrearing. In the early 20<sup>th</sup> century, proper child rearing, with respect to proper discipline, became a focus. This is why Mary McCormack Connolly was convicted of felony assault from the changing views on child rearing. Mary Ellen did not

report any abuse from Thomas McCormack in the court proceedings (Watkins, 1990).

The American judiciary had to change its role in the legal system, due to the expansion of the women's rights movement, which led women to object to the traditional patriarchal family system (Costin, 1991). Marriage laws changed, allowing women to have more independence and privileges. The American judiciary system became the "male head," so that the patriarchal system would still be intact in custody and property issues. The American judiciary system became a predecided role in family matters. It kept the patriarchal system going, which was not always present in the family structure, due to the Industrial Revolution and Enlightenment Period.

The history of child protection law inspired the present examination of whether gender bias currently exists in the California family court system that could be affecting women and children's right to safety. Specifically, it was of interest to examine whether the California family court system is violating the international human rights laws of women and children and whether protective parents and their children are being abused by the California family court system. The next section examines current risks for women and children in the California family court system

### **Current Risks for Women and Children in the California Family Court System.**

The current family law court system makes it difficult for mothers to protect their children from abuse by the father, especially sexual abuse (Rosen, 2014). Louise Armstrong (1978), an incest survivor, wrote *Kiss Daddy Goodnight*. The book had her own story along with some other survivors. Health professionals believed that incest was so rare that they did not think many people would be interested in the book (Rosen, 2014). There was a stereotype on incest where it was the mother's fault for being too frigid, or Freud's theory was used often where the child was blamed for having fantasies

about sexual relations with their parents. In 1978, David Finkelhor wrote about sexually abused children, and Diana Russel conducted a study on incest. The books illuminated child sexual awareness and schools started to have educational programs. Moreover, incest was found in all classes and ethnic groups. The battered women's movement, in the 1970s, gave women courage to support their children's allegations, and the women started leaving the abusers (Rosen, 2014).

There was a backlash to middle class men finally being held responsible for their abuse of women and children (Rosen, 2014). One of the backlashes by the middle class men, in the family court system, to women getting stronger against abuse, was that the fathers' rights movements encouraged fathers to push for sole custody of the children, to avoid paying child support. Moreover, the fathers accused of child abuse started joining together to say that the claims were false. In 1984, a major case that helped fathers with the false accusation theory and ruined the credibility of using children as witnesses, was from a child molestation case at McMartin Preschool in Manhattan Beach, California. Through satanic rituals, there were claims that 350 children in the daycare were abused. The trial went on for seven years, and all the defendants had charges dropped except for one, who was acquitted of most of the charges with the remaining charges resulting in a mistrial. Social workers and other mental health practitioners were now being questioned about whether they were promoting false allegations when using the anatomically correct dolls.

In the early 1980s, women and children were finally encouraged to speak about incest (Rosen, 2014). The child protection movement was finally establishing a formal structure. The threat to men of privilege being able to control women and children was threatened. The fathers' rights movement became a way for fathers to defend themselves,

and they began to use the family court system as an instrument. Before the child protection movement and battered women's movement, women who had children that were abused by the father were blamed for the abuse. After the movement, they were viewed as the so-called vengeful ex-wife who uses false allegations to gain an advantage in custody disputes. By the mid 1980s, the result of the protection movement was that a Male Protective Brigade was made, to make sure that there could be no possible protection available, while women and children thought that there was help (Armstrong, 1996).

A major problem in the family courts began (Armstrong, 1996). Soon, protective parents began to lose custody of their children that they were trying to protect against the alleged abusers. There was some cases reported to the media, but the public did not know all the circumstances involved because they were labeled as custody disputes. Custody dispute was a term used, instead of a backlash to women and children fighting against abuse, and instead of defining it as assault to women and children in the court system. By the early 1990s, hundreds of cases surfaced from all classes of women, especially professional women, who brought the children's allegations to the family courts to protect them. Sometimes women were told by protective service workers not to allow a child to go to family court ordered visitation, or they would lose their children for not protecting them. Then the mothers would be jailed for contempt, while other women tried to hide in the underground railroads. When they were caught, they would be jailed for kidnapping. Hundreds of cases resulted in mothers losing custody and most of the time visitation as well.

Cases of women losing children were recording in books by Phyllis Chesler, Louise Armstrong, Karen Winner, Leora Rosen, and Michelle Etlin (Rosen, 2014).

Judges would simply ignore any evidence of child abuse when the protective mother came to him about the abuse (Armstrong, 1996). Armstrong describes a case where a judge found enough evidence of sexual abuse of the child but insufficient evidence to take the child away from a so-called loving father. In 1990, in Massachusetts, a woman judge gave sole custody to a father accused of sexually abusing a child because the child had learned to say no to the father's sexual advances, but still needed to learn how to say no to the mother pressuring her to see her father through her mother's eyes. Still, mothers did not back down at trying to protect their children. They lost custody of them, went to jail for them, went underground for them. They began to seek help and file appeals and try to get the family court system to redress the harm (Rosen, 2014). The family court system became more organized, and responded with more contempt charges on mothers. They began using court auxiliaries, such as custody evaluators and guardians ad litem. The court auxiliaries and the judge then acted together to make the victim the abuser (Neustein & Lesher, 2005).

Most protective parents describe the family court system as being a disaster (Neustein & Lesher, 2005). The courts have evolved into oppressive and biased agencies, and run counter to the "best interest of the children" model. The system acts overtly and covertly to achieve the results that it wants to achieve. Overtly, it acts like it would protect children through the written laws, but there is a covert way that it operates. Attorney Marvin Timothy Gray calls this phenomenon Modern Vulgar or Local Customary Law (Gray, 2010). The laws are unwritten and can override statutory or case law binding in the jurisdiction and judges can even go against policies. The family courts are operating where law does not matter so facts do not either (Rosen, 2014). The courts use *motivated skepticism*, where new information is used, only to support a conclusion

made previously. This is why when women have evidence of abuse, judges still claim that the women are fabricating false allegations to gain an advantage in custody disputes. Moreover, the courts use fictitious syndromes against women such as “Parental Alienation Syndrome, Parental Alienation, Malicious Mother Syndrome, and Munchausen’s by Proxy Syndrome” (Rosen, 2014, p. 24). These syndromes have been rejected for lack of scientific validity and evidence. However, the family court system is the only place that the syndromes exist and the judges, lawyers, and auxiliaries use the syndromes as evidence for their rulings against women and children. The judges use the power of judicial discretion to keep the system going and to keep rulings from being appealed. The judge’s rulings are supported by the court auxiliaries, and all of the court officials are immune from lawsuits.

The California family court system is a risky system for women who are trying to protect their children and/or themselves (Danforth & Welling, 1996). Women protecting their child in the California family court system, against a perpetrator of sexual abuse, are viewed in a negative stereotype. The judges may not believe the women’s allegations of child sexual abuse, due to the negative stereotypes that they can have toward women in the California family court system. Gender bias is a huge problem in the California family court system and cause children to be placed in the custody and visitation with a sexual predator. Danforth and Welling state, “One striking example is the tendency to doubt the credibility of women who make these allegations, and to characterize them as hysterical or vindictive even when medical evidence corroborates a claim of child abuse” (pp. 149-150). Family law cases, with parents who have had a domestic violence history, is another area of concern when it comes to protecting children and women trying to protect their children. Danforth and Welling further found that “custody and visitation

orders frequently fail to include adequate provisions to prevent further abuse, giving batterers unrestricted access to their children and therefore unrestricted access to their abused spouse” (p. 12).

To make the problem worse, more often than not, the perpetrators usually have more time and resources than the victim (Danforth & Welling, 1996). She can be left with trying to cross-examine the perpetrator’s accusations herself. The phony accusations by the perpetrator under stricter guidelines of evidence, would never be acceptable in a criminal court, but is very acceptable in the family court system. Another problem with the low standard of evidence cause, is that when the judge is confronted with the allegations of domestic violence, child abuse, or other violence by the perpetrator, the judge does not do a rigorous investigation to see if the mother or father is telling the truth.

**Single parenthood.** According to the U.S Census in 2011, 82% of the 14.4 million single parent mothers, are custodial single parents (Rosen, 2014). Maccoby and Mnokin (1992) found, using a longitudinal study of 1000 cases of divorcing couples in California, that 67% of the mothers received physical custody, 9% to fathers, 20% joint custody, 4% to other. The study was found to be comparable to other mothers, except the California mothers earned more money and were slightly more educated than others in the nation. Thirty-seven percent of the mothers were single parents who were never married, compared to 23% of the fathers. When they excluded custodial parents living in poverty, who were 90% mothers, 59% of the non-poor custodial parents were mothers, 13% fathers, and 28% had joint custody (Rosen, 2014). This differs from the U.S. Census that 82% of the custodial single parents are mothers. The combination of joint custody and the custody for fathers give a more 50/50 split, which the shared parenting movement

strives for. It would seem that mothers always getting custody is only true for the poor families.

**Shared Parenting Movement.** The social changes in the 1960s up to current society contributed to the shared parenting movement (Rosen, 2014). Shared parenting came from the men's rights movement. It is exactly what it says, that men and women should have equal share of the parenting. This movement has helped abusive men to be successful with custody or visitation rulings. The social changes since the 1960s can be viewed as positive changes, but with respect to abusive men gaining visitation and custody over battered women and protective parents.

There was a short period of time when women could gain custody of their children, due to the fault of divorce usually being that of the men (Rosen, 2014). When the no-fault divorce came into affect, women were not given this short period of reprieve in custody. When gender roles changed, women could be more economically dependent, and it became acceptable for men to care for the young children. When child support payments were enforced by the federal and state governments, the men's movement began to push for shared parenting and joint custody to reduce or get rid of child support payments. The battered women's movement supported victims who tried to leave abusive relationships. The increased awareness of child sexual abuse and improved reporting practices, increased the reporting of sexual abuse perpetrators, including middle class men. All these changes resulted in backlash, which became the false allegation backlash, which was led by organizations such as Victims of Child Abuse Laws (VOCAL) and the False Memory Foundation. All these changes formed a perfect platform for abusive men to regain and maintain control over their victims.

The no-fault legislation was passed in California in 1970, and later other states followed (Rosen, 2014). The divorce rates doubled from 1967 to 1979. Since there was not a guilty party, how would the courts determine the best interest of the children, a principal in California since the 1960s? Some states used the terminology *what is right and proper, just and reasonable, or expedient*. The problem is that the judge can determine the best interest of the children, and best interest is not clearly defined in the courts.

The feminist movement allowed women to define roles outside of the marriage and family and increase economic independence, but feminists played a major role in promoting gender-neutral principles used in courts for custody determination (Rosen, 2014). Some of the feminists viewed motherhood and child bearing negatively and viewed the Tender Years Doctrine as gender stereotyping. Moreover, New York Family Court Judge Sybil Kooper, was a feminist and activist for battered women's rights, but put an end to the Tender Year Doctrine in 1973, when she ruled in *Watts v. Watts*, that any presumptive preference in favor of maternal custody was a violation of the father's right to equal protection under the Fourteenth Amendment (Klaff, 1982). Judge Kooper cited a passage from anthropologist Margaret Mead, that a few days of child separation would not damage a child, and that there is no cultural reason that a father should not participate in childrearing. Judge Kooper further states that simply being a mother does not make a mother have a higher quality of care than the father can provide. Moreover, she states that in child development studies, the mothering function is essential and not who does the mothering. Ramsey Laing Klaff points out the flaw in Judge Kooper's statement, that there is a difference between being capable for a job than by doing a job. Klaff further states that the mothering function is not based solely on gender and biology,

but is based on the fact that the mother had been the one performing the mothering function. She has been the primary caregiving parent, therefore Judge Kooper's presumptions would consist of separating a child from his primary caregiver. Maccoby and Mnookin (1992) also support the argument of Klaff by stating that if a woman served as a primary parent, then post divorce she does not have as much to learn and her experience and his lack of experience should be relevant in custody matters. Maccoby and Mnookin also have conducted studies in the 1980s to show that joint custody was given at higher levels where there are higher levels of parental conflict, which imposes in situations that could put children at grave risk of harm.

Child support has been a reason for push for shared parenting. In the 1960s, welfare payments were increased to allow women to live alone, and as a result, child support enforcement was increased by the federal governments (Rosen, 2014). In the 1970s, many fathers' rights groups were formed around Washington D.C., when child support could be withheld from federal employees and members of the Armed Services. After the Family Support Act of 1988, that favored parental income and custodial time in child support obligations, the movement toward shared parenting grew, along with the presumptuous adoption of joint custody in most of the states statutes. David Levy, founded the Children's Rights Council and was an advocate for shared parenting. Free Men, later renamed the National Coalition for Free Men, was started in 1977 in Maryland. By 2005, 300 active fathers' right's websites, advocating for shared parenting, with a corresponding reduction in child support, existed around the United States. The first joint custody statutes in California started in 1980. In 1989, The American Bar Association (1989) urged many states to adopt a model that makes joint custody an explicit option, or the Model Joint Custody Statute. The Model Joint Custody Statute

does state that joint custody is inappropriate for victims of spousal abuse and child abuse or for risk of parental kidnapping.

In order to satisfy the best interest model with the joint custody statute, many states use statutes that best interest is frequent and continuing contact with both parents (Post, 2013). Post conducted research on the presumption that joint custody is in the best interests of children, by reviewing the impact of joint custody on children's well being. Post found that although joint custody can work in some circumstances, it was not in the child's best interests and totally inappropriate where violence had occurred, where there was continuing conflict between the parents, and where courts imposed it, rather than being the decision by the parents (Post, 2013). Davis, Lizdas, Murphy, and Yauch (2010) found in their study of joint custody, that it may work under certain circumstances, but is inappropriate for a parent who abused their children, or for the other parent since it is highly likely that the abuse will continue to occur during joint custody. Maccoby and Mnookin (1992) found that joint custody was used in the court system to resolve parental conflict, which can be gravely harmful for children.

**Mediators in the California family court system.** A study of mediation cases that were filed in San Diego, found that 39%, 200 out of 512 cases involved male perpetrated intimate partner violence (Saccuzo, Johnston, & Koen, 2003). It was found in the mediation file, that 57% of the cases, where it was clear that domestic violence occurred, that the mediators did not address the domestic violence. The mediators, in some of the cases, focused on problems such as substance abuse instead of the domestic violence. They either ignored the violence, or referred to the violence as mere conflict or quarrelling. In one of the cases the father was convicted of making a terrorist threat, threatening to cut the mother's throat, in front of the children. The mediator wrote that

there was no way to know if the report was true, and that the mother just wanted to reduce the father's time with the children.

Maccoby and Mnookin (1992) describes *high conflict divorces* as a pattern of men that retaliate when the mother left them by trying to assert physical custody of the children. They find it absurd that domestic violence is not considered in mediation due to this dynamic. They also found that even if a divorce has no conflict, it does not mean that intimate partner violence did not occur. In some cases where the fathers' threaten the mothers' lives if they leave them, the mothers give custody of their kids to the father in fear of their lives. The mediators also interpret child abuse allegations as evidence of high conflict and so ignore the allegations in their investigation (Rosen, 2014). The California Family code 1830, even describes domestic violence as a "controversy." Johnston (1994) compares family court counselors attitudes of dismissing allegations of child abuse to that of the attitudes of Child Protective Services (CPS), where they frequently dismiss them due to being overworked, having interpersonal spite, being impossible to prove, and not serious enough to require state intervention. The study found that 38% of the cases consisted of neglect allegations, 18% child physical abuse, and 8% child sexual abuse. In a study in San Diego, CA, In Saccuzzo et al. (2003) the mediator noted the incidents of domestic violence and child sexual abuse by that father as being factual but granted the father 36% of shared unsupervised custody of the children. The mediator regarded the division of custody as fair and reasonable.

Women who allege domestic violence or abuse can be viewed as uncooperative, an unfriendly parent, and often present poorly in court (Rosen, 2014). They are often viewed as outsiders. The divorce industry operates on a conflict resolution model where they view disputes or criminal behavior as "disputes" between the two parties (FindLaw,

2016). This can lead to the courts viewing allegations of abuse as Parental Alienation (Rosen, 2014). Some courts even give training and education credits for court professionals on how to detect and deal with Parental Alienation. The recent study of custody evaluators finding mothers alleging domestic violence as false was based on the strong belief of the custody evaluator (Saunders, Faller, & Tolman, 2012). The study consisted of a vignette in which custody evaluators granted sole legal and physical custody to the victim of domestic violence 55% of the time, 19% granted sole and physical custody occasionally, and 9% granted it seldom, and 8% never granted it, and 40% granted joint legal and physical custody “half the time” to “always.” The four beliefs that were a strong predictor on the custody recommendations were that domestic survivors alienate their children from the other parent, that domestic violence is not important when making custody decisions, that children get hurt when domestic violence survivors do not want to co-parent, and that survivors of domestic violence falsely allege child abuse. The same was true when judges were analyzed with the same beliefs. The divorce industry is not fair and can make a lot of money until the parents run out of money (Rosen, 2014). The protective parent will pay whatever to keep their children safe, while the abusers will continue court processes to further abuse and control their victims.

**Child Protection Services and family court system connection.** Although CPS can state that they are not part of the family court systems, they do work closely with each other. This theory will be described in family court cases where CPS was involved. In New York, in May of 1996, a mother took her child to the hospital when the child alleged sexual abuse (Neustein & Leshner, 2005). The hospital could not find evidence of abuse. The counselor at the DA’s office interviewed the mother a second time and then made an abuse report to CPS against the mother. The next day, CPS filed papers in the

Brooklyn Family Court, accusing the mother of child neglect and put in for emergency removal of the child from the home, and the family court judge signed the order to remove the child. The CPS petition consisted of inaccurate allegations, stating that the mother made several false reports of child abuse/neglect and sought medical attention on false accusations of abuse and neglect. However, the mother's allegations had previously been partly substantiated and were at most unproved, not false. The CPS report even falsely accused the mother of having a mental illness and having homicidal tendencies, in order to assure the emergency removal of the child. Even though they charged the mother with false reporting, they charge the father with cutting the child on the penis and beating him with a belt, in order to make sure the child was put in foster care. The law guardian in the family court system sided with CPS by saying that the mother was making serious accusations that were unfounded. The mother was not allowed to challenge CPS for a year and had only 2 hours of supervised visits a week, when the court appointed evaluator did not describe the mother as being dangerous (Neustein & Leshner, 2005). CPS and the law guardian kept pressing the mother to give the father unsupervised visitation and then they would give her back her child. She held her ground, saying only supervised visitation will keep the child protected, and then as a result she had to give the state legal custody, and she had physical custody. CPS, in many unannounced home visits, accused the mother of being "forgetful" and "sloppy." The mother lived her life monitored by CPS. The mother was constantly pressured about giving her kid to foster care, which she finally did because she thought it would be temporarily. The caseworkers finally persuaded the mother to give parental rights to the state. In this case CPS intervened in the family court process and the result was disastrous.

A protective mother wrote the congressional committee about CPS and the California family court system (Neustein & Leshner, 2005). In 1986, In California, a protective mother of a sexually abused three-year-old girl thought that CPS officials were helping when they filed a petition and testified against the father, who allegedly cut the perineum with a knife. The mother filed the reports for the judge in the California family courts. The judge ordered that the father have supervised visits by CPS, and he scheduled a hearing on whether the visitation would continue to be supervised. Before the hearing, the father was allowed to file a motion in a court thirty miles away and a new CPS worker was assigned to the case. The new worker withheld from the judge, the previous report and the 47 pages of supporting documentation. In 1987, CPS put the child in foster care from the recommendations of a court appointed therapist, and CPS claimed that removal was necessary because of the “custody dispute” (Neustein & Leshner, 2005). CPS claimed that the child was forced to play roles to appease the mother, and that the mother was obsessed with the daughter being molested. Furthermore, the mother was accused of coaching her daughter and making reports on abuse. The judge did not question CPS and placed the child in foster care for four months. The daughter would return from visits with the father with burns, scratches, and bruises. CPS ignored the eight reports made by doctors and the child’s therapist. The child was released to the parents for joint physical custody and the state had sole custody. The child had genital warts and urinary tract infections and further cuts in her vaginal area. The reports were still ignored by CPS. In 1988, the daughter reported the father’s sexual abuse again, and the mother reported it to CPS. The officials called the mother “irrational,” so she left the state with her daughter. A gynecologist in another state further stated that the daughter suffered from sexual abuse. The caseworker responded saying that the mother had “brainwashed” the child. The

family court judge issued a federal warrant, and the mother hid for four years before she was jailed in 1992. The mother was acquitted of parental abduction, but the child was put in the custody of the father. CPS yanked the child out of the school kicking and screaming when she was twelve years old. She fled to a safe house in an “Underground Railroad.” The safe house director told the mother to not visit the child until she was eighteen for the child’s safety when she could be free of the family court’s control. The child was never able to have a formal education. The mother desecrated the family courts as cruel in their treatment towards sexually abused children (Neustein & Leshner, 2005). She described CPS as tearing her daughter away from the parent who was trying to protect her. The mother said that CPS shook her beliefs in democracy and freedom in America.

**Judges.** Judges have also been known to independently penalize protective mothers on their own accord (Neustein & Leshner, 2005). In California, in the late 1990s, a mother had sole physical custody and joint legal custody of her three children. Two of the girls had complained about sexual abuse by the father during visitations, and a medical examination at the University of California, Davis Medical Center provided medical evidence of the abuse. The judge assigned a law guardian and court-appointed evaluator to the mother and children. The law guardian never investigated the abuse charges, and when the evaluator gave his report to the court, the judge transferred custody of all of the children to the father. The judge denied the mother further contact and made a stay away order. The evaluator condemned the mother for a thirty-minute video she made, by instruction from the sheriff, of her child repeatedly reporting the sexual abuse. The evaluator accused the mother of verbally sexualizing and sexually explicit coaching of the child. The judge later criticized the mother for waving to her children on the freeway. The mother continued to give the judge evidence of sexual abuse that her

children disclosed to the school teacher and classmates. The judge claimed that the case was just a divorce. The judge then accused the mother of false accusations and said that he is used to false accusations of this type and that Calaveras County is not the place for “witchcraft” or anybody assembling it. The mother’s lawyer tried to argue with the judge, that he has refused to hear the mother’s relevant evidence (Neustein & Leshner, 2005).

The judge responded by telling the lawyer that no credible witness has seen the kids being sexually abused and to not harass the courts any more. In 1998, the mother was bankrupt and so had to represent herself in the courts. The mother stated that she believed what her children told her, and that the judge even barred her from testifying for her kids. She states that you made me a criminal when parent alienation syndrome does not even exist. She said it was pointless to have a hearing in front of him because he is biased against her, and she cannot get a fair hearing in front of him. She stated that she wants her constitutional rights and to have free association with her children because she is not a criminal. A court appointed visitation supervisor had also complained to the court about the child writing her mother and the mother writing back. The mother said it was a violation of her constitutional rights for anyone to say that her child could not write her a letter and that she would not be a good mother if she did not respond to her child.. She said that she and the court appointed supervisor do not get along and it is not in the best interests of the children to have a supervisor that she does not get along with. She said that the courts make a lot of money out of the PAS, that does not exist, because the court-appointed supervisors get paid a lot of money. The mother was described of having mutinous behavior by the courts. In the 1990s and early 2000s the mother handed out materials at the state capital to state legislators about the civil rights complaints of mothers, who suffered from judges in the family court system and the judges’ auxiliaries.

Unfortunately, there were 300 cases filled out from protective mothers in California to go to the Chief Justice about how the Judges are treating women and children in the California family court system alone (Neustein & Leshner, 2005). Still nothing has been done about the behavior of judges, and protective mothers are currently trying to write Vice President Joe Biden about the problem.

### **Parental Alienation Syndrome and Munchausen By Proxy Syndrome.**

Sometimes when a parent is trying to protect their children, by trying to stop visitation or get supervised visitation, due to a disclosure of physical or sexual abuse by their child, the parent can be accused of PAS. Richard A. Gardner was a child psychiatrist who coined the term PAS (Gardner, 2001). Gardner described PAS as a disorder when a child belittles and insults one parent, without justification, due to a combination of factors where the other parent and the child attempt to denigrate the targeted parent. Gardner claimed that this was common in custody disputes. The family courts rely on these psychological theories that are not substantiated scientifically (Neustein & Leshner, 2005). Richard Gardner was a notorious critic of protective mothers in child abuse/custody litigation until he committed suicide in 2003. Gardner terms mothers who have had to report sex abuse as “false” reports of abuse. He called mothers who allege sexual abuse as “hysterical” and/or “exhibitionistic,” that they like to exaggerate situations and make mountains out of molehills. He also uses folie a deux as part of his PAS, which means that the child can be programmed by the parent that alleges the abuse, and the sex abuse accusation is the last attempt to remove the child from the father’s life (Gardner, 1985). He claimed that sexual abuse accusations were made by hysterical mothers, even when most children reported the abuse and were seen as being sincere and credible. Gardner defended himself by saying that the reports by the children were from folie a deux, or

from mental illness induced by the mothers. He even went further saying that children could not only induce paranoid psychotic thinking in their mothers, but also their therapist, especially therapists who are man haters (Neustein & Leshner, 2005). According to Gardner, a mother, child, and therapist can all acquire this mental condition when a child alleges sexual abuse.

Bruch (2001) claims that there are two flaws in Gardner's theories. She wrote that the folie a deux, or shared psychotic disorder is rare, and that the disorder does not exist in young children, which Gardner suggests it does.

Johnston, Walters, and Olesen (2005) conducted a study of 125 children who were referred for custody evaluation or custody counseling by the family courts. Of the cases, 50% of the children were considered by the researchers to be denigrating the other parent. The PAS only caused 6.4%, or eight of the children to reject or have extreme dislike of the non-custodial parent. Seven of the children, who rejected and disliked the parent while the other parent was denigrating the parent, were found to have been abused. These children, according to the researchers, are not alienated children but estranged children. Estranged children are children who do not have a relationship with the other parent, but for a good reason that has nothing to do with the behavior of the other parent. Children who have been abused by the parent they are separated from, have a good reason for not having a relationship with the parent. The problem with PAS is that in supporting the parental rights of fathers, the pendulum has swung too far (Labourr, 2010). In the early twentieth century, the courts awarded primary custody to mothers in most of the cases. There began a major stride to support fathers' rights because of the disregard for them in the early twentieth century. However, instead of giving weight to the child's best interest, the courts are making it possible for abusers to maintain contact with their

children using PAS, even if the child has had reports by the protective parent of abuse by the father. The abusive father is able to maintain control over the victims, through the family court system by using PAS against a protective mother. The phenomenon of the Friendly Parent concept is highly embraced by the family court system, where courts give primary custody to the parent who seems more able to foster a relationship with the noncustodial parent, or prevent PAS. In states that do have the friendly parent presumption, like California, only 4% of mothers who try and protect their children from abusive fathers, are awarded sole custody, after they disclose the abuse to the courts.

Another Syndrome used in the family courts, which allows courts to accuse mothers of false allegations is Munchausen Syndrome By Proxy (MSBP) (Neustein & Leshner, 2005), a syndrome identified by Roy Meadow, in which a parent, usually a mother, uses a child to get the attention from the medical professionals. In 1993, a California Psychologist, named Deirdre Conway Rand, brought this syndrome in the middle of a divorce custody/visitation dispute. She claimed that she found MSBP in the family courts when the child accuses someone else of abuse, in a custody and visitation dispute. Rand (1993) wrote that the mother and the child could act in a folie a deux to perpetuate the allegations of abuse against the father even when the child was an adult.

In 2002, Kathleen Faller, a sociologist from the University of Michigan, wrote that MSBP can be misapplied against a protective parent because the classic MSBP mom would want to be seen as a super mom, while moms going through divorce are not viewed as super moms (Neustein & Leshner, 2005). Faller argued that MSBP moms do not accuse people of abuse. When MSBP is applied to custody cases, it is just another way to prevent protective mothers from protecting their children.

In a family court case in Long Island, New York, a mother of a seven-year-old child was diagnosed with spina bifida (Neustein & Leshner, 2005). The mother lost custody of her child, when the mother had alleged that the father sexually abused her child. The pediatrician wrote the court and said that the child had been compliant with medical care, and the mother was appropriate in bringing the child to the hospital with the multiple medical problems. However, the court appointed evaluator, told the family court judge that the mother made false allegations of sex abuse from MSBP, with which he diagnosed her. The evaluator stated that the sex abuse allegations were part of the divorce syndrome and goal of the mom to alienate the child from the father and could be part of the MSBP. The child had been receiving medical treatment for seven years and it was the first time that anybody has accused the mother of creating or exaggerating the child's medical symptoms (Neustein & Leshner, 2005). The evaluator even wrote that the mother was a pathological liar, had a great need for adoration, was manipulative and charming, and was obsessed with the child's illness and other things. However, the mother never even brought her daughter in for an invasive medical exam when her daughter reported the sexual abuse. Neustein and Leshner state that this is family court and the mother was being punished for making sex abuse allegations and the mental diagnosis was needed for the courts to punish the mother.

In 1999, the National Alliance for the Mentally Ill found that 85% of the unemployed people have a serious mental illness. Neustein and Leshner (2005) assert that protective parents that are labeled too ill to care for their children are gainfully employed and well paid.

Another controversial court evaluator is Dr. Arthur Green, a New York Psychiatrist, who blames the accuser (Neustein & Leshner, 2005). Green (1986) asserted

that “delusional” or “vindictive” mothers control children by using eye contact and facial expression, which brainwash the children into making the false accusations of abuse. Hanson (1988) argued that when children are anxious, they check with their mothers for reassurance and this does not indicate brainwashing. In fact, Deblinger, Stauffer, and Steer (2001) found that most children will not talk about sexual abuse without being prompted. This can be a problem when a protective mother is confronted by an evaluator like Dr. Green (Neustein & Leshner, 2005). Sometimes if a child is afraid to talk about the abuse, the mother may want to prompt the child by introducing the topic, but this can cause an evaluator to charge her with coaching, and she could lose custody. Green (1986) and Gardner (1992) went further to blame a mother of a child who alleged sexual abuse by the father. Gardner claimed that a mother may desire to have sex with the now-hated spouse and may then have the delusion that the husband has sexually abused the child. She projects her own feelings of sexual desire into the daughter’s position. Green asserts that the delusional mother projects her sexual fantasies of the spouse by influencing the child to make false sexual abuse allegations.

In 1987, Green claimed that a mother in New York, whose 6-year-old daughter alleged sexual abuse by the father, was a “circumscribed paranoid psychosis (Neustein & Leshner, 2005). A prominent New York abuse evaluator had already found, after interviewing the girl, that there was a “strong reason to believe” that the girl had no mental illness. Green wrote to the court that the mother did not suffer from any delusions and was “fully adjusted” and “performing successfully” in both her personal and professional life. He did say she was delusional in her beliefs about her daughter’s alleged sexual abuse. Green had diagnosed other mothers in the family court system the same way, and the mothers testified in state and federal legislative hearings of the

devastating affects on their cases, some losing custody and visitation of their children (New York State Assembly Judiciary Committee, 1989). A psychiatrist investigator, in a New York State legislative committee, who was interested in the family court malfunction, stated that delusional and paranoid thinking does not discriminate between one topic and another (Neustein & Leshner, 2005). Unfortunately, Dr. Green still has many followers that believe and use his theories in the family court system.

**Domestic Violence and the Family Court System.** Moreover, the courts can also be a perfect place for former abusive partners to further abuse, coerce, and stalk their former partner (Jaffee, Johnston, Crooks, and Bala, 2008). The former domestic-violent partner is more likely to abuse children, and is a poor role model for children to be around. Yet, the courts often give visitation and custody to abusive parents, without even considering the former domestic violence to the former spouse. The abusive parent often uses the court system to control and harass their former partner. The more they keep the litigation going, and the California court system allows them unlimited litigation, they can keep the former partner in a high emotional state of fear. They can also bleed the former partners finances by keeping up the litigation. A former abused woman, no longer has time to heal and get on her feet, after a violent relationship, because the abuse keeps going with the family court system litigation. Even when it is excessive, the judges let the perpetrator file motion after motion. Sometimes, the perpetrators are in pro-per, which allows them to further abuse and intimidate the partner through cross-examination and makes it free to abuse and harass the former partner through the court system. The former abused partner's parenting abilities diminish, due to constantly being abused in the family court system; which causes depression, anxiety, substance abuse, and more trauma for the victims who might already have posttraumatic stress disorder. The court starts

diminishing the partner's ability to parent the children, and her continued fear of the ex-abuser makes the courts see her as paranoid and uncooperative (Jaffee et al., 2008). Even when her fear is legitimate, she gets labeled as a parent trying to alienate the child from the abuser, instead of as a parent trying to protect the child from the abuser. Victims of domestic violence need time, protection, and support, instead of being labeled by the family court system in a negative way. Often, the family court presumes that it is in the best interest of the child to have a continuing relationship with the abusive parent, even if the child is old enough to say s/he does not want to see the other parent. The result of this presumption is that children are being harmed in the family court system (Jaffee et al., 2008). If there is ongoing risk of violence or abuse to the child or the parent, the child is at a high risk of being abused or abducted. There is no meaningful parent-child relationship, but the courts still seem to think there is still a meaningful relationship, which is harming a lot of children. The lawyers and the mental health professionals, and the parties involved, are put in a difficult situation to get the courts to stop the visitation or make it supervised. They are forced to try and find credible information that the family courts seem to ignore anyway, and even if they are stopped or supervised, it is normally only for a temporary span of time. Jaffe et al. (2008) states that if supervised visits cause persistent distress, or if the child refuses to go, then no visitation should be ordered. Moreover, if there were threats to kill or hurt the child, or to harass the other parent, there should be no visitation. If the child is completely estranged from the family due to past abuse or trauma, there should be no visitation. The problem is that the family court system orders visitation and custody, without considering prior abuse or domestic violence (Jaffee et al., 2008). Around 58,000 children, in the family court system, have been handed over to formerly abusive parents for custody and visitation, due to the

neglectful acts of the family court system to protect the children (Silberg, 2008).

Workshops and studies. The executive branch is becoming aware of the custody and visitation issue in the family courts (Rosen, 2014). The Office on Violence Against Women was formed in 1995. The Director, Bonnie Campbell, was briefed on the problems that battered women and abused children are experiencing in the family court system. In 1998, Bonnie Campbell asked Noel Brennan, the Deputy Assistant Attorney for the Officer of Justice Programs, in a memo, for assistance to help women and children in the family court systems. She wrote that she is constantly being approached by protective women, who had their children placed in the custody of perpetrators of child abuse. She wrote Officer of Justice Programs needed to take action because it is a domestic violence issue and is endangering children. In the memo, she summarized five case histories in the United States, and stated that there is a serious problem. She stated that she is searching for federal jurisdiction in the cases and long term solutions for judicial education, grant programs, and outreach. As a result, in 1998 and 1999, the Officer of Justice Programs scheduled two workshops to deal with the problems and dangers of using mediation for custody and visitation disputes in domestic violence cases; and problems faced by battered women regarding custody and visitation issues in family court. The two workshops promoted studies about domestic violence and child custody that was funded by the National Institute Justice. The study that was conducted in San Diego, CA compared custody mediation of cases with and without domestic violence (Johnson, Saccuzzo, & Koen, 2005). It found that there was no benefit for victims when they revealed the domestic violence to the mediator. The study also found that disclosure of domestic violence could backfire, as mediators reported that when they were aware that domestic violence existed, they were less likely to recommend protective child

exchanges than for those who did not disclose domestic violence. Two other studies researched the decision-making of judges, when custody cases involved domestic violence. The studies found that custody outcomes were not different for victims and non-victims of domestic violence. It also found that there was a direct correlation for states that had “friendly parent” provisions in the state law with negative custody outcomes for victims (Morrill, Dai, Dunn, Sung, & Smith, 2005). Two other studies found that there was a direct correlation for custody evaluators understanding and considering of domestic violence, with the determining factor of custody recommendations. They found that there was a direct correlation with custody recommendations by the mediator, if the custody evaluator had any negative perceptions towards domestic violence, or prejudicial beliefs about the domestic violence victims (Saunders et al., 2012).

In 2009, the Office of Violence Against Women entered an agreement with the Battered Women’s Justice Project to cooperate for 2 years to help the family court practitioners to better understand and account for the context and implications of domestic violence in child custody cases (Rosen, 2014). They analyzed the Henry County, Ohio, Family Court system. The study found that there were two major problem areas of flawed decision making and lack of accountability and due process (Battered Women’s Justice Project, 2012). The judges and all court officers were blamed for the flawed decision making, for making their decision on misinformation, false assumptions, and speculation. The Battered Women’s Justice Project tried to correct the problem by helping parties gather and learn how to gather and analyze information within the domestic violence context, to inform the decision making processes of the court system (Rosen, 2014). However, the battered mother and their advocates were more interested in

learning than the judges and the court officers. The second problem was attributed to the courts acting privately, and not as part of the state, and doing important discussions behind closed doors and “off the record.” The non-judicial court actors are not constrained by the same rules of evidence and rules of civil procedure that other court officers are constrained to. They can give unreliable or misleading information behind closed doors. It is hard for the litigants to appeal rulings, when the error to convey misleading information was made by a non-judicial actor. The Battered Women’s Justice Project views part of the problem as the relaxed state in the family court as opposed to criminal court. The Battered Women’s Justice Project did not address the problem with gender bias by the judges and court auxiliaries, and the judges unfettered discretion to decide what is in the “best interests” of the child.

**Statistics in the California family court system.** In a clinical study from the University of Michigan, 214 allegations of sexual abuse in divorce cases were evaluated to find that 40 parents who reported sexual abuse in the family court were jailed, lost custody, or received negative sanctions by the judge. Independent investigation found that the parents were not judged for their reports, but were judged for whether the allegation was genuine (Faller & Devoe, 1995). In 1999, Amy Neustein and Ann Goetting found in their study that only 10% of children who reported sexual abuse were protected in the family court system (Neustein & Goetting, 1999). A study of 300 cases in a 10-year period showed that when a mother tried to protect their children from sexual abuse from the family court system, 70% of the cases resulted in unsupervised visitation or shared custody to the alleged sexual abuser. Worse, 20% of the mothers in the cases lost custody all together, and many of the protective parents lost all of their visitation rights. In 1999, the Wellesley Center for Women in the Battered Mothers Testimony

Project, found that women and children, in the Massachusetts family court system, were not being treated in accordance with the internationally accepted human rights standards and norms, in the custody determinations that involved child abuse and domestic violence (Silverman et al., 2004). They found that judges refused to document intimate partner violence or accept it when the victim presented it to the courts. Moreover, the state-appointed custody evaluators and child protective service workers both made errors when intimate partner violence was revealed. In over half of the cases out of 39 mothers who were victims of intimate partner violence, the perpetrators of violence were granted physical custody of their children. In most of the rest of the cases they were given unsupervised visitation. In 2003, The Arizona Coalition Against Domestic Violence published their two year study, which consisted of 57 battered women going through a custody battle in the Arizona family courts (Arizona Coalition Against Domestic Violence, 2003). The study found that 72% of the mothers were not given adequate chance to voice their side of the story to the court. Nearly half (41%) of the mothers were ordered to mediation, even when the court was informed about the violence. The court ordered joint or sole custody to the alleged batterers 56% to 74% of the time, which differed according to the county, even with documentation of the abuse. In 2002, the California National Organization for Women, published a statewide study of the California family court system, on the victimization of women by Judges, lawyers, mediators, and evaluators (Heim, Grieco, DiPaula, & Allen, 2002). From 200 responses and a 21-page questionnaire and 80 case studies collected by telephone, it was found that 86% of the cases consisted of domestic violent fathers. Moreover, 76% of the mothers said that the fathers had abused their children. Half the cases included filed police reports, 36% of the mothers had restraining orders that were violated by the fathers. In 69% of the

cases where there was evidence of child abuse, the father was given unsupervised visits or custody. Silberg (2008) conducted a study to see how many children are court-ordered into unsupervised visitation with an abusive parent. According to Silberg, each year more than 58,000 children are ordered into unsupervised visits by the family law court system, with physically or sexually abusive parents in the United States. The Leadership Council views this as a public health crisis, especially because most of the children will be kept in this visitation with the abusive parent until they reach the age of 18. They estimate that half a million children will be affected by court-ordered visits with a physically or sexually abusive parent at any time, and that there will be physical and psychological damage to the child and parent that takes a lifetime to heal (Silberg, 2008). The estimate was due to the Leadership Council assuming that the children being placed with the abusive parent puts them at risk for injury because the court ordered unsupervised visits. This estimate is actually on the conservative side. They estimated that 1,000,000 children were affected by the family court system each year. 13% of the families in the court have allegations of child abuse or severe domestic violence in the nation each year, which equals 130,000 cases. The cases that were investigated by the Leadership Council and made to be valid, or suspected to be valid, were about 60%, which equals about 78,000 cases. The Leadership Council further found that most of their data showed that 90% of children were left unprotected, by giving unsupervised visitation to the abusive parent. In order to be conservative, they used 75% to represent the number of cases where children were not protected against the abusive parent. This ends up being about 58,500 children each year that are in the unprotected care of the abuser, as court-ordered by the family court system.

In a 5-year prospective study, 2,384 children were evaluated for sexual abuse by the medico-legal child sexual abuse specialist investigators (Heger, Ticson, Velasquez, & Bernier, 2002). They found that only 4% of the children showed abnormal genital findings, and in cases with severe abuse only 5.5% of children showed abnormal medical findings. In fact, Oates et al., 2000, studied 551 case notes of the Denver Department of Social Services, of all the child sexual abuse reports made in a 12-month period. They found that only 1.5% of the allegations of sexual abuse brought by a child were fictitious. Trocme and Balla (2005) investigated 7,672 custody cases and found 798 cases of alleged child sexual and physical abuse in Canada. They found 12% of the allegations to be intentionally false allegations in the child custody cases and 3% in the non-divorce cases. In the 12% of the intentionally false allegations in the child custody cases, 43% of the false allegations were from the non-custodial parents, which were usually fathers, while custodial parents who were usually mothers brought only 14% of the intentionally false allegations.

**Family law case studies.** The following sections review family law cases to show how the urgent pleadings of the mother to the court to protect her children from further abuse where ignored. In some of the cases, the children were placed in the sole custody of the perpetrator, due to the mother's constant pleading with the courts to protect her children.

*Case 1.* In Sutherland (2004), the case study of Linda vs. Lyle is an example of Lyle, a former violent spouse and child abuser, stalking Linda through the family court system in San Diego, California. The courts reported the behavior only as a high-conflict divorce, which resulted in failure by the courts to protect the children. The high-conflict divorce status was blamed on both parents, even though Lyle was abusive and wealthy,

and could use the family court system to stalk Linda. Lyle used 'dominion and control' in the family court system, to further abuse Linda and the children. Stalkers use obsessive thinking towards their victim, when they have been abandoned by their former spouse. They can use the courts to cause fear and take control over their former spouse. Sophisticated batterers use sophisticated means to teach their former spouse a lesson for leaving them, like Lyle did with Linda in the family court system because he was wealthy and could pay for the constant court litigations that he brought to Linda.

Linda and Lyle were married for 22 years (Sutherland, 2004). There was a volume of CPS reports against Lyle, and Linda filed for divorce so that her children would not be put into foster care. As of 2004, the case already had been litigated for 6 years. The case consisted of 130 minute orders, which means the case was scheduled to be heard at least 1.8 times per month. There were also several ex-parte appearances, but they were not counted in the minute order total. In 2004, the case consisted of a 16-volume file and was still being heard. Linda became homeless and only received \$400 in spousal report and had no health insurance. She could not work, since she took care of the home during the marriage, and has to go to court proceedings all of the time.

In 1994, Dr. Lohr, Ph.D., after the first family psychological evaluation ordered by the family court, recommended that Linda have custody and Lyle receive visitation (Sutherland, 2004). In 1997, she did a second psychological evaluation and gave physical custody to Lyle and visitation to Linda. In 1997, a guardian ad litem was appointed, despite Linda's objection to him. When she interviewed him, she found that he had been disciplined for embezzlement of clients' funds. The guardian ad litem assigned Ted Rex, an LCSW, to be the child's therapist, even though Linda objected because of a conflict of interest as he had a relationship with Lyle's sister. The former therapist for the child used

the Victims of Crime program to pay for the child's counseling due to the crime of the father's chronic violent abuse (Sutherland, 2004). An ex parte hearing was called by the guardian ad litem, where Rex testified against Linda. Linda was locked out of the courtroom, and the transcript of the court proceeding was sealed. Rex testified about the child's behavior in the mom's custody the preceding two months, and so requested supervised visitations for Linda. The ex parte hearing and ordered supervised visits for Linda happened two days after Lyle was arrested. Linda's attorney recommended to depose Rex, but Linda would have to pay \$500.00 for Rex's deposition fee. Linda was facing homelessness and already had a high balance of attorney fees so she declined the disposition of Rex. The guardian ad litem scheduled the ex parte hearing a few days after the State Bar of California was about to go bankrupt, because, in 1997, Governor Pete Wilson, vetoed funding to the State Bar of California. It would seem that the ex parte hearing was retaliatory because, in March of 1998, two months before the guardian ad litem did the ex parte hearing to limit Linda's access to her child, Linda made a complaint about the guardian ad litem three times. The family court ordered the three psychological evaluations conducted by Dr. Lohr, and Dr. Lohr's office was across the hall from the guardian ad litem's office.

In San Diego's Superior Court Rules, Division V, Family Law Chapter 3, ExParte Matters, Rule, 3.15, the ex parte hearing to take away the mother's right to visitation and make is supervised visitation exceeded the courts authority (Sutherland, 2004). The ex parte hearing upon short notice was only appropriate if the child were at risk to be harmed. The CPS worker, who is a mandated reporter, who was assigned to the case, did not have any CPS reports against Linda. The only way that the courts could have made supervised visitation for Linda would be if she abused the child, or if she prevented Lyle

from his visitation to the child (Sutherland, 2004). The ex parte hearing would have not required them to be secret because Lyle was the custodian at the time. The ex parte hearing seems to be retaliatory by the guardian ad litem, for Linda's complaints against him. Especially because the bills he sent to Linda showed that he blacked out any billing for the CPS investigations against Lyle. The guardian ad litem seems to be biased towards representing Lyle and not the child or Linda.

Linda tried to exercise her supervised visits and reunification plan with Dr. Lohr, but Lyle refused to cooperate with the supervised visitation (Sutherland, 2004). Linda then filed a modification for custody, in pro per, due to Lyle refusing to cooperate with the supervised visitations. She filed for modification of custody as a change of circumstance, and she alleged that the guardian ad litem and the mental health professional were colluding against her. Linda had filed numerous letters to the court. One of the letters was about when the guardian ad litem wrote that the child liked the monitor Ms. T.C. When Ms. T.C. wrote a declaration about Lyle interfering with Linda's supervised visitation, the guardian et litem wrote another letter saying that he and Dr. Lohr wanted the child to meet with the monitor, Ms. P.M., because the child liked Ms. P. M. better. The guardian ad litem did several continuances on Linda's motion, to modify custody. He even scheduled an ex parte hearing to change the supervised visitation to be at a supervised visitation service. Finally, Linda's custody motion was heard. She subpoenaed an employee at the supervised visitation service who believed that Lyle was trying to alienate Linda from her child. Two days after Linda served him, Linda tried to tell him what she would ask him on the stand, but he no longer worked for the supervised visitation service (Sutherland, 2004). The supervisor refused to give her his phone number unless Linda paid \$100.00. To further support collusion, when she contacted him,

he said that he did not need to appear at her hearing because she only checked one box in the subpoena. The supervisor appeared, saying she was subpoenaed and that her copy of the subpoena was valid but not the one by Linda. In May 28, 1999, after the hearing, Linda had not seen her child because she was issued a permanent no contact order. Dr. Lohr was supposed to implement a reunification plan for Linda, but instead wrote a custody evaluation in January 22, 1999. In the custody evaluation, she stated that she felt that the mom was obsessed with regaining her son and took pleasure in the treatment of Lyle by the police. She wrote that the child did not want contact with the mom because she gave him the “puppy dog look,” which made him uncomfortable. Dr. Lohr blamed the five years of tension for the child on Linda.

The Commissioner over this case was found to give sole custody to the father, due to accusing the mother of keeping the litigation going because the Commissioner’s objective was to keep litigation from continuing (Sutherland, 2004). This is ironic because giving Linda a no contact order does not prevent further litigation. Moreover, the court continues to let the father file excessive ex parte hearings. The guardian ad litem made a motion to reduce the spousal support money of Kyle for Linda. The court found that because Linda made one motion to modify custody, she kept the litigation going. Thus, her spousal support was reduced to \$400 month, so that Lyle can pay off his \$566,651.00 in attorney fees and \$34,607.00 guardian ad litem fees. Linda finally had to file bankruptcy in October of 1998. To make the collusion worse, the court then appointed a Special Master, Mr. Henhecker to help with discovery, against Linda’s objection, because Lyle had a relationship with him before. Mr. Henhecker deposed Linda but not Lyle.

Throughout this case the stalker, Kyle, is able to use his child as bait to be cruel to Linda (Sutherland, 2004). He used the collusion of the court, the guardian ad litem, the mental health professionals, and the Special Master to stalk Linda. Moreover, the courts failed to truly rule in the best interest of the child, instead ruled on the best interest of Kyle, the stalker and viewed him as the “friendly parent.” The courts and the professionals seem to join Kyle in stalking Linda, taking her power away, harassing her, making her powerless, not listening to her, and doing anything to collude against her. Kyle had money to continue to stalk Linda through the courts and the courts labeled the case as a high conflict divorce. This labeling by the court system was not accurate, due to the power difference between Kyle and Linda. It is easy for him to stalk her through the court system because he is wealthy. The courts and all involved should be ashamed for not allowing this kid to be protected by Linda. They acted like the batterer when they projected all the blame on Linda. The custody evaluator and the supervised monitors who blamed Linda for the litigation, were kept on the case. The monitors who did not blame her were taken off of the case. Linda was just trying to protect her child, and when her child was taken away from her, she wanted a relationship with her child again. If her child said anything about not wanting to be with his mom is it because children can say whatever they need to, in order to keep peace.

The commission on Judicial performance received 9,728 complaints from 1988-1997 (Sutherland, 2004). There were only 378 advisory letters issued, 27 public, and 86 private admonishment issued out of the 9,728 complaints. In the family court system, the psychologist and mental health workers are under the licensing boards, but the licensing boards give the executive branch authority to the judiciary. The bench seems to ignore the law and act like a branch of tyranny, where all of the power is in one branch. The

system and all areas of professionals in this case failed to protect a child and encouraged further abuse to the mother.

*Case 2.* A hairstylist from Marin County, California, named Jonea received several reports from her child and baby sitter about neglect and/or sexual abuse by the child's father or grandfather (Russell, 2009). Jonea tried to get help from law enforcement, children's protection services, and family court to protect her daughter during her divorce. Jonea had medical evidence of the abuse, and the reports from the child and her babysitter, but none of the authorities would protect her child. In 2000, Jonea felt that, as a protective parent, the only way to protect her child, since none of the authorities would, was to flee the state of California. Jonea was caught more than three years later, was convicted for violating the family court order and spent five months in jail. The child was immediately given to her alleged abuser. Jonea was exonerated after a trial, but the evidence that exonerated her in the criminal court was considered "frivolous" by the family court judge. As a result, the judge never granted Jonea custody of her daughter and her daughter still lived with the alleged abuser. Jonea has to pay a fee to visit her daughter a few times a month in a supervised facility.

The parent who is protecting the child, or the "protecting parent" is commonly demonized by the family court system as the *alienator* (Russell, 2009). This seems to be the case in Jonea's situation, since none of the authorities helped her protect her child before she decided to flee to protect her child.

Although the PAS is an unscientific and discredited theory, it is the reigning paradigm in the family court system (Russell, 2009). It suggests that when a parent asks the court to protect his or her children by limiting the alleged abuser's access to the child, the protective parent is "alienating" the child from the parent. The favorite word of the

family court system, law enforcement officers, and child protective services is coaching, which is a term that came from the theory of PAS. Coaching in PAS means when parent “coaches” a child to fabricate false abuse allegations. The family court system fails to take any abuse allegations seriously because most of the time they automatically refer to the claims as coaching and PAS. The family court system then labels the protective parent as uncooperative and the other parent is labeled as the “friendly parent.” The family court immediately refuses to investigate or respect any of the alleged abuse reports. The “uncooperative parent” becomes, in the family court’s eyes, the problem because they refuse to share custody and promote visitations of the child with the alleged abuser. The protective parent loses custody of their children and life savings to pay for supervised visitation and attorney fees, if they can even afford an attorney to begin with. Many protective parents have had to go bankrupt and are made to pay court fees for experts as mandated by the court system also.

According to Russell (2009), the family court system operates like a big business or a sophisticated cottage industry. It preys on desperate parents and children who are trying to escape from domestic violence. There are factors that are allowing judges to conspire against the protective parent. The family law judges are granted a broad discretion for decision making; juries are nonexistent in the California family law courtroom, appeals are expensive for most litigants, and children are not often given a voice in the proceedings. There seems to be no integrity of law. The California family court system is based on the “best interest of the children,” but they have not integrity of law ruling for the “friendly parent” instead of protecting the children and looking out for the “best interest in the children.” They accuse protective parents of alienating the children from an alleged abuser. The focus has become more on a parent’s rights, rather

than the best interest of children. The California family court judges are to blame for not upholding the best interest of children in the system.

Mary divorced her husband due to domestic violence, which consisted of her husband beating her severely on several occasions (Waits, 1998). He also was emotionally and verbally abusive. Mary had three attorneys. None of them took her abuse seriously. The first attorney even told her, “So he slapped you around and beat the kids. What’s your point?” Mary’s husband was not interested in seeing her kids, until she insisted on having his visitation supervised. Not only did the lawyers find that the abuse was not relevant to the custody issue, neither did the Psychologist and the family court judge. Mary’s husband was given custody of her son, and Mary was given custody of her daughter. The judge said that this ruling was for a 6-month probationary period. He warned Mary that if she did anything to disrupt the visitation, he would give her daughter to her ex-husband also.

In Meier (2013), she found that accused and adjudicated batterers do receive joint or sole custody often, even in states that are supposed to give a presumption against custody to the batterer like California. Morrill et al. (2005) found that 40% of adjudicated batterers received joint legal or physical custody, and only 4% of the courts gave sole physical custody to a mother when the husband was a batterer. A study by the American Judges Association found that about 70% of batterers were able to convince the authorities that the victim was unfit for sole custody (“Domestic Violence,” n.d.). This is why 70% of the batterers in the study showed that the batterers receive sole or joint custody. The attitudes of the family court system shows through when looking at these studies, and unfortunately very common for woman in Mary’s position to have been treated how she was. The problem is that the children are the ones that are being harmed.

*Case 3.* In another case, in the family court system, a ruling was made that, “a custody order that couples visitation with counseling is not an order that requires prohibited “reunification services.” This case is reviewed for the harm that was induced on the “daughter T” by what is believed to be various custody and visitation decisions ordered that did not seem to focus on the alleged sexual abuse of the daughter by the father. In the end, the court ironically bases the final decision that the current visitation order is in the best interest of T. The determination of sexual abuse by the first judge should have been honored by the current judge, instead of the current judge’s belief that the mother was obsessed with the abuse issue, which did more harm to T. The current judge ruled that although there should have been consideration of the prior abuse finding in any further analysis about visitation, the analysis should not be controlled by it.

Family Code, Division 8, Section 3010-3011, Chapter 2, states the General Provisions of custody of a child (California Law, 2013). The provisions encourage the child to have frequent and continuing contact with both parents and sharing of rights and responsibilities, after parents have separated, unless this would not be in the best interest of the child from section 3011 Family Law Code. If there are any conflicts with the code then the physical and legal custody and visitation will be ordered according to the health, safety, and welfare of the child and all of the family members, and the court can make decisions pending a proceeding and anytime after the proceeding. The final ruling in this case is perplexing because if the first judge determined sexual abuse on T by the father, then why would the final analysis not be controlled by the determination of sexual abuse on T, in order to act in the best interest of the child (Harris, 2013).

If the final outcome of this case was not bad enough, the mother was trying to protect her child, but was viewed by the second judge by being “obsessed” with the abuse

(Harris, 2013). The mother has an expert verify the sexual abuse and so the second judge gives the mother sole custody of T. When the mother refuses for T to have reunification with T and the father, due to the prior sexual abuse which was determined by a prior judge and verified by an expert, the judge views her as defiant. The judge views her opposition to the reunification as severe enough to provide a toxic home environment for T and gives the father's attorney legal custody of T. After this, T.'s attorney was given temporary sole legal custody of T. The mother then argued that the trial court's order "was an abuse of discretion." It overruled an earlier finding that the father did abuse T. Instead of California admitting, that by ignoring the prior determined sexual abuse by the court, they are not acting in T's best interest. They argued that "in the context of child custody and visitation order, the doctrine of res judicata is embodied in 'changed circumstance rule (Burchard v. Garay (1986) 42 Cal 3d 531, 535.'" The judge is distracted by legal technicalities, instead of paying attention to the family law codes, which act in the best interest of T. The judge focuses on the code that when the issue is to modify the visitation and not change custody, the court can use its discretion to modify the visitation order to help parents with other time-consuming litigations, Chalmers v. Hirschkop, supra, 213 Cal.App.4<sup>th</sup> at p.305 (Harris, 2013). Therefore, the court argued that they were not bound by the first court order. The court should have been bound by the previous judge's determination that the father sexually abused T., to keep visitation from the father in order to protect the best interest for T. How can the court believe that visitation with T. by a father who sexually abused her would be safe and without harm to her? The mother seemed to be the only consistent and rational advocate for T. The court concluded that, "an analysis which properly included some consideration of the prior abuse finding, but was not controlled by it," (Harris, 2013) would be in the best interest of T. They then

ordered the father and T to go to counseling. It would have been helpful to challenge the court to study the recidivism rate of sexual offenders to reoffend if they think that therapy will make the father safe enough to be around T supervised or unsupervised in the future. With that said, it is cases like these that are disappointing to professionals who are advocates for protecting children from abuse because it would seem that the courts are fighting against the children we are trying to protect.

### **Humanitarian National and International Law for Protection of Women and Children**

Women are being viewed as “histrionic,” “trouble-makers,” the “non-friendly parent” when trying to protect their children from further abuse by a perpetrator in the family court system (Neustein & Leshner, 2005). When a child is trying to speak up for themselves against visiting with the perpetrator under court-ordered visitation, the courts accuse the mother of coaching the child. When the protective mother becomes emotional because she is of course, by her very nature of being a mother, against any kind of visitation or custody of her child with the perpetrator, she is seen as the “crazy, unfriendly, uncooperative” parent. According Article 9.1 of the International Covenant on Civil and Political Rights (The Office of the United Nations High Commissioner for Human Rights [OHCHR], 1996-2016b), “Everyone has the right to liberty and security of person.” The family court system is repeatedly making rulings *in the best interest* of a perpetrator and not *in the best interest* of the children often granting visitation to the perpetrator against the safety of the child and often custody (Neustein & Leshner, 2005). Moreover, the family court system writes orders that connect a victim to the perpetrator which further violates the right to the security of the mother. Article 3 of the International Covenant on Civil and Political Rights (OHCHR, 1996-2016b) also affirms “the equal

right of men and women to the enjoyment” of all rights it covers. Women have just as much right to enjoy their life as men, and to not be subject to the repeated rulings by the family court system, to keep themselves or their children or both unsafe (Neustein & Leshner, 2005). Moreover, women and children have the right to enjoyment, as not be harassed by a perpetrator by repeated, harassing filing of motions, which the family court system allows. The harassment and fear becomes intensified when the mother is trying to protect her child from a perpetrator in the court system, and has to have her life disrupted with several motions by a stalking, abusive perpetrator in the family court system. The family court system has become a modern, legal way for perpetrators to harass, abuse, and oppress women and children as promoted by the family court system.

Children being ordered custody and/or visitation to a perpetrator is a form of child abuse and is a grave violation of human rights (Rosen, 2014). In 1984, the United Nations determined eight basic rights for every child (OHCHR, 1996-2016a). The *Right to life* means that each child has a right to live his or her own life, and have the right to not be killed, have the right to survive, and grow up in proper conditions. The *Right to education* allows a child to receive instruction, enjoy a social life, and to build their future which is essential for economic, social, and cultural development. Children have a *Right to food* and *Right to safe water*. Children have the *Right to health*, to be protected against illness and to be allowed to grow to become healthy adults. Children have the *Right to Identity*, which includes a surname, a first name, a nationality and to know who their relatives are. Each child’s existence and rights must be officially recognized. Each child has a *Right to freedom* which is a child’s right to express themselves, to have opinions, to have access to information, and to participate in decisions that affect his or her life. This includes the right to religious freedom. Each child has a *Right to protection* which means that every

child has the right to live in a secure and protective environment, which preserves the child's wellbeing; and to be protected from all forms of mistreatment, discrimination and exploitation.

United States, Somalia, and South Sudan are the only countries, which have failed to ratify the Convention with the eight basic rights of children (Rosen, 2014). Our laws have no way of litigating a child being placed in a dangerous criminal's control. For example, in Maryland, in the Randy DeShaney case, Judge Algeo changed his mind on supervision, after talking to the visitation supervisor, and ordered unsupervised visits to a person of interest in two murders against the mother's interests. The child was found dead soon after. The child was defenseless, placed into the hands of a murderer, against the mother's wishes by Judge Algeo. Our nation has a wealth of civil rights litigation over property interests but no civil rights against the life interest rights. Life interest is a person's interest in natural development and continuation of life from birth and on.

Over the last 30 years, parents have filed civil rights suits at the federal courts using 42, USC 1983, the "Civil Rights Act," stating that the state court deprived them of their liberty interest regarding custody of their children without the use of due process laws (Rosen, 2014). The federal courts dismissed them saying that the family law courts were the expert in the area, and that the states had province over them. In over 200 years, no public interest law firm has tried to fight for a child's life interest in the federal courts. There has been no law that says that a child has an interest to development of his own life, without any negative influence. The American law allows courts to deny rights of women and children. Denial of life interest has happened in the history of America for slavery, misogyny, and women and child oppression. Slavery was able to exist under the freedom and independence of the Constitution and the Bill of Rights because there are no

life interest laws to protect people. In 2011, The Office of Violence Against Women and the White House convened to acknowledge that women and children are being harmed in the family court system with Attorney Joan Zorza present. Joan Zorza did suggest solutions to the custody problems including setting standards, education, sponsoring research, looking at federal laws to strengthen interstate protections for battered women, and develop a government litigation strategy. Four years later, there has been no reform in these areas (Rosen, 2014).

Article 2(d) from the The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 2000-2009) reinforces the state's responsibility in ensuring "without delay" that any "act or practice of discrimination against women" be stopped. Perhaps the CEDAW can get involved to stop the discrimination against women in the California family court system. The fact that acting feminine of any kind could potentially give a negative response for a woman who, by being emotional in the process of protecting her children, is seen as crazy, unfriendly, uncooperative, and histrionic, is an indication of risk of gender based discrimination. In Article 4 of the Declaration on the Elimination of Violence against Women, the United Nations (1993) declared that ending gender discrimination includes getting rid of gender-based violence and states "should pursue by all appropriate means and without delay a policy of eliminating violence against women." This article needs to be brought down to the level of the California family court system, which is allowing perpetrators of violence to have visitation with children furthering their violence on the children and the mother. CEDAW (2000-2009) is obligated to combat sexual violence by ensuring appropriate treatment for victims in the justice system. They also promote counseling, support services, and medical to victims of sexual violence. According to the statistics, the

California family court system is handing children over to alleged perpetrators of sexual abuse. The efforts by the CEDAW need to trickle down to the California family court system for the protection of sexually abused children, and the protective mother of a sexually abused child who is looked at as “crazy” when she tries to be an advocate for a sexually abused child in the California family court system. The OHCHR (1996-2016a) outlines in Article 19.1 of its Convention on the Rights of the Child that states are required to protect children from “all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse.” Article 24.1 of the International Covenant on Civil and Political Rights (OHCHR, 1996-2016b) also guarantees a child’s right to “such measures of protection as are required by his status as a minor.” So just for the mere fact that a child is a minor means that their protection is required. This should and is not being upheld in the family court system.

In a 106-page report by the Massachusetts Battered Mothers’ Testimony Project, about the human rights on domestic violence and child custody in the Massachusetts family courts, potential human rights violations against women and children, by judges and other court professionals were found (Silverman et al., 2004). Some of the violations were failing to investigate or consider documentation of child abuse in child custody disputes. In 2003, In Arizona, upon interviewing 57 women on human rights in child custody in domestic violence cases, it was found that state law was violated frequently. Moreover, constitutional issues such as due process, equal protections, and the right to parent were violated. The report called for action by policy makers, the legal community, the state government, and the public. In 1990, another report, about achieving equal justice for women and men in the courts, that was state funded by the Judicial Council of

California Administrative office of the courts, found gender bias in court. The report also found serious problems in decision-making, court practices and procedures, in the courtroom environment (Rothman, Watson, & Chirlin, 1990). Winner (1996) wrote about the lawless system of judges and lawyers, in California, and described them as being in their own system of self-rule regarding women and children by divorce lawyers and judges. In California, she found that the judges and commissioners put power and self interest over safety and welfare of children and the litigants. She wrote that the Sacramento family court system has pedophile-friendly views. Moreover, that the psychological evaluations are so flawed and skewed that they are hoaxes to help the judges decide the outcomes that the judge wants (Winner, 1996). Winner recognized the urgent need to fight the harmful treatment of protective mothers and their children in the America's family courts.

The New York State Task Force recognized gender bias in the courts (Neustein & Leshner, 2005). Attorney Hecht Schafran summarized the findings, saying that there is a pervasive problem with grave consequences with gender bias against women litigants. The women are denied equal justice, equal treatment, and equal opportunity. Women are experiencing descension, indifference, and hostility in the family court system.

**Nicholson v Scopetta.** The case was filed in the federal court system against the New City Administration for Children's Services by Nicholson and two other mothers (Rosen, 2014). The mothers were victims of domestic violence and had their children taken away, for "failing to protect" their children from emotional or physical harm, and being exposed to violence. The children were taken away from the mothers for exposing children to the domestic violence. There were hundreds of cases where children were removed under this basis. The argument in the case was that children were being taken

away by constitutionally inadequate investigations that did not have probable cause, training, or supervision. They also alleged that there was a violation to the First and Fourteenth Amendment rights of the children and for the fourth amendment, which is to be free from unlawful search and seizure. The Plaintiffs prevailed when Judge Jack Weinstein, Eastern District of New York, used the Thirteenth Amendment, which states that “neither slavery nor involuntary servitude shall exist in the United States except as punishment for a crime.” He argued that the Thirteenth amendment included people that were discriminated against for religion and country of origin, and stated that discrimination against females, who are victims of domestic violence, in the United States, was evident by Administration for Children’s Services who treated the group of women unfairly. He also argued that the Thirteenth amendment covers the protection of children’s rights. He said that they are removed from their abused mothers without court adjudication and put in forced state custody, which is a form of slavery. He stated that the government has a responsibility of protecting citizens from violence, even in the home, where in the past people did not believe the protection included the home. The government has a responsibility to protect a victim of domestic violence from her partner, and not punish her by separating her from her children and by not protecting her and her children. Judge Weinstein survived two appeals and the case was settled in 2004 when the City was made to pay the plaintiffs’ attorney fees and comply with applicable laws (Rosen, 2014).

**Gonzales v United States.** On August 17, 2011, The Inter-American Commission on Human Rights (IACHR) released the report in the case of Jessica Lenahan (Gonzales) vs. the United States. The case is the first case in the U.S. that the IACHR worked on (Koshen, 2012). The IACHR is part of the autonomous body of the Organization of

American States (2011). The IACHR is mandated by the Organization of American States Charter and the American Convention on Human Rights. The Inter-American Commission is mandated to promote respect for human rights in the region and consults to the Organization of American States. The IACHR made a landmark decision in the case and showed the U.S obligations to use due diligence in responding to situations of domestic violence (Koshen, 2012). The IACHR found that the United States had breached several Articles of the American Declaration of the Rights and Duties of Man in regards to the U. S. obligations to Lenahan and her children. Lenahan filed for divorce against Gonzales and obtained a permanent restraining order against him in May, 1999 for severe physical abuse of her and her 3 daughters, in Castle Rock, Colorado. Lenahan was granted sole temporary custody of the 7, 8, and 10-yr-old girls. Gonzales had a visitation schedule of a mid-week dinner arranged by the Gonzales and Lenahan ahead of time, every other weekends, and summer visitation for Gonzales. Lenahan discovered that her daughters were missing, and contacted the Castle Rock Police Department multiple times. The police responded by saying that Gonzales had a right to be with the girls because he was their father and told Lenahan to contact Gonzales herself, eventhough she had a restraining order against him. She called back on the non-emergency and was told that she was ridiculous, making the police freak out, and thinking the kids were gone. Lenahan drove to the police station on June 23 at 3:25 a.m. Gonzales drove by the Castle Rock Police Department and fired shots through the Castle Rock Police Department window, where gunfire was exchanged between the officers and him. Gonzales was killed, and the three girls were found dead in his truck. The police department never conducted an investigation into the cause of the death of the girls (Koshen, 2012). The autopsies did not conclusively identify whether they were killed by

their father or in the crossfire of the firefight. In 2011, The IACHR found that the United States had breached several articles of the American Declaration, including a focus on Articles I, II, and VII. The United States also breached the Rights and Duties of Man for failing to protect Lenahan and her children from domestic violence (Koshen, 2012).

Article I states that, “every human being has the right to life, liberty and the security of his person (US Constitution, Amendment 14, Article I). Article II states that, “all persons are equal before the law and have the rights and duties established in this Declaration, without distinction as to race, sex, language, creed or any other factor. ...” (US Constitution, Amendment 14, Article II). Article VII states that, “all women, during pregnancy and the nursing period, and all children, have the right to special protection, care and aid (US Constitution, Amendment 14, Article VII). The IACHR merit report also wrote that gender based violence, which included domestic violence, is an extreme form of discrimination that severely impairs and nullifying the enforcement of women’s rights (Koshen, 2012). The IACHR reported that when a state fails to protect women from violence with due diligence, discrimination and the right of equality for the women is denied. The IACHR also sighted the CEDAW, which says that the State is responsible for failing to protect victims of domestic violence when authorities have knowledge of “real and immediate risk” to the victims by the perpetrator. In the Gonzales case, the authorities were notified of the restraining order when the mother reported that the children were missing. The IACHR, using the CEDAW rights, showed that the authorities did not take reasonable measure to protect them from harm.

### **Legislation Improvements**

The following sections discuss some legislation improvements to the family court system.

**The Morella Resolution.** Representative Republican Maryland, Connie Morella, was the first lawmaker to speak in front of congress on the issue of protective parents (Rosen, 2014). On October 30<sup>th</sup>, 1997, The House of Representatives passed the “Sense of Congress” resolutions, which was sponsored by Representative Connie Morella, and co-sponsors Representative Chuck Schumer and Tom Davis. The resolutions allow lawmakers to give their opinion on a matter, but cannot enforce the law. It does show that even members of Congress are aware of the major problems with the custody issue against women and children in the family courts. The Morella Resolution proposed that it is a myth that women frequently make false accusations of abuse. It also countered the belief that fathers are discriminated against in a custody proceeding. Further, it stated that the myths are believed because the relevant agencies that believe in such myths fail to relevantly investigate abuse allegations that arise in custody cases (Rosen, 2014). The resolution wrote about the absence of scientific data to support the phenomenon of “Parent Alienation Syndrome.” It also focused on the lack of training on domestic violence on mental health professionals who blame mothers for their reasonable fear against violent and abusive fathers.

**The Conyers Bill.** In March 19, 1998, five months after the Morella Resolution, Michigan Democrat Representative John Conyers of the House of Representative, introduced many of the elements that were in the Morella Resolution in the Bill, H. R. 3514 (105<sup>th</sup>): Violence Against Women Act of 1998 but it died in committee and died again when it was introduced again (Rosen, 2014). In 2000, two of the provisions of the Conyers Bill was incorporated into the Violence Against Women Act legislation: the Safe Haven for children Act, and the full faith and credit provision for custody and visitation orders contained within protective orders. The Safe Haven for Children Act gave \$20

million to supervised visitation centers, to promote safe visitation for children and parents for situations involving domestic violence, dating violence, child abuse, sexual abuse, or stalking. The Department of Health and Human Services had visitation centers, but they were formed to exchange access to children for child support for a noncustodial parent. The custody stipulations in protective orders that were incorporated in the Violence Against Women Act of 2005, in the full-faith-and credit amendment to the Parental Kidnapping Prevention Act, gave greater protection to women who had to escape violence with their children by crossing state lines. The amendment required that the minors who crossed the state lines, that had protection orders, had to be given greater protection along with their mothers who escaped violence also with regard to custody and visitation stipulations.

**The Greenbook Initiative.** In 1998, The Greenbook Initiative was a project that tried to deal with the overlap of domestic violence and child maltreatment (Schechter & Edelson, 1999). It was led by Susan Schechter and Jeffrey Edelson, of the National Council of Juvenile and Family Court Judges, with support by Department of Justice, Department of Health and Human Services, and private foundations. The Greenbook project argued that historically, two separate intervention systems were created for domestic violence; and abused children and their families. Each one had its own law enforcement and judicial mandates, institutions, and funding, but there was new evidence that adult domestic violence and child maltreatment overlap. Some important topics discussed by the professionals, including judges, was how the juvenile protect the children without re-victimizing the mother, how to protect battered mothers and children and hold batterers accountable for their violence, and how does child protective services

work together with domestic violence providers to keep multiple victims safe in the home.

The final report recommended that all agencies needed to work together to enhance safety and wellbeing for the children and their families (Schechter & Edelson, 1999). Moreover, the report recommended that the stability and permanency of a child should be ensured by making adult victims safer and stop batterers' assaults. Service systems need to be opened to allow any adult or child victim of violence to get help without a child protection case being opened or investigated. The needs of the families, according to the extent of the domestic violence, be assessed to create a safe and stable family. In 2000, the Department of Justice and Department of Health and Human Services picked six sites and gave federal grants to implement *The Greenbook Initiative*, including California. There were some positive changes, but the changes could not be sustained over time. The gap in the success was due to the lack of involvement of judges and other court personnel at the sights. Some judges spoke very positive of the Greenbook Initiative, but some did not want to change. Some Judges were bound by laws and legal precedent, and there was a lack of hierarchical structure to aid them to make the changes (Schechter & Edelson, 1999). Moreover, there was no mandatory training to put the systemic changes in place by the court, so there was not much change in the courts. The project did show that changes can be made to the courts, even if temporarily, without legislation (Rosen, 2014). It also showed that advocates for children and women of domestic violence can work together. It showed that courts need more than training to improve the system. The Greenbook still does provide training for the community to overlap domestic violence and child maltreatment.

**Legislative improvements in California.** There have been some legislative accomplishments in California (Rosen, 2014). Since 1998, the California Protective Parents' Association has worked with the Legislative coalition to Prevent Child Abuse, PROTECT, and the Center for Judicial Excellence to change legislation in California for battered women engaged in custody litigation. They were successful in October of 1999, to amend the Family code that a parent should not be denied custody or visitation with a child, for lawfully reporting suspected child abuse, or lawfully determining if a child was a victim of sexual abuse, or for seeking treatment for the child from a licensed professional. They tried to make the law retroactive, but that part of the law was not passed, due to intense opposition by the California Judges' Association and the Family Law Executive Committee for the State Bar, stating the new bill did undue interference with the court's discretion.

In 2000, minimum standards of training in child sexual abuse for custody evaluators and for anybody investigating or mediating child custody issues were passed (California Legislative Information, 1999-2000). In 2005, the incest exemption was repealed, to allow a prosecuting attorney to make a motion to defer entry of judgment, in the case of molestation of a child by a family member (California Legislative Information, 2005-2006). In 2006, legislation was passed to make it more difficult for a convicted sex offender to get custody of a child (California Legislative Information, 2005-2006). In 2007 and 2009, legislation was introduced, but not passed to exclude nonscientific labels and diagnoses in the court as part of child custody evaluations (California Legislative Information, 2007-2008). The courts did reduce the use of the labels. In 2011, an audit in Sacramento and Marin County showed that the mediators did not pass minimum training and qualifications to perform evaluations and mediation

(California State Auditor Report, 2011). They did not log complaints by the litigants about the private evaluators and mediators. The courts also did not ensure that the local rules were being followed.

In 2010, the legislation required that child's counsel present the child's wishes to the court if the child wants them to be reported, and that the visitation/custody/support order made as part of a protective order needs to survive the protective order, when the protective order terminates (California Legislative Information, 2009-2010). The social workers cannot draw any inference regarding credibility of the allegations of child abuse from the custody and visitation dispute. An exception can only be made to the confidentiality of the child welfare agency records for certain participants in family law and probate guardianship cases.

In 2011, legislation was passed to give children a voice in custody decision in family court and given due weight to the wishes of the child if the child is old enough and has the capacity to have an intelligent preference in the custody and visitation (California Legislative Information, 2009-2010). It also requires the court to permit a child who is 14-years-old or older to address the court on custody and visitation issues, unless the court determines that it is not in the best interest of the child (California Legislative Information, 2009-2010). Legislation is also under review to try and to extend the statute of limitations in sexual abuse cases (California Legislative Information, 2013-2014).

### **Brief Summary of Mercurio's Practicum Research**

In this study, Mercurio (2014) asked 15 anonymous participants from Facebook and the California Protective Parent's Association, a series of questions about whether the current family law about child custody/visitation, protected children from harm in today's society and what improvements needed to be made. Forty percent of the

participants answered “no.” One of the participants who said “no” said that, “I believe that it puts the parents’ rights higher than the child’s best interest.” Another participant wrote that, “I believe that family law is fundamentally flawed, because the law requires “something to happen” before it will take action. In some cases, children can be violated upon (abused) and still be subjected to seeing the abusing parent. It can take children *much* time before they can speak about being assaulted by a parent (or someone of trust). Because of the natural inability for children to point the finger at a parent who is a perpetrator, they continue to have access (or visitation rights) to the perpetrating parent.”

Along these same lines a participant wrote:

I think when child abuse has been suspected, a LONG and thorough process of mandatory (and free) counseling should be provided for the children. I personally believe it can take up to 1 year or more for children (who are in therapy) to feel safe enough to reveal that a parent has abused them. Mandatory and free counseling should be provided, as well as supervised visits with the “accused.” I also believe the accused parent should go through mandatory psychological testing.

There were some responses that were short but very complex in their answers.

One participant answered, “I see awful things on the news concerning the children all the time. Something isn’t working.” One wrote, “Let kids make some decisions at a younger age.” Some more responses were, “there needs to be as much protection of the children along with the single parents that take care of them.” “To my knowledge and experience, the law gives too much consideration to the parents’ rights rather than what is in the best interest for the child.” “If a parent is not fit (drugs, alcohol, abuse, etc.) there should be a successful treatment plan involved before s/he has any rights.” “I would make therapy mandatory, instead of voluntary, for the accused adult perpetrators.” “If proven abuse, the child should not have to see the offending parent unsupervised.” Lastly a participant wrote, “it is very hard to prove abuse.”

Another question in the survey asked what should be kept the same in the family court system? 50% of the participants answered the question and gave a variety of answers. Some answered the question by saying what needed to change, “it needs to be totally revised.” “There should be oversight and sanctions against judges who abuse children.” “I know of dozens of cases where the children were taken away from a protective mother and placed in the custody of the abusing father.” Another wrote, “I do not know all the laws, only what the end result is and it is bad. Workers need to be more concerned about the children’s welfare then how they look or politics and power trips.”

In response to Mercurio (2014) question about what needs to be improved in the visitation schedule in the California family court system, one participant answered, “as far as I can tell, it is *not* in the best interest of the children and needs to put child safety and well-being first.”

### **Chapter 3: Method**

This mixed method study examined the ways in which California family courts are treating mothers who are trying to protect their children from perpetrators of abuse, and to assess whether the children and women involved in the California family court system are being honored according to the international human rights laws. Two research questions were examined:

1. Is the California family court system violating the national and international human rights' laws of women and children?
2. Are protective mothers<sup>3</sup> and their children being abused by the California family court system?

This chapter describes the methods that were used in the study. The following sections describe the research design and procedures for participant recruitment, data collection, and data analysis.

#### **Research Design**

A mixed method research design was selected for this study to gather quantitative and rich qualitative descriptive data from the personal experiences of the study participants. Data were gathered using an online survey developed by the researcher and administered via Qualtrics, followed by an optional semi-structured telephone interview (Saldana, 2011).

#### **Participant Recruitment**

Participants had to be female, at least 18 years old, currently or previously involved in the California family court system, and trying to protect an abused child. Participant recruitment was achieved by posting a recruiting letter and link to the online

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<sup>3</sup> a protective mother is defined in this study as one who acts in a protective manner for her child in a custody/visitation family court case

survey on Facebook, the California Protective Parents Association website, and the Center for Judicial Excellence Website.

Participant consent to complete the survey was gained using the first survey item, which contained the consent information along with yes/no answer choices. An affirmative answer to this question routed participants to the remainder of the survey. A negative response ended the survey. A total of 24 individuals completed the survey.

Interview participants were recruited through the final two questions in the survey, which asked respondents for their contact information and whether the researcher may contact them by telephone to discuss the questions and data in more detail. Fifteen respondents agreed that the researcher could contact them and completed a telephone interview. All interview participants had also completed a survey.

### **Data Collection**

Data for this study were gathered using survey and interview procedures. The data collection instruments and administration procedures are outlined in the following sections.

**Survey procedures.** A 64-item online survey (see Appendix A) administered via Qualtrics was used to gather the first round of data for this study. The first question gathered respondents' consent to participate in the survey. An affirmative answer navigated them to the remaining questions, whereas a negative answer ended the survey.

Survey items addressed the following categories:

1. Respondent demographics. The first section of 11 questions gathered respondents' demographic data, including gender, ethnicity, gross annual income, age, marital status, and experience with the California family court system, and reason for leaving their former partner (i.e., the other party in the California family law case). All questions were optional. Only those respondents who reported they were adult females who had had a family law case in California were able to proceed with the survey.

2. Adherence with national and international human rights legislation. Eleven items assessed respondents' agreement on whether the California family court system adhered with national and international human rights legislation. Specifically, adherence with three articles of the American Declaration, two aspects of the International Covenant on Civil and Political Rights, two aspects of the Convention on the Elimination of All Forms of Discrimination Against Women, one aspect of the Convention on the Rights of the Child, the United Nations General Assembly declaration regarding gender-based violence, and two aspects of California Family Law Code were evaluated. Answer choices ranged on a five-point scale from strongly disagree to strongly agree. Respondents also could indicate "Not Applicable."
3. Protection of child's best interests. Seven items (Items 25, 43, 51, 55, 57, and 58) assessed respondents' agreement whether the California family court system protected their child's best interests. For example, Item 51 asked respondents to indicate their agreement with, "The judge is using the 'best interest standard' when making custody and/or visitation decisions for my child." Answer choices ranged on a five-point scale from strongly disagree to strongly agree. Respondents also could indicate "Not Applicable."
4. Protection of child's safety. Nineteen items (Items 27-32, 35, 39-42, 44, 46-49, 52, 54, and 59) assessed respondents' agreement whether the California family court system protected their child's safety. For example, Item 35 asked respondents to indicate their agreement with, "Mediators care about the safety of the children involved in the case." Answer choices ranged on a five-point scale from strongly disagree to strongly agree. Respondents also could indicate "Not Applicable."
5. Equitable treatment of mothers. Five items (Items 24, 26, 38, 50, and 56) assessed respondents' agreement whether the California family court system treated them equitably. For example, Item 38 asked respondents to indicate their agreement with, "Judges care more about the father than the mother involved in the case." Answer choices ranged on a five-point scale from strongly disagree to strongly agree. Respondents also could indicate "Not Applicable."
6. Protection of mothers' safety. Seven items (Items 36, 37, 44-47, and 52) assessed respondents' agreement whether the California family court system protected their own safety as mothers. For example, Item 36 asked respondents to indicate their agreement with, "Mediators care about the safety of the mothers involved in the case." Answer choices ranged on a five-point scale from strongly disagree to strongly agree. Respondents also could indicate "Not Applicable."
7. Effectiveness of the California family court system. Four items (Items 33, 34, 53, and 61) assessed respondents' agreement whether the California family court system operates efficiently and effectively. For example, Item 53 asked respondents to indicate their agreement with, "Currently, the California family

court system is effective.” Answer choices ranged on a five-point scale from strongly disagree to strongly agree. Respondents also could indicate “Not Applicable.”

The final two closing questions solicited feedback about the survey and confirmed respondents’ understanding that their responses were anonymous. Respondents also were asked about their willingness to participate in interview and, if so, to provide contact information.

**Interview procedures.** Twenty-two survey respondents volunteered to participate in an interview and 15 completed an interview within the study time frame. Each interview lasted 1 to 5 hours. The interview script (see Appendix B) consisted of four questions: 1. Would you consider your experience with the California family court system a positive or negative one? Yes or No? Why? 2. Is there anything you want to tell me about your experience with the California family court system that you did not include in the survey? Yes or No? What would you like to tell me? 3. From your personal experiences with the California family court system, what are your suggestions for improvement? 4. What is positive and should be kept the same in the California family court system? The questions were designed to gauge their overall experience with the California family court system, gather more in-depth information about their experiences, and obtain their feedback about how to improve the system. Data were recorded by hand during the telephone interview.

### **Data Analysis**

Survey responses were tabulated. Open-ended survey and interview responses were examined to identify common themes, consistent with content analysis procedures

outlined by Saldana (2011). The next chapter reports the analyzed and summarized findings. Raw survey and interview data are provided in Appendices C and D.

## Chapter 4: Results and Findings

This mixed method study examined the ways in which California family courts are treating mothers who are trying to protect their children from perpetrators of abuse, and to assess whether the children and women involved in the California family court system are being honored according to the international human rights laws. Two research questions were examined:

1. Is the California family court system violating the national and international human rights' laws of women and children?
2. Are protective mothers<sup>4</sup> and their children being abused by the California family court system?

This chapter reports the results of the study. The following sections describe the survey and interview results. The 24 participants were not required to answer all of the questions in the survey to participate, which is why there may be less than 24 responses to each survey question. The results are represented in Tables and narrative form which were both part of the questionnaire findings.

### Survey Results

**Respondent demographics.** The majority of participants were Caucasian (83.3%) women born between 1962 and 1977 (79.2%), and single (66.7%), as shown in Table 1. Participants represented a range of economic backgrounds, with 41.7% earning a gross annual income less than \$20,000 and 29.2% earning a gross annual income of \$90,000 or more.

The participants reported having family court cases in 17 different California counties and some reported having cases in more than one county (see Table 2). The most frequently cited location was Los Angeles County (n = 5, 20.8%), followed by Contra

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<sup>4</sup> a protective mother is defined in this study as one who acts in a protective manner for her child in a custody/visitation family court case

Costa County (n = 4, 16.7%). Two participants (8.3%) each reported San Diego, Sacramento, Shasta, and Marin counties. The remaining 11 counties each were cited by one participant (4.2%). The wide range of the geographical locations indicates that participants represented a variety of family courthouses throughout California.

Table 1

*Participant Demographics*

Demographic Category	n	%
<b>Ethnicity</b>		
Caucasian	20	83.3%
Hispanic	2	8.3%
Asian	1	4.2%
Other	1	4.2%
<b>Birth Year</b>		
1953-1958	4	16.7%
1962-1969	10	41.7%
1970-1977	9	37.5%
1981	1	4.2%
<b>Marital Status</b>		
Married	6	25.0%
Single	16	66.7%
Living with partner	1	4.2%
No answer	1	4.2%
<b>Gross annual income<sup>a</sup></b>		
Less than \$10,000	6	25.0%
\$10,000 to \$19,999	4	16.7%
\$20,000 to \$29,999	2	8.3%
\$40,000 to \$49,999	3	12.5%
\$90,000 to \$99,999	1	4.2%
\$100,000 to \$149,999	2	8.3%
\$150,000 or more	4	16.7%
No answer	2	8.3%

<sup>a</sup>No participants reported gross annual incomes of 30,000-39,999 or 50,000-89,999

Table 2

*Adjudicating California Family Courts*

County	n	%
Los Angeles	5	20.8%
Contra Costa	4	16.7%
San Diego	2	8.3%
Sacramento	2	8.3%
Shasta	2	8.3%
Marin	2	8.3%
Other (Riverside, Madera, San Luis Obispo, San Benito, Santa Cruz, Orange, Placer, Mariposa, Tuolumne, Roseville, El Dorado) <sup>a</sup>	11	45.8%

*N* = 24; <sup>a</sup>each county was cited by one participant; Some participants cited multiple counties

Participants readily cited the names of their adjudicating judges or commissioners. All but two of the participants reported the name of the judge or commissioner on their case. However, these names are omitted from this study to preserve the participants' anonymity. Based on participant accounts, an estimated eight female judges and commissioners and 21 male judges and commissioners had ruled on the participants' California family court cases (estimates were necessary because some participants did not indicate the first names of their judges or commissioners).

Twenty participants also provided their own personal stories with the family court system. The answers were not edited or altered so that the stories would remain personal, except to delete names of court officers and judges to protect the participants. The stories indicated many themes about the experiences that protective mothers of abused children had. All of the women left the relationship for domestic violence, including sexual, physical, mental, emotional, and verbal abuse as well as stalking.

Four of the women reconciled with the former abuser because they were afraid the father would harm their children during court-ordered unsupervised visitation. All of the mothers left the father permanently because the abuse escalated. When the women sought help from the police about the domestic violence, the police failed to help. Five of

the women were arrested and/or charged by the police for allegedly kidnapping, for parental alienation, or when their children tried to run away from the father during court-ordered supervision from abuse, in their efforts to protect their children from the abuse occurring during court-ordered supervision. One participant reported that the police even arrested the child for running away from the father's abuse during the visitation.

Six participants reported that when they sought help from CFS because their child was being abused during the court-ordered visitation, CFS did not help to protect their children. One mother had evidence of her child's emotional abuse inflicted by her father, as documented in a CFS report; yet, the judge still ordered unsupervised visits. Another participant reported that the police pulled a child from a house at gunpoint to enforce visitation.

All of the mothers reported that their children were subjected to a variety of abuses during court-ordered visitation, including sexual, physical, and emotional abuse, malnourishment, and torture. Nine of the women reported that the father increased the abuse toward their children because the mothers were trying to protect them.

All the mothers' attempts to notify the judge reportedly were ignored. Five of the mothers wrote that they lost custody of, visitation with, or parental rights over their children when they tried to protect them from their father's abuse occurring during court-ordered supervision. Four of the mothers reported the fathers stalked them outside of the court during the court proceedings; yet, the court still allowed the father to retain custody or visitation.

Those participants who were among the rare mothers who regained custody or did not lose custody are still working with their children to heal the years of abuse they sustained, as condoned by the California family courts. Although some participants'

children have since aged out of the system, others are still participating in court-ordered visitation or custody with the abusive father and are still being harmed, despite their mothers' pleas to the court to protect their children.

While trying to protect their children, five of the women reported that they were in fear of what would happen to them or their children while being involved in the California family courts. One mother, following the advice of counsel, did not report the abuse committed by the father on her child to avoid losing custody of or visitation with her child. Two of the mothers dropped their motion for a restraining order because their lawyers told them judges would not rule in their favor. One of the fathers successfully filed a restraining order against the mother, and the court filed another one against a mother. Five of the mothers reported being involved in the family courts trying to protect their children or regain custody from 7 to 15 years. The mothers reported that the constant litigation had severely affected their finances, where some had to live in less than desirable neighborhoods, some went bankrupt, and yet another became homeless.

While fighting to protect their children, several mothers reported that although the judge initially ordered supervised visits, the ruling was later changed to allow unsupervised visits. 14 of the mothers reported that the judge did not believe or listen to their children or them when they testified of the abuse the child had experienced. Instead, four of the mothers were accused of parental alienation or coaching their children when children reported abuse to the courts, CFS, or the police. Four of the mothers additionally reported that the mediators did not protect their kids from the abusive father.

Participants cited several problems with psychological personnel involved with courts. Four of the mothers reported that the 730 psychological evaluation was used against them and they lost custody of their child. Specifically, some mothers posited that

father's personality disorders did well in the California family court system due to their ability to lie, stay calm, and manipulate the system. One mother reported that a court-appointed psychologist threatened harm to the children if they would not be quiet about the abuse experienced from the fathers. Another mother reported that the court-ordered psychologist praised the abusive father, and another court-appointed therapist ignored the abuse that the child reported to her. In one case, where a 4-year-old child had experienced severe sexual abuse from the father, as reported by the mother and counselor, the therapist was successful in keeping the child protected from the father and the father had no visits. Nevertheless, 7 years later, the new commissioner and mediator did try to reunify the child with the father. Ultimately, the father surrendered his rights to avoid paying over \$70,000 of child support arrears.

Four of the women reported that the frequently changing court personnel resulted in reunifications with fathers and/or changed custody or visitation arrangements because the personnel often did not review their existing files. One of the mothers reported that she had difficulty protecting her child, due to absence of court reporters to help produce evidence from previous trials or hearings. The shifting personnel and according changes to custody and visitation arrangements resulted in substantial additional harm to their children. Four of the mothers reported that fathers gained more custody or visitation as a result of filing repeated motions after motion by the court.

Participants reported a sense of being treated rudely by the judge. One mother reported that a judge said to her, "Hell hath no fury like the wrath of a scorned woman," suggesting that her efforts to protect her children stemmed from being rejected by the father. Another participant reported that the judge scornfully said "I bet," in reply of the father saying he agreed with the mediators request to start the reunification process.

In summary, none of the participants provided a positive story about the California family court system. Instead, they cited several common problems concerning the court system and those involved in it, including judges, commissioners, mediators, and law enforcement. Only one story was reported wherein CPS tried to help protect a child in the California family court system. All of the mothers were victims of domestic violence and they and their children were further abused by the California family court system. Six of the participants also reported experiencing substantial financial loss due to the several years spent in the California family court system.

**Adherence with national and international human rights legislation.** Eleven items gauged respondents' agreement whether the California family court system adhered with national and international human rights legislation. As shown in Table 3, participants, on average, strongly disagreed that the courts adhered to human rights legislation ( $M = 1.25$ ).

**Article I of American Declaration.** Regarding Article I of the American Declaration regarding the right to life, liberty, and the security of his person, participants reported that the police and courts failed to protect them and their kids. Some participants reported their children were taken away from them while they were trying to protect their children. Some participants even were arrested. Some participants' former partners were given restraining orders against them when they needed one against the fathers. A mother reported that the court opened proceedings that allowed the father to know exactly where she and her daughter are when they were protected by the safe-at-home program. One mother, after 7 years of the police and the courts not listening to keep her child safe, finally had a judge who understood her child's need to be safe and ruled in the mother's favor for the child.

Table 3

*California Family Courts' Adherence with Human Rights Legislation*

Item	N	Distribution	Mean
Article I of American Declaration, regarding the right to life, liberty, and the security of his person	20	Disagree: 2 Strongly Disagree: 18	1.10
Article II of American Declaration, regarding equality before the law	17	Disagree: 2 Strongly Disagree: 15	1.12
Article VII of American Declaration, regarding special protection for pregnant and nursing mothers	16	Neutral: 1 Strongly Disagree: 15	1.11
Article 9.1 of the International Covenant on Civil and Political Rights, the right to liberty and security of person	19	Disagree: 2 Strongly Disagree: 17	1.11
Article 3 of the International Covenant on Civil and Political Rights, equal right of enjoyment of all civil and political rights set forth in the present Covenant	20	Agree: 2 Disagree: 1 Strongly Disagree: 17	1.35
Article 2(d) of the Convention on the Elimination of All Forms of Discrimination against Women	19	Disagree: 1 Strongly Disagree: 18	1.05
Combating sexual violence (Convention on the Elimination of All Forms of Discrimination against Women)	17	Strongly Agree: 1 Neutral: 1 Disagree: 1 Strongly Disagree: 14	1.41
Article 19.1 of the Convention on the Rights of the Child, protecting children from abuse	20	Disagree: 1 Strongly Disagree: 19	1.05
Eliminating gender-based violence (United Nations General Assembly)	17	Agree: 1 Disagree: 2 Strongly Disagree: 14	1.29
California family law code 3027.5, parents' right to custody or visitation	16	Agree: 2 Neutral: 1 Disagree: 1 Strongly Disagree: 12	1.56
California family law code AB-1050, regarding listening to children's preferences	16	Strongly Agree: 1 Neutral: 1 Disagree: 3 Strongly Disagree: 11	1.56
		Overall	1.25

Scale: 1 = Strongly disagree, 2 = Disagree, 3 = Neutral, 4 = Agree, 5 = Strongly Agree

***Article II of American Declaration.*** Regarding Article II of the American Declaration regarding equality before the law, participants shared they were accused of Parental Alienation, or being liars, and the courts even allowed falsified mental health records as evidence. Moreover, the custody evaluator did not allow another mother to use

her evidence and obstructed her due process of law. One participant reported the court violated Mary's Law. Two judges allowed the father to lie behind her back and disallowed her own evidence. Another participant shared that the father, a convicted felon, enjoyed more rights and freedom of speech than she did during the court proceedings. Another participant similarly reported that the father was believed at his word. While yet another reported the commissioner appeared to be more empathetic and generous toward the father. Some participants believed the courts are driven by money and that judges are moved around too frequently, obstructing justice.

*Article VII of American Declaration.* Regarding Article VII of the American Declaration regarding special protection for pregnant and nursing mothers, many participants reported that the California family courts actually act in opposition to the child's best interest. One participant reported she could not breastfeed because the father was given 6 hours of visitation a day for her 2 month-old baby. Some participants reported that the family courts damaged their children, with one participant reporting sustaining physical, emotional, and psychological abuse. One participant, who yelled at the father to take her to the hospital while experiencing heavy vaginal bleeding and a threatened miscarriage, was later arrested for her behavior. Participants generally felt that no one was protecting them. Another participant added that law enforcement, mediation, CPS, the court investigator, Women's refuge, and Commissioners all put her daughter in danger.

*Article 9.1 of the International Covenant on Civil and Political Rights.*

Regarding adherence with Article 9.1 of the International Covenant on Civil and Political Rights (OHCHR,1996-2016b) the right to liberty and security of person, no participant reported that law enforcement and court officers helped the mother or her children to be

secure or have liberty, even when the mother sought help from them. Instead, participants reported that these officers contributed to their lack of safety.

***Article 3 of the International Covenant on Civil and Political Rights.*** Regarding adherence with Article 3 of the International Covenant on Civil and Political Rights (OHCHR,1996-2016b) two participants agreed that the courts protected their right of enjoyment as stipulated by the International Covenant on Civil and Political Rights. One participant explained that, after 7 years of her daughter being abused in the court, she finally found a judge who listened to her and her new husband and helped to finally protect her daughter. The other participant who agreed explained that the court treated the unfit father equally. Nevertheless, all participants provided negative stories about the court system regarding this question. The women relayed many circumstances where the courts seem to only care about the father's access to the child, despite the children and women being abused through the family court system and visitations with the father.

***Article 2(d) of the Convention on the Elimination of All Forms of Discrimination against Women.*** Regarding Article 2(d) of the CEDAW (2000-2009) regarding prompt elimination of gender discrimination, participants reported not knowing how to stop weekly abuse committed by the fathers because it is allowed by the courts nor how to stop the discrimination they experience in the courts as they try to protect their children. The women reported that the courts are not allowing the mothers to speak or have the freedom of speech. The judge also was repeatedly telling a mother with a brain tumor to find gainful employment. The women reported being treated unfairly and the courts, according to participants, make protective mothers feel crazy or deceitful. Protective mothers are feeling persecuted in the courts, saying there is no justice, while men have more chances in court to expand custody and are annoyed with the mothers.

***Combating sexual violence per the Convention on the Elimination of All Forms of Discrimination against Women.*** Regarding CEDAW obligations to treatment of victims of sexual abuse (CEDAW, 2000-2009), most participants had dealt with their children's sexual abuse and they provided negative accounts of their battles in the California family court system trying to protect their children. According to participants, the judges either disbelieved or minimized the women's accounts. Participants believed the courts view them as crazy when reporting the abuse, while participants view judges as uncaring and court officers, CFS, mediators, and law enforcement as incompetent and gullible. The one participant who strongly agreed with this item did so because she was afraid to bring up the violence or abuse with the courts because she was afraid she would lose custody of her child. She explained that CPS told her she would lose custody if she ever called them again or made the father look bad.

***Article 19.1 of the Convention on the Rights of the Child.*** Regarding Article 19.1 of the Convention of the Rights of the Child (OHCHR, 1996-2016a) regarding protecting children from abuse, participants explained that the father was given visitation with or custody of their children when they tried to report the abuse their children had endured during court visitation and/or custody. The mothers reported losing their custody or getting their custody reduced while trying to protect their child from further abuse from the father in the California family court system.

***Eliminating gender-based violence per the United Nations General Assembly.*** Regarding the elimination of gender-based violence (UN, 1993), all but one participant provided negative accounts. Participants explained that the courts neither gave them nor their children protection. Furthermore, the participants asserts that the courts obstructed the women's attempts to protect their own children and even condoned abuse and

punished the mothers who were victims of domestic violence. One participant stated she was abused financially, emotionally, and physically by the court system, but that her abuse pales in comparison to the abuse that her children endured from the court.

The courts refused to issue restraining orders to the women and children. One mother even described a commissioner making fun of women trying to get restraining orders over Memorial Day weekend. Some fathers were allowed to violate the restraining orders and some were not arrested for their abuse on the mothers and the children.

Some of the mothers have expert witnesses to the domestic violence; yet, the judges reportedly do nothing to reduce or eliminate the abuse. The mothers describe a failure of every system, law enforcement, California family court, women's refuge, CPS, to protect them and their children. The one participant who agreed with this item provided no further details.

*California family law code 3027.5.* Regarding California family law code 3027.5, parents' right to custody or visitation, several participants reported they lost custody of or rights to their children when reporting suspected child abuse to the California family courts. One participant reported the commissioner attempted reunification after her child was protected by two judges because the father alleged Parental Alienation and false accusations of sexual abuse.

One participant agreed with this item because she had sole physical custody and 50/50 legal custody, even though the father continued to have regular visits after she reported her child's sexual abuse. Another participant agreed because the commissioner finally agreed she could take her child to therapy (albeit with disdain), after previously threatened to remove her child for wanting to take the child to therapy (a violation of the family law code). Yet another participant reported a neutral rating because she was

threatened by the father's lawyers and had to go to trial for parental alienation.

Ultimately, the father was given supervised visits for 6 months, but then the father was given unsupervised after the six months.

*California family law code AB-1050.* Regarding California family law code AB-1050 regarding listening to children's preferences, only one participant strongly agreed, indicating that after 7 years of trying to protect her daughter in the California family court system, the court listening to her daughter is what saved her at age 12. The daughter testified that her father threatened to kill her if she told about the abuse.

The participant who reported a neutral response explained she was glad the court did not listen to her daughter because the father coerced her to say that she wanted to live with him. Another participant declined to rate the item because her children reportedly are too afraid to talk about the abusive father.

Some participants reported that the child's attorney and/or court investigators did not state the child's wishes to the judge. Other participants said that the courts refused to take the wishes of the child into consideration or to let them speak, and one participant reported that the mediator only talked to her child for 6 minutes. One participant had six children—none were heard and instead were ordered to be with the father until they were age 18. One judge even tried to make it until they were 20. Some participants reported that the court only listens to the child when they are speaking for the outcome that the courts want.

**Protection of child's best interests.** Seven items gauged participants' views about whether the California family courts protected their children's best interest. As shown in Table 4, participants strongly disagreed with these items ( $M = 1.43$ ).

Table 4

*California Family Courts' Protection of Children's Best Interests*

Item	n	Distribution	Mean
I have seen the judge give preference to a father's rights over the best interest of my child with his custody/visitation rulings. <sup>R</sup>	18	Strongly Agree: 16 Strongly Disagree: 2	1.44
The judge, mediator, and/or other court officials protect the best interest of children.	17	Strongly Disagree: 17	1.00
The judge is using the "best interest standard" when making custody and/or visitation decisions for my child.	17	Strongly Agree: 1 Disagree: 2 Strongly Disagree: 14	1.35
The judge orders 50/50 visitation a majority of the time. <sup>R</sup>	14	Strongly Agree: 8 Agree: 3 Neutral: 1 Disagree: 1 Strongly Disagree: 1	1.86
The judge orders 50/50 visitation even if it has a negative affect on children. <sup>R</sup>	15	Strongly Agree: 12 Agree: 1 Neutral: 2	1.33
The judge, mediators, and/or court officers listen to what the child wants with respect to custody/and or visitation.	14	Agree: 2 Disagree: 3 Strongly Disagree: 9	1.64
The court officers used the "best interest of the child" standard to override my child's wishes, in regards to visitation and/or custody. <sup>R</sup>	12	Strongly Agree: 9 Disagree: 1 Neutral: 2	1.42
		Overall	1.43

*Note.* <sup>R</sup>Reverse scored item; Scale: 1 = Strongly disagree, 2 = Disagree, 3 = Neutral, 4 = Agree, 5 = Strongly Agree

***Placing fathers' rights above best interests of the child.*** Regarding judges' preference to a father's rights over the best interest of my child with his custody/visitation rulings, one participant summarized the sentiment of many in saying, "It is really the best interest of the father that they rule for." Participants explained that the fathers beat their

kids, denied them medical care, and denied calls with their mothers; yet the judge ruled in favor of the fathers. Another participant stated her former partner, a convicted felon, was awarded unsupervised visits and overnights. Participants explained that the rights were all about the fathers' rights and not the children's. One participant explained that her rights were taken away based on the father's testimony of the participant being delusional when reporting abuse, another participant lost custody, even when she provided evidence of the father's abuse.

Another participant explained that the children tried to flee the father's custody twice, and he was given full custody, while she was given supervised visitation for trying to protect them. When she got her child back and he did well in school, the judge gave the child back to the father saying that the judge could not trust the school to properly educate the child.

Another participant said that the judge gave a documented abuser sole custody. Other participants reported that the judge ordered unsupervised visits or custody to the fathers who had documented sexual abuse.

Other participants reported that the judge gave the fathers constant due process and were sympathetic with the fathers, and one even tried reunification after 7 years when two judges had protected the child from severe sexual abuse. The answers to this question show that the judges are handing children over to fathers who are dangerous to the children. Moreover, some of the participants were punished for trying to protect their children by losing custody or rights. The answers to this question show a pattern of sympathy towards fathers, no matter if they are harmful towards the children. The fathers' rights seem to be of more importance than the best interest of the children, and

children's safety, according to the answers in this question. There was not one instance when the judge held the child's best interest over the fathers' rights.

Another participant reported that she has never heard of anyone being able to protect her child in the California family courts and that the courts are all about the father's rights. She asserted that the courts use the term *best interest of the child* to rule for the father and override a child's wishes. If the child says he or she does not want to see the father, court officials will say "It is in your best interest to see your father." One participant reported that there is *ex parte* communication between the opposing counsel, judge, and court officers that she was not allowed to attend.

Participants believed that judges' primary concern is assuring the father's access to the child rather than focusing on the child's best interests.

***Protecting the best interest of children.*** Participants reported that judges are misusing the best interest standard and misapplying it in a corrupt manner, without any oversight. Several participants alleged that the best interest standard is simply cited as a justification for the judge to rule as he wishes. One participant explained that she advises people to settle matters outside of the court, even if the father is an abuser. A participant reported she could not get anyone in the legal system to help her protect her children. A participant reported that the court did not know the laws and allowed the opposing counsel to commit perjury.

***Defaulting to 50/50 visitation.*** The participants explained that the judge considers 50/50 to be in the best interest of the child, despite abuse or the nomadic lifestyle children have to then live. One participant reported that the judge was working toward 50/50 visitation even though the father had felonies for abusing her and violated protective orders. He also had received another felony, abused alcohol, failed to pay child support,

and badmouthed her to the children. Another participant considered 50/50 visitation akin to trafficking children into slavery, explaining that placing children into the hands of a known sex abuser is sex slavery. One participant, who was granted 70/30 visitation, explains that even in this arrangement, the abuse from the child's father had allegedly caused her child to fail school, attempt suicide, and suffer chronic pain. She is now on medication. All participants recounted a range of negative consequences stemming from 50/50 custody.

One participant explained that according to the judges, the best interest of the child is to have both parents, especially the father, whereas "the mother is [considered to be] just a commodity." Participants additionally believed that judges allow fathers to submit repetitive motions so they support the father in reaching 50/50 visitation, and that is why judges get annoyed with protective mothers who continually resist such efforts. Some participants who strove to protect their children lost custody and were given supervised visits.

*Listening to children's wishes.* All but two of the responding interviewees reported that court officers do not listen to children's wishes, regardless of their ages, with respect to custody and visitation. Participants stated that the commissioner did not want to hear from the minor's counsel and counsel did not report to him anyway. Other participants reported the courts listened to children only when it favored the father. Another participant stated her rights were taken away, even when her children wanted her to have rights. Still other participants reported that those court officials who do listen to the children dismiss their views, saying the mother brainwashed or coached them (particularly in cases of abuse) or that "It's not in the best interest of the child to do what the child wants."

Another participant reported that the court-appointed lawyer overrode her child's wishes with the best interest of the child standard, based on his review of CFS reports that falsely accused the mother of coaching the child. The participant then tried to have him removed from the case and he finally called the therapist. He then learned the abuse was real and aggressively protected her daughter from the abusive father.

**Protection of child's safety.** Nineteen items gauged participants' views about whether the California family courts protected their children's safety. As shown in Table 5, participants strongly disagreed with these items ( $M = 1.87$ ). Notably, 15 participants strongly disagreed that the judges took their child's safety seriously when ordering custody and/or visitation to the father ( $M = 1.24$ ).

***Taking measures to protect safety.*** Participants reported that judges were more concerned with the father's access to the children than the safety of their children. Judges reportedly ignored evidence of child abuse, even when it was documented. A mother reported that her children were so afraid of living with the father that they concealed weapons around the house. One participant said the father was granted custody and treated like "father of the year" until he was arrested for domestic violence and she was ultimately given custody.

Table 5

*California Family Courts' Protection of Children's Safety*

Item	N	Distribution	Mean
The judge took my child's safety seriously when ordering custody and/or visitation to the father.	17	Strongly Disagree: 15 Agree: 1 Disagree: 1	1.24
The judge and/or district attorney threatened to put me in jail, if I did not obey the custody and/or visitation orders, after I told the judge about past or potential abuse that my ex-partner could do to my child. <sup>R</sup>	11	Strongly Agree: 5 Agree: 3 Neutral: 1 Strongly Disagree: 2	2.18
I was told that I might lose custody and/or visitation of my child, if I continued to protest custody and/or visitation arrangements. <sup>R</sup>	17	Strongly Agree: 12 Neutral: 1	1.15
I lost custody and/or visitation of my child while trying to have the judge protect my child from abuse from my ex-partner. <sup>R</sup>	13	Strongly Agree: 9 Agree: 2 Neutral: 1 Strongly Disagree: 1	1.62
The judge allowed results of other investigations to be used as evidence in my family court hearing (such as criminal or CPS investigations).	15	Strongly Agree: 5 Agree: 1 Disagree: 3 Strongly Disagree: 6	2.73
It has been difficult to keep the judge from ordering visitation, when my ex-partner abused my child in the past or during court ordered visitation. <sup>R</sup>	14	Strongly Agree: 11 Neutral: 3	1.43
Mediators care about the safety of the children involved in the case.	16	Neutral: 3 Strongly Disagree: 13	1.38
Judges are effective in protecting children from abuse.	17	Neutral: 1 Strongly Disagree: 16	1.29
The judge gave visitation of my child to the father when my child has a restraining order against the father. <sup>R</sup>	6	Strongly Agree: 4 Neutral: 2	1.67
The judge gave me a restraining order against the father, but ordered visitation for my child with the father. <sup>R</sup>	9	Strongly Agree: 4 Agree: 2 Neutral: 3 Strongly Disagree: 1	2.2
The judge refused to put my child on my restraining order. <sup>R</sup>	8	Strongly Agree: 5 Agree: 1 Neutral: 1	1.87

Item	N	Distribution	Mean
		Strongly Disagree: 1	
The judge makes custody and/or visitation decisions to keep women and/or children protected who are placed in safety programs, such as the safe at home program.	10	Disagree: 2 Strongly Disagree: 8	1.2
The judge uses his judicial authority to protect mothers and/or children from an abusive father.	16	Agree: 1 Neutral: 1 Strongly Disagree: 14	1.5
The judge uses reports from mediators, child family services agency, and/or law enforcement, so the judge does not have to use the judicial authority to protect mothers and/or children from an abusive father. <sup>R</sup>	17	Strongly Agree: 6 Agree: 2 Neutral: 3 Disagree: 1 Strongly Disagree: 5	2.82
The father was not prosecuted for child abuse with law enforcement and or CFS, so I have a hard time protecting my child from abuse by the father in the family court system. <sup>R</sup>	17	Strongly Agree: 15	1
The father was prosecuted for child abuse with law enforcement and/or CFS, and I have a hard time protecting my child from abuse by the father in the family court system. <sup>R</sup>	4	Strongly Agree: 1 Agree: 1 Disagree: 1 Strongly Disagree: 1	3.00
The judges, mediators, and/or court officials are competent in making custody and or visitation decisions that keep women and/or children safe from abusive fathers.	17	Strongly Disagree: 17	1
CFS workers helped me when I needed to protect my child from an abusive father in the family court system.	17	Strongly Agree: 1 Disagree: 1 Strongly Disagree: 15	1.38
The court officers used non-scientific labels and diagnoses, such as Parental Alienation Syndrome, as a part of a child custody and/or visitation evaluation in my case. <sup>R</sup>	14	Strongly Agree: 11 Disagree: 1 Neutral: 2	1.36
			1.87

*Note.* <sup>R</sup>Reverse scored item; Scale: 1 = Strongly disagree, 2 = Disagree, 3 = Neutral, 4 = Agree, 5 = Strongly Agree

One participant agreed that the judge started out with professional supervision, but later he gave unsupervised visits to the father. Another participant declined to comment because, due to her attorney's unwillingness to do so, she did not bring up her

children's safety in court. All the mothers explained that the judge ordered unsupervised visitation and/or sole custody to the fathers who abused their children.

Some participants believed that mediators cared about children's safety but that "they are not educated enough about abuse and do not understand court abuse by the abuser." Other participants believed the mediators were simply doing a job and "collecting a paycheck." In several cases, participants explained that mediators were outmaneuvered by attorneys or were heavily biased toward granting fathers' wishes or simply ill-equipped to deal with charismatic but deceitful fathers. Another mediator refused to listen to the participants concerns about child abuse and refused to interview the children. Yet another mother explained that when the judges "rubber stamp the mediator's reports, they have immunity."

All participants strongly disagreed that judges effectively protected children from abuse. In particular, according to participants, "male judges were very lenient with the father, and supported his assertions." Another participant stated, "Judges appear completely ignorant to the dynamics of [domestic violence], child abuse, and custody litigation."

Several participants alleged that judges enjoy sending children to be abused and leaving them with innumerable mental, emotional, and physical wounds to heal later. One such participant stated, "They just do not care about kids being abused, and they want protective participants to just go away. They are too lazy to care."

Judges also were perceived to disregard the importance of protecting mothers and their children in safety programs. One participant stated that the judge made her give the father her address in exchange for her having her son overnight. Another participant reported that during the time that she and her children were in a safety program, the judge

gave custody of the children to the father. Yet another participant reported that the commissioner and mediator never even acknowledged that she and her daughter was in the Safe at Home Program. Rather than reprimanding him for using personal servers from family court to find them, he was rewarded with a sixth mediation to start reunification processes, and now he knows exactly where they live.

Participants also reported that discounting mothers and not allowing them to testify undermined judges' ability to protect mothers and children. According to participants, judges see women as "emotional, drama queens" and dismiss safety concerns as simply the product of "a high conflict divorce, an anger issue between two adults." The judges have no ability to see "narcissistic sociopaths and how to deal with them. They issue parenting classes to narcissists and think that is the solution to the problem." One participant asserted that judges do not want mothers to know that they have judicial authority, which would enable them to be sworn in and let the mother's testimony stand as evidence to protect her child.

Participants added that courts fail to review and adequately consider fathers' prior convictions when making custody and visitation decisions. One of the participants explained that CFS armed the abusive father with a report saying that he did not do anything, so it took the participant years of fighting to keep her daughter protected. Participants additionally claimed that the fathers were "too smart" or "sophisticated" to be prosecuted for child abuse.

Participants similarly reported that CFS workers failed to help them when needed to protect their child from abusive fathers. Some participants reported that CFS failed to perform a forensic investigation for the father's sexual abuse on her child, even after it was reported by the therapist. Another participant reported that CPS would not take

custody away from the father because “He didn’t penetrate her, he just rubbed her.” CPS told another participant that unless her children are locked in a closet for more than 3 days, it is not traumatizing enough for them to do anything.

One participant’s case appeared to be marred by corruption and cronyism:

They were all in bed with each other. The wife of the prosecutor was the head of CPS. The wife of the assistant district attorney was a judge in family court . . . and the judge who ordered my arrest is now in jail for fraud.

Another participant shared her story of court neglect and corruption:

[The court] gave him a free ticket and access to further abuse my daughter when [the officials ruled that] . . . I was coaching my kid. I spent 7 years responding to motions of him trying to get access to her due to the document from CPS. The CPS document has allowed him to be an assistant [district attorney] and avoid a lot of consequences for what he did to my daughter. They put more kids and women in danger the day they handed him that document.

***Punishing participant for trying to protect child.*** Several participants shared stories of being punished for trying to protect their children. Participants stated they were forced by the judge and lawyers to support court-ordered reunification, visitation, or custody. Judges and psychologists threatened participants that they would lose custody if they continued complaining about the abuse or protested custody and visitation arrangements. Some participants actually did have their custody taken away. One participant reported that her custody is decreased every year because the judge says that she is still accusing the father of abuse, when she is just filing school reports and medical records.

One participant reported she had to leave her children with the abusive father and leave the country before she was arrested because she could never pay the court-ordered sanctions placed on her. Some participants had criminal charges filed against them from the father and some had contempt or criminal charges filed against them from the judge

or the district attorney when they tried to keep their children safe from court-ordered visitations with the abusive father. The judge and district attorney even put one participant's daughter in jail when she tried to flee from an abusive father's custody. Another participant was falsely accused of kidnapping and jailed when her children fled the father's custody. Another participant was prosecuted for parental alienation. Some participants were accused of parental alienation, even when they did not bring up the abuse.

Participants offered varying responses about judges' use of other investigations in their decisions. Some judges reported dismissed evidence or used only the 730 Court Psychologist report. Another participant stated the commissioner ignored the severe abuse reported by the therapist but allowed CFS and police investigations of a father who was a sophisticated criminal and former sheriff to try to start reunification processes. Similarly, another judge reportedly ignored reports of abuse confirmed by CPS, the police, the custody evaluator, and the medical doctor and continued to order 50/50 custody. Several participants described incidences of the judge ordering or trying to order visitation when fathers had previously abused the children.

*Honoring and issuing restraining orders.* Most participants did not have restraining orders for them or their children against the father, largely due to the difficulty in getting one. This is concerning, given that most participants reported leaving the father due to domestic violence. One participant wrote that she was not able to leave the abusive father, the first time, because the judge refused to put her daughter on the restraining order. Years later, she was able to get a 3-year permanent restraining order with her child on it, due to his stalking. Nevertheless, the commissioner still tried to start reunifying processes. Two other participants had restraining orders, but the judge refused to put their

child on it. The other participants could not get a restraining order for themselves or their children. Two participants had restraining orders filed against them.

One participant had to withdraw her restraining order against the father because the judge ordered visitation. In turn, the father abused the children more severely as retribution for the participant obtaining a restraining order. Other participants reported that the restraining order they received was useless because the child still had visitation, providing opportunities for the father to harass her.

*Use of external documents.* According to participants, judges are using biased psychologists, external reports, and non-scientific labels to justify their decisions. One participant explained that the commissioner used a custody evaluation to rule joint custody and visitation. Another judge reportedly used a 730 Psychological report so to justify dismissing all the reports against the father. Other judges reportedly rely on mediation reports to deny trials. One participant reported she nearly went to jail because she was accused of parental alienation. Another participant was labeled an “alienator, delusional, and needing psychiatric care.” When she tried to get treatment outside of the family court, the judge decided that she did not need the services.

**Equitable treatment of mothers.** Five items gauged participants’ views about whether the California family courts treated them fairly, compared to fathers. As shown in Table 6, participants strongly disagreed with these items ( $M = 1.56$ ).

Table 6

*California Family Courts' Equitable Treatment of Mothers*

Item	N	Distribution	Mean
I have found that when I express emotion in court, the judge rules against me. <sup>R</sup>	17	Strongly Agree: 10 Agree: 5 Disagree: 1 Strongly Disagree: 1	1.71
The judge treated me the same as the father when enforcing the custody and/or visitation court order.	18	Neutral: 1 Disagree: 5 Strongly Disagree: 12	1.39
Judges care more about the father than the mother involved in the case. <sup>R</sup>	17	Strongly Agree: 14 Agree: 2 Strongly Disagree: 1	1.35
The judge, mediator, and/or court officers treat me different because I was in an abusive relationship with the father. <sup>R</sup>	15	Strongly Agree: 10 Agree: 2 Neutral: 3	1.53
A woman's right to child rearing is taken away when 50/50 visitation is ordered. <sup>R</sup>	15	Strongly Agree: 9 Agree: 2 Neutral: 2 Disagree: 2	1.80
		Overall	1.56

Note. <sup>R</sup>Reverse scored item; Scale: 1 = Strongly disagree, 2 = Disagree, 3 = Neutral, 4 = Agree, 5 = Strongly Agree

Participants emphasized that expressing emotions would be harmful in their case. Some of them learned not to express them, some were too much in shock to express them, and others relayed accounts of adverse consequences when they did express emotions in court. One participant was threatened by the bailiff with jail time if she showed emotion in court. Other participants reported their attorneys told them to act calm and collected to prevent rulings against them. Other participants explained that if they expressed emotion in court they would be labeled as emotionally unstable; yet, if they did not, they would be labeled a narcissist. Others claimed that no matter how they acted, it was always used against them in some way.

Participants additionally believed they were not treated the same as was the father during custody and visitation rulings. One participant explained there is a higher bar for mothers than for fathers. Other participants expressed that judges were gracious, lenient, and forgiving with fathers, but demanding and inflexible with mothers. The judges were visibly outraged and rude towards the participants, or laughed or yelled at them. One participant shared that the district attorney helped the father file false contempt of family court charges against her. Additionally, this father was not held responsible for perjury, missing hearings and mediations, and failing to pay child support.

Participants further believed the court dismissed her as crazy and detestable for making allegations of abuse. Another participant explained women who file domestic violence cases are stigmatized and disbelieved, while educated, smart women are falsely accused of manipulating and coaching their children.

Participants additionally asserted that they should have a right to take care of their children and rear them, including nursing them when young and taking them to doctor visits. These basic maternal tasks, participants asserted, are precluded by 50/50 arrangements. Participants stated they cannot sufficiently bond with their children with such arrangements and that children additionally lack stability having to split their time between parents.

**Protection of mothers' safety.** Seven items gauged participants' agreement about whether the California family courts protected their own safety as mothers. As shown in Table 7, participants strongly disagreed with these items ( $M = 1.45$ ).

Table 7

*California Family Courts' Protection of Mothers Safety*

Item	N	Distribution	Mean
Mediators care about the safety of the mothers involved in the case.	16	Neutral: 1 Disagree: 2 Strongly Disagree: 13	1.25
Judges care about the safety of women involved in the case.	17	Agree: 1 Disagree: 1 Strongly Disagree: 15	1.24
The judge makes custody and/or visitation decisions to keep women and/or children protected who are placed in safety programs, such as the safe at home program.	10	Disagree: 2 Strongly Disagree: 8	1.20
The judge makes custody and/or visitation decisions of children that keep a mother safe from abuse by the father.	16	Disagree: 2 Strongly Disagree: 14	1.13
The judge uses his judicial authority to protect mothers and/or children from an abusive father.	16	Agree: 1 Neutral: 1 Strongly Disagree: 14	1.50
The judge uses reports from mediators, child family services agency, and/or law enforcement, so the judge does not have to use the judicial authority to protect mothers and/or children from an abusive father. <sup>R</sup>	17	Strongly Agree: 6 Agree: 2 Neutral: 3 Disagree: 1 Strongly Disagree: 5	2.82
The judges, mediators, and/or court officials are competent in making custody and or visitation decisions that keep women and/or children safe from abusive fathers.	17	Strongly Disagree: 17	1.00
		Overall	1.45

Note. <sup>R</sup>Reverse scored item; Scale: 1 = Strongly disagree, 2 = Disagree, 3 = Neutral, 4 = Agree, 5 = Strongly Agree

Participants believed that mediators do not care about mothers' safety because they are incompetent and/or directed by the judge. One participant asserted, "They never get a recommendation right. [They're] kind of like CPS—very incompetent." Participants asserted that mediators do not care about the emotional health of mothers and treat them like criminals while allowing the father to carry on. Even with substantiated physical abuse and signs of sexual abuse, the courts allegedly do nothing.

Participants explained that judges were "dismissive," "demeaning," "wanted them to shut up so they could hear the next case," and "showed no regard" for their safety or

fear. Participants added that judges were exceptionally sympathetic to fathers but very uncaring about mothers' safety. One participant shared, "it's not that the judges don't believe you, it's that they really don't care if a child and participant is being abused." Judges even failed to protect mothers and children in safety programs. One participant stated the judge made her give the father her address in exchange for her having her son overnight.

The participants also still had to see the abusive father when they dropped the children off for visitation. The fathers reportedly abuse the participants for several years by filing numerous motions in the courts to harass the participants and drain them emotionally and financially.

**Effectiveness of the California family court system.** The final section of four items gauged participants' views about whether the California family courts operated effectively. As shown in Table 8, participants strongly disagreed with these items (M = 1.10).

Table 8

*Effectiveness of the California Family Courts*

Item	N	Distribution	Mean
I feel my case has been going on for a long time. <sup>R</sup>	17	Strongly Agree: 15 Agree: 1 Disagree: 1	1.24
I have paid a lot of money in the California family court system. <sup>R</sup>	18	Strongly Agree: 16 Agree: 1 Neutral: 1	1.17
Currently, the California family court system is effective.	17	Strongly Disagree: 17	1.00
I believe there are areas that need and can be improved in the California family court system. <sup>R</sup>	17	Strongly Agree: 17	1.00
		Overall	1.10

*Note.* <sup>R</sup>Reverse scored item; Scale: 1 = Strongly disagree, 2 = Disagree, 3 = Neutral, 4 = Agree, 5 = Strongly Agree

All but one participant stated their case has been going on for too long, sharing they have been in court 8 to 16 years. One participant had 20 hearings in the last 18 months. One participant explained that the judge allows the father to bring the same issues to court over and over again, allegedly so the judge can give the father more visitation. One mother was finally successful after 11 years in getting an abusive father's rights taken away, but only because the father agreed to get rid of the \$70,000 in child support arrears that he owed.

Participants have reportedly paid \$75,000 to \$600,000 trying to protect their children in the system. One mother reported that the father financially abused her through the court system, filing and faxing repetitive motions and then just picking up the phone to attend hearings to accrue excessive attorney fees. One participant is on welfare, some went bankrupt, and another participant has had to live in a bad neighborhood, despite making a good salary, due to all her legal bills. Other participants lost their jobs due to toll of dealing with the system.

All participants reported the court was ineffective. One reason is that judges allegedly dismiss abuse claims as an effort to gain custody. A second and more important reason is that mothers are being financially ruined while children are suffering emotionally from their experiences in the California family court system. The courts reportedly have caused some mothers and children to become suicidal. One participant stated, "I do not call giving custody of abused, molested, raped children to the abusive parent *effective*." Another participant asserted, "The family court system is destroying our children. It's become a public health crisis. They are feeding off profits from selling out our children." Another expressed, "The courts are making mothers hand our children over

to the abusers like sacrificial lambs, while [we're] trying not to get thrown into jail while trying to protect them." Yet another participant elaborated:

The family court laws are precedence-based, and there is no comprehensive oversight. The laws are based on bad decision after bad decision. The courts use themes like high conflict, 50/50, and best interest of the children, but nobody had thought about how to make the system work. Protective parents lose our friends, houses, sanity to try to protect our children, and we often fail to keep them safe anyway.

Regarding specific improvement suggestions, one participant stated, "Everything needs to be revamped. The whole system." Another participant stated that court officials and attorneys need to become more educated about the various forms of abuse as well as child development, and that abusive fathers need to be held accountable from small to large infractions. She emphasized, "They need to have better discernment in dealing with abusers, who are good at lying, and with the targets of abuse." Another participant suggested that jury trials be implemented to decide custody and that abusers need to be prosecuted.

Another participant wanted judges, court officers, mediators, law enforcement, CPS, and district attorneys to be held responsible for harming women and children and that the United Nations and World Health Organization get involved to protect women and children in the courts. She also emphasized that competent and caring people need to work in the courts.

## **Interview Results**

Fifteen participants answered four questions in the optional follow-up phone calls. The following sections describe the results.

**Experiences with the California family court system.** All participants reported they had negative experiences. They gave several examples of why the experience was

negative, which had to do with their children being abused, the participants being abused, the participants losing custody, and the participants losing housing, jobs, money sanity to keep fighting to protect their children.

**Additional experiences to report.** The participants provided additional accounts of negative experiences that they had in the California family court system. Participants cited a corrupt system where abusive men are getting custody and visitation of children. They also described the nightmares they went through trying to protect their children in the courts.

**Suggestions to improve the courts.** Participants described the system as broken. Their suggestions for improvement included revamping the whole thing, oversight, accountability, oversight of judges, and to use the best interest of the child to actually protect children. One participant suggested that the judges need to know more about domestic violence issues and the terror that women go through and be mandated to specific domestic violence training. “They need to understand why women are hysterical, and why abusive men can remain so calm in the courtroom.”

Some participants suggested that the judge needs to be under more judicial accountability. They also believed that immunity for judges needed to be taken away so there can be checks and balances on them. One participant suggested that the judges need to take a psychological evaluation and show evidence of care for protective participants before they are elected. Another participant suggested that hiring procedures for commissioners need to be revised because they often become judges. Another participant wanted the 50/50 mindset to be discarded because children are not property and should not be treated as such. This participant also suggested that judges not be able to change a permanent order without a major change in circumstance. A participant suggested that the

courts find out the recidivism rate of an abusive father abusing again after the court mandated anger management classes, domestic violent classes, or psychotherapy before ordering visitation/ custody to the child again. Another participant said it was inappropriate that all of the different people are tied together in the courts, and it feels like there is gender bias in the courts.

**Positive aspects of the California family court system.** Participants reported that there was nothing positive in the California family court system and some even responded with, “Ha ha ha! Did I hear you right? I can’t think of a darn thing. Nothing.” One participant wrote that after 7 years, she finally got a female judge that was sympathetic but her child had already been severely abused from the court-ordered custody and visitation. The participants gave several examples of the negative treatment towards them and their children and suggested some more ways of improving the system. A participant said “the abusers love the system.”

### **Summary**

The survey was used to examine as many aspects of the California family court system as possible, to take a deep and thorough view of the system. The research uncovered violations of international humanitarian laws, American declaration human rights, and manipulations and violations of the California family law codes. The research additionally indicated an urgent need for reformation in the California family court system, including all the people involved in it. The participants and children are being abused in the system and the international humanitarian laws are being violated. There was not one circumstance reported by the participants regarding the California family court system protecting participants and children from abuse or respecting their humanitarian rights. All of the protective participants reported negative treatment by the

California family court system for themselves and their children. The next chapter provides a discussion of these results.

## **Chapter 5: Discussion**

This mixed method study examined the ways in which the California family courts are treating protective mothers who are trying to protect their children from perpetrators of abuse, and to assess whether the children and women involved in the California family court system are being honored according to the international and national human rights laws. Two research questions were examined:

1. Is the California family court system violating the national and international human rights' laws of women and children?
2. Are protective mothers<sup>5</sup> and their children being abused by the California family court system?

This chapter provides a summary of the methods and findings, acknowledges the limitations and research issues of this study, and outlines suggestions for future research. A final conclusion also is offered.

### **Summary of Methods**

The survey was posted from February 9, 2016 to April 9, 2016, on the Center for Judicial Excellence site, the California Parent Protective Association Site, and on Facebook. A total of 24 participants took the online survey, and 15 took the optional follow-up phone survey. The requirements to participate were to be female, 18 and over, and to have or have had a California family law case with an abused child. The 64-item survey was long and rigorous, covering a sensitive, emotional topic. The participants could answer whatever questions they wanted to, but because they were highly invested in the research, they answered most of the questions.

Having 24 survey respondents and 15 interviewees in 8 weeks was exciting. The participants were eager to talk and voice the experiences and treatment that they have had

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<sup>5</sup> a protective mother is defined in this study as one who acts in a protective manner for her child in a custody/visitation family court case

in the California family court system. They were highly engaged in the discussion and very appreciative that research was being conducted on the topic. They all wanted to participate in further advocacy of the topic in the future. They had a lot of energy and were excited to finally be heard. Eight participants wanted to be interviewed for the whole survey, instead of first answering the survey on the websites and then having the four follow-up questions. Some participants preferred this method because they wanted to make sure that they were sharing sensitive information with the researcher and not somebody else. Some questions were asked in a few different ways to try and decrease any bias in the results.

### **Summary of Findings**

Not one participant reported a positive experience in their treatment by the California family court system. Based on the participant demographics, the system is affecting women of all ages. Moreover, the majority of participants may be single because, after the negative experience women have had in the California family court system, they might not want to get married, even though not all of the mothers in the court system were married in the first place.

Participants represented a range of economic backgrounds: On the one hand, women experiencing extreme poverty, and on the other, women with abundant financial resources, and almost no middle class women. Some participants claimed that their experiences in the California family court system were worse because they did not have money; however, given that 21% of the women earned more than \$90,000 annually, and 12.5% who earned \$40,00-\$49,000 still had negative experiences in the California family court system, it appears that the gross annual income of a mother, alone, does not give a positive outcome in the system. Participants' readiness to report their judges' and

commissioners' names may be because they wanted the judges and commissioners to be held accountable for the treatment of women and children in their court system. The following sections provide a summary of findings for each area of the survey and interview.

**Adherence with national and international laws.** Overall, only negative experiences were reported by mothers in the California family court system. According to the study, it appears that the California family court system is severely violating the international human rights' laws of women and children. Moreover, extensive data showed that mothers and their children are being abused by the California family court system. There were some small glimpses of the court protecting women and children, but the time span was limited, or too little too late, after the children and mothers were already harmed. Moreover, the children might have been protected for a few months or years, but then were put in visitation and/or custody with the abusive father, even after abuse was reported in the courts. Some of the children were protected, but the courts reunified the children with the abusive father despite the past history of abuse.

The alarming problem is that the courts are not protecting children who are victims of sexual abuse and punishing the mothers who are trying to protect them. Thus, the research shows an emergent need for reformation in the California family court system especially because the international human rights laws of women and children are being violated and participants and children are being abused in the system.

In 1984, the United Nations determined eight basic rights for every child (OHCHR, 1996-2016a). The right to life means that each child has a right to live his or her own life, and have the right to not be killed, have the right to survive, and grow up in proper conditions. The right to education allows a child to receive instruction, enjoy a

social life, and to build their future, which is essential for economic, social, and cultural development. Children have a right to food, and right to safe water. Children have the Right to health, to be protected against illness and to be allowed to grow to become healthy adults. Children have the right to identity, which includes a surname, a first name, a nationality and to know who their relatives are (OHCHR, 1996-2016a). Each child's existence and rights must be officially recognized. Each child has a right to freedom which is a child's right to express themselves, to have opinions, to have access to information, and to participate in decisions that affect his or her life. This includes the right to religious freedom. Each child has a right to protection which means that every child has the right to live in a secure and protective environment, which preserves the child's wellbeing and to be protected from all forms of mistreatment, discrimination, and exploitation.

The United States, Somalia, and South Sudan are the only countries that failed to ratify the Convention with the eight basic rights of children (Rosen, 2014). It says a lot that the United States is one of the three countries that did not ratify the Convention. The United States needs to ratify the Convention with the eight basic rights of children to help participants in the family court systems to protect their children. The problem is that the California family court system, according to the results, is already violating the International, American Declaration, and California family law codes that are already in place.

**Protection of the child's best interests.** Participants reported that children's best interests are not being observed in the courts. For example, the participants all had a negative opinion of the 50-50 custody/visitation orders that are being widely in the California family court system. They claimed that 50-50 custody/visitation forces the

children to live in an unstable environment, which was harming children, whether there was abuse or not.

**Protection of the child's safety.** The study findings suggest that the judges failed to take the child's safety seriously when ordering custody and/or visitation to the father. Moreover, the California family court system is threatening, charging, and/or prosecuting women for trying to protect their children from abusive fathers when the judge orders custody/and or visitation to the abusive father. Children are also placed in jail when trying to flee the court-ordered custody or visitation with an abusive father. The California family court system is taking away, reducing, or threatening to take away custody and/or visitation for the participants when the participants protest the custody and/or visitation arrangements. The judges in the California family court system also reportedly are misusing reports or not using reports to get the ruling that they want. Visitation appears to be granted regardless of past abuses committed by the fathers on their children. Participants and their children had difficulty getting restraining orders against abusive fathers; however, even when these were granted, court officials appeared to ignore them. The court officers also reported use non-scientific labels and reports to justify their decisions.

Equitable treatment of mothers. The participants were very aware that how they acted or what emotions that they showed could or was used against them. This alone could be a violation of the international human rights laws of women, telling and making women feel that they should act a certain way to be able to protect their children in the California family court system. This dynamic of the system needs to be closely looked at in future research. How a participant acts or does not act could determine whether they are successful at protecting their children is a human rights issue. The participants

reported that the courts viewed them in a denigrating manner or they were not believed by the California family court system. Sometimes the abusive relationship with the father was not even acknowledged. Participants further believe that their role as mothers is thwarted by 50/50 visitation arrangements.

**Protection of the mother's safety.** None of the participants felt that the judges or mediators cared about their safety. It follows that the participants had a low opinion of judges, commissioners, mediators, court investigators, or court officers. Participants relayed stories of corruption and carelessness within the California family court system that undermined the safety of or actually harmed women and children.

**Effectiveness of the courts.** All but one of the mothers report that their case has gone for too long in the California family court system, ranging from 2 to 16 years, most being over 11 years. The participants paid an overwhelming amount of money in the California family court system between \$75,000 and \$600,000 and this has had serious negative financial results on their lives. Participants offered several suggestions for improving the California family court system. They all agreed that the system needed to be improved. When reading the answers and summary of the questions there is an immediate need for reformation of the California family court system. The children and mothers are being abused in the California family court system and their human rights are being violated. Other players in the system like CFS, police, district attorneys, mediators, court investigators, and attorneys are also contributing to the abuse of mothers and children when reviewing the mothers' answers. Most improvements offered by participants concerned judges in the California family court system. Moreover, one of the participants reported that the California family court system mandates psychotherapy or domestic violence classes and uses them as an excuse to prove that the father is better to

order the father visitation/custody, without knowing or verifying if the therapy and/or classes are effective in keeping the child from being abused in visitation.

### **Limitations and Research Issues**

There were some major strengths in this dissertation. In the literature review and survey, people's personal stories about the California family court system were shared. There was also an extensive case study in the literature review. The international humanitarian, American Declaration, and California family law codes were included in the literature review and the survey. Moreover, the literature review and survey included statistical data on protective mothers and children being harmed in the California family court system.

The survey included sections where the protective mothers gave suggestions on how to improve the California family court system. The survey was extensive and covered many of the aspects in the California family court system, to give a detailed and accurate analysis of the system. The participants were given several opportunities to write about their experiences in the California family court system. There were a few questions with the same theme in the questions that allowed the participants to answer. They were also able to answer only the questions that they wanted to answer.

To have a personal experience during the research, the participants were able to participate in the optional follow-up phone call. The data received from this line of questioning helped the researcher analyze if women and children are being abused by the California family court system and if their rights are being protected according to international humanitarian law. It also gave the experiences of protective mothers in the California family court system.

There are some weaknesses in the research design and setting. The participants were recruited from the California Protective Parents Association and the Center for Judicial Excellence websites. These sites are already calling for reformation of the California family court system and may draw a bias in the research. However, participants were also recruited from the researcher's general Facebook to allow a variety of participants.

It is human nature for people to put time into things where they want to see improvement and to ignore other topics that they agree with. The participants might have filled out surveys hoping for improvement. On the other hand, people who are extremely afraid or who are severely affected by the system may not have participated due to the trauma that they have been through. Moreover, people who have fear of this kind of information being on the Internet may not have participated.

The study lacked participation by African American, Native American, American Indian, Pacific Islander, and Latino ethnicity. There was one participant who chose *Other*, but I cannot determine which ethnicity the participant would be due to the *Other* selection. Moreover, if we identify the middle class as having a gross annual income of \$40,000-\$49,999, we only have three participants from the middle class as opposed to 12 participants with low gross annual incomes of \$0 to \$40,000, and 7 participants with high gross annual incomes of \$90,000 to over \$150,000. Furthermore, there were no participants who had gross annual incomes of \$30,000 to \$39,999.

Finally, I have had personal experiences with the California family court system, potentially leading to researcher bias. This bias was controlled through the oversight of the dissertation committee and use of external editors.

### **Suggestions for Future Research**

Extensive future research into the California family court system is needed, particularly with regard to the best interest standard. It is hurting children because judges can make rulings that may harm children by ending any court document with it is “in the best interest” of the child. Further research also needs to be conducted on if children are being abused by mothers, how hard is it for the father to protect the children in the California family court system. Urgent research needs to be conducted on the California Judicial Review Board and the Chief Justice of California to see how many complaints are made to them about judges and commissioners in the California family court system and how the complaints are being handled and if they are being taken seriously. A study also should examine how the California Judicial Board handles complaints against judges, who are punishing women who are trying to protect their children, and hurting children with their rulings.

Additional research should examine how children are affected by 50-50 custody/visitation. Moreover, research can be conducted to find out if the current 50-50 custody/visitation is indicative of a history of treating children like property similar to in the 19<sup>th</sup> century. Another area of future research that is necessary is to document the training and credentials that judges, court officers, mediators, court investigators, CPS, and law enforcement has received regarding domestic violence, abuse, and the behaviors of perpetrators of abuse. Moreover the hiring procedures of said court officials should be researched rigorously. Further research needs to be conducted on the recidivism rate of abusive men towards women and children to repeat abuse, after receiving court mandated anger management classes, domestic violence classes, psychotherapy, and other interventions.

Further research also needs to be conducted on if courts are still using the non-scientific theories such as parental alienation theory, which is not accepted in the DSM-V. Statistics should be recorded on how many children have been put into the hands of abusive fathers due to lawyers, judges, other stakeholders claiming this non-scientific condition.

Further research needs to be conducted on how many children were further harmed in the California family court system by reports due to discredited CPS reports of abuse committed by fathers, and whether kids would be safer without the CPS organization in the first place. Research also should explore what alternative agencies would be more helpful.

Other research could examine the extent to which women are staying in abusive relationships to avoid adverse court outcomes. Future research needs to be conducted on the financial aspect of the California family courts, judges, mediator, court officers, lawyers, and CPS to determine whether mothers' decisions are being influenced by these financial considerations. Further research also should be conducted on the humanitarian and international rights found to be violated by the California family court system.

## **Conclusion**

Based on the present study's findings, it is justified to call for full-scale reformation of the entire California family court system. The thorough research was used to aid in further research into the California family court system, to aid in reformation of the system. Further research and reform are urgently and presently needed. I hope that the future research suggested will help advance the study and protection of mothers' and children's safety, especially as they progress through the California family court system. Women and children are being abused in the system while international and national

humanitarian laws are being violated. The extent of abuse suffered by women and children in the court system could be compared to that inflicted by the Salem Witch Trials in colonial Massachusetts in 1692. The California family court system definitely needs to be reformed immediately.

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## Appendix A: Participant Survey

[Consent Information Provided]

1. The survey consists of questions pertaining to the California family court system only. Do you consent to taking this survey?

- Yes    No

Please answer the questions in detail.

### Demographic Questions

2. Are you female?

- Yes  
 No [Ends survey and provides this message: Thank you for your interest in participating. This study is designed for female participants]

3. Do you have or had a family law case in California?

- Yes  
 No [Ends survey and provides this message: Thank you for your interest in participating. This study is designed for people who have had experience with a family law case in California.]

4. In what city and county in California have you a had a family law case?

5. To which racial or ethnic group(s) do you most identify? You may answer with more than one of the options below.

- |  |  |
|--|--|
| <input type="radio"/> American Indian  | <input type="radio"/> Latino           |
| <input type="radio"/> Native American  | <input type="radio"/> Caucasian        |
| <input type="radio"/> Asian            | <input type="radio"/> Pacific Islander |
| <input type="radio"/> African American | <input type="radio"/> Other            |
| <input type="radio"/> Hispanic         |  |

6. What is your gross annual income?

- Less than \$10,000  
 \$10,000 to \$19,999  
 \$20,000 to \$29,999  
 \$30,000 to \$39,999  
 \$40,000 to \$49,999  
 \$50,000 to \$59,999  
 \$60,000 to \$69,999  
 \$70,000 to \$79,999  
 \$80,000 to \$89,999  
 \$90,000 to \$99,999  
 \$100,000 to \$149,999  
 \$150,000 or more.

7. Are you 18 years old or older?
- Yes
  - No [Ends survey with this message: You cannot continue with the questionnaire]
8. What year were you born?
9. Who is the judge presiding over your case?
10. Are you married, single, or living with a partner?
11. Write your personal story with the California family court system. This is a time in the survey to let me know what you really want me to know about your experiences with the California family court system.
12. Give the reason(s) that you left the relationship with the other party in the California family law case.

### **Adherence with National and International Human Rights Legislation**

The next questions in the survey will have a Likert-Type scale in a graph in the online survey using Strongly agree, Agree, Neutral, Disagree, Strongly disagree, or NA.

Strongly agree is when you agree strongly, Agree is when you agree, Neutral is when you have no feeling about the statement or question either way. Strongly disagree is when you disagree strongly, and NA means that the question does not pertain to you or your experiences with the California family court system.

13. Article I of the American Declaration is as follows: Every human being has the right to life, liberty and the security of his person. (US Constitution, Amendment 14, Article I). The California family court system has acted in accordance with this constitutional right in my case.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

14. Article II of the American Declaration is as follows: All persons are equal before the law and have the rights and duties established in this Declaration, without distinction as to race, sex, language, creed or any other factor. ... (US Constitution, Amendment 14, Article II). The California family court system has acted in accordance with this constitutional right in my case.

<input type="radio"/>					
Strongly Disagree	Disagree	Neither Agree nor	Agree	Strongly Disagree	Not Applicable

## Disagree

15. Article VII of the American Declaration is as follows: All women, during pregnancy and the nursing period, and all children, have the right to special protection, care and aid. (US Constitution, Amendment 14, Article VII). The California family court system has acted in accordance with this constitutional right in my case.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

16. According to Article 9 of the International Covenant on Civil and Political Rights (ICCPR), “Everyone has the right to liberty and security of person” ((ICCPR), art. 9(1). The California family court system has acted in accordance with this international Covenant on Civil and Political rights in my case.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

17. According to the International covenant on Civil and Political Rights women and men have the equal right of enjoyment. The California family court system has acted in accordance with this international Covenant on Civil and Political rights in my case.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

18. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), reinforces the state’s responsibility in ensuring “without delay” that any “act or practice of discrimination against women” be stopped ((CEDAW), art. 2(d). The California family court system has acted in accordance with the CEDAW rights in my case.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

19. The CEDAW Committee is obligated to combat sexual violence by ensuring appropriate treatment for victims in the justice system (CEDAW/C/1992/L.1/Add.15). The California family court system has acted in accordance with the CEDAW obligations for treatment of victims of sexual abuse in my case.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

20. The Convention on the Rights of the Child (CRC) requires states parties to protect children from “all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse”(CRC, art. 19 (1)). A child’s right to “such measures of protection as are required by his status as a minor” is also guaranteed by the ICCPR (ICCPR, art. 24 (1)). The California family court system has acted in accordance with the CRC and/or ICCPR obligations for in my case.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

21. In 1993, the United Nations General Assembly declared that ending gender discrimination includes getting rid of gender-based violence and states “should pursue by all appropriate means and without delay a policy of eliminating violence against women,”(A/RES/48/104, esp. art. 4). The California family court system has acted in accordance with the United Nations General Assembly article in regards to my case.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

22. According to the California family law code, California Legislative Information (1999-2000). SB-1716, Child custody proceedings: allegations of sexual abuse, a parent should not be denied custody or visitation with a child, for lawfully reporting suspected child abuse, or lawfully determining if a child was a victim of sexual abuse, or for seeking treatment for the child from a licensed professional. The California family court system has acted in accordance with the family law code in regards to my case.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

23. According to the California family law code, (California Legislative Information, 2009-2010), In 2011, legislation was passed to give children a voice in custody decision in family court and given due weight to the wishes of the child, if the child is old enough and has the capacity to have an intelligent preference in the custody and visitation. The California family court system has acted in accordance with the family law code in regards to my case.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

### Attitudes and Effectiveness of the California Family Court System

24. I have found that when I express emotion in court, the judge rules against me.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here is an example:

25. I have seen the judge give preference to a father's rights over the best interest of my child with his custody/visitation rulings.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here is an example:

26. The judge treated me the same as the father when enforcing the custody and/or visitation court order.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here is an example:

27. The judge took my child's safety seriously when ordering custody and/or visitation to the father.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

28. The judge and/or district attorney threatened to put me in jail, if I did not obey the custody and/or visitation orders, after I told the judge about past or potential abuse that my ex-partner could do to my child.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

29. I was told that I might lose custody and/or visitation of my child, if I continued to protest custody and/or visitation arrangements.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

30. I lost custody and/or visitation of my child while trying to have the judge protect my child from abuse from my ex-partner.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

31. The judge allowed results of other investigations to be used as evidence in my family court hearing (such as criminal or CPS investigations).

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

32. It has been difficult to keep the judge from ordering visitation, when my ex-partner abused my child in the past or during court ordered visitation.

<input type="radio"/>					
Strongly Disagree	Disagree	Neither Agree nor	Agree	Strongly Disagree	Not Applicable

Disagree

Here are more details about this.

33. I feel my case has been going on for a long time.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

34. I have paid a lot of money in the California family court system.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

35. Mediators care about the safety of the children involved in the case.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

36. Mediators care about the safety of the mothers involved in the case.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

37. Judges care about the safety of women involved in the case.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

38. Judges care more about the father than the mother involved in the case.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

39. Judges are effective in protecting children from abuse.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

40. The judge gave visitation of my child to the father when my child has a restraining order against the father.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

41. The judge gave me a restraining order against the father, but ordered visitation for my child with the father.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

42. The judge refused to put my child on my restraining order.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

43. The judge, mediator, and/or other court officials protect the best interest of children.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

44. The judge makes custody and/or visitation decisions to keep women and/or children protected who are placed in safety programs, such as the safe at home program.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

45. The judge makes custody and/or visitation decisions of children that keep a mother safe from abuse by the father.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

46. The judge uses his judicial authority to protect mothers and/or children from an abusive father.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

47. The judge uses reports from mediators, child family services agency, and/or law enforcement, so the judge does not have to use the judicial authority to protect mothers and/or children from an abusive father.

<input type="radio"/>					
Strongly	Disagree	Neither	Agree	Strongly	Not



Strongly Disagree     
 Disagree     
 Neither Agree nor Disagree     
 Agree     
 Strongly Disagree     
 Not Applicable

Here are more details about this.

53. Currently, the California family court system is effective.

Strongly Disagree     
 Disagree     
 Neither Agree nor Disagree     
 Agree     
 Strongly Disagree     
 Not Applicable

I feel this way for these reasons:

54. CFS workers helped me when I needed to protect my child from an abusive father in the family court system.

Strongly Disagree     
 Disagree     
 Neither Agree nor Disagree     
 Agree     
 Strongly Disagree     
 Not Applicable

Here are more details about this.

55. The judge orders 50/50 visitation a majority of the time.

Strongly Disagree     
 Disagree     
 Neither Agree nor Disagree     
 Agree     
 Strongly Disagree     
 Not Applicable

Here are more details about this.

56. A woman's right to child rearing is taken away when 50/50 visitation is ordered.

Strongly Disagree     
 Disagree     
 Neither Agree nor Disagree     
 Agree     
 Strongly Disagree     
 Not Applicable

I feel this way for these reasons.

57. The judge orders 50/50 visitation even if it has a negative affect on children.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

58. The judge, mediators, and/or court officers listen to what the child wants with respect to custody/and or visitation.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

59. The court officers used non-scientific labels and diagnoses, such as Parental Alienation Syndrome, as a part of a child custody and/or visitation evaluation in my case.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

60. The court officers used the “best interest of the child” standard to override my child’s wishes, in regards to visitation and/or custody.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

61. I believe there are areas that need and can be improved in the California family court system.

<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Disagree	Not Applicable

Here are more details about this.

**Closing Questions**

62. Do you have any feedback on how to improve this survey or what you liked about this survey?

- Yes
- No

What feedback do you have to improve the survey?

63. I understand that all the information I provide through this research will be anonymous.

- Yes
- No

64. I would like to participate in the second phase of this study, which consists of a phone call from the researcher to me. My survey data will be included even if I do not participate in the second phase of this study.

- Yes
- No

If yes, please provide your contact information:

Email:

Phone:

(Please note that if you do not provide your contact information here, there will be no way for the researcher to contact you after you complete this survey and only your written responses will be included in the dissertation).

### **Appendix B: Interview Script**

1. Would you consider your experience with the California family court system a positive or negative one? Yes or No? Why?
2. Is there anything you want to tell me about your experience with the California family court system that you did not include in the survey? Yes or No? What would you like to tell me?
3. From your personal experiences with the California family court system, what are your suggestions for improvement?
4. What is positive and should be kept the same in the California family court system?

## Appendix C: Raw Survey Data

### **2d. In what city and county in California have you had or have a family law case?**

- Participant 1: "Contra Costa"  
 Participant 2: "Vista CA, San Diego County"  
 Participant 3: "Los Angeles County, Los Angeles"  
 Participant 4: "Los Angeles, Madera, San Luis Obispo, and San Benito County"  
 Participant 5: "Martinez, Contra Costa County"  
 Participant 6: "Sacramento"  
 Participant 7: "Riverside County-started in Temecula courthouse then moved to city of Riverside."  
 Participant 8: "Pomona in Los Angeles County and Santa Cruz in Santa Cruz County"  
 Participant 9: "Sacramento"  
 Participant 10: " Los Alamitos, Orange County"  
 Participant 11: "Los Angeles, Los Angeles County"  
 Participant 12: "San Diego, CA"  
 Participant 13: "Martinez, Contra Costa County"  
 Participant 14: "Auburn California, Placer County"  
 Participant 15: "Redding, Shasta County"  
 Participant 16: "Mariposa County and Tuolumne County"  
 Participant 17: "Roseville"  
 Participant 18: "Marin County"  
 Participant 19: "Burlingame, San Mateo County"  
 Participant 20: "Los Angeles, Los Angeles"  
 Participant 21: "Marin County, California"  
 Participant 22: "El Dorado County"  
 Participant 23: "Antioch, Contra Costa County is the Superior Court for Custody and original child support order.  
 Department of Child Support Services case is in Santa Clara County  
 I have filed in the State Court of Appeal, which is favorable to me  
 I have filed in California Supreme Court  
 I have filed in Northern District Court (Federal)."  
 Participant 24: "Shasta County"

### **2e. To which racial or ethnic group(s) do you most identify? You may answer with more than one of the options below. (This question is optional)**

(Native American, American Indian, Asian, African American, Hispanic, Latino, Caucasian, Pacific Islander, Other).

- Participant 1: Caucasian  
 Participant 2: Caucasian  
 Participant 3: Caucasian  
 Participant 4: Caucasian  
 Participant 5: Asian, Caucasian  
 Participant 6: Hispanic  
 Participant 7: Caucasian  
 Participant 8: Caucasian, Other  
 Participant 9: Caucasian

Participant 10: Caucasian  
 Participant 11: Caucasian  
 Participant 12: Caucasian  
 Participant 13: Caucasian  
 Participant 14: Caucasian  
 Participant 15: Caucasian  
 Participant 16: Caucasian  
 Participant 17: Hispanic  
 Participant 18: Caucasian  
 Participant 19: Caucasian  
 Participant 20: Caucasian  
 Participant 21: Caucasian  
 Participant 22: Caucasian  
 Participant 23: Caucasian  
 Participant 24: Caucasian

**2f. What is your gross annual income? (This question is optional) Less than \$10,000, \$10,000 to \$19,999, \$20,000 to \$29,999, \$30,000 to \$39,999, \$40,000 to \$49,999, \$50,000 to \$59,999, \$60,000 to \$69,999, \$70,000 to \$79,999, \$80,000 to \$89,999, \$90,000 to \$99,999, \$100,000 to \$149,999, \$150,000 or more. (This question is optional)**

Participant 1: Less than \$10,000  
 Participant 2: \$100,000-\$149,999  
 Participant 3: \$10,000-\$19,999  
 Participant 4: Less than \$10,000  
 Participant 5: More than \$150,000  
 Participant 6: More than 150,000  
 Participant 7: \$20,000- \$29,999  
 Participant 9: More than \$150,000  
 Participant 10: \$100,000-\$149,999  
 Participant 11: \$10,000-\$19,999  
 Participant 13: \$40,000-\$49,999  
 Participant 14: \$40,000-\$49,999  
 Participant 15: \$20,000-\$29,999  
 Participant 16: Less than \$10,000  
 Participant 17: \$10,000-\$19,999  
 Participant 18: Less than \$10,000  
 Participant 19: \$10,000-\$19,999mo  
 Participant 20: More than \$150,000  
 Participant 21: Less than \$10,000  
 Participant 22: \$90,000-\$99,999  
 Participant 23: Less than \$10,000  
 Participant 24: \$40,000-\$49,999

**2g. What year were you born?**

Participant 1: 1966  
 Participant 2: 1975

Participant 3: 1962  
 Participant 4: 1981  
 Participant 5: 1975  
 Participant 6: 1967  
 Participant 7: 1958  
 Participant 8: 1969  
 Participant 9: 1970  
 Participant 10: 1956  
 Participant 11: 1962  
 Participant 12: 1977  
 Participant 13: 1964  
 Participant 14: 1953  
 Participant 15: 1971  
 Participant 16: 1956  
 Participant 17: 1975  
 Participant 18: 1970  
 Participant 19: 1964  
 Participant 20: 1963  
 Participant 21: 1965  
 Participant 22: 1962  
 Participant 23: 1975  
 Participant 24: 1974

**2i. Are you married, single, or living with a partner? (This question is optional)**

Participant 1: "Live with my boyfriend of 7 years."  
 Participant 2: "Married"  
 Participant 3: "Divorced"  
 Participant 4: "I live with my youngest son. I am divorced."  
 Participant 5: "Married"  
 Participant 6: "Single"  
 Participant 7: "Single"  
 Participant 8: "I am married now but was not when I began in family court 14 years ago."  
 Participant 9: "Divorced and remarried"  
 Participant 10: "Single"  
 Participant 11: "Single"  
 Participant 12: "Single"  
 Participant 13: "Single"  
 Participant 14: "Single"  
 Participant 15: "Single/divorced"  
 Participant 16: "Now, divorced"  
 Participant 17: "Single"  
 Participant 19: "Single"  
 Participant 20: "Separated"  
 Participant 21: "Single"  
 Participant 22: "Single"  
 Participant 23: "Married, but separated. I live with my 4 year old son."  
 Participant 24: "Single"

**3. Write your personal story with the California family court system. This is a time in the survey to let me know what you really want me to know about your experiences with the California family court system.**

Participant 1: "I have been litigating in Family Court for the past 8 years. Every single year I am in Court. I am representing myself, but have an opposing counsel (Bonnie Johnson) who has been directly involved with my case for about 10 years. This Attorney is beyond embroiled in my case. Her income off my children's back this past year has been \$100k. This does not include the previous years. The several Judges I have had hear my case have made many errors. Currently I am in trial. 22 hours of trial time from 2/1/16 - 2/5/16. We go back in April for another 3 days. The financial incentive is disgusting!"

Participant 2: "I left my ex-husband due to physical and emotional abuse in 2005. He filed a TRO and requested primary custody of our 2 month old in retaliation. We filed a cross TRO against him. I was advised to drop RO and agree to a parenting plan with father having parenting time 3x per week for 6 hour visits. Both parents attended parent education, and he attended a DV program. I was advised by my attorney to not pursue the RO against him because I was concerned about the TRO he filed against me becoming permanent and on my record. I have a Ph.D in Psychology and work with children, so I could not risk losing my only access to financial independence.

The father did not use his parenting time as long as I was willing to go to counseling with him to reconcile the relationship. I chose this option because I feared for our daughter's safety. The few times he did come to take her, he returned her in a rage because she wouldn't accept the bottle from him and he was unable to console her. At the time, it seemed the only way to keep her safe. When she was about 12 months old, I retained another lawyer and pursued the divorce because it became clear at this point, I could no longer protect her from his abuse.

I did not have any evidence of abuse, so I was unable to provide her with protection. The judge ordered that the same parenting schedule remain in place (3x per week 6 hrs with father). We maintained this schedule for about a year. I documented all of his threats, bizarre behavior, and false allegations. He accused me, my mom, my boyfriend (now husband), my step children (3yrs & 5 yrs at the time), and the daycare workers of neglecting and abusing our daughter.

We went back to court because he filed a motion to try to prevent me from taking our daughter out of daycare (the same one he accused of neglect and abuse), so that my mom could watch her while I was working. During our FCS mediation, he engaged in a paranoid, raging rant. Based on this observation, my documentation, and a report from the daycare that requested a no contact order with the father due to his aggression, the mediator recommended supervised visits.

During the several weeks between the FCS recommendation report and our scheduled court date, our daughter (around 2.5yrs), woke up from a nap in terror, repeatedly

screaming, "Don't hurt my butt." She was also experiencing rectal bleeding. I called CPS to report. They went to investigate the next day while she was on a visit with her father. He refused to let the social worker take her to get examined. I took her down to Chadwick Center to be examined the next day when she was back in my care. By this time, too much time had passed and they could not determine the cause of the bleeding. CPS closed the sexual abuse allegation as unsubstantiated, but added a substantiation for emotional abuse. The social workers at Chadwick also noted in the report that father's behavior was unusual and inappropriate given the circumstances because he was winking at the staff and inappropriately touching them.

When our court date came around, the judge temporarily ordered professionally supervised visits. The father refused to see her at all for a few months. We had an update with the court and the judge reprimanded him for not exercising his visitation rights. He set up visitation after that. He did professionally supervised visits for about 6 months.

We had a 1 day trial in which father asked for change of custody claiming I made false allegations of abuse and I asked to maintain supervised visits. The judge ordered supervised visits with the paternal grandmother as the supervisor.

Our daughter came home from the first visit saying things such as, "You don't love me, You are not my family, (My husband) is mean and bad." We filed an ex parte to have the visits returned to professionally supervised visits. When we went back to court, it was a different person who didn't know our history (Judge replaced by a Commissioner). She did not believe a 3 year old could talk like that and did not order the request. Obviously, I was shocked that a person who is tasked with making life decisions for a child, knows so little about child development.

Not too long after that, he didn't show up at our exchange place to return our daughter after a scheduled visit. I was panicked and distraught. We reported it to the Sheriff department. After showing them our court documents, they started looking for her immediately. Around 9:30pm, he calls my phone and laughs and says he will meet us shortly. Turns out, he took her to the hospital and claimed that I had sexually abused her. He claimed there was blood in her underwear and she said, Mommy hurts me down there." The medical report said there wasn't any sign of blood and that she did not say those things in their presence. CPS investigated and closed unfounded.

We went back to court for a follow up and again requested for a return to professionally supervised visits. The Commissioner did not change the order and sent us back to FCS mediation.

The FCS mediator was a different person. He did not review our file. He was not familiar with our case at all. He recommended a step up plan to unsupervised and eventually 50/50. He basically reported that I did not have any evidence for my allegations. Those allegations being everything reported and observed by the former FCS mediator and CPS, but he didn't bother to look at our paper work in our file.

We went back to court for the follow up and requested a 730 evaluation. The 730 evaluation was completed and the psychologist acknowledged his inappropriate behavior,

but minimized it and said it was likely due to his poor social skills and learning deficit. She also recommended a step up plan to eventual 50/50.

We returned back to court and settled on a montenegro order in which the father has Tuesday overnight, every other Thurs. after school-4pm, and EOW. We agreed to keep our daughter in therapy and agreed to attend joint counseling for co-parenting.

This is our current order and has been in place since 2008. Between then and now, he has continued to harass us, file CPS reports, call the police for welfare checks (around 50 false allegations, about 10 involving law enforcement and/or CPS), and continues to control our daughter with emotional and psychological manipulation. I don't know if he has physically or sexually abused her because she will lie and cover for him.

I have documented everything. In 2013, I finally decided to retain my lawyer again and try to stop him and protect all of us. We have completed another 730 evaluation. This time, the psychologist observed his paranoid, delusional, aggressive behavior directly. He also observed how his abuse has directly affected our daughter (e.g. mood swings, defiance, pathological lying). Our daughter's therapist also observed both of these things directly. With all the evidence I have collected over the past 8 years, and the directly observed behaviors, the psychologist recommended professionally supervised visits or reduced visitation to 1x per week. He described him as paranoid, delusional, manipulative, and controlling. He testified that given the likely personality disorder traits displayed (they can't diagnose), he is not a likely candidate for behavior change or improvement. He also testified that we are the victims of an ongoing abuse and control dynamic.

We have had two days of trial so far over the past year. Each date around 3 months apart. Our last scheduled date was for December 2015, but got continued until the end of March. At this point, my ex and his lawyer keep trying to avoid going back in because they know it is very likely custody will be changed.

There are so many problems with family court. There is a lack of education about domestic violence. There is a lack of education about child development. There is a lack of accountability for false allegations and perjury. There seems to be a bias against mothers due to the false belief that mothers are likely to make false allegations of abuse to gain custody. There seems to be a bias toward individuals with personality disorders because they are able to tell convincing lies and tend not to respond emotionally in court. They also seem to love the conflict and thrive in that setting. The court personnel change so often by the time someone starts to see the manipulation and lies, it's too late because a new person is assigned. I'm pretty sure if I had had the same FCS mediator and Judge over the past ten years, they would have protected us years ago. Going through all of this is emotionally devastating. It is a nightmare to have an abusive ex use the court system and your child as a weapon to psychologically torture you. There is a lack of emotional support because it is taboo to talk about your child's other parent in a negative light. It is also financially devastating. I am blessed to make a decent salary because of my education, but we live in a low income neighborhood and live paycheck to paycheck because I've had to spend over \$100,000 for lawyers, psychologists, and court fees."

Participant 4: “I left my ex the first time in 2004. At an ex parte hearing, his legal team from Beverly Hills accuses me of kidnapping our son. I was his caretaker. So I left and he came too. I left him at my ex’s family’s apt. Upon arrival I was served and told my son was gone; to not bother. I was devastated. I went a year having minimum visitation. I went back though. To be with my son. I got pregnant by him and was forced to abort it. Moved in 2004 to Madera. We got pregnant again in 2007 and while pregnant I was forced to flee with our son and unborn child. FCS explained that if I stayed with an abuser that my kids would be taken from me. So I went back to L.A. to give birth with my family supporting myself and oldest son. Before giving birth the LA. family law court once again gave my ex our oldest son. I was forced to hand over my child to the man who hurt us. After giving birth I went back to him in SLO. I didn’t want to be without my oldest and wanted my sons be together. On my birthday 2008 he abused me again I called the cops but was laughed at when I told them my spouse was being mean to me. They were not a help. This man (my ex) was already on probation for attacking me in public in Madera Co. So I called his PO and informed him of the further abuse. Due to a M.A.T.H order he was arrested. a criminal Protective order was issued that didn’t stop him. I filed for custody in SLO 2 months later he was given custody of our two year old and 7 month old infant who was still being nursed by me.

It was almost 7 years later I was able to see my kids. He beat our oldest severely and the kids placed in foster care. No notice to me given. I called their father and he admitted to me he had beat them. I gave birth 3 days before the jurisdictional hearing but I made it there and requested custody. Instead I was out on trial and ridiculed by the court and ex’s attorney. The judge didn’t like the face I had and told me she take my kids and have them adopted cause I was disgusted by the courts After having lost my kids in family courts. And did all possible things they said, to remedy the situation, all my compliance and “honesty” drug testing 4 x a week with no prior drug issues of any kind. This may month the courts gave the father back his custody and since then I haven’t seen my kids or talked to them. I was given supervised visits once a week for 2 hours. I drive 6 total hours for a 2 hour visit. For over a year. Reunification was terminated for me. I have no record no drug history. No dui s. No speeding, ect.”

Participant 5: “Interview me.

The system is flawed... Broken. Despite high financial, emotional, and professional resources and the recommendation that I be able to move away with my children from a well known) and often fathers rights oriented) custody evaluator, the judge sided with my abuser. I now share 50/50 custody, as the judge reduced my time from 80/20 to 50/50. “

Participant 6: “My ex-husband was abusive during our marriage. He was financially verbally and occasionally physically abusive to me and the children. I am a physician who ironically oversees drug testing programs for mercy employee health. I have a full unrestricted medical license. My ex accused me of using marijuana later in the case and I asked to be able to take a drug test. I have been on supervised visitation ever since. I have paid half 1 million in legal fees. I continue to pay child support to my ex despite him not cooperating with court orders. “

Participant 8: I spent 14 years in the family court system. Officially I am still in it though I moved to Asia with my daughter and my husband (her step-father) 6 months ago for his work. So we are finally, mostly, safe. Though until my daughter is 18, I will not say anything publicly that could jeopardize her safety or our current custody situation.

Almost 17 years ago, in 1999, I was targeted by a musician/yoga guru/charlatan, the last part of which I was not aware at the time. He was extremely controlling and became physically, sexually and psychologically abusive when I became pregnant after a few months. At 8 months pregnant I was encouraged to run for safety after confiding in a neighbor. He followed me to Southern California and convinced me to let him move into my new house “for the baby’s sake”. The physical, sexual and psychological abuse worsened after the baby was born. (He forced me to have a home birth and controlled the whole process, including never leaving me alone with the midwives so he could monitor everything I said to them. Both the baby and I almost died during childbirth. I suffer health complications related to that today). When I tried to get him out of my house I was informed that the police could not issue restraining orders without stated paternity and a custody schedule and that began our 15+ year journey in the family courts.

(It is important to note that Paternity cases, where the parents are not married, have name-suppression given to the fathers. I was told this is to protect powerful men from having their “indiscretions” made public).

Our custody schedule started with me having primary custody of our nursing infant and Dad having 10 hrs a week, but soon dad took me back to court over and over again, demanding more and more custody. Each time he was successful and more emboldened to return. He served me with court papers the day my sister’s lung collapsed (she was dying of cancer). He stalked my house, my garbage, my friends. Showed up at our daughters pre-school. (Her kindergarten teacher came to court to testify on my behalf about the father’s inappropriate behavior (using the kids bathrooms in the class that has no doors, etc) but was mocked for overstepping and ignored by the judge). Her therapist also came and was not allowed to speak. The father was simply seen as an obviously loving father or he wouldn’t be trying so hard to see his kid.

Psychological Evaluations were ordered (\$2,500/ea). I worked 3 jobs, took out a second on my home and was on the verge of losing it. (Dad was a self-employed musician with a growing fan base and an unreported cash income, rather than the more common scenario where the Dad has \$\$\$). We were ordered into every form of parenting classes, etc., and a punitive, unworkable custodial schedule that gave alternate weeks to Dad, alternating years, which means all the 3-day weekends and most holidays for 7 years went to dad. (When I requested Jewish holidays dad decided he was also Jewish). The judge was very clear that in his view we were simply two adults taking out our anger on our kid. As the mother I was the worst, and therefore unsuited to motherhood, because I was emotional. The intention was to make the worst schedule possible so we would have to get along to make it better. The reality was he handed an abuser a tool with which to abuse and control every aspect of our lives. He wielded it with an iron fist, holding me to every complex detail and letter of the order, demanding I send him written accountings of every move I made. He was ordered to pay me \$120/mo. which he did about 3-4 times a year.

All this while nursing my abused child, holding down 3 jobs and fighting him constantly in court.

Publicly he said whatever people wanted to hear and became a “father’s rights’ advocate. (Have you heard of the book called, “Screw the Bitch”? It’s a guide for angry fathers win in family court). By the time my daughter was 5 custody was 50/50. We were appointed a minor’s council and ordered to pay monthly. All disputes must go through her (and pay for her time). She billed me tens of thousands of dollars and met my daughter on only 2 occasions over several years. That’s when dad started using the Parental Alienation argument in 15+ hearings to try and get full custody and my daughter began dissociating. It was also the time I met my future husband.

When my daughter was 7 years old we decided to marry and went to court to request a move back to Northern California where he lived and had a steady job. This resulted in a 3 week trial. During those intervening years the abuse was clearly worse. My daughter was in the 10th percentile for weight and having night terrors. She did not want to go to dad’s but had no choice. Up to that time (and to this day) her dad contributed no money whatsoever to her education, her clothing, etc. However after so many years in the court system I had learned that money has no bearing whatsoever on custody. He was a touring yoga musician and travelled the country, either taking our daughter with him and leaving her to run around unsupervised (we suspect she was repeatedly raped in yoga studios during this time) or left at home with the step-mother and her half sister where she was tortured, abused, starved and denied access to contact with her mother- an ongoing situation.

In the trial my future husband was on the stand for several hours over 3 days. The day before Thanksgiving the judge says he is leaning toward allowing the move and converts the move-away trial, dad declares he is going too, and new custody schedule is set that would rule our lives for the next 7 years. The commissioner gave full medical rights (of our pre-pubescent daughter) to the father and I got dental and school decisions. During that time my daughter would become severely abused and forced to return to her father’s house week after week for 7 years. She was never allowed alone with a doctor to tell anyone what was happening. He threatened her with my life if she ever told. She was starved and psychologically abused. The physical abuse I documented was always explained away. Child protective services dismissed calls by several anonymous sources, instead telling me that I had put them up to it and if I did not stop I would lose custody for trying to make the dad look bad. They interviewed my daughter at his home with the step-mother present. I was not allowed to talk to doctors and could only take her if it was an emergency. Even when she had pneumonia or a fractured elbow and I took her to Urgent Care he filed ex-parte hearings for contempt. We lived like this for 14 years. Emails and phone calls every day. Constant spying and threats. There were multiple untreated illnesses including repeated staph infected ingrown toenails and bronchial pneumonia. I was denied the ability to vaccinate despite the whooping cough epidemic. My daughter started having panic attacks and running away from school. He supervised, timed, and recorded the 15 min/day phone call her permitted where she would tell me in code that she had plans for escape and wanted to die.

The court appointed psychiatrist was a father's rights advocate and believed children lie to get their mommie's attention. She was in the pocket of the court and received all her clients from family court. They were ordered to go and required to pay cash. She told me to pin my daughter down and force her against her will to come. She told my daughter if she told anyone else her dad hurt her or that he threatened my life she would see to it she never saw her mom again

When my daughter turned 12 she remembered she'd been told she could have a say in her life. This is when she first refused to go to her father's house. Father showed up banging on my door. Police were called and for the first time in her life she was allowed to stay. Father filed criminal charges of kidnapping against me. This led to me getting a new lawyer- this time with experience in criminal law, family court and "father's rights". That was the smartest thing I did. The criminal charges were thrown out eventually (\$10,000 later) but she continued to refuse to go. When she refused to go home with him from school there was a 3 hr stand-off. I was advised by my attorney not to go. The sheriff was called and they told her to go with Dad or go to "juvy". She went with her Dad. As a result she was abused again for defying him, ostracized at school for the scene, and forever distrustful of authority. But she learned that if she was at my house and refused the police would consider her safe and let her stay. (Unlike in LA where they believed their job was to enforce court orders, not protect children).

Only July 5, 2013 she refused again. This time Dad was out of state and step-mom came for the pick-up, though pretending he was there. The police came, interviewed everyone and decided she was old enough to say what she wanted. Dad filed in family court once again. At the first hearing they ordered us all to see court mediators (again). This time I requested someone interview my daughter and, finally, it was granted. She was terrified, having been betrayed so many times. If she told the truth and they told her Dad, there would be retribution. Or maybe, she would be safe.

Miraculously, the judge listened to her. When we returned some weeks later the judge said that she was old enough to have a say in her life. At this point, though hinted at before, father went full Parental Alienation, said I was mentally ill, disturbed and had clearly brainwashed her against him. He said I should be institutionalized for my behavior and he should be given full custody. But the judge reiterated that even if that were true and I had turned her against him, if he wanted a relationship with his daughter he would need to earn her trust and desire to be with him. Therefore, any future time together would be at the agreement of the two of them.

It was incredible. It was also his last day as a family court judge before transferring back to criminal court. Maybe that had something to do with it. Maybe it's what she said to the therapist in private. In any case, by the time my husband got a job transfer to Asia she had been living with us full time for 2 years. She saw her Dad on occasion because it was the only way she was allowed contact with her sister, and there is a part of her that still holds out hope that one day it will be different.

I notified him of the move possibility as soon as I heard and he refused to be in contact with us until 3 days before leaving. At that point he was left with little choice, since he had failed to communicate and her teachers and (new) therapist and everyone else agreed

it was in her best interest to go. Also, it would not change his amount of time with her since he made no effort to be in contact. He signed an agreement that we could go. Until the moment we went through customs on the other side I was terrified that he would report me to the FBI, which has a huge unit solely devoted to finding mothers who run with kids out of the country- desperate to keep their kids safe. (I tried to contact them ahead to let them know our trip was legitimate but the hotline is only to report parents suspected of attempting to flee).

It is important to note that, though I made a clear argument for neglect, I never pursued other abuse claims against him because I was advised early on that those claims only backfire. It was never my aim to vilify him. Only to get her safe. I learned that in family court all claims are he-said/she-said and only serve to up the anti. Even the most well documented abuse cases often have the opposite effect of the protective parent losing all parental rights for making “false allegations” and “brainwashing”. Hiring the father’s rights’ lawyer was one of the smartest things I ever did. He was/ is a terrible person but he knew the tricks. Although police told me to collect photos for evidence of abuse he told me to get rid of them and never show them to anyone lest I be accused of using my daughter (our daughter- never say “my” in court) to stage abuse to make dad look bad. Etc. He was an evil son of a bitch and even represented a child-molester I knew had abused his daughter, against my friend, another protective mom. But he was the best because he is a scoundrel and he got us out.

Finally, I need to say this. These last 2.5 years have been harder than anything I could have imagined. My smart, beautiful girl has terrible emotional damage including PTSD, crippling anxiety, self-harm, eating disorders, severe depression and fighting the constant desire for suicide. Every day she gets a little bit better and I am hopeful she will make it through high school where she is bullied, but also found a small group of other kids who’ve been through tough times. Thankfully we are safe and living overseas. She, her step-dad and I are close. She is in therapy with an expert in survivors of trauma including victims of sex trafficking which is in many ways analogous to the Family Court. She still does not remember some of the details of what happened to her but she knows it was really, really bad. She says she is afraid that if she remembers she will fall apart and may not ever get back together again. I just want her to know she is safe and loved and get to live a normal life.

Addendum: We flew home for a holiday visit that we promised when we left. She saw her dad and his family. He barely spoke to her and hasn’t spoken to her since. Though she has been rejected by his parents she retains a close relationship with her sister, which we encourage and support.

Participant 9: “8 years of court - 3 mediators. My daughter was abused by her father her whole life. She waited until she was 16 and then ran away from her father’s house. She was ignored by her pleas completely for first two mediators which was kept from me but during her third mediation process she told the mediator, her court appointed therapist and her court appointed reconciliation therapist that her father abused her so she refused to see him or speak to him. All three therapist/ mediators failed to report my daughters experience and the mediator ordered her to return to her fathers. Fortunately the court

process took a year and half so by 17.5 years old she ignored the court and stayed away. The court system failed her completely. “

Participant 10: “I tried to protect my kids from their abusive father, but was let down by many people in the legal system. I brought up issues of abuse during the divorce. It took me a long time to admit that I was being abused, and at the time, I had a hard time articulating how damaging verbal abuse is to the target of abuse. I was told, every day, for the last two years of my marriage that I was “stupid”. I was called filthy names, cursed and yelled at, and put down all the time. When I confronted him with his behavior, he denied that he was mean to me, or said that it was MY fault that he was insulting me. So I left him when my kids were 2 and 3, I had a really incompetent attorney, and she did a terrible job in defending me. I asked for a 730 family evaluation, at the urging of my horrible attorney. I ended up getting a set of female psychologists who completed the evaluation, and one of them took a special like to my ex- because they were both Jewish. My ex is only a Jew when it benefits him- he never practiced his religion, but he sure used it to his advantage during this evaluation. This psychologist ended up praising him for being a good dad, and ripped into me for being inconsistent. She also ripped into me because I stated that men and women should be afforded the same opportunities in life. What???

So spent 7 years in court, trying to protect my kids from their dad’s abuse. There are way too many stories to tell. But when my kids were 9 and 10, they began to protest having to go with their dad, and began refusing to go. My ex called the police in my city, 2-3 days a week for 8 months. The police told my kids that they would handcuff me, throw me in the back of the police car, and arrest me, if they didn’t go with their father. They told me that they would drag my kids out of the house, kicking and screaming, if I didn’t force them to go with their dad. They stood in my living room, and yelled at me repeatedly to go to court to change custody. It wasn’t that easy.

I finally found the right attorney, and he was able to get full custody for me, and child support for me. I told the kids and their father that they could talk and arrange to see each other any time. He lost interest in the kids after that. He took me to court a few times after that. He tried to get me thrown in jail for “parental alienation”. The last time we went to court was the day before my son turned 18- he tried to get custody of our son. The judge laughed at him for the absurd reason he took me to court, but then only made him pay \$500 for my \$2500 legal fee.”

Participant 11: After I lost my job, father went for joint custody and unsupervised access. I was very scared, which was part of why things went so badly. He began breaking into my house, stealing divorce papers, he was taping me as well. He lied and smeared me to our friends, I had kept secret about his past but I did not allow him to be alone with any of our kids. My first lawyer was good as a family lawyer, started to know my case and see some of the evidence I had, but did not appear to know how to deal with a sexual predator. I began to study and found out how important it was to get a lawyer (and a mental health professional) who was experienced with this. Second lawyer said she was experienced, she wasn’t, and her boss fired me after things went badly. Third lawyer did not do a good job. None of the lawyers wrote much. I am trying to write now but I am paralyzed and not doing a good job. Opposing counsel lied constantly, perjured himself,

refused to communicate with me. I would give proof to Commissioner of opposing counsel lying to him but Commissioner did nothing and made excuses. Custody Evaluator was very, very bad but apparently well-respected within legal circles. It was short term focused evaluation, even though rape and child sexual abuse and criminal, etc. MMPI-2 was a disaster for me. I was not sleeping well and stressed and it said I was hysterical even though I have had no mental problems and very successful life, etc. MMPI-2 was some antisocial personality disorder for him but that was discounted even though as far as DSM-IV, he showed all other criteria. My daughter is suffering. I don't even know if he is molesting her now. I have not spoken to her about it, she has said no to CPS. I now realize he did molest her when she was 2 1/2 and before the custody case she tried to tell me about what father's do to your body and she began to have chronic pain in her chest in 2012, after I let her father take her to a rehearsal (only time in 8 years that I let him be alone with her). Since supervised visitation, my daughter is suffering from his emotional abuse. I don't know if he is sexually molesting her or not. She is desperate to get away, wants a new life. Diagnosed with GAD, Depression and PTSD after her suicide attempt. I'm afraid to talk to her about this in case the court hears and she gets taken away from me. I have always been honest in court, and he has always lied. She does not have her own room, just a curtain, and father is not paying full child support.

Participant 12: "My son's father & his attorney have manipulated the family court process so terribly that my life & my son's are in complete ruin."

Participant 13: "I had 3 daughters that were being abused by their father (he was the step-father to my oldest daughter and the biological father of the younger two.) For 2 years following our divorce (2000-2002), I complained of abuse to the police, CPS, the pediatrician, the courts and the Special Master that was assigned by our family court judge. Because my youngest daughters were so young (2 and 4 years old) it was difficult to get them to open up to strangers. Forget about the physical evidence (pictures of welts, swollen eyes and bruises), the judge couldn't believe such a nice man would harm his babies. Some instances were substantiated. Some were inconclusive. My oldest daughter (10 at the time), apparently didn't get to voice her opinion because CPS said she was "safe" since we were divorced and my oldest daughter didn't have to see/live with her step-father anymore (we had shared 50/50 custody of my 2 youngest daughters). I could only take so much, and after 2 years, when my 3 year old came home from being with her father and his girlfriend for 5 days with welts the size AND shape of an adult hand on her butt and leg (verified by police, CPS and a medical doctor), and after our previous custody evaluator (a psychologist) interviewed my daughter and stated in a report to the court that she "cannot rule-out physical abuse" and requested a 730 evaluation, the family court still refused to do anything about it. As expected the judge refused the above evidence and continued 50-50 custody. So, upon advice of a children's rights advocate, I took my children in 2002 and refused to allow my ex to see them. After a week, I turned myself into the court but left my children in the care of other parents I knew from the advocacy group who had been going through similar problems with the court. I was ordered to jail under civil contempt of court charges and after continuously refusing to reveal my children's location, even though the judge assured me no criminal charges would be filed against me if I revealed my children's location (do you think I had a problem believing anything the court said??), I ended up sitting in jail for 6 months on

“civil contempt of court” with NO bail and NO right to a public defender. I should add that I told the judge I would reveal the children’s whereabouts IF the children were placed with either their maternal or paternal grandparents, IF both my ex and I were allowed only supervised visits and IF an outside agency did a complete and thorough investigation into my children’s claims of abuse. This was all refused by the family court. (Because I was on civil charges, the case stayed in family.) After 6 months, and while I still sat in jail on Civil Contempt charges, my children were located and returned to their father and I was charged criminally with 4 felony counts of Deprivation of Custody and 1 felony count of Conspiracy to commit contempt of court and held on \$5 million bail. I have a copy of a video taped interview-made by the DA-of my children being interviewed by the DA two days after being returned to their father (and 6 months after they had any contact with me, their sister or anyone on my side of the family) where they made spontaneous remarks about being abused by their father and his girlfriend. This videotape was never shown to a jury because the judge had said that there would not be allowed ANY evidence or witnesses testimony regarding abuse. I was ultimately convicted of 5 felonies-278 pc (Deprivation of Custody with the right to custody), 278.5 pc (Deprivation of custody without the right to custody) and Conspiracy to commit Contempt of Court and sentenced to 5 years and 8 months in prison. Of that, I actually spent 3 years and 4 months in prison (2002-2005). I should mention that the judge told ALL the witnesses that they were NOT allowed to mention a single word about child abuse otherwise she would call a mistrial. Upon appeal, and after I was released from prison, the appellate court determined that I had been over-sentenced. In 2006, my ex husband and his wife (the girlfriend who was also abusing my girls) were able to get my parental rights terminated based on the above criminal conviction and his wife adopted my children. (This was after I incurred \$120k in legal fees on an attorney who assured me there was no way I could get my rights terminated based on my conviction, as was sought for by my ex). The termination of rights hearing was done by a PROBATE judge-not a family law or juvenile judge.) My girls are now 18 and almost 20, and I, my daughters older half sister and every one of my daughters maternal relatives (including her nana and papa) have been refused ALL contact by their father since all of this happened back in 2002 when they were 4 and 6 years old. My past “reputation” still haunts me years later and 450 miles to the south. In 2009, a San Diego county family court judge granted a 5 year restraining order sought by my ex husband and his wife because I moved 1/3 mile away from where my children live and because I set up a business that has me going to clients in the same city. This same judge ordered me to move out of my home within 30 days of the order (May 2009), barred me from roughly 7 miles of the city I live in and to give up 12 clients (and approx \$1100 a month income) that are in this 7 mile boundary. This restraining order was issued AFTER my attorney gave the judge copies of the previous years emails to/from my ex husband that showed my ex wanted me to reunify with our children by mid 2010. There was no harassment, contact or stalking by me on my ex or the children. It was granted because the judge “thought” I would take my children again. I had lived in the same city for a year previous to this Restraining Order, I had seen my children several dozen times at parks, in the store and on the road and I have known where they lived since 2005, but I NEVER attempted to contact them or “take” them in anyway. By the way, my ex-husband won this order without an attorney and with barely any testimony. My attorney cost me another \$2000. In 2014, when that restraining order exporters and my daughter’s were 16 and 18, my ex husband petitioned the court

for a lifetime restraining order so I could never have any contact with my children. After retaining a lawyer I was assured the judge works never issue a lifetime restraining order in regards to my children. The lawyer was wrong. Again, a San Diego court granted a restraining order against me. Even though both of my children are legally adults, I don't believe they know there is a restraining order in place and have still have not had any contact with them. Also, my eldest daughter (now 27) and I were filmed for Kathleen Russell's documentary on the family court in 2006, following my release from prison, but were edited out of the film because the financial backers of the film were afraid my ex would sue them."

Participant 15: "I divorced after 18 years of marriage & 3 children when I learned of my husbands long-standing affair with my best friend. I had also learned within weeks that I had a brain tumor. My husband broke into my home in the middle of the night and removed all the phones from the house. He raped, hit, and held me captive. He was arrested and I began divorce proceedings. He was allowed to harass and stalk me. The divorce proceedings have gone on for almost 7 years now, where he now harasses me in court. The Judge has allowed this harassment for the entire period of 7 years, allowing my ex-husband to bring the same issues to court repeatedly and make slanderous and cruel comments in the courtroom without holding him accountable. The judge himself, upon seeing me in court for the first time, uttered the first sentence "hell have no fury like the wrath of a scorned woman." I was shocked. This was the first hearing after my husband had raped and beat me. The conduct and mistreatment by my ex-husband and the Judge has continued in this fashion for the past 7 years."

Participant 16: "Laws are not followed. Children and battered mothers are not protected; they are punished.

My children, even the older ones over 18, were not heard or believed. Everything turned around my alienating my children and brain-washing the medical doctors and psychologists I worked with and who testified on my behalf.

When my teenagers ran away from their abusive father (the court had given him full custody, and I had supervised visitation, which had to be arranged by the father and which never happened), my oldest daughter (13) and me were arrested by US Marshalls. She spent 4 days in jail for the crime of protecting her younger siblings against an abusive pedophile; it ruined her career. I spent 6 months in maximum security for a crime I had not committed (kidnapping my children). I had 40 witnesses ready to testify at my trial. I was threatened by my public defender with 7 years of prison if I did not take the plea bargain; I refused, wanting to take a chance at the trial. I was then deceived by my public defender, who told me none of my witnesses would be allowed to appear, and I would not be allowed to talk about child abuse, domestic violence and rape.

It was a 14-year custody battle, which cost me my health and my career. My children (I have 7) are all over 18 now, and bear the scars - physical and emotional - of this unjust situation."

Participant 18: "I can't explain it all right here right now - I think this is why I never finished the survey previously - but I think I should (and I want to) be a part of it. Please

let me provide this to you later, but basically there was a documented history of domestic violence - when school and mandated reporters made an issue dad and his legal team changed matter from (CPS) juvenile dependency court to family court division, where there is no oversight (etc., etc.) and the Judge took away my legal right to be a part of then 13 now almost 16 year old son's life. He is not doing well and our lives have been turned upside down with no steps for restoration. I'm working on sorting through it and making a clear summary.

Participant 19: "I was taken to court, by mine and my children's abuser. I was sent to two 730 custody evaluation. My records were stolen from the court so I got sent to a second evaluation. I protested and my children were taken from me. I even lost legal custody."

Participant 20: "Any business attorney or retired judge who looks at my binders of evidence and know the story of my case says, "what a train wreck." The District Attorney all he could say was, "we're so sorry, we made so many mistakes in your case." The financial crimes detective after showing him evidence of forgery of 207 checks totaling in excess of \$290,000, mortgage fraud, bank fraud, securities fraud, mail fraud, wire fraud, he said, "there's no body, this is a low priority case." I said, "I have to die before someone investigates this?" He didn't answer. My ex and his criminal defense attorney lied right to 2 Judges faces - no one does anything. The lawyer kept telling me they knew what they were doing and I should trust them. Well, \$300,000 in attorney's fees later and my case is more of a mess than when it started. Billable hours they call it. I just typed up a 26 page complaint letter with 44 corresponding exhibits of evidence if you want to look at it."

Participant 21: "I have been in the Marin County Family Courts for 13 years. At first our divorce was going smoothly until my daughter-age 3, started exhibiting sexual behaviors. I took her to the hospital after one visit and that opened up our CPS case etc. She was interviewed by a forensic specialist at the Prandie center, where she stated her dad touched her and colored the vagina area on a picture. This interview had the DA present, Therapists and a police officer. The conclusion was if she was being abused she would exhibit it in therapy. Which she did. The therapist wrote a report, which the family court said wasn't valid because the therapist didn't have her credentials yet. We were then court ordered into family evaluation, therapy and parenting classes. The family evaluator took too long, over a year to gather her information. It was to long and she could not say if the abuse happened or not but recommended a supervisor for my daughter's father. He wound up having a supervisor for three years. My daughter started visits again with her father and she started to become withdrawn and showing signs of abuse. Her attorney would not respond to my letters. CPS would not reopen our case police would not write reports. She did not want to go on the visits and I was told I would go to jail if I didn't send her. Eventually I stopped the visits on my own and we wound up in court. A reunification process was ordered with a supervised therapist based on her fathers' behaviors being poor parenting. They were eventually allowed one dinner visit without supervision. My daughter returned home early and said she never wanted to see him again. She would not tell me what happened on the visit. Now she does not remember. Because she does not remember her father does not remember. He disappeared for several years then when my daughter was in 8th grade he contacted the school because he

said he was interested in her education and his father has a school fund and they wanted her to go to a private high school. This brought us back to court again. My ex was cleaned up and his father had bought him a house. I was accused with Parent Alienation I could see were this all was going. I believe the goal was for my daughter to live with her dad while she went to a private school near by. Another reunification was ordered. My daughter still did not want anything to do with her father. She wanted to asked the judge to implement the law were she can state who she wants to live with and that she did not want to see her dad. She went to the judges chambers where an order stated it would have a court reporter. There was not one present. It was the Judge Court appointed therapist for that day. Immediately the Judge would not let her speak and she told my daughter what she was going to be doing and that was reunifying with her dad. We all went back to the court appointed therapist. One year ago my daughter developed a serious case of vertigo. We were in the UCSF system all summer ruling out any physical connections. She was diagnosed with emotional vertigo. One doctor said that he thought it was related to the abuse she has experienced and the courts forcing her to have a relationship with her father. He called my daughter's attorney and the therapist and insisted they stop the court process. Her vertigo began to go away. It has been one year and she is still healing but is much much better. Her father and his family do not want to acknowledge that she has been sick but that is another issue. Our case is very complicated, I hope this will be helpful."

Participant 22: "After suffering through years of abuse with a filant alcoholic man I finally found my way to freedom with my children when he was arrested for child abuse after hitting my 12-year-old son. Initially, I was given full custody of the children, while we went through mediation in counseling and he went through supervised visits and ultimately reunification. I wanted focus on the protection of my children. The court wanted to see the children with two parents. That's the only way that the counselors assigned to us could claim success, is if they rehabilitated the father and the children were going back and forth to both homes. We went to a mediator who told me that there never was any abuse, and he sided heavily with the father. When the father had the opportunity to have the children, he manipulated them and hurt them with false statements about me. My children would come to my home agitated and angry at me for things that I had said to him. Wednesday my eight-year-old son told me that it wasn't fair that dad had to give me money for support. He said if I couldn't make it on my own, I should just live in an apartment and not see the children. One day one of my children picked up a steak I prepared with a knife and threw it at me and said "this cutlery is dad's". I was losing my children, two of them. The third and oldest child saw what was happening when the children were at their father's house and tried to fight it but was powerless. He stayed by my side through the whole ordeal. It got so bad that the children would secretly tape-record me. They would say horrible things and swear at me and when I reacted they would tape-record me. The father would use this later when the children's attorney was assigned to show that I was emotional and distraught and angry. I don't know how or why but the children's attorney and everything turned on me drastically. They couldn't see that this was A case of "abuse by proxy." That is to say when an abusive person loses control of his main subject, me, they take their abuse to the next level and emotionally abuse the children as a way of continuing their abuse on their main subject. By alienating my children from me, he was killing me and the more I twisted and turned and hurt, the

more he enjoyed it. And the more sorry I looked in the eyes of counselors and the child's attorney, who is a well-known fathers rights advocate. I've heard her say in the courtroom that she doesn't believe so-and-so has been abused. Or that the abuse doesn't matter. The children need both parents. Ultimately he did such a good job of brainwashing my children that they stood in court on his behalf and said they wanted to be with him. The more custody he got the more child-support I paid. Mind you when we started out he was an Intel engineer making over \$200,000 a year and I was a housewife getting my first job at \$24,000 a year. As things went on I was paying him child-support. It got so bad that the children would not come to me in my custody days and each time this happened he was rewarded more child-support for the days that I didn't have them. So he was being rewarded for alienating my children from me. At one point he out and out refused to give the children to me even though he was court ordered to do so in the judge told him he would hold him in contempt. But contempt orders were always threats. The Family Court never did anything to him. At this time his house was overgrown with weeds. It had been my house that he wanted to live in. The house that he was living in and not paying the mortgage, as it was foreclosing, it was turning into an eyesore in El Dorado Hills. There was weeds and garbage everywhere. I went to CPS and asked them to investigate what was going on there. They pulled my children out at gunpoint. When he finally went to see them late that afternoon, he was late to see them in custody. He was drunk and the officer noted something about him and he had to undergo a test for methamphetamine. He tested positive and still went on to almost win custody of my kids except for fatal error he made. Believe it or not the tables turned and the children were in his custody, and I was reprimanded to supervised visitation. This had to do with a psychological exam I took where the court ordered psychologist said that I was emotional and "against" the father making accusations of him being abusive. But the irony is there was a case file and CPS. His abuse against the children and me were well known by everyone, and yet I wasn't allowed to bring it up. Ultimately, through this process I almost lost custody and I did not have custody of my daughter before she aged out of the system. The supervisor for the visit had her license for all of a month. She told me I was "histrionic". One day my son had a grass allergy from playing football. He was itchy and I reminded him that he had a grass allergy. She wrote in her report that I made him nervous and he was itchy from sitting next to me. All the while my children were in custody with their father he allowed my now teenagers to smoke pot and drink alcohol and to be out all the time. That was part of the lore. They can do whatever they want it in his custody and at my house we had rules. There was documented case the police and an ambulance showing up at his house taking a minor out of there so drunk the child was alternating between throwing up and passing out. Minors counsel and the judges knew about this and still they granted him custody. With CPS involved they accused me of "emotional abuse" because of the long term fighting between the children's father and me. On the one hand in all the years dealing with CPS they told me that it was my duty to protect my children in if I didn't I was culpable for not protecting them from their father. Now they were saying that because I was fighting so hard, every dime every possible angle to keep my children safe, I was guilty for fighting and that fight that I did in court was causing emotional abuse. They put my children in foster homes. The children were wild. My daughter was stealing. My daughter was sneaking out of foster homes. But at least in foster homes they were away from their father for a time. And in this time they began to crack. Being out from under the constant barrage and attacks against me, the

rewards for saying negative things about me, they were able to see a glimmer of the truth. And this has saved us. I brought Christmas presents to my children sitting on a bench in the kitchen during a supervised visitation. I sent them cards that they never got while they were in his care they were getting them now in foster care through the CPS system. The children didn't want to come home to me, at least that's what they said in court. So they worked to rehabilitate the father again and they worked to rehabilitate me. My court appointed attorney advised me to keep my mouth shut and just go along with it and do my counseling. I chose a counselor well-versed in these types of situations and she wrote a report and they toss the report out. I couldn't believe it. She stated that with the father had done was abused by proxy and that he was a dangerous person for the children. At the hearing we are CPS was to grant him custody. I sat outside refusing to go in. I talked to the CPS counselor on the case and I said to her "look at him. He's about ready to blow. You are getting my children to a person with a known history of child abuse and I can tell you right now that, The roof on his fuse is running out. He's going to get violent soon". I said I give it three weeks and you'll be regretting this decision and then I'm going to file a report against you the likes of which you lose your job. It took three days. He was arrested for trying to strangle his wife in the presence of their new baby. The children were put back in foster homes. My youngest child, my son, cracked. He called me in the middle of the night and told me that he had been trying to tell the counselors and his attorney for weeks that he wanted to see me. He told me nobody would listen to him. He cried and said mom I want to come home please help me come home. When this ordeal started they were 8 and 10. They were now 15 and 17. CPS had a problem on their hands. They had a perfectly good mom who wanted her children and they had recommended against giving the children to me, and they had a known child abuser who now had a criminal record, not in El Dorado County but in Sacramento County. The courts moved quickly to "rehabilitate" me. They sent me to a counselor who wrote new reports as to how well I was doing. They had my youngest child and I go to reunification counseling and they allowed him to spend the weekend with me. My daughter had in their mind aged out. She could do what she wanted. She opted not to go to counseling and she did spend some nights at my house. When she graduated from high school her father didn't attend. I went rushing to buy her a graduation dress and take care of those needs because at this point with no more money coming in, he didn't do anything for her. Finally after a few weeks of "rehabilitation," the court granted full legal and physical custody of my son to me. He came home to live with his brother and me. By this time my income level had improved. I was now making closer to \$50,000 a year. We had a cozy house where we began to really become mother and son again. I got him back into Boy Scouts and he became an Eagle Scout. He's now a freshman in college. Together all three of my children and I are family. My daughter still does drugs - marijuana and psychedelics. I don't think she would've done those things if she grew up with me. As a family we have holidays and go on vacation together. I have seen my youngest son break down and cry and say "mom what we did to you was so wrong. It was pathological. We were lying about you to make dad happy. We hurt you so bad". I tell him that it wasn't his fault. I tell him he was a little kid in the grips of a horrible situation and that I am so proud of the man he has become. My daughter still doesn't own anything. I think she suffers tremendously, and I think that's why she turns to drugs. She's bright and beautiful, not a junkie on the streets. She's in college and I'm hoping that her drug use is something she grows out of. The children's father is a full-blown meth head. He lives in a house his

mother pays for with a crazy wife and a five-year-old child that everyone worries about. He can't hold a job anymore. The children see him for what he is now. I tell them to love him as he is the father and to keep their expectations reasonable to what he is able to do. He lets them down all the time. I am now earning close to six figures and providing for all of my children's needs that they are and providing for on their own. My oldest son is a cook at the four seasons Hotel in Hawaii. We all came through this. I'm a fighter. Some women aren't so lucky. I am voice texting this in the interest of time and there may be typos. Sorry about that."

Participant 23: "Here are the list of cases I have filed in an effort to protect my children from a pedophile: Northern District, vs. DCSS, vs. Contra Costa Superior Court et al., California Supreme Court Cases, Court of Appeal Cases, Contra Costa Superior Court Case, Santa Clara Superior Court Case

My Court of Appeal Decision issued June 25, 2013 states the judge abused her discretion and denied me due process and the courts actions of taking away my children is unconscionable. Unfortunately they remanded me back to the very court that kidnapped my children to remedy the problem, which they have only served to make things worse. Similar unlawful acts used to steal my children have been used to order impossible court orders to follow including extremely high child support that I must pay to the abuser. However, in my effort to find a way to get support payments reasonable, I discovered that DCSS (Department of Child Support Services) is actually garnishing my wages for the sole purpose to giving to the other parent, but in fact keeping some of it for themselves. This is called stealing. I have turned DCSS into the FBI, and now I have filed a federal civil lawsuit against DCSS and involved parties et al. and unnamed DOES. My middle son, 8 years old, needs medical attention, which the other parent is refusing to provide, and I am afraid he may not survive. The reason my two oldest children were taken from me is due to a police investigation on my oldest son when he was 3 years old for child sexual abuse. The lead investigator at the time, had verbally confirmed that my son had been molested, but I have yet to be provided the report. I have spent two years trying to subpoena the report, and am not waiting the response from the San Mateo police on the subpoena issued by the Federal District Court. I have been accused of falsely alleging child sexual abuse, so it is important that I get this report to confirm if the accusations had merit. Meanwhile, my children have been forced to live with their abusive father for 6 years. I am on supervised visitations, which I have paid anywhere from \$175 per hour to \$50 per hour. I have averaged spending about \$2500 per month to see my children. I used to video Skype with my children, which I recorded, and I still have the recordings, which show my children being locked in closets, hit, threatened, bruised, and displaying inappropriate behavior. All of which, the courts refuse to admit into evidence. I have had many false reports written about me, and luckily I have recorded some of the events so I can prove them wrong. However, when I am successful with getting reports supposedly "struck" from the record, opposing council comes up with some other insane allegation, which range from me going to flee with the children, drive the children into the bay, afraid of what I might say to the children, and that I am delusional because I cannot see the other parent as a "good" parent. I removed myself from the superior courts and am now leaning very heavily on the federal courts to remedy this situation and hopefully do so while my children are still alive.

Participant 24: “I was forced by the Shasta County’s District Attorney’s office, to do visitation with the biological father of my daughter. She said that the father would not harm my daughter. That he just wanted to see my daughter after being deployed from the Marine Reserves. I used to be a Marine too which is where I met the father. I found out years later, he had NJPs for fraternization and lying which is why he was never deployed in Active Duty, but the reserves needed people and they have a different set of ethics. I had to move the jurisdiction from NC to CA and so I went to court were Commissioner Gibson would not give me jurisdiction. I said that my case was a domestic violence one if he would notice the number on the file and that I am subject to jurisdiction, through the UCCJEA. He refused. I also let him know the danger my daughter was in because the DA was demanding visitation and if I could get jurisdiction, I can get the order changed to protect my daughter. Again, he refused and told me to go back to NC. So, I had to do the visitation because the DA said they would arrest me if I didn’t. In fact, before I even knew the father was in town, he did an amber alert on me when I wasn’t home. I don’t know how it was finally dropped. I used to call the Marines, since I was one before. I didn’t know that the reserves had low standards. I would ask them if they could let me know when he was in the states so that me, and my daughter could be safe, and I also let them know he wasn’t paying child support. He was a stalker of me. He would park his car in all parking lots that I was in. My school hired a security guard for me and tried not to tell me why to not scare me. I saw him in other parking lots though. When he surprisingly came into town after being gone for a year, after I left him for domestic violence twice. The first time, I went back with him because I was afraid of my daughter being alone with him in visitation, but he got worse. I left him second time. He was gone for a year. He came back. Marines didn’t let me know, started stalking me. Courts made me do visitation as described above. I had to have two lawyers in NC and CA to get jurisdiction to CA. He tried to get a restraining order on me and filed emails from the Marine Head quarters and Marine Commanding Officers saying, “Did you take care of this? (This was from the Commanding Officer to his boss). His boss wrote to him, “Don’t tell Her that we talk to her just to act like we are trying to help to get information for you. Her gloves are off, the fight is on.” Marine Headquarters wrote an email saying, “Women just act like this. Did you take care of this.” Anyway, he wasn’t granted the restraining order, but I and my daughter was granted a 3 year one along with the one in NC a couple years earlier.

Due to the Commissioner ignoring the UCCJEA which says victims of DV should have jurisdiction changed to a state they move to, and the DA threatening to jail me if I didn’t do the visitation, he had 5 months of visitation every other week. I actually thought during the visitation, ok this is nice, maybe I was wrong and they were right. Maybe he can have a relationship with my daughter and be nice even though he can’t be nice to anybody else. I gave him a lot of extra visits thinking it was going well. Yet, he would still send police to my door and act like I didn’t do the phone call visits. I’d show the police my phone. When they kept coming back, I said if you come to my door again and don’t do anything about his harassment of me by you, I will sue you for harassment. They stopped coming to my door. He then tried to find me in contempt of court when I wouldn’t say yes to his marriage proposals. In a trial, I played the voice msgs and showed texts of his proposals. He came to me, and my lawyer and said to judge I will ask her to marry me right here. Did I forget to tell you, the father was a Sheriff and police officer,

supposedly fired from them in between the Marines. He got number one at the Glyco law enforcement academy and had certificates in suspect interrogation and crime scene investigation. In between his visits, he would stalk me, be in every parking lot I entered. On the last visit (an extra one I gave him because his mom was in town), which I dropped her off and picked her up in the mall, he screamed at me and called me vile names and ducked under my car so cameras and people wouldn't see, when I wouldn't go to his truck to get the stuff. He was trying to text me that he was in the mall to try and get me to go in there. I found out a couple years later why he wanted me to go to his car to get my daughter's stuff. This would be the last of us. The visits were usually where he would pick her up and drop her off at preschool because he was aggressive in the hallway mediation with the mediator and would not sit down, when she told him too and would hover over both of us when she was writing the visitation order. When he voluntarily deployed, 5 mnths later, my daughter who was 4 started talking. She said that he was giving her ice cold showers so cold that she hurt and he was locking her in the bathroom all night. I remember during the visitations, he would prevent me from calling her or he would hang up right away or monitor the calls. I had to do a welfare check where the sheriff said she was okay. Knowing this sheriff, I know he wouldn't have checked. The same sheriff who accused me of coaching my daughter, yelling at me of why am I doing this to my daughter, when my daughter really started saying what the father did to her during the visits when he was gone. The father also sent me two pictures of my daughter that were strange that I showed CPS and the Sheriffs and all they said was that they would give him a warning about that he is close to porn in them. I also told them about the cold showers and my daughter being locked in the bathroom and they did nothing. In fact, they had a police officer from a little town come over to do the interview and my daughter was hiding from him. He told me to get her in the kitchen and tell her that it was ok to talk to him because he wasn't used to talking to kids, so I did and she told him about the cold showers and being locked in the bathroom. He then left and told me to stay safe from the stalker. A year later, I saw the report he wrote. It said that I was coaching my kid. This is why the Sheriff was accusing me of coaching my kid, of course along with the urging of the father when the huge story came out about what he did to her.

Ok, I was trying to drop my daughter off for school, remember that the visitations were arranged for him to drop and pick up and the preschool by the hallway mediator because she knew he was a stalker of me. My daughter would scream when I dropped her off at school. I took her to counseling. In counseling it came out that he had severely sexually abused my daughter, and sometimes at gunpoint. Then she told me horrible things, saying he would do stuff to her and tell her to say somebody in my family did it. He was trying to take her from me and have me pay child support. Then he threatened her in so many ways if she told anybody that he did it and if she told police, it would be him in a police uniform. (now wonder she hid from the policeman). He would also drive her to my place during visitation and tell her he was going to kill me because she wasn't saying anybody in my family was doing what he did to her. He told her he would kill me and her and hide the pistol where police wouldn't find it if she told anybody what he did to her and if she didn't say somebody in my family did it. After hearing these horrible things that I can't even talk about or read what I had to write down for the criminal investigation of him, I realized what he was going to do to me and my daughter in the parking lot of the mall that day and why he was so angry that I wouldn't go to his truck. My daughter was a

hero. If she didn't start talking a year later, I don't know where we would've been. He knows if something happens to us, they would know it was him.

CPS wanted to form a bond with my daughter to help her interview well. She said that he was a sophisticated criminal and she believed me when I called about the pictures and showers and being locked but...(but what, why didn't they do anything before. Anyway, since the sheriff detective was a former Marine, he didn't allow anything that would be a good investigation to get his fellow sheriff, police officer, Marine arrested. He waited 3 mnths to interview her. CPS said it's because I had my daughter safe in the family courts. I had changed it to no visits from the cold shower and the locking her in the bathroom, all by myself without a lawyer, through Judge Halpin. I had to go back about 3 times, 3 days in a row, begging him that I know something worse happened. This was before I knew the whole awful story. Finally the judge granted him no visits. I had a restraining order with me and my daughters names on it for 3 years with the help of a lawyer through the Judge, because the women's refuge would not help me. She told me that somebody yelling at me and saying they hate me, they want to shoot me in the guts was no big deal and well you left when he pushed you, and you weren't beat. Due to my successes in court, after my kid was severely hurt, CPS and the Sheriff detective (former Marine covering for his buddy) took 3 mnths to interview my daughter. She told them enough to press charges on him, but not the same detail as 3 mnths before. She said what she had to say and moved on and to this day does not remember as it happened when she was 3 to early 4. So the detective didn't let the place interview him where he was. He let him drive 12 hrs for his interview. Because he shaved his head, it's normally bleached blond, literally bleached, it was brown, and my daughter couldn't pick him out in the picture line up. So, he wasn't prosecuted. CPS said that she would make sure the sexual abuse was substantiated so he couldn't at least be in positions to harm children. I saw the worker one day in the store and she said, "Oh...I can't tell you but.." Next day, I went to get report and she wrote it unfounded and wrote it up like that I was coaching my daughter and made him look like a star in it. I couldn't believe it. She was going to testify for him when he subpoenaed her. I saw her at the courthouse. I don't know what made her change her mind and walk out. They wouldn't ever testify for him. He now had a paper to wave around that said that his sexual abuse was unfounded and that I was coaching.

During his criminal investigation, he asked for a 5<sup>th</sup> mediation. He didn't go to the first 4 and the Judge scheduled him a 5<sup>th</sup> one. The Psychologist mediator, during the mediation, wrote him a visitation schedule. When scheduling a trial to keep it no visits, the perpetrator came out to the security gates, while I was calling the counselor and I had a bailiff on my right and left and he crouched forward and moved back and force, staring at me like an animal. I looked at the bailiffs and said, "excuse me. I have a restraining order against him. They said the restraining order doesn't apply in the courthouse. One did go run down the hall though, but he carefully, like any sociopath walked calmly in to the courtroom. In the courtroom after the Judge received the letter from the counselor saying he held a gun to my daughter's head with severe sexual abuse, he told me to tell the Marines. The perpetrator left the Marines the next day, as he was only in the reserves. He did not show up at the trial. After the testimony of people that were there, the Judge ruled "no visits." Unfortunately, Shasta County cannot afford court reporters except for taking rights away trials. He got married to provide a roof over his head and look like a family

man. He went to law school with his GI Bill. The Marine reserves promoted him and gave him a GI Bill. Remember the Active Duty Marines wouldn't even promote him or let him deploy. The Judge retired. We had to answer to several motions a month. He was allowed to fax them and pick up phone, but the Judge would always say there was no change in circumstance. Then he retired, another ruled also NO visitation due to no change in circumstance. Then the Commissioner came on to the case. We were put in the Safe at Home Program when the perpetrator was not prosecuted. This program is useless because they don't have the cooperation by the family court system. The perpetrator would send personal servers to my house to confirm where I lived when me and my daughter were supposed to have a confidential school, home, and work. The SAH Program said to tell the judge about this. The Commissioner actually rewarded him for doing this. He gave him a 6<sup>th</sup> mediation to start reunification saying, "I bet," and giving me a dirty look when the dad asked him for visits." He fell for, "I don't know where my daughter is." My lawyer tried to explain that he is not supposed to know where we are and tried to explain the program to him. He didn't care. I had to go to a 6<sup>th</sup> mediation in another county. The perpetrator had been only faxing and picking up the phone for court for 6 years. Oh yeah, I did tell the Marines, Congress, and the Department of Defense, NCIS what he did with the counselor's letter. They said, "well he's not ours anymore and he's not coming back." They yet again did nothing. In the 6<sup>th</sup> mediation, the MFT mediator told me that she knew me, just because I had to go to another county due to my job and conflict of interest, that all the mediators talk and she trains with the Shasta county mediators, and how dare me testify against them when I had clients that I needed to testify for. That I didn't have enough training for that and that where I worked made me look bad to the mediators. Before I entered her office, she tried to demand my address. I said I am in the SAH Program and so is my daughter. She tried to demand my daughter's school. I said I couldn't give it due to SAH Program. She got really angry and said in case she needed to make a CPS report. So, this was even before I walked in her office, because she had the secretary trying to get it first. She had already talked to the father, and obviously had already made her biased decision against me. And she reminded me that had an opinion of me due to my job and me testifying against mediators decisions for clients and that just because I was transferred to another county that she did indeed talk to all of the mediators in the other county. I couldn't believe the corruption and unprofessionalism that I heard. Of course, she ended up requesting reunification with my daughter and her abusive father in the end. I saw the paper she was reading off of from her conversation with him. Oh, and she never had or read my file to see why it was no visit. Of course, how could we prove it when the judge retired and there was no court reporter in the trial, but she had the counselor's letter. The fact that he is so unsafe that me and my daughter were in the SAH Program didn't matter. I said, "how am I supposed to teach my daughter how to talk to him without disclosing her school, my work and our home." Well, it didn't matter because he could guess where we lived and I worked by the need to transfer the mediation to another county. So, even opening up another mediation when there was no change in circumstance by the Commissioner made us unsafe.

We didn't know what to do to keep my daughter safe anymore. A horrible Commissioner, and corrupt mediation office in two counties. We then put in to take the rights away and we starting enforcing the child support. We stopped it during the criminal investigation of him because I felt he was too dangerous to collect child support from because I believe he

did what he did to my daughter, to have her say somebody in my family did it so he could take her from me and make me pay him child support. He is evil when it comes to money. Since she didn't do what he said, I think that's when he was going to kill us to not get caught for what he did. He ended up owing around \$65,000 and we put in for contempt charges on every month he did not pay. Even though we didn't enforce it, there was still a court order and so he was responsible for it. In the taking away the right's motion, the court investigator acted like she believed me. I told me lawyer that's how it works until he gets a hold of them. He is a charismatic sociopath. I even told her this that he can change anybody around. She held it against me that he had no visits and restraining orders so we can't prove really abandonment from him. The child support he might not have known he had to pay for it or where to pay it. She worked for child support previously. She seemed to liberal and naïve when I had my interview with her. I knew it was hopeless with her. I found out in court he would tell people that I had known my daughter's counselor and we schemed together. I forgot to tell you, He was allowed in the bar to practice as an attorney, despite several people in different states for different reasons warning the bar not to let him in. He is an assistant district attorney prosecuting and defending people. When it came out by my daughter's court appointed lawyer for taking away the rights motion, that I didn't know the counselor previously, that finally helped. In the beginning, the court appointed lawyer, despite my daughter trying to tell him the couple things she remembered about the abuse and that she didn't want anything to do with the father, the lawyer said it was in the best interest to drop the taking away the rights motion. When we tried to kick him and the commissioner off the case due to the commissioner's comments empathetic towards the father and the court appointed lawyer not representing the voice of my daughter, the Judge let the commissioner stay because we didn't say anything sooner and the commissioner let the court appointed attorney stay. Finally, the court appointed attorney called the counselor. She explained that I never knew her and how she knew my daughter was being abused and that I didn't even know anything about the abuse and why he wasn't prosecuted. The appointed lawyer, came out like a pit bull in court. I think that he was angry that he was fooled by a sociopath. He also said he believed the CPS worker's report because he knew her for years and respected her but just because something was unfounded didn't mean it didn't happen. He had tried to drop the motion in the beginning without calling the counselor due to knowing and respecting the CPS worker. In the meantime, the perpetrator finally when he was winning everything said he didn't want to pay the now \$70,000 in child support. The commissioner still needed somebody to speak to taking away the rights being in the best interest. The court appointed attorney, after calling the counselor he finally believed and knew the perpetrator was dangerous. I saw him come out like a pit bull and actually was dedicated to making sure my daughter would never be around him again. He seemed like he was so upset that he was almost fooled and almost put a kid in danger. He actually did care. I used to tell people I know you don't believe me. I am smart and I fell for the father. But he is really good at being charismatic and making you believe. I had to drop the contempt charges and sign off the child support, which I never wanted anyway. I'd pay more than money to keep my daughter safe. His rights, along with his cooperation to delete the child support, and due to the court appointed attorney finding that it wasn't in the best interest of my daughter for the dad to have rights, his rights were finally taken. By the way, the first commissioner, who wouldn't give me jurisdiction in the beginning to keep from the 5 mnths of severely harmful visits is a judge now. During the last court

session to get the rights signed away by everybody, the commissioner still couldn't look at me. He never did. It was so bad that he would ask if everybody else was there but me and I'd have to wave my hand and say, I'm here I'm here and he still wouldn't look at me. I saw him struggle to sign the final taking away the rights document that the dad, his attorney, court appointed attorney, me and my attorney had signed. He was jerking and twitching his head. I don't understand how hard it is to take the rights away from a sexual abuser. Knowing the case was over, he still never looked at me.

**4. Give the reason(s) that you left the relationship with the other party in the California family law case.**

Participant 1: "I divorced my ex husband because of domestic abuse when I was months pregnant with my 9 year old son. My ex husband gave me 2 black eyes and choked me while pregnant. I have 4 children total. Two older children from a previous marriage and two smaller from my second marriage ages 11 & 9."

Participant 2: "Domestic violence"

Participant 4: "Woke up to him excruciatingly angry and hovering over me. He threw me to the ground and hurt me. I called the police nothing was done.

Participant 5: "Domestic violence. Infidelity. He killed our pets with a knife."

Participant 6: "I was going bankrupt with legal fees. I had Janelle Burrill the infamous mediator, who Camala Harris recommended having her social work license revoked in the year 2012. Strangely her case just disappeared. My present attorney told me she likely paid a sum of money to keep her license and not invite other attorneys involved in the fraud she is perpetrated."

Participant 8: "I left him because he was physically, emotionally, psychologically and sexually abusive to myself and our daughter."

Participant 9: "I left my ex by filing a restraining order. It was granted, however, the restraining order was dropped against the children, so the judge said if I didn't drop the restraining order against the father then I would be violating the restating in order if I went to school or any child activity thus forcing me to drop the final restraining order against father.

Fortunately he controlled himself as he was a public figure and wouldn't risk any public display. His abuse was always private within our homes privacy. "

Participant 10: "I left him because he was physically abusing my kids, he raped me several times, and he was severely verbally abusive to me. These things were NOT brought up in court, because my original attorney felt it wasn't in my best interest to bring up these things in court."

Participant 11: "We separated after I caught him molesting a 13 year old girl and after 6 months of trying to protect the girl, help my husband, figure out what was going on, and

finding out part of his history of violence and rape. Our daughter was 3 1/2 at the time. After 8 years of separation where he saw his daughter every day and was a part of her life but I did not allow him to be alone with her, he went to court for a divorce and joint custody.”

Participant 12: “My son was an unplanned pregnancy and his father and I were never married. His father ended the relationship with me when our son was two years old because I relentlessly objected to his substance abuse, unemployment, and disregard of our son’s and my feelings and needs (he was physically and emotionally abusive towards me & had no relationship with our son).

Participant 13: “His physical and emotional abuse on me and the children.”

Participant 15: “Verbally and physically abusive, affairs, rape.”

Participant 16: “I was tired of the rapes and could not stand them any longer is the primary reason why I filed for divorce. I also lived in isolation. It was only months later that I realized that I had been abused. He had convinced me that the reason we did not get along was that I was European and could not understand American men... and I had believed him.”

Participant 17: “Was never in a formal relationship.”

Participant 18: “Domestic violence during pregnancy”

Participant 19: “Abuse to me and the children, he was seeing prostitutes and abusing drugs and alcohol.”

Participant 20: “17.5 years of barely enduring emotional, physical and psychological abuse. He was arrested for choking me in front of our children. He pushed the little one off a cliff and he thought it was funny. He would hit our oldest who has ADHD, slam my head into walls, punched me in the stomach when I was pregnant, punch walls if I didn’t have matching towels, etc.”

Participant 21: “My ex refused to take responsibility for himself and get a job utilizing his degree from San Francisco State. He wanted to work at a coffee shop and smoke pot. He said he was too young to be a father. He was 30 years old when I left him.

Participant 22: “My children and I suffered years of abuse at the hands of the children’s father. He threatened that if I ever try to leave him he would take the children and bury me where I’ve been living in the apartment with no custody. His family is very very wealthy and he would have had the means to do so. I saw my chance when he was arrested for child abuse. I didn’t call the cops on him, and neighbor did. This was my chance to walk out of this relationship with custody of my kids. But the California family courts give custody to abusive parents, people with known allegations and proof of abuse in the CPS files. This I didn’t know or I would have stayed until my children were 18. I wrote a 150 page request for the grand jury to review CPS and the family court. The grand jury did not take my case. But I have subsequently learned that many of the people

involved in my case at the CPS level are no longer there. I think that the people that need to be reprimanded need to go farther to the children's attorney and the abusive counselors.

Participant 23: "My ex is a drug addicted child abuser."

Participant 24: "He was a verbal, emotional, financial and starting to become a physical abuser, and started threatening to take my daughter from me. He stalked me even when I tried to leave him while dating him. I didn't know how much danger I was in at the time. I thought when I moved I could finally get away from him. I got pregnant. I tried hard to make things work for my daughter to have a traditional family, but he was too abusive. My daughter is the best thing that ever happened to me, but I didn't plan for him to be a father of my child. I cried when I was pregnant feeling bad that he would be the father for her. I must've known I'd spend the next 11 years protecting her, after 1 and ½ years of his stalking. He stalked me in the family court system. He used to say that I was a passionate mom. He knew that he could continue to abuse and stalk me in the family court system."

The next questions in the survey will have a Likert-Type scale in a graph using Strongly Agree, Agree, Neutral, Disagree, Strongly disagree, or NA.

Strongly agree is when you agree strongly, Agree is when you agree, Neutral is when you have no feeling about the statement or question either way. Disagree is when you disagree. Strongly disagree is when you disagree strongly, and NA means that the question does not pertain to you or your experiences with the California family court system.

**5. Article I of the American Declaration is as follows: Every human being has the right to life, liberty and the security of his person. (US Constitution, Amendment 14, Article I). The California family court system has acted in accordance with this constitutional right in my case.**

Participant 1: Strongly Disagree

Participant 2: Strongly Disagree

Participant 3: Disagree

Participant 5: Strongly Disagree

Participant 6: Strongly Disagree

Participant 7: Strongly Disagree

Participant 8: Strongly Disagree

Participant 10: Strongly Disagree, "For my case, after 7 years of fighting everybody and police and court not listening, I finally had a judge that finally understood the circumstances and finally ruled in my favor."

Participant 11: Disagree, “They have made me and my child unsafe.”

Participant 13: Strongly Disagree, “My and my children’s lives have been affected. My daughter’s sisters were taken away and then because I was sent to jail for hiding my children for protecting them, I haven’t been able to talk to my kids. My parents died and never got to see their grandkids. I could spend a day on this topic. He was able to take my rights away and get a lifetime restraining order on me with my kids on it.”

Participant 15: Strongly Disagree, “I did not feel secure or safe having to be in the courtroom, nor did I feel protected.”

Participant 16: Strongly Disagree, “Neither I. nor my children, were treated as human beings. We were commodities to be used and abused.

Participant 17: Strongly Disagree, “2.5 years of temporary orders with no cause against me.”

Participant 18: Strongly Disagree

Participant 19: Strongly Disagree, “My children are forced to live with a proven abuser and separated from their mother because I tried to protect them.”

Participant 20: Strongly Disagree, “No one is protecting the children - or putting their best interests first - Ex maybe spent 2-4 hours with the boys during marriage. Now all of a sudden he wants lots of visits - the boys don’t really want to spend time with him especially the 9yr old - he’s afraid of him “we don’t know when dad’s going to lose it and start hitting us.” Ex has threatened all 3 of us, “I wish I could make the 3 of you fucking disappear.” When I asked him if he was threatening us he said, “I’m not fucking stupid, I’d get someone else to do it.” All 3 of us are afraid. I’ve had my trash stolen, evidence deleted remotely from my computer - it’s nuts what has transpired. My security System ADT can’t figure out what is going on. I found a note in my bedroom, “you Are a bitch.”

The note was written like this, not in a line but each word on a separate line - sheriff dept couldn’t do anything because I didn’t have video footage.

Participant 21: Strongly Disagree

Participant 22: Strongly Disagree, “ The court stripped me of my parental rights. My story is plagued with the ways in which the court violated my rights

Participant 23: Strongly Disagree, “I have been denied safety from my ex, which is why I secure my house with alarms, cameras, and weapons. “

Participant 24: Strongly Disagree, “I and my daughter were in the SAH program and the courts made us unsafe with court proceedings which let them know exactly where they were.

**6. Article II of the *American Declaration*, is as follows: All persons are equal before the law and have the rights and duties established in this Declaration, without**

**distinction as to race, sex, language, creed or any other factor. ...(US Constitution, Amendment 14, Article II). The California family court system has acted in accordance with this constitutional right in my case.**

Participant 1: Disagree, "I found that in the child support in my case there's been a lot of...it's very money driven. My first judge in family court didn't follow any procedure. When judges are very bad in family court, they just move around. When one of them makes bad orders it takes years to unwind it. It's all money driven."

Participant 2: Strongly Disagree, "He does not get reprimanded for false accusations against me. However, when I had to call CPS, he and his lawyer threatened full custody accusing me of Parental Alienation."

Participant 6: Strongly Disagree

Participant 8: Strongly Disagree

Participant 10: Strongly Disagree

Participant 11: Disagree

Participant 13: Strongly Disagree

Participant 15: Strongly Disagree, "My husband who had become a felon, had more rights, freedom of speech and voice as a criminal than I did as a victim and mother.

Participant 16: Strongly Disagree, "There was NO equality. The father was right, in spite of blatant lies. I was considered a liar, in spite of all the facts witnesses and evidence I had. He only had to speak and they believed."

Participant 17: Strongly Disagree, "They allowed falsified and inauthentic mental health records to be used as evidence."

Participant 18: Strongly Disagree

Participant 19: Strongly Disagree, "My evidence and proof was not allowed by the custody evaluator and judge. I did not get due process of the law."

Participant 20: Strongly Disagree, "Violation of Mary's Law I was never contacted when my ex went behind my back and lied to 2 superior court judges that we were living together amicably, going to counseling and working on our marriage - I had served him divorce papers a month before he made this sworn statement in court. I have presented evidence that he violated his parole - nothing, etc.

Participant 21: Strongly Disagree

Participant 22: Strongly Disagree, " My parental rights were denied me. I was not treated as an equal in family court. I was treated like a criminal. "

Participant 23: Strongly Disagree, “The person with the most money buys the court system in their favor.”

Participant 24: Strongly Disagree, “The Commissioner took away the tiny bit of safety we had in the SAH Program by opening up court proceedings with no change of circumstance to reward him for sending personal servers to my house to look for me. Now, he knows where we live due to the Commissioner opening up mediation and court again when we were protected by the Judge for 7 yrs previously, by answering to motions every month for years by him to keep us protected. He was always empathetic towards the dad but hardly looked at me.”

**7. Article VII of the *American Declaration*, is as follows: All women, during pregnancy and the nursing period, and all children, have the right to special protection, care and aid. (US Constitution, Amendment 14, Article VII). The California family court system has acted in accordance with this constitutional right in my case.**

Participant 1: Strongly Disagree, “The best interest of the child thing is opposite of what it is.”

Participant 2: Strongly Disagree, “He was given 6 hrs a day visitation, and so I could not breastfeed my baby and she would not take the bottle because she was only 2 months old.”

Participant 5: Strongly Disagree, “I knew personally and professionally that there was bias in the family court.

Participant 6: Strongly Disagree

Participant 8: Strongly Disagree

Participant 10: Strongly Disagree, “My answers are based on my original case, and not the later hearing.”

Participant 11: Strongly Disagree, “My child was only partially and temporarily protected. It was father’s right to see his daughter instead of her best interest.”

Participant 12: Strongly Disagree

Participant 13: Strongly Disagree

Participant 15: NA

Participant 16: Strongly Disagree, “The California Court System damaged my kids physically, emotionally and psychologically and they are paying a heavy price now in their personal health and life.”

Participant 17: Strongly Disagree, “I was jailed for yelling at baby daddy to take me to the hospital with gushing vag bleeding. He said no because he wanted me to miscarry.”

Participant 18: Strongly Disagree

Participant 19: Strongly Disagree

Participant 20: Strongly Disagree, “Children’s best interests are not being considered.”

Participant 21: NA

Participant 22: Strongly Disagree, “ The court did not protect my children. The court inflicted abuse on my children.”

Participant 23: Strongly Disagree, “Not one person in the system has protected my children from abuse.”

Participation 24: Strongly Disagree, “The Commissioners, Mediators, Sheriffs, Police, CPS, Women’s Refuge, Court Investigator, DA all put my daughter in danger and DA got my daughter hurt by not waiting for me to get jurisdiction to change visitation order and demanded visitation or I would be arrested. The counselor, the Judge, the court appointed lawyer, my lawyers, and I are the ones that kept her safe.

**8. According to Article 9 of the International Covenant on Civil and Political Rights (ICCPR), “Everyone has the right to liberty and security of person” ((ICCPR), art. 9(1). The California family court system has acted in accordance with this international Covenant on Civil and Political rights in my case.**

Participant 1: Strongly Disagree, “All the reasons above. What is bothersome are the attorneys that are part of it. You have dirty attorneys and dirty judges and they are all in it together. I had to become a lawyer to deal with a dirty lawyer on the other side. I hope she gets disqualified from our case.”

Participant 2: Strongly Disagree, “When I left him he went to police and filed a restraining order before I could. We had to counter the restraining order, and I was told that his would stay on my record if I countered it, so we had to drop ours. There was no due process. He got a restraining order with no proof and now I am unprotected.”

Participant 5: Disagree, “ Initially the judge sided with me and then did not after the fact. He changed his mind. I knew that I was going to get a parental alienation label so my attorney told me not to pursue child abuse charges so that I would not lose any more custody because I had already gone from 80/20 to 50/50 by then when my son reported the child abuse to me and then I reported it to the authorities. So CPS investigated me for Munchausens by proxy. They didn’t substantiate, but my custody when from 80/20 to 50/50. My ex husband had killed our pets with a knife and judge had decided that it was not domestic violence. I was just bad judgment. He went to jail for animal cruelty. In our custody evaluation even the father’s rights guy said that I should have custody, but the judge still reduced the custody from 80/20 to 50/50”

Participant 6: Strongly Disagree

Participant 8: Strongly Disagree

Participant 10: Strongly Disagree

Participant 11: Disagree, "His breaking and entering and threats during the case and precious multiple rapes and child molestation was minimized and excused."

Participant 12: Strongly Disagree

Participant 13: Strongly Disagree

Participant 15: Strongly Disagree

Participant 16: Strongly Disagree, "The children and I lived in terror of what the father, the police, or the court was going to do to us, for years, based on what they had already done.

Participant 17: Strongly Disagree, "I can no longer work and have become homeless for the first time in life, ending my teaching career."

Participant 18: Strongly Disagree

Participant 19: Strongly Disagree, "I got punished for calling the police to protect me. The police don't care about domestic violence."

Participant 20: Strongly Disagree, "I received threatening emails - Sheriff's department did nothing said they just were creepy not threatening

"when I decide to win, rarely lose"

You better move to higher ground a title wave is coming

You have mental problems

If I have to sell everything I may start to dislike you

He said a lot worse but his attorney won't allow subpoena of the text messages and phone records - why not?"

Participant 21: Strongly Disagree

Participant 22: Strongly Disagree, "The court in the process tore me down."

Participant 23: Strongly Disagree, "The judge, police, and CPS refuse to conduct a CIC interview with my children. They are not protected."

Participant 24: Strongly Disagree, "The the Commissioner and CPS and Sheriff, Police, court investigator, mediators put me and my daughter in danger. We are in the Safe at Home Program and due to the Commissioner opening up case all over again to reunification, he knows exactly where we are. I had to protect my daughter for 7 more

years in the family court system due to CPS and the Sheriff and police writing unfounded and accusing me of coaching my child.

**9. According to the International covenant on Civil and Political Rights women and men have the equal right of enjoyment. The California family court system has acted in accordance with this international Covenant on Civil and Political rights in my case.**

Participant 1: Strongly Disagree, “for tall the reasons above.”

Participant 2: Strongly Disagree, “It seems that they are only interested in the father having access to the child and are not looking out for the child’s best interest when the mother and child is a victim of abuse.”

Participant 5: Strongly Disagree, “I have to co-parent with a man who abused me over a decade. I have to be in classes with him. I have to ask him permission to take my kids to the doctor or for them to play soccer. There’s no safety for my pets, me, and my children. They said that there was no domestic violence that I could prove within the last 5 yrs because killing pets is not domestic violence. He was charged with a felony and they let him off with a misdemeanor. He did physically abuse me, but the judge said that I couldn’t prove it and I journaled it and the judge told me that it was inadmissible. He said it had been prepared for court. The bailiffs were so horrified by the decision that they apologized to me afterwards in the hallway. The judge did say that he believed the abuse, and that I wasn’t making it up, but that there wasn’t enough evidence to prove it..”

Participant 8: Agree, “Mine is different because of what happened in the end. For the first 7 years I was about to lose my house, and he was about to get sole custody. I met my new husband and we continued to fight for 7 years more but it got better in the end. In the end, they ultimately listened to my husband who had a good job and is a good speaker and they couldn’t make him out to be an unreputable person. Yes but to a detrimental affect. He started out, going for 50/50 which was also the courts position that both parents have equal rights to the child, but I feel that is not necessarily for the benefit or the safety of the child. The presumption that 50/50 is in the best interest of the child is a false assumption, and even when there is not abuse, the kids have to live a vagabond lifestyle in the 50/50 setting. There is no stability anywhere and then nobody can function.”

Participant 6: Strongly Disagree

Participant 10: Strongly Disagree

Participant 11: Agree, “They treated father equally. Even though father was unfit, he was allowed to see his daughter unsupervised and when daughter immediately had serious issues from supervised visitation this was ignored and disbelieved.”

Participant 12: Disagree

Participant 13: Strongly Disagree

Participant 14: Strongly Disagree

Participant 15: Strongly Disagree

Participant 16: Strongly Disagree, “The father was believed just with his words. I would bring proofs of abuse and was not believed. Huge difference in the way we were treated. I was discredited at every turn. He was praised. When I brought up the fact that he had raped one of his sisters and molested another one... I was discredited for bringing it up. I should have understood that he regretted his actions. He also molested my children... but I was not allowed to talk about it. The judge did not believe he raped me.”

Participant 17: Strongly Disagree, “Baby daddy only lets me see my son if I do something for him.”

Participant 18: Strongly Disagree

Participant 19: Strongly Disagree, “Whoever has the most money or lawyer that has the judges favor wins.”

Participant 20: Strongly Disagree, “Ex does whatever he wants. I have evidence he is using our corporate credit card and has violated Family Codes, CA business Codes, etc. - My attorney refuses to bring this evidence to the Court.”

Participant 21: Strongly Disagree

Participant 22: Strongly Disagree, “The court strongly favored the father even though he was extremely abusive.”

Participant 23: Strongly Disagree, “The person with the highest funds to pay the courts will gain what they ask. My ex has spent half a million dollars to steal my children, so my \$80K certainly is not enough. “

Participant 24: Strongly Disagree, “He was able to harass, abuse and stalk me and hurt my child from the California family courts. I remember the Commissioner who got the case 7 years after, my daughter was safe for 7 yrs, and opening it all up complaining about how many files were in the case. How about read the files and see how dangerous he is? And see that he had been told no to visits to several motions and trials put in over several years. And it’s the court’s fault they don’t stop the abuser from harassing with several files and motions. The commissioner should’ve seen the file and though wow this guy is stalking and abusing the mother. Instead he wanted me to go away and was frustrated I kept fighting.”

**10. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), reinforces the state’s responsibility in ensuring “without delay” that any “act or practice of discrimination against women” be stopped ((CEDAW), art. 2(d). The California family court system has acted in accordance with the CEDAW rights in my case.**

Participant 1: Strongly Disagree

Participant 2: Strongly Disagree, “There is a presumption that women are likely to lie about the abuse of themselves and their children to gain custody. It is because of that presumption that we are treated unfairly.”

Participant 5: Strongly Disagree

Participant 6: Strongly Disagree

Participant 8: Strongly Disagree

Participant 10: Strongly Disagree

Participant 11: Disagree, “I could not find anywhere to go to get help with this.”

Participant 12: Strongly Disagree

Participant 13: Strongly Disagree

Participant 15: Strongly Disagree, “Being a victim of domestic violence, a single mother and on SSI for a brain tumor, the Judge repeatedly pressured and lectured me to find gainful employment. In addition, he allowed the other party freedom of speech and continuously shut me down.”

Participant 16: Strongly Disagree, “See the above responses. The children and I were persecuted by the courts.”

Participant 17: Strongly Disagree, “They will not protect me from the weekly domestic abuse.”

Participant 18: Strongly Disagree

Participant 19: Strongly Disagree, “Women do get called a liar if they ask for protection. They can also be called crazy.”

Participant 20: Strongly Disagree, “It is so unfair what is going on with my case - I have the whole file if you want to see it.

Participant 21: Strongly Disagree

Participant 22: Strongly Disagree

Participant 23: Strongly Disagree, “Justice has been delayed for way too long. Justice delayed is justice denied.”

Participant 24: Strongly Disagree, “No, not at all. The mediators, court investigators, Commissioners all discriminated against me. They gave him so many chances to abuse me and were annoyed with me.”

**11. The CEDAW Committee is obligated to combat sexual violence by ensuring appropriate treatment for victims in the justice system (CEDAW/C/1992/L.1/Add.15). The California family court system has acted in accordance with the CEDAW obligations for treatment of victims of sexual abuse in my case.**

Participant 1: Strongly Disagree, “not at all. The whole ordeal with my son was an uphill battle. We have been dealing with the sexual abuse of my son and it’s an ordeal.”

Participant 2: Neutral, “He prevented CPS from taking her for a medical exam. Then 2 days later when I had her in my custody, the forensic examiner said it was too late so they couldn’t find anything.”

Participant 5: Strongly Disagree, “The judge said it didn’t happen and punished me for reporting it. We went to mediation after I reported the sexual abuse and the mediator suggested 50/50 and that’s when my custody was changed from 80/20 to 50/50. In mediation my ex was screaming at me and slamming his hands on the table and calling me horrific names, and the mediator said that there was not proof of domestic violence or abuse. They didn’t even give us an option of going to trial when I didn’t agree with the mediator.”

Participant 6: Strongly Disagree

Participant 8: Strongly Agree, “I learned enough about the court system from many years of being in it. I’ve been in it for 15 years. I learned enough to not bring up the violence or abuse because the minute you do that you lose the kid. I had to make it that this case was about the best interests of my child. I lost medical rights so I had no proof. They pressed criminal charges against me for allegations of kidnapping my kid when she refused to go back to her father’s house. So I had a criminal, father’s rights lawyer. He told me a lot of stuff to protect me from them. He said not to take physical evidence, but the police want it. I tried to take physical evidence to the hospital. I learned to never accuse him of anything so my kid wouldn’t be taken away. I just talked about custody and not the abuse. They made it clear that any violence against me, that they didn’t care and that it was not at all connected to my daughter. There was violence and she’s not well and she is just dealing with the abuse that happened to her. The point is that I never made this part of the custody case. I was told by CPS (many people called them for my daughter about the father), they interviewed my daughter at my school and also at her father’s house in front of the step mother who is also abusive. They told me if I ever called them again that they would go after me for trying to make the dad look bad, but if there is abuse and I don’t call them then I’m a negligent parent for not protecting my child. So, yeah you don’t bring that up in the court. The court does not help you. The court, the judges, will say she will do anything to go against the dad. If you say abuse, you are immediately identified as a high conflict custody case. She says abuse, he says crazy. Then she says sexual abuse and he says alienation. Then she says violence and he says brainwashing/kidnapping and that is the escalation and that is exactly how it goes. I think there is nothing in the court for abuse. If abuse comes up, they should put it in criminal court and then come back to family court. They label you high conflict and that’s how you are labeled for the rest of the case.”

Participant 10: Strongly Disagree

Participant 11: Disagree, “Victims were not contacted, evidence of crimes were not forwarded to police or appropriate state agencies.”

Participant 12: Strongly Disagree

Participant 13: Strongly Disagree

Participant 14: Strongly Disagree

Participant 15: Strongly Disagree, “The mediators and the Judge both ridiculed me for having a support person accompany me to my court visits. My ex was allowed, without reprimand, within the courtroom to downplay or minimize his assault on me repeatedly.”

Participant 16: Strongly Disagree, “The court would not believe the allegations of abuse, rape, and molestation.”

Participant 17: Strongly Disagree, “Refused to issue my TRO while I was in a safe house and reported him for rape resulting in pregnancy.”

Participant 18: NA

Participant 19: Strongly Disagree

Participant 20: Strongly Disagree, “They look at you as if you are crazy and making it all up.”

Participant 21: Strongly Disagree, “Not at all the courts insisted my daughter be alone on visits with him even after she reported him watching porn while she was there. And she was exhibiting signs of sexual abuse.”

Participant 22: NA

Participant 23: Strongly Disagree, “My children have not received the services they need to protect and heal from the sexual abuse they endured.”

Participant 24: Strongly Disagree, “My daughter’s counselor and me and my lawyers, and later the court appointed lawyer were the only ones that cared about protecting my daughter from further sexual abuse after being sexually abused in court ordered visitation. I finally learned that it’s not that the other court officers and agencies don’t believe, they just don’t care or have the competency to do anything about it. The Sheriffs dept, CPS, court investigator, and mediators are highly incompetent and are easily swayed by sexual perpetrators who are charismatic sociopaths.

**12. The Convention on the Rights of the Child (CRC) requires states parties to protect children from “all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse”(CRC, art. 19 (1)). A child’s right to “such measures of protection as are**

**required by his status as a minor” is also guaranteed by the ICCPR (ICCPR, art. 24 (1)). The California family court system has acted in accordance with the CRC and/or ICCPR obligations in my case.**

Participant 1: Strongly Disagree, “Not at all.”

Participant 2: Strongly Disagree, “He was violent in front of the mediator, so the mediator gave him temporary professional supervised visits for 6 months, and then his mother was able to supervise the visits and her first day coming back home from her visit with this situation, she came home obviously being emotionally abused saying, “you don’t love me. You are mean. Daddy (step dad) is bad and mean. She was only two. She protects him now and is now 10. Now he has every other weekend and Tuesday night and every other Thursday after school until 4PM. It’s so bad that she is lying. The Psychologist, who did the 730, recommends supervised visits due to her lying and thinking being distorted. The Psychologist describes my ex as being delusional and paranoid. We are in the middle of a trial and the judge didn’t order temporary protection.”

Participant 5: Strongly Disagree, “see above answers.”

Participant 6: Strongly Disagree

Participant 8: Strongly Disagree, “The bar that they set from what constitutes neglect is unfathomable. To them, neglect is leaving a child in a warehouse with 300 cats and feces on the wall. So when you say my kid is locked in a room and not bathed and hasn’t eaten for days at a time, the courts say it’s not neglect, it’s just not up to your standard of parenting. That’s why I didn’t go after what he did to her because I could never prove what I couldn’t see, but what I could see was how she came home to me after her time at her dads. She was a disaster, dissociating and self-harming. She was also filthy, starving, and sleep deprived. The bar for neglect is so low and the judge laughed at me, and I lost custody for trying to protect her by bringing up these issues.

The court wouldn’t let me vaccinate her because the father didn’t believe in vaccination, and I had no medical rights for her. And I couldn’t even protect other kids by vaccinating her. My 50% right as a parent was taken away, and I had no right to protect other kids by herd immunity. My right and her right and other kids right to be safe was trumped by his right to not vaccinate during the whooping cough epidemic.”

Participant 10: Strongly Disagree

Participant 11: Strongly Disagree, “Absolutely not.”

Participant 12: Strongly Disagree

Participant 13: Strongly Disagree

Participant 14: Strongly Disagree, “I was placed in the Good Sheppard Convent in San Francisco and being so young I was victimized and lived in fear of the older majority.

Participant 15: Strongly Disagree, “They awarded my then 4 year old son visitation with his father who is mentally abusive and neglectful.”

Participant 16: Strongly Disagree, “The court ultimately abused the children in even deeper ways. My children have/had nightmares, panic attacks, and seizures because of what the court did to them. My 15-year old daughter was taken out of her room at gunpoint by a US Marshall when we were arrested. She was put in a psychiatric clinic when she called 9.1.1. when she was afraid her father would beat her up. The cops came, talked with the father then hand-cuffed her to take her to a hospital.”

Participant 17: Strongly Disagree, “I turned in medical proof of abuse and they ignored it.”

Participant 18: Strongly Disagree

Participant 19: Strongly Disagree

Participant 20: Strongly Disagree, “The children and I are all afraid of him and what he is capable of - I tried to get a 3rd party to review his prescription medications - our subpoena was quashed by his attorney and the Judge agreed my ex had privacy rights - what about the safety rights of the children?”

Participant 21: Strongly Disagree

Participant 22: Strongly Disagree, “ The court rewarded the children’s abuser with custody. They allowed my children to live in a filthy drug house while denying me custody. The court did the exact opposite. Instead of protecting my children they abused my children.”

Participant 23: Disagree, “My children continue to be physically and emotionally abused. I pray that the sexual abuse has stopped, but only they know that for sure. They are malnourished and neglected from medical treatment, which they would never have needed if they would have remained with me...their mother. “

Participant 24: Strongly Disagree, “No. only the Judge, me, my lawyers, my daughter’s counselor, and court appointed attorney. Not the Commissioners, CPS Worker, Sheriff, Police, DA, court investigator, and mediators. Not even the women’s refuge who made fun of me for needing a restraining order, saying big deal he yelled at you in the parking lot and ignoring everything else he did. My daughter was severely sexually abused at gunpoint due to court ordered visitation and the DA.”

**13. In 1993, the United Nations General Assembly declared that ending gender discrimination includes getting rid of gender-based violence and states “should pursue by all appropriate means and without delay a policy of eliminating violence against women,”(A/RES/48/104, esp. art. 4). The California family court system has acted in accordance with the United Nations General Assembly article in regards to my case.**

Participant 1: NA, "I didn't bring it up until about 6 years later."

Participant 2: Strongly Disagree, "No, I have never been protected."

Participant 5: Strongly Disagree, "They didn't give me an opportunity to protect my children or myself. They made it very clear that I did not have that right."

Participant 6: Strongly Disagree

Participant 8: Agree

Participant 10: Strongly Disagree

Participant 11: Disagree, "The commissioner made fun of all the women who would be coming in for TSRs over Memorial Day weekend after my hearing."

Participant 12: Strongly Disagree

Participant 13: Strongly Disagree, "Refused several applications for restraining orders."

Participant 15: Strongly Disagree, "Every time he violated the protective order there were not any consequences. I was the one ridiculed for reporting the violations and treated as if I had done something wrong."

Participant 16: Strongly Disagree, "California family courts make matters worse and condone the abuse. They punish the victim of DV."

Participant 17: Strongly Disagree, "I am still a weekly victim of CA PN 278.5 and judge does nothing. I even had an expert witness tell the judge."

Participant 18: Strongly Disagree

Participant 19: Strongly Disagree

Participant 20: Strongly Disagree, "All I was told was, "we're so sorry Brenda we made so many mistakes in your case." The continue to make mistakes - all individuals and ANY court case they are involved in should be immediately linked so the criminal courts and family courts and any other courts know if an individual is involved in any other cases so they can know the extent of their pattern of behavior - there are some really good actors out there."

Participant 21: NA

Participant 22: Strongly Disagree

Participant 23: Disagree, "I have been financially, emotionally, and physically abused by my ex and the system, which pales in comparison to the abuse my children have endured."

Participant 24: Strongly Disagree, “I feel that the Commissioner, other court officers, DA, and law enforcement, including the women’s refuge did nothing to keep the perpetrator from harming us. They put us in a position where he could hurt us. When he was domestic violent to me, the police never arrested him. When he did horrible things to my daughter, he was not arrested. He was set free with a CPS document saying he did nothing to help him further harm us. I am glad I have faith in God. He and the people I have stated over and over kept us safe. My daughter did too. She is a hero. Although, thank God she doesn’t remember what he did altogether, I hope she never does, because she talked if he did something to us people would know it was him. We are recovering from the abuse he did in the courts to us allowed by the family courts. They allowed him to put motion after motion after motion in and rewarded him by opening everything up again when he sent personal services to my residence to find me when we are in the Safe at Home Program. The Commissioner, mediators, court investigator ignored the safe at home program. How would she have reunification with the father and keep our address, school, and work confidential? It is supposed to help victims of sexual assault and domestic violence. They didn’t care. They made the program ineffective for us.”

**14. According to the California family law code, 3027.5, adopted in 1999, a parent should not be denied custody or visitation with a child, and no custody or visitation rights shall be limited, for lawfully reporting suspected child abuse, or lawfully determining if a child was a victim of sexual abuse, or for seeking treatment for the child from a licensed mental health professional. The California family court system has acted in accordance with the family law code in regards to my case.**

Participant 1: Strongly Disagree, “My last judge was suspicious when I brought up physical or sexual abuse due to the timing that I brought it up. I’m giving another judge a chance. It’s not user friendly at all for this topic. They don’t follow any law whether it be federal or state.”

Participant 2: Neutral, “Somewhat, I was threatened with it by his lawyers, and I had to go to a trial for it from being accused of parental alienation, but he was ordered supervised visits for 6 months. The threat over my head of losing my child was horrible.”

Participant 5: Strongly Disagree, “For all of the above reasons.”

Participant 6: Strongly Disagree, “My ex accused me and my mother of smoking marijuana with my children. This was based on nothing. I am a medical director over employees drug testing. At mercy hospital, he served this to me ex parte when I was recovering from rib fractures after a car accident and helping with an ill parent. I begged the Judge to allow me to take a drug test anywhere of his choosing. He was not moved and put me on supervised visitation. By then my house was going into foreclosure. I was trying to sell it but a lien was put on the house for back child support so we couldn’t sell it. About money to family court, I have paid 200 K legal fees for myself and my ex. My daughter was accepted to SF academy of music. She is a gifted pianist but could not go as ex discourages her and would not let me help or her grandparents help.

Participant 8: Strongly Disagree

Participant 10: NA, "My case started in 1993."

Participant 11: Agree, "Though, I was threatened that I should not seek therapy for my child. I persisted and the Commissioner allowed me to but reluctantly and with disdain."

Participant 12: Strongly Disagree

Participant 13: Strongly Disagree, "My children were taken away, I was forced to pay for supervised visits, then my parental rights were terminated after I took action to protect my children."

Participant 15: NA

Participant 16: Strongly Disagree, "I did not see my children for 2 years after they ran away from their abusive father for the second time. We had witnesses of his abuse. The children wanted to be with me, and I had MDs and mental professionals testifying to my integrity."

Participant 17: Strongly Disagree, "Refused professional abuse assessment or assessment of schizophrenic father who hears voices."

Participant 18: Strongly Disagree

Participant 19: Strongly Disagree, "The abuser got my kids."

Participant 20: Strongly Disagree, "The Court appointed child psychiatrist was telling the children, "Oh, come now, you didn't really see your dad choke your mom. She kicked him and he fell on top of her and when he was trying to get off of her that's when his arm went across her throat." The 14 year old said, "No, he was choking her I was standing in the doorway and saw it." Every visit the boys would come out and say, "mom Dr. Nancy is trying to change our memories." she needs to lose her license. Who messes with a child like that? When I would be in her waiting room I would talk to other children that were there to see her or another therapist they were so afraid, chewing on their fingers, bouncing their legs - very nervous behavior - and did not want to be there - they said they were being forced to go and if they didn't they were threatened with juvenile hall. I felt so sorry for those children."

Participant 21: Agree, "I have always maintained 100% physical custody and 50/50 legal."

Participant 22: NA

Participant 23: Disagree, "I am accused of falsely accusing my ex of child sexual abuse, even though it was the therapist that reported it, and the police that investigated it. They stole my children because of the investigation. I still have not been given the report, so I don't know if the abuse is substantiated."

Participant 24: Strongly Disagree, " the Commissioner and the mediator tried to do reunification after two judges ruled, no visits, which would reduce my custody, by

believing him when he alleged Parental Alienation and that I schemed with the counselor to do the false accusations on him. The counselor is the one who reported the sexual abuse. I never would have thought he would do what he did. I was trying previously to protect my daughter from physical and emotional abuse by him. We were put in the Safe at home Program when he wasn't prosecuted yet they didn't care."

**15. According to the California family law code, California Legislative Information (2009-2010), AB-1050, Child custody: preferences of child, a child's voice in custody decisions in family court are given due weight to the wishes of the child, if the child is old enough and has the capacity to have an intelligent preference in the custody and visitation. The California family court system has acted in accordance with the family law code in regards to my case.**

Participant 1: "Strongly Disagree, "absolutely not."

Participant 2: Neutral, "I am actually glad that they didn't listen to her because the dad had emotionally cohered her so that she would say that she wanted to live with him."

Participant 5: NA, "My kids were so cowed by this and had unsupervised access to their abuser so they were too afraid and terrified to express an opinion either way. My lawyer told me that the only way for the courts to believe that they were abused was for them to tell their therapist when I was not in the waiting room and he was, but they were way too afraid to tell the therapist when he was in the waiting room."

Participant 8: Strongly Agree, "That is what saved her. When she was 12, she was finally allowed to speak and she was finally heard and that was how she got out. She should have been able to get out earlier and not go through years of constant abuse before she was safe. She was told that he would kill me if she told. She had in her mind that if she was 12, that somebody would finally believe her. She talked to the victims advocate at the police department and the victims advocate came to court. My daughter trusted the court psychologist, so I supported her to be honest with the court psychologist, but then when the report came to court, the father countered out that I was crazy, that I brainwashed her, and did parental alienation. He went for full custody and accused me of being crazy and doing parental alienation. This was all the pressure he put on her if she told. I thought I would go to jail and he would get full custody."

Participant 10: Strongly Disagree

Participant 11: Strongly Disagree, "Minor's Counsel DID NOT relay the child's wishes when the Commissioner explicitly asked Minor's Counsel if child had stated wishes."

Participant 12: Strongly Disagree

Participant 13: Strongly Disagree, "They refused to take my children's wishes into consideration."

Participant 15: Disagree, "The mediator spent six minutes with my child."

Participant 16: Strongly Disagree, “ I have 7 children. They were court ordered to be with their father until the day they turned 18. One judge even tried to make that 20. None of the children were heard.”

Participant 17: NA

Participant 18: Strongly Disagree, “They ignored him completely.”

Participant 19: Strongly Disagree

Participant 20: Strongly Disagree, “No one has asked the children anything. The boys are 14 and 9. There is a new bill AB2098 I think or AB 2089 that needs to pass so that any child 10 years and up should have a voice. It should be as young as 3. Children are smart. I should have listened to mine. As soon my child could talk he was saying, “leave dad mom, he doesn’t love us. You should see the way he looks at you behind your back. It’s like he hates you.”

Participant 21: Strongly Disagree, “The judge would not let my daughter speak.”

Participant 22: Strongly Disagree, “ When at first the children said to the therapist that they wanted to be in my custody, everything was done to reunite them with their father to get to a place of a 50-50 custody split. Then after the children had been indoctrinated by their father and were older, the court listened to them, when they said they wanted to stay with their father where they had been brainwashed against me and the court listened to them. It was completely contradictory and inconsistent. Whether or not, that they listened to the children, the court was designed for the outcome that they wanted.”

Participant 23: Disagree, “Even though my children are under 14, they have continued to voice for 6 years that they want to live with their mother, and come home to me. The courts have to consider this, especially when reported by the court approved supervisors that are present at my visitations.”

Participant 24: Disagree, “The court investigator did not listen to my daughter that she did not want to see her dad again and didn’t want him to have rights. The court appointed lawyer tried to throw the taking away the rights motion out before interviewing anybody, but my daughter due to his respect and familiarity with the CPS worker, even though my daughter told him what she remembered of the abuse and said she wanted his rights taken away. However, when we tried to kick him off of case, due to his biasness, he called the counselor and finally came out supporting taking his rights away, and listened to my daughter. He was fooled by the whole system before. I am thankful he became educated later and passionate about protecting her.

**16. I have found that when I express emotion in court, the judge rules against me. Here is an example. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: “The Judge is new to my case. We are in the middle of trial and I am finding her to be very fair with me. I have been complimented by the clerk, bailiff,

opposing counsel and the judge for keeping my composure. My problem now, is opposing counsels son is very connected with Family Court and he has appeared from nowhere and knows everyone in the Courtroom. I am now at a disadvantage with this new attorney in the courtroom.”

Participant 2: Agree, “I have been so scared and in a state of shock during most court appearances and haven’t shown too much emotion.”

Participant 3: “Judge ruled against me even when I was unemotional and stuck to law and facts. When I was afraid in court I think it reinforced the “theme” that I was just an anxious mother and the minor child he raped and children he molested were not important. Even after the evidence was presented that there were several forcible rapes and eye-witnesses of child molestation, the Commissioner still believed I was anxious. After unsupervised visitation with the father began and my 12 year old child became increasingly violent and mentally ill, I was not allowed to get her therapy and I believe that was because of the anxiety theme. My child has subsequently tried to kill herself and I’m afraid that if I brought it back to court, I will somehow be blamed due to my anxiety.”

Participant 5: Disagree, “I was well coached to express emotions at some times and not at other times.”

Participant 6: “I expressed to the Judge that my daughter had no shoes or underwear and my ex was spending money on luxury watches. She told me he can spend the money on whatever he wants. She ordered my ex \$10,000 in attorneys fees. I told the Judge I’ve always supported my children and I was the only breadwinner but I’m concerned this money is not going to my children. She was cold as my ex and his new ex-wife laughed and smiled and giggled.”

Participant 8: Strongly Agree, “HA! Where to begin!

The first 10 years in family court I cried. I got upset or angry. Even “rolling my eyes”. I was repeatedly admonished by the judge in the most condescending way for being emotional. Finally, I learned to play the man’s game and appear completely disconnected from my emotions as if we were settling a dispute over a parking fine. That is when things changed, and I was able to regain some control of the situation. It was night and day obvious and only came after over a decade in family court. I had a legal coach that would work with my father’s right’s lawyer to show me what facial expressions that I only do in court. I was prescribed propranolol to used to regulate heart beat for public speakers. The men know this. The women don’t know. The father’s right’s lawyer taught me this. I learned how the system was actually working, that it is a patriarchal masoginistic system.”

Participant 10: Strongly Agree, “Absolutely, Yes. For an abused women who has been so terrorized, when she finally gets out of the relationship, she expects people to be sympathetic and wants to tell her story. The judge does not care what the woman has been through. They want to get them out of the courtroom as quickly as possible. They don’t want to hear any of the details. The man is able to be cool, calm, and collective and

the judge rule in their favor because they appear to be more stable, but the appearance in court is not really indicative of how the person really is. I asked for a 730 but one of the Psychologists was sympathetic to my ex-husband and wrote that I was flawed because I said that women should have the same opportunities as men. It was a nightmare.”

Participant 11: Agree, “That was something that I was very aware of and tried not to do because even though I didn’t show it the judge thought I would show it. The father stormed out of the courtroom and slammed the door and the judge made a joke against it. I think he did rule against me because I’m timid without a lawyer and such. I was fearful and that did influence him the fearful part. That’s one of the biggest things I’m dealing with is the reason I am fearful. There is a reason to be fearful with bad people, but it doesn’t look good.”

Participant 13: Strongly Agree, “When I did express my concerns and get emotional because nobody was doing anything about the abuse on my kids, she told me that if I reported the abuse to anybody but the special master, that she would take my children away, and she did.”

Participant 15: Strongly Agree, “They allowed my ex-husband visitation despite the numerous examples of violent and abusive behavior on his part. They said I had no proof, even at times when I did, they minimized or ignored it.”

Participant 16: Strongly Agree, “The judges were totally insensitive to my children’s cries of despair. I tried not to show any emotion, as I knew it would make the case even worse.”

Participant 17: Strongly Agree

Participant 18: NA, “I was labeled mentally ill but it was not because of expressed emotion.”

Participant 19: Strongly Disagree, “ I learned to never show your emotions in court or you will be threatened with jail. The bailiff threatened to jail me.”

Participant 21: Strongly Agree, “ Wow, the judge would at times show compassion, some judges would reprimand me if I cried in court. But they always ruled against me.”

Participant 22: Strongly Agree, “I had about 4 judges who reprimanded me for being emotional, but there was one judge in the end that didn’t reprimand me if I was upset and gave me my kids back.”

Participant 23: Strongly Agree, “If I cry, then I am called emotionally unstable. If I don’t cry, then I am called narcissistic. If I am angry, then I am called unable to control my impulses. Emotions are used against me anyway I go, so now I just don’t worry about it anymore.”

Participant 24: Strongly Agree, “ I was told by lawyers to be calm like he is. That’s impossible, he is a sociopath and I actually case to protect my daughter. For him it was

just a game of abuse and harassment on me for not marrying him after his stalking and several proposals. Then after 11 years of fighting to keep my daughter protected, I was emotional with mediators and court investigators when they didn't believe me and tried to open everything up for him again, making us unsafe. I was scared. I didn't want my daughter harmed again in a court that already harmed her and we were in the Safe at home program and everything and what they did was make us unsafe. He knows exactly where we live now."

**17. I have seen the judge give preference to a father's rights over the best interest of my child with his custody/visitation rulings. Here is an example. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Agree

Participant 2: Strongly Agree

Participant 5: Strongly Agree, "Holy shit. It's all about father's rights. I'm speechless. It's all about father's rights which trump children's best interest."

Participant 8: Strongly Agree

Participant 10: Strongly Agree, "In 1993, my kids were too young to testify."

Participant 11: Strongly Agree, "After noncompliance with professional supervision, Commissioner started supervision by girlfriend even though against statutes. Even though no bedroom, commissioner ordered first overnight with father to be on girlfriend's couch on Christmas day."

Participant 12: Strongly Agree, "Suspending Mothers parental rights & severely limiting contact with Mother based on fathers testimony re Mothers parental fitness alone. Father & CPS claimed that child's disclosure to CPS about abuse by father were caused by Mother telling child about her delusions. No psych or custody eval has ever been ordered by Court. Mother without history of psych problems. Mother never notified of hearing removing her rights, thus not in attendance during fateful hearing to challenge father's motion. Child spent vast majority of life in Mothers care prior to hearing. Child became severely depressed, expressed suicidal ideation at age 7, physically aggressive at school, demanding to return to life with mother. Court without interest in child's maladjustment."

Participant 13: Strongly Agree, "She gave him continued visitation then permanent sole custody even though there was evidence of abuse."

Participant 15: Strongly Agree, "The father was incarcerated for abusing me, had gotten another felony after being released, violated protective order repeatedly, failed to show to court appearances, continued to abuse alcohol, bad-mouthed me to children, didn't pay child support, etc and the Judge continued to work towards 50/50 visitation."

Participant 16: Strongly Agree, "Over and over and over. The children fled from their father twice...he got full custody; I got supervised visitation. After 2 years of not seeing

my kids, I got custody back. My son had been put in special ed (for no reason except the father's spite) and was in 6<sup>th</sup> grade. In one year in my custody, he did 2 years of schooling and got out of special ed. Passed all the NV state tests at the 8th grade. The judge gave custody back to the father, stating "The state of Nevada must have cheated on the results. We cannot trust it to properly school the child."

Participant 17: Strongly Agree, "Father yelled at me in court that I was not allowed to take my son to the doctor for a long time painful rash on his penis because he was afraid I'd find evidence of sexual abuse. Judge did nothing. I took him anyway and he was diagnosed with bacteria and yeast infection on his penis."

Participant 18: Strongly Agree, "Placed teenager under the sole legal custody and control of his documented abuser."

Participant 19: Strongly Disagree, "My kids were beaten, denied medical care and denied calls with me. But the judge ruled in my exes favor. My ex is against shared parenting."

Participant 20: Strongly Disagree, "Convicted Felon and the Judge agreed to non supervised visits and overnights?"

Participant 21: Strongly Agree, "Therapist report documenting sexual abuse and the court still ordered to continue the visits with her father until the family evaluation was completed."

Participant 22: Strongly Agree, "My case is full of instances where this happened."

Participant 23: Strongly Agree, "The father got custody of the children even though 5 professional reports all stated he should not have custody. He was given preference because he paid half a million dollars (on the record)."

Participant 24: Strongly Agree, "Yes, always. The initial order in NC was joint custody even with the domestic violence. The Commissioner prevented me from getting jurisdiction in CA under UCCJEA and so I had to do the visitation due to the DA threatening to arrest me if I didn't do the visitation. It was all about the father's rights. Even when the initial reports came in about the ice cold showers and my daughter being locked in a bathroom, I had to go back to the judge 4 times to get him to rule, No visits. It took me answering to several motions that they would let him fax and pick up the phone to keep her protected. 7 years later, and after 2 judges ruled no visits, the Commissioner and the mediator wanted reunification. This doesn't make sense except for preference of a father's rights."

**18. The judge treated me the same as the father when enforcing the custody and/or visitation court order. Here is an example. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Disagree

Participant 2: Strongly Disagree

Participant 5: Strongly Disagree

Participant 8: Disagree, “The standard, the bar was higher when it was for me. Generally speaking they tried to make this idea of 50/50. It looks like it is gender equality with 50/50, but you are certainly not talking about the best interest of the child. Equality with a sociopathic abuser is not in the best interest of the child. My equal right of being a protective parent of my child was denied.”

Participant 10: Disagree, “In 1993, the judge was incredibly gracious and forgiving to my ex, and gave him many opportunities that I don’t think he deserved.”

Participant 11: Disagree

Participant 12: Strongly Disagree, “Father has refused to bring child to Mother without penalty. Mother reprimanded for keeping child with her after child witnessed father physically assault mother.”

Participant 13: Strongly Disagree, “I was not allowed to take my children skiing had to have them home by 7pm on school nights and the children, both female and 20 months apart were not allowed to bathe together. This was all when I had custody.”

Participant 15: Strongly Disagree, “The Judge has always been more lenient toward my ex-husband and visibly outraged and rude toward me.”

Participant 16: Strongly Disagree, “I had to abide by court rules to the minute or the police was called. The father had a leeway of a week to return the children.”

Participant 17: Strongly Disagree, “I have been waiting for 2.5 years for a trial or to be charged. Nothing. They refuse to give me my son.”

Participant 18: Strongly Disagree

Participant 19: Strongly Disagree

Participant 20: Neutral, “Currently their father is only requesting 1 or 2 dinner visits per month that totals around 5 hours a month. But the boys and I want to move back to Wisconsin where we always spent our summers and so the boys could be close to their grandparents - Ex won’t grant it and none of my attorney’s have approached the Court.”

Participant 21: Disagree, “My ex had limited visitation 4 hours one day and a 2 hour dinner visit. On 4 hour visit they would go back to his apartment and he insisted on them taking naps.”

Participant 22: Strongly Disagree, “ The children’s father went against court order and kept my children during my custody time. The courts did nothing about it. This went on for months. They should have arrested him. I would get reprimanded if I was late getting the children to him. “

Participant 23: Disagree, “I have been laughed at by the judge, yelled at by the judges, told I could not speak, and ignored. Opposing council and my ex do not get treated as unprofessional and disrespectful as I.”

Participant 24: Strongly Disagree, “the DA threatened to put me in jail if she did not do visitation, while I was trying to change the visitation to protect my child, and had to get jurisdiction from NC because the Commissioner told me to go back to NC to get jurisdiction, and ignored my concerns for my daughter’s safety during the visitation. During these visits my daughter was severely sexually abused at gunpoint with threats to me and my daughter’s life. The DA also helped the father file false contempt charges against me, accusing me of not giving the name of the daycare, when he was actually stalking and asking me to marry him all day, which if I did not win the trial, I would have gone to jail. The Judge ruled against him after he heard the tapes of him proposing to me all day. Then the father walked over to the me and my attorney and said, “I will marry her right here. Of course I want to marry her.” When the The Judge retired, I knew that the Commissioner would have never protected me from jail if the rights were not taken from the father with the father’s false allegations. In fact the Commissioner believed all of the false police reports from seven years before, that accused me of violating visitation phone calls and visitation, that he kept on purpose and filed them with the new judge later that did not know they were all false.

**19. The judge took my child’s safety seriously when ordering custody and/or visitation to the father. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Disagree

Participant 2: Strongly Disagree, “especially when she was 2 months old and they had no problem giving him unsupervised visits.”

Participant 5: Strongly Disagree, “The judge was more interested in making sure my ex had access to the children than if the children were safe. His own expert, custody evaluator, who I wouldn’t even pick, thought that the children weren’t safe with my ex.”

Participant 8: Strongly disagree

Participant 10: NA, “The issue of my kids’ safety was not discussed in court, due to my attorney’s unwillingness to introduce the problem.”

Participant 11: Agree, “He started off with professional supervision even though custody evaluator said did not need to be supervised. But, then he did not do a good job protecting my child.”

Participant 12: Strongly Disagree, “Judge mistakenly believes that both parents are equally responsible for “exposing” child to their relationship problems. Judge discounts child’s abuse disclosures & declarations submitted by third parties attesting to witnessing child abuse and violence by Father against Mother in front of child.”

Participant 13: Strongly Disagree, “Evidence of abuse was ignored.”

Participant 15: Strongly Disagree

Participant 16: Strongly Disagree, “My children were so afraid of living with their father that they hid guns, bullets and knives around the house, just in case their father had a “tantrum”. The father’s co-workers were afraid of him, saying he was a “time bomb waiting to explode.” My attorney got a permit to conceal carry, she was afraid of his stalking.”

Participant 17: Strongly Disagree, “Father has history of bestiality. My son was a result of sexual assault. Father hears voices and ignores my son.”

Participant 18: Strongly Disagree

Participant 19: Strongly Disagree

Participant 20: Strongly Disagree, “I found that my ex had ordered products and was wiring money to CBSPD - you look it up it will creep you out - Certification Board Sterile Processing of Medical Supply equipment - why? Why would he need to know how to dispose of blood or whatever? I think my ex is a psycho and no one will even consider it because he comes across as Mr. nice guy in the community.”

Participant 21: Strongly Disagree

Participant 22: Strongly Disagree, “Ultimately, in the final decision the judge to the right thing, only after the person they granted custody to had been arrested for domestic violence. Everything that happened before that treated the known abuser as though he were father of the year.”

Participant 23: Disagree, “The judge has reckless disregard for my children’s safety.

Participant 24: Strongly Disagree, “Not the Commissioner. He made us unsafe.”

**20. The judge and/or district attorney threatened to put me in jail, if I did not obey the custody and/or visitation orders, after I told the judge about past or potential abuse that my ex-partner could do to my child. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 2: Agree, “The judge didn’t but his attorney did when I kept her one time during the sexual abuse investigation.”

Participant 5: NA

Participant 8: NA, “It was the father who filed criminal charges of kidnapping against me when my daughter refused to go to his house. The father threatened to have me put in jail.”

Participant 10: Strongly Agree, “Around 1995 my ex called the DA daily for several months, insisting that they prosecute me for parental alienation. The DA filed charges against me, and I had to go to criminal court, and hire a criminal attorney to defend me. They were going to put me in jail, but then decided on community service, and finally agreed to put me on probation. I was on strict orders to drive the kids to my ex’s house on each visitation day, and if I did not comply with the orders, all my ex had to do was call the DA, and I would go to jail.”

Participant 11: NA

Participant 12: NA, “The district attorney told me not to bother calling the police because she would make sure that any future reports I made would be thrown in the trash can. The detective working on my DV cases worked with CPS to have my child taken away from me. “

Participant 13: Strongly Agree

Participant 15: NA

Participant 16: Strongly Agree, “They did not threaten..they put me (and my oldest daughter) in jail, accusing us of kidnapping the children across states, when we were 500 miles away. The younger ones (teenagers) managed to find a car and run away.

Participant 17: Agree

Participant 18: NA

Participant 19: Strongly Disagree, “I was given 30 days to pay sanctions that I could never afford to pay and have had to leave the country and my children at the hands of an abuser.”

Participant 20: Neutral, “I hasn’t been an issue so far.”

Participant 21: Strongly Disagree

Participant 22: Strongly Agree, “ I was told that I would be in contempt of court. I was told to obey the court orders and I did.”

Participant 23: Agree, “I have been threatened by the Judge with going to jail for asking to use tools to follow how child support is calculated, specifically when The Commissioner increased my child support payments by 36% when my income had dropped 86%.”

Participant 24: Strongly Agree, “Yes, the DA did when I was trying to get jurisdiction from NC to change the visitation. The made me do the visits even though I was putting motions in to change the visitation to keep my daughter safe. She said, “he’s not going to hurt your child. He just wants to see his daughter after getting back from deployment.” The commissioner is to blame for the 5 months of hell my daughter endured due to the court ordered visits.”

**21. I was told that I might lose custody and/or visitation of my child, if I continued to protest custody and/or visitation arrangements. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Agree

Participant 2: NA

Participant 5: Strongly Agree, "My lawyer told me that. Definitely."

Participant 8: Strongly Agree

Participant 10: Strongly Agree, "I had 4 attorneys who would not provide the protection and help I needed, and they told me that I needed to stop protesting the custody that the judge ordered."

Participant 11: Neutral, NA, "I was threatened with father getting more time with child if I persisted."

Participant 12: Strongly Agree, "I have been told this by all my attorneys. And so far, they have been right."

Participant 13: Strongly Agree, "The judge ordered me to stop complaining of abuse or she would have a hearing to take custody away from me."

Participant 15: NA

Participant 16: Strongly Agree, "I did lose custody of my children and did not see them for 2 years after they ran away from their abusive father."

Participant 17: Strongly Agree

Participant 18: NA

Participant 19: Strongly Agree, I was told if I "protested that I never see my kids again."

Participant 20: Neutral

Participant 21: NA, "The Judge handled it in a different way literally making me feel like a piece of shit and insisted I will follow through and support another reunification."

Participant 22: Strongly Agree, " When I protested about having only two hours a week visitation with a biased supervisor, I was told to be happy with what I got for they can take all my time away."

Participant 23: Strongly Agree, "My custody time has decreased every year because the judge says that I am still accusing father of abuse, but I am merely just filing their school reports and medical records."

Participant 24: Strongly Agree, “It was implied by the Commissioner scheduling a 7 mediation and the Commissioner and mediator trying to start reunification processes after the perpetrator accused me of parental alienation and false accusations.”

**22. I lost custody and/or visitation of my child while trying to have the judge protect my child from abuse from my ex-partner. Here is more detail about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Agree

Participant 2: NA

Participant 5: Strongly Agree, “My 80/20 custody was reduced to 50/50.”

Participant 8: Agree, “I didn’t lose all of my custody. He never got full custody. He would have if my husband didn’t join my family.”

Participant 10: NA

Participant 11: NA

Participant 12: Strongly Agree, “Father and his attorney waged a campaign to portray me as mentally ill. They claimed that my son’s abuse disclosures were not credible because I told him to say these things.”

Participant 13: Strongly Agree, “See my story under comments.”

Participant 15: NA

Participant 16: Strongly Agree, “Already mentioned it. The father raped his sister, molested another one, molested and beat up our children, would not feed them, manipulated a judge into ordering a surgery on my son who did not need it, to spite me because I am a doctor of naturopathy.

Participant 17: Strongly Agree

Participant 18: Agree, “I wasn’t even the one who made an issue of abuse, but I was accused by father’s defense legal team of parental alienation.”

Participant 19: Strongly Agree, “Every time I tried to defend myself in court the judge stopped me and I was not even allowed to defend myself.”

Participant 20: Neutral

Participant 21: Strongly Disagree

Participant 22: Strongly Agree, “See above answers.”

Participant 23: Strongly Agree, “My son was being sexually abused every other weekend, and the judge issued a 730 evaluator, which turned out to be one of the friends of paternal father and of opposing council. She testified in court that of the 150 evaluations she conducted, only twice did she recommend custody to the mother. Clearly biased.”

Participant 24: NA, “Thank God, Really Thank God, angels, saints, and all religions. I prayed to every religion at times out of desperation to protect my daughter!!”

**23. The judge allowed results of other investigations to be used as evidence in my family court hearing (such as criminal or CPS investigations). Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Agree

Participant 2: Disagree, “Even though stuff was admitted, they didn’t do a good job reviewing it, and they didn’t review past stuff either.”

Participant 5: NA

Participant 8: Agree, “but the investigations were biased. CPS wrote inconclusive.”

Participant 10: NA

Participant 11: Disagree, “I attempted to get his criminal record, CPS was unsubstantiated for my own daughter - which they heard but did not see record. No one checked his police records or CPS in other states.”

Participant 12: Strongly Agree, “The judge relied on information from a biased CPS investigation where only father and his associates were interviewed about

my “fitness” as a parent. I was not privy to the CPS report the judge relied upon until 3 months after my parental rights were suspended.”

Participant 13: Strongly Disagree, “All evidence, pictures, reports were thrown out.”

Participant 15: Strongly Disagree, “The Judge did not allow his criminal offense towards me to sway his decision in child visitation.”

Participant 16: Strongly Disagree, “Our file with Child Protective Services was about one foot high. The judge would not allow it to be produced in court.”

Participant 17: Strongly Agree, “CPS lied, court gave them and the evaluator falsified documents ex created on his computer. They won’t listen!”

Participant 18: Disagree

Participant 20: Strongly Disagree, “So much was redacted-it is almost unbelievable.”

Participant 21: Strongly Disagree, “Only the reports that stated “bad parenting” on my ex’s part.”

Participant 22: Strongly Agree

Participant 23: Strongly Disagree, “The judge only used the 730 report from Nancy Olesen. She disregarded all other mediators, therapist and police reports.”

Participant 24: Strongly Agree, “The Commissioner allowed the perpetrator to use the unfounded CPS report to promote reunification. So did the mediator. The mediator even had copies of the paper that I had to write down everything my daughter said for the criminal investigation that he sent her. I don’t know how come the sheriffs department gave him that. He as allowed to file these 2 documents that can’t be filed by law and the mediator and commissioner used it to support reunification. My attorney had to seal the documents as they were not supposed to by law even be able to be filed. Moreover, they were from investigations that CPS said it was only unfounded due to not fitting the beyond reasonable doubt standard, same with why he wasn’t prosecuted. The family court is under a “probable cause” standard.

They waited three months to interview my child saying that I had her protected with no visits and a restraining order. The detective was a Marine who did not interview the mother or the therapist, who actually reported the abuse. The detective allowed the father to drive 12 hours to his interview, and he shaved his head, altering his appearance so that my child could not pick him out in the picture line up. The father was also a Marine and prior police officer and sheriff, although he had NJPs in the Marines and been fired from his law enforcement jobs. He got #1 at the Glyco law enforcement academy and had certificates in Crime scene investigation and suspect interrogation. He stalked me and did recon for President Reagan as a Marine. This did not mean that the Commissioner was not responsible to protect her child under probable evidence. The father filed the criminal reports, allowed by the Commissioner and the Tehama County mediator, which made me look crazy because what he did to my daughter was so horrific, that it seemed unreal. I could not even believe it. The Shasta County Psychologist mediator recommended visitation during the criminal investigation for the father. My attorney had to seal the CFS and criminal documents, that the father was not supposed to file in the court, but that the commissioner and mediator allowed and tried to start reunification from them. CPS armed the father with a document to get access to her daughter after he severely abused her.

**24. It has been difficult to keep the judge from ordering visitation, when my ex-partner abused my child in the past or during court ordered visitation. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Agree

Participant 2: Strongly Agree, “See question 3.”

Participant 5: Strongly Agree, “The judge couldn’t care less if my kids were being abused.”

Participant 8: Neutral, “The reason I answered neutral is because I learned to not bring up the abuse that took place during his custody so that she wouldn’t be taken away.”

Participant 11: Strongly Agree, “I cross-examined Professional supervisor who stated Father did not follow statutes and rules of court. My 12 year old child became violent and angry and upset after supervision started but this was minimized and I was not allowed to get therapy.”

Participant 12: Strongly Agree, “The judge will hear nothing about abuse by the Father. PERIOD.”

Participant 13: Strongly Agree, “Although CPS, police, or custody evaluator and a medical doctor confirmed abuse, the judge disregarded the evidence and continued 50-50 custody.”

Participant 15: NA

Participant 16: Strongly Agree, “When my teenagers ran away from their abusive father (the court had given him full custody and I had supervised visitation, which had to be arranged by the father and which never happened), my oldest daughter (13) and me were arrested by US Marshalls.”

Participant 17: Strongly Agree

Participant 18: NA, “Judge gave sole legal and physical custody to father and minimal visitation to me (no holidays, summer, etc.)”

Participant 20: Neutral

Participant 21: Strongly Agree, “There have been several reunification attempts.”

Participant 22: Strongly Agree

Participant 23: Neutral, “Not sure the interpretation of the question or how it pertains to my case.”

Participant 24: Strongly Agree, “Yes, I fought for years, every month to keep the “no visits” ordered from the Judge. He missed several mediations, hearings, and trials that he would schedule and then harass and scare me, and run my lawyer bill by faxing motions every month, where he was allowed to attend via a phone call. Only to have, the Commissioner try to open up the case for reunification 7 years later after two judges ruled no visits and my and my daughter were in the Safe at Home, confidential address program for Domestic violence, stalking, or sexual assault victims.

**25. I feel my case has been going on for a long time. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Agree, “Terribly long time. Way too long. 8 years, always in court. I’ve had 20 hearings in the last 18 mnths.”

Participant 2: Strongly Agree, “It has been going on for 11 years now.”

Participant 5: Disagree, “My case is done unless I choose to go back.”

Participant 8: Strongly Agree, “15 years plus and counting. You start feeling like you don’t want to bring anything to court because they just look at the numbers of how many times she brought and how many times he brought, so they think this is just one of those high conflict cases. So when there is a staff infection, do you bring it to court, you don’t because you don’t want them to take your custody. I had excellent insurance and couldn’t use it because we weren’t able to bring her to the doctors. She’s learning how to use doctors. The courts are like they split the baby in half by dividing up physical and legal custody. They divided our legal parenting rights. I could decide about her school and dentist and he was able to decide about her medical care. If she was on life support, I would not be able to keep her on it and he could take her off of it. I live in fear of this happening. Only unless there is an emergency can I take her to an emergency room right away and I need to contact him right away. They can open up the case whenever they want. We go to ask for a move, and all of the sudden when she is 13 now the case is opened up. We have a teenage daughter being abused, and I can’t take her to the doctors. He tells doctors the mom lost medical rights to make him look good with the doctors. Invoking a montenegro order is when you can’t change an order unless there is a significant change of circumstance. When we moved, it didn’t matter because he invoked a montenegro order. They try and teach you to get along by that, but abusers love it when the courts do this.”

Participant 10: Strongly Agree, “I spent 16 years in court, fighting with my ex. The only reason it ended was because my kids both turned 18.”

Participant 11: Agree, “Started March 2013. Final judgement 11/2015. I have filed an appeal and will soon do a Motion to Contempt and maybe new trial. My 13 year old tried to kill herself. I am unable to get her help due to joint legal custody.”

Participant 12: Strongly Agree, “Dec 2014 continuing to present (Feb 2016).”

Participant 13: Strongly Agree, “My case went on from 1998-2003.”

Participant 15: Strongly Agree, “My ex-husband is allowed to bring the same issues to court as the day it started, seven years ago. Each time he is given something more.”

Participant 16: Strongly Agree, “The divorce part with temporary visitations lasted from 09/99 to 11/01. The custody case lasted til 03/12 and the criminal case is still open until.”

Participant 17: Strongly Agree, “2.5 years. No charges against me. My son doesn’t know I’m his mom anymore.”

Participant 18: Strongly Agree

Participant 20: Strongly Agree, "It doesn't make sense. - When retained my attorney - assets, minus debts = then divide by 2 and let's move on with our lives - 2 years later....."

Participant 21: Strongly Agree, "13 years and counting."

Participant 22: Strongly Agree, "My case went on for seven years."

Participant 23: Strongly Agree, "SIX YEARS!!!! Way too long!!"

Participant 24: Strongly Agree, "11 Years" and finally finished due to his rights being taken away. He decided that he did not want to pay child support arrears, totally around \$70,000, after harassing and stalking me for 11 years in the courts, allowed by the judges. Then the court appointed attorney and my daughter's therapist were able to convince the judge that it was not in the best interest of her daughter for the father to have rights, after I almost lost the taking away the rights motion, but he decided in the end to not protest the court appointed attorney and therapist because he wanted the child support contempt motion and the child support arrears deleted. The court investigator wrote a report in favor of him. He is now an assistant DA, despite many people reporting to the bar about him. It was no longer fun to abuse her in the court system when he actually had to start paying money to do it. The courts made it easy for him. For seven years, he was allowed to fax motions and attend court via phone calls, but even then, he missed several of them. NO more fun when he had to start paying money which he had threatened me for years that he would take my daughter and make me pay child support. This is minus the threats to me and my daughter's life and the abuse he did to both of us. I wrote the Marines, Congress, Department of Defense. Nobody cared.

**26. I have paid a lot of money in the California family court system. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Agree

Participant 2: Strongly Agree, "Well over \$100,000 over the past 11 years. We live in a tiny 3 bedroom house in a low income neighborhood because of it."

Participant 5: Strongly Agree, "Holy shit. Probably \$100,000 with loss of wages and everything. I am very successful and so is my new husband, and I can't imagine what it's like for people who have no money."

Participant 8: Strongly Agree

Participant 6: Strongly Agree, "I have paid 200 K legal fees for myself and my ex."

Participant 10: Strongly Agree, "I spent about \$120,000 on various attorneys, trying to protect my kids from their father."

Participant 11: Strongly Agree, "My entire retirement savings over \$120,000 - I was a stay at home mother since my daughter was born. I had three lawyers but could not find a competent one."

Participant 12: Strongly Agree, “Since Dec 2014- \$75K in attorney’s fees, \$115 per hour for supervised visitation. I am completely broke and without a job now due to emotional breakdown.”

Participant 13: Strongly Agree, “Over \$180,000 in legal fees incurred.”

Participant 15: Strongly Agree

Participant 16: Neutral, “I had no money as I was a homemaker, home schooling our 7 children. My uncle lent me some money initially, but it was useless and I had to learn to defend myself. I lost a lot of money as I had to give up my part-time practice as a doctor several times, because the court made me chose between work and the children... and I chose the children.

Participant 17: Agree, “Lawyers, supervised visits, subpoenas, expert witnesses, losing my job.”

Participant 18: Strongly Agree

Participant 20: Strongly Agree, “My bills are around \$600,000

Participant 21: Strongly Agree, “A lot of money for me. \$75,000. Now I am on welfare.”

Participant 22: Strongly Agree, “ I was in a horrible accident in which my muscle in my leg was torn up. I received a settlement of over \$200,000. All of it went to the courts and to fighting for custody of my children. I sold all of my jewelry to be able to eat.”

Participant 23: Strongly Agree, “\$80,000 in attorney fees, \$10,000 in 730 report, and years of therapy. BUT, my ex has stated in his FL-150 that he has spent nearly half a million dollars in attorney fees. That does not include what he has spent off record and does not include the threats he has done.

Participant 24: Strongly Agree, “About \$100,000 or more. The father used to tell his girlfriends that I must be sleeping with my attorneys, who are the best in three counties, to pay my lawyer bill. She lost a job because of the court litigation and it took her years to use her VA home loan to buy a house due to bankruptcy from paying lawyers, but at least in the end I had great lawyers, and I am a disabled combat Marine veteran. I went to school and work to have school money and wages to pay the lawyers, and tax refunds. I have received a Master’s and am a doctoral candidate because of it.

**27. Mediators care about the safety of the children involved in the case. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Disagree, “Nooo they don’t. They are just collecting a paycheck and most of them are just collecting a paycheck.”

Participant 2: Neutral, "It's not that I don't think they don't care. I think they aren't educated enough in abuse and they especially don't understand court abuse by the abuser."

Participant 5: Strongly Disagree

Participant 8: Strongly Disagree, "I hate the mediation system. I think it's a scam. They just pass business to each other. It's a business scam."

Participant 10: Strongly Disagree, "The mediators we had were incredibly ignorant about verbal abuse, and did NOT know how to handle my ex. He is VERY charming, and is a pathological liar, and they believed everything he said."

Participant 11: N/A, "We did not have a mediator. We did have a custody evaluator which I believe this aspect should be looked into. Evaluator had no concept of abuse or child sexual abuse or how to investigate."

Participant 12: Strongly Disagree, "They are too busy playing "lie detector." And failing at the task miserably."

Participant 13: Strongly Disagree, "My mediator refused to listen to my abuse concerns and refused to interview my children. Then she refused to testify when she was called as a witness in my criminal trial."

Participant 15: Strongly Disagree, "Mediators do not care. They want 50/50 visitation regardless of how horrific a parent may be. They literally spent 6 minutes talking to my child, reading off a checklist."

Participant 16: Strongly Disagree, "Are you kidding? They do the bidding of the judges."

Participant 17: Strongly Disagree, "Lied. I have affidavits. The report was so bad the judge asked to be removed from case."

Participant 18: Strongly Disagree

Participant 20: Neutral, "not sure - I hired one initially but he said I needed a big firm because, "your ex does not seem like he is going to play nice."

Participant 21: Strongly Disagree

Participant 22: Neutral, "Some of the mediators truly cared. But when you're out lawyered, those mediators get dismissed from the case for various reasons. Outside of the court system, enough money and a good lawyer can buy a very biased mediator."

Participant 23: Strongly Disagree, "Mediators are directed what to do by the judges. The judges have immunity when they rubber stamp the mediators reports. The mediators are biased."

Participant 24: Strongly Disagree, “The mediators should not have immunity because they put me and my daughter in danger, transferring the mediation to let him know exactly what county we lived in and also the mediator helped the father try and find my daughter’s school when she was in the Safe at Home Program. The mediators in Shasta County tell my clients that they have no rights until they are 18 and they tell them why do you see Participant 24. The client’s say because I like her. I saw Commissioner Kennedy try to deny somebody a trial when they disagreed with the mediators taking her child away. I got up and said the person had a right to a trial. He did not know me yet and told me, “who are you! I could kick you out right now?” I replied, “you can but she still has a right to a trial.” The commissioner shook his head annoyed and granted her her trial. The mediators, judges, and commissioner allowed the father to miss four mediations that he scheduled himself. He attended the fifth one I think to threaten my daughter for telling of his abuse and I had to go to trial to keep no visits because the mediator recommended visits during the criminal investigation, knowing the threats he made to us. I think the whole mediation system needs to go. The mediators are very unprofessional, arrogant, and incompetent and hurting women and children. While sitting in the courtroom I heard the Psychologist mediator announce before doing the hallway mediation that the parents just need to pick a visitation not what they want but what they can live with until after the New Year. What about we will pick a visitation that is safe for the children. It’s widely known that mediators in the court system could not make it out in town with the good mental health professionals.

**28. Mediators care about the safety of the mothers involved in the case. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Disagree

Participant 2: Disagree, “I include them with all court personnel. They don’t understand abuse.”

Participant 5: Strongly Disagree

Participant 8: Strongly Disagree, “they bought into the high conflict case theme and you are just too much drama. Narcissists are so charming and the mediators fall for it and the mediators see you as an embittered ex. The mediators are a joke and so unskilled and just a way for the narcissists to control the system and it’s a money pit. The system of mediation plays on a false notion that there is a conflict here between the two parties and it needs to be resolved. If you have mediation, narcissists have no interest in solving a conflict. The family court system is another avenue for narcissists to play their game.”

Participant 10: Strongly Disagree, “One mediator told me that I needed to stop pursuing child support because my ex clearly expressed that he didn’t want to pay. He told me privately, when my ex didn’t show up for the mediation meeting, that my ex was “the most difficult engineer I ever dealt with,” further stating that he had worked with “thousands” of engineers.”

Participant 11: NA

Participant 12: Strongly Disagree, “The mediators in my case care more about Fathers accusations that I have kept our son from having a close relationship w him. (A complete fabrication) The mediators have been most interested in punishing me for this fabricated injustice.”

Participant 13: Strongly Disagree, “She didn’t care about my emotional health because my children were being abused and the court refused to do anything about it.”

Participant 15: Strongly Disagree, “They treated me like a criminal and allowed him to carry on.”

Participant 16: Strongly Disagree, “They follow the judges’ whims to keep their job.”

Participant 17: Strongly Disagree, “Signs of sexual abuse. CPS substantiated physical abuse. Court did nothing.”

Participant 18: Strongly Disagree

Participant 20: Disagree, “Any individual involved in a dissolution should be required to have all prescription medications subpoenaed - especially if the parties have been married more than 5 years - your spouse should not be hiding anything and if they are wouldn’t that raise a red flag? If either party objects, then they are automatically responsible for 100% of all legal fees. Especially when there are children involved. Research is showing that all of the individuals that lost it in Columbine, etc. were all on some sort of anti-depressant - dosages and all prescription medications should be disclosed and not just someone’s word - actual prescriptions - then random hair and urine analysis again when children are involved - for the safety of the children.”

Participant 21: Strongly Disagree

Participant 22: Neutral, “ Again I think it depends on what kind of mediator you’re able to buy and how the judge rules. The children’s father wanted a particular mediator. I was strongly opposed to that mediator. The judge ruled in his favor and the documentation from the mediator came out in his favor. A mediator within the court system, wrote a very derogatory report about the father and that report was thrown out because he had seen the children at the beginning of our case. It made no sense to me why that report was thrown out. So the judge has much to do with the results of mediation. “

Participant 23: Strongly Disagree, “Mediators are directed what to do by the judges. The judges have immunity when they rubber stamp the mediators reports. The mediators are biased.”

Participant 24: Strongly Disagree, “Not at all. Male or Female mediators are all nuts. I’ve never seen such crazy people all in one place, and they are in the courthouse making futile decisions for women and children. It’s like watching a circus act. They never get a recommendation right kind of like CPS. Very incompetent.” They need to get rid of the mediators and make judges actually do their job instead of referring to mediation every minute to get you out of their courthouse.

**29. Judges care about the safety of women involved in the case. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Disagree

Participant 2: Strongly Disagree

Participant 5: Strongly Disagree

Participant 8: Strongly Disagree

Participant 10: Agree, “The judge we saw in 2000 was very sympathetic and gave me full custody.”

Disagree, “All of the judges we saw before that hearing were VERY sympathetic to my ex. And I watched each judge when I went to court- some of them were very sympathetic to ALL men in court.”

Participant 11: Disagree, “He did allow drop off to be at a neutral place, on the other hand was very dismissive and demeaning about my being scared of my house being continually broken into.”

Participant 12: Strongly Disagree, “My judges have just wanted me to shut up so they could hear the next case on their docket.”

Participant 13: Strongly Disagree, “My case tells it all.”

Participant 15: Strongly Disagree, “the Judge showed no regard for my safety.”

Participant 16: Strongly Disagree, “Not in my case, not in the cases I heard about. I have yet to hear of a case where the mother and the children were protected from the abuse.”

Participant 17: Strongly Disagree

Participant 18: Strongly Disagree

Participant 20: Strongly Disagree, “Any and all requests for restraining orders should be granted when there is a history of domestic violence.”

Participant 21: Strongly Disagree, “Ha Ha Ha.”

Participant 22: Strongly Disagree

Participant 23: Strongly Disagree, “Judges care about how much money they will make off the case, and they will make orders in accordance to where the highest financial gain resides.”

Participant 24: Strongly Disagree, ““Only the Judge protected her and her daughter when he heard about what the father did, but he gave the father 5 mediations, after missing

four, and trials, that the father missed. So many opportunities for the father to regain access, but since court was just a game to the father y to abuse and stalk the mother, he missed the final trial, on purpose, where he might have had visitation again. Then he proceeded to abuse the mother in the courts for 7 years more faxing motions and picking up the phone for the hearings because he got a law degree. When the Judge retired, The Commissioner was starting reunification processes. Then all of the sudden, the father wanted to sign his rights away to not pay the \$70,000 child support and not go to contempt court for it.” The participant states that, “it was just a stalking game anyway for him. He did not want to see his daughter. The court appointed lawyer, therapist, and all lawyers, opposing, and the participant’s lawyer, helped to argue that it was in the best interest to take his rights and finally the Commissioner signed, but while shaking his head.” The participant does not understand how it was still difficult for the commissioner to sign the rights away document, when her daughter was severely abused, and the father wanted to sign them away, and all lawyers agreed. She states that she finally learned that, “it’s not that the judges believe you, it’s that they really don’t care if a child and mother is being abused. It’s the attitude of it’s your fault for wearing the short skirt, but instead well you are the dumb one that slept with him, now live with it. If they could add the swear word for female dog to it they would, but I’m sure they think it.”

“ The Commissioners did not care about my safety at all. They put my daughter and I in danger. The Commissioner did not at all respect the Department of State’s Program, The Safe at Home, confidential address program that me and my daughter were put in to protect ourselves from the father, due to sexual assault, domestic violence, and stalking, and our home, work, and school was confidential did not function anymore with the commissioner on the case. The father knew exactly where we lived since the Commissioner opened up the case after 7 years of being protected by two judges with no change of circumstance. We would have to move again to be safe after the damage that the commissioner did. The commissioner never even read the file and never acknowledged the Safe at Home Program, or the 3 year restraining order she and her daughter was on. The commissioner did not grant jurisdiction in the beginning of the case to allow me to protect me and my daughter during a domestic violent situation. This led to my daughter being severely sexually abused at gunpoint and me being stalked. Without jurisdiction, I could not change the visitation to supervised and the DA threatened to put me in jail, when I begged the DA to please allow me to get jurisdiction from NC so I can protect my daughter and change the visits to supervised. The DA’s response was, “oh he will be nice to your daughter. He came back from Iraq and just wants to see his daughter. My son is a Marine.” It did not matter to the DA that I was a disabled combat Marine Veteran wanting to protect my daughter.

**30. Judges care more about the father than the mother involved in the case. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Agree

Participant 2: Strongly Agree, “See question 3 answer.”

Participant 5: Strongly Agree, “Definitely. The judge said somebody’s rights have to suffer and they will be the mother’s. I put my head down on the table. The clerk and everybody were horrified.”

Participant 8: Strongly Agree, “A father simply has to say I want to be involved in my child and then they do anything for them.”

Participant 10: Agree, “Some of the judges showed particular lenience with the fathers!”

Participant 11: Agree

Participant 12: Strongly Agree, “They are swayed by his performance of hapless victim of psychotic alienating mother. Their hearts go out to him.”

Participant 13: Strongly Agree, “My case tells it all.”

Participant 15: Strongly Agree, “The judge allows my ex-husband to do or say whatever he likes without being held accountable, no matter how outlandish or disrespectful it may be.”

Participant 16: Strongly Agree, “It has been my experience and the experience of 100s of mother I had the privilege of knowing.”

Participant 17: Strongly Agree

Participant 18: Strongly Agree

Participant 20: Strongly Agree, “That’s sure what it seems. My ex brags that he has won every time we have gone to court. Attorney’s from out of state should be allowed to argue cases. Any and all campaign donations need to be disclosed, any and all medications the Judge is on should be allowed to be disclosed and any and all prescription medications that an attorney is on should be required to be disclosed or have “healthy Judges,” for healthy people. People who don’t even take aspirin should be allowed to be “judged,” by someone who has the same ethics. My Attorney insisted that the wording “substantially,” be allowed with regards to his drinking. I wanted no alcohol to be allowed when the children were in our care. I was overruled. - I don’t drink

They thought it was unfair to my ex to not allow him to drink - he’s with them 5-8 hours a month. He can’t agree to not drink for 5-8 hours a month?”

Participant 21: Strongly Agree

Participant 22: Strongly Agree

Participant 23: Strongly Disagree, “Judges care about how much money they will make off the case, and they will make orders in accordance to where the highest financial gain resides.”

Participant 24: Strongly Agree, "It's all about father's rights and 50/50 visitation. They seem to like it when the father files tons of motions to try and tire the mother out because the judges want the mother to go away also."

**31. Judges are effective in protecting children from abuse. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Disagree

Participant 2: Strongly Disagree, "See answer to question 3."

Participant 5: Strongly Disagree

Participant 8: Strongly Disagree

Participant 10: Strongly Agree, "The female judge we had was awesome, and protected my kids." Strongly Disagree, "The male judges were very lenient with my ex, and supported his assertions."

Participant 11: Strongly Disagree

Participant 12: Strongly Disagree, "Judges appear completely ignorant to the dynamics of DV, child abuse, and custody litigation."

Participant 13: Strongly Disagree, "It seemed like the judge liked my kids being abused since she kept sending them back to their abuser."

Participant 15: Strongly Disagree

Participant 16: Strongly Disagree, "My opinion is that they seem to follow an agenda of destroying the lives of children and leaving them with lots of physical and psychological problems to deal with later."

Participant 17: Strongly Disagree, "They want the money from fatherhood trust."

Participant 18: Strongly Disagree

Participant 20: Strongly Disagree, "All safety precautions should be taken into consideration with children - err on the side of caution - especially when he has said to them that all they are is \$6,000 a month to him."

Participant 21: Strongly Disagree, "Ignore abuse."

Participant 22: Strongly Disagree

Participant 23: Strongly Disagree, “Judges care about how much money they will make off the case, and they will make orders in accordance to where the highest financial gain resides. “

Participant 24: Strongly Disagree, “Not the commissioner who is now a Judge or the new Commissioner on the case. I learned that it’s not a matter of them believing me. It’s that they just don’t care that kids are being abused and they want protective mothers to just go away. They are too lazy to care. They rush people through like cattle and God help you if you slow them down to use the courts to try and protect your children. The former judge did finally listen after me going back to him several times and so another judge but both had been criminal judges and I think there is a difference in caliber between criminal and family court judges.”

**32. The judge gave visitation of my child to the father when my child has a restraining order against the father. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: NA

Participant 2: NA, “I’ve had the opposite problem. He files temporary restraining orders and puts my daughters name on it, and nothing gets done about it. If I’m lucky he might get sanctions, but if I did it, I would probably lose custody or get jail time. I’m afraid of losing custody.”

Participant 5: NA

Participant 8: NA

Participant 10: Strongly Agree, “The judge would only grant the RO for me, and refused to protect my kids from their father. My daughter was molested by her father after he was awarded 50% custody. And my kids were hit slapped, and other physical means of abuse during that time.”

Participant 11: NA

Participant 12: NA, “The judge wouldn’t consider a restraining order that covered my son as a protected party.”

Participant 13: Neutral, “Judge refused to issue any restraining orders against father, but when my house caught on fire (nobody was home) the judge ordered a restraining order against me had had me go through psych testing. Twice. Because she didn’t like that the first psychologist says there was nothing wrong with me.”

Participant 15: NA

Participant 16: Strongly Agree, “We were not able to get restraining orders in spite of the facts and witnesses.”

Participant 17: NA

Participant 18: Strongly Agree

Participant 20: NA

Participant 21: NA, "I could never get a restraining order."

Participant 22: NA

Participant 23: Neutral

Participant 24: Strongly Agree, "Yes my daughter was put in the SAH Program from the DA, when he was not prosecuted for his severe sexual abuse, to protect her from the dad and on a 3 year restraining order to protect her from him and the Commissioner tried to start the reunification process with no change in circumstance, when the former Judge retired."

**33. The judge gave me a restraining order against the father, but ordered visitation for my child with the father. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: NA

Participant 2: NA

Participant 5: NA

Participant 8: Agree, "That did happen. I had a restraining order against him to protect me. They don't translate that they are an abuser just because they abused the mom. The abuse that happened to the mom is not only irrelevant but it is twisting your ability about decisions made for your child."

Participant 10: Strongly Agree, "See answer above."

Participant 11: NA, "I didn't ask for a restraining order."

Participant 12: Strongly Agree, "This situation further jeopardized my son's safety, as Father abused him more severely to get back at me for having a restraining order put on him. As a result, i did not continue the restraining order."

Participant 13: Neutral, "As for me in the question above, I'm not allowed any contact with my children, who were 2 and 4 at the time, for 6 weeks. The time it took for both psych evaluations to be done."

Participant 15: Strongly Agree, "The protective order was useless. I still had to take my child to meet the father and the father was allowed to text me. He used both these avenues to continue harassing me and still does."

Participant 17: NA

Participant 18: NA

Participant 20: Strongly Agree, “yep-nuts.”

Participant 21: Neutral

Participant 22: Strongly Disagree

Participant 23: Neutral

Participant 24: Agree, “I came to CA from NC with a restraining order for me that they wouldn’t put my daughter’s name on it and they gave him joint custody and visitation. It took me three years in CA to get Sole Custody when I had domestic violence on my file and it took 3 years in CA and a long trial to get the 3 year restraining order for me and my daughter under the Judge. The women’s refuge refused to help me with the order saying because I left when I was pushed, they couldn’t get me one, even though he stalked me, threatened to shoot me in the guts, and emotionally and verbally abused me. They said he just yelled at me, even though he threatened my life several times. I called the women’s refuge at various processes and they still would not help me. The 3 yr restraining order that I received for my daughter and I was only on what I stated above in this answer. We never let the judge know what he did to my daughter during the trial. That didn’t come up until a trial where he was trying to get visitation again. They always told me that visitation was separate from a restraining order. That even with my daughter on a restraining order they could schedule visits.”

**34. The judge refused to put my child on my restraining order. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: NA

Participant 2: NA

Participant 5: NA

Participant 8: NA

Participant 10: Strongly Agree, “See above.”

Participant 11: NA

Participant 12: Strongly Agree

Participant 13: NA

Participant 15: NA

Participant 16: NA, “I asked for a restraining order several times and I never got it. The father got one against me and he was able to open carry because they said I was dangerous.”

Participant 17: Strongly Agree, “The judges are corrupt. My same judge and evaluator have done this to many moms.”

Participant 18: NA

Participant 20: Strongly Agree, “If a child doesn’t want to see a parent it should not be forced to. Especially if that child was rarely around the parent during the marriage and then all of a sudden the parent wants to start spending time with the child? Why?”

Participant 21: Strongly Agree

Participant 22: NA

Participant 23: Neutral

Participant 24: Agree, “Yes. The first judge in NC refused to put my child on my restraining order and that is how I was unable to leave the abusive father the first time. I knew that it was unusual for me to have my daughter on my restraining order for 3-years in CA. I received the restraining order after a trial about his stalking of her. The severe sexual abuse that he did to my daughter was not brought up in the restraining order trial.

**35. The judge, mediator, and/or other court officials protect the best interest of children. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Disagree

Participant 2: Strongly Disagree, “Refer to above answers.”

Participant 5: Strongly Disagree, “I even counsel people that even if they have an abuser it’s better to try and work it out with the abuser outside of court.”

Participant 8: Strongly Disagree

Participant 10: Strongly Disagree, “For 7 years I could not get anyone in the legal system to help me protect my kids from their father.”

Participant 11: Strongly Disagree, “Other court officials = custody evaluator and opposing counsel and minor’s counsel did not work for best interest. Had no knowledge of abuse, how to do their job, why there were laws. Opposing counsel committed perjury, misled and lied to commissioner, refused to respond to me as in pro per, ex parte communications with all and excluding me.”

Participant 12: Strongly Disagree, “They could care less. They are completely ignorant.”

Participant 13: Strongly Disagree, “My case says it all.”

Participant 15: Strongly Disagree

Participant 16: Strongly Disagree, “The best interest of the father has always been what was important.”

Participant 17: Strongly Disagree

Participant 18: Strongly Disagree

Participant 20: Strongly Disagree, “They have never been consulted.”

Participant 21: Strongly Disagree, “Ha Ha Ha.”

Participant 22: Strongly Disagree

Participant 23: Strongly Disagree, “Judges care about how much money they will make off the case, and they will make orders in accordance to where the highest financial gain resides.”

Participant 24: Strongly Disagree, “Not the Commissioner or the Shasta County or Tehama Mediators or the Shasta County Court investigator. I have never heard of any kid being protected in the courts. My daughter was severely harmed in court ordered visitation. I was the rare case where I finally got the Judge to believe what was going on in the visitations, but I had to go back to him 3 days in a row and I would just amend my order to show cause each day. I think he got sick of seeing me. He did keep her protected, but he did give him several chances for visitation. He let the perpetrator schedule 4 mediations and miss them. Then he still let him schedule a 5<sup>th</sup> mediation. He only came to the 5<sup>th</sup> one during the criminal investigation. I think to try and get access to my daughter for telling and if we didn't go to the trial against the Psychologist mediator's recommendation for visitation, I don't know what would've happened to my daughter. So even though my daughter was protected, he still kept trying to give the father opportunities to access my daughter. Thank God he ruled against him in trials and all the subsequent motions that he would put in after missing important trials. The judge started knowing the father was crazy. In a restraining order trial, the judge told him that he didn't like what he saw in him. After that, when he ran from a possible military investigation for what he did to my daughter and got out of the Marine reserves, he showed up by phone and faxed motions, so the commissioner was making ruling without knowing what he had in front of him. It's all about the father's rights over anything. And they use the best interest of children to not listen to children. If children say they don't want to go to their dad's the courts will say it's not in your best interest to not see your dad. So the term that was supposed to protect kids are putting kids in danger.”

**36. The judge makes custody and/or visitation decisions to keep women and/or children protected who are placed in safety programs, such as the safe at home program. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: NA

Participant 2: NA

Participant 5: NA

Participant 8: Strongly Disagree

Participant 10: Strongly Disagree, "Not in my case."

Participant 11: NA

Participant 12: Disagree, "The judge made me give my address to Father anyway, in exchange for me having my son overnight."

Participant 13: NA

Participant 15: NA

Participant 16: Strongly Disagree, "I was in a safety program with my children. During that time, the judge gave custody of the children to the father."

Participant 17: Strongly Disagree

Participant 18: Strongly Disagree, "Ha ha ha. We have that and son had victims of crime for therapy- now he is not allowed to have his own therapist!"

Participant 20: Disagree, "Not in my case."

Participant 21: Strongly Disagree

Participant 22: NA

Participant 23: Strongly Disagree, "Judges care about how much money they will make off the case, and they will make orders in accordance to where the highest financial gain resides."

Participant 24: Strongly Disagree, "No, The Commissioner never even acknowledged that me and my daughter were put in the safe at home program to keep us safe from the father, and neither did the Tehama county mediator. Instead of reprimanding him for using personal servers to find me, he rewarded him with reunification mediation (his 6<sup>th</sup> mediation) when he said the personal server found that they didn't live there and I don't know where they live. Due to the Commissioner opening up the case for the father all over again, when we were finally protected, the perpetrator knows exactly where we live. He used family court to find us by having an excuse to send personal servers to our house and the Commissioner allowed and rewarded him for it."

**37. The judge makes custody and/or visitation decisions of children that keep a mother safe from abuse by the father. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Disagree

Participant 2: Strongly Disagree

Participant 5: Strongly Disagree, "See above answers."

Participant 8: Disagree, "I requested public drop offs. The family courts do not protect you from abuse because I had to still see him and deliver our child to him, which is abuse, and I had to be abused in the family court system by him. He used the family court system to abuse me for 15 years. The courts are not there to help you anyway. You try not to go to the courts. For example, I switched my mindset to go ahead and take me to court for taking my child to the doctors for a staff infection, that he refused to treat for 6 months. Once I stopped utilizing the court system and ignored his threats to take me to court, it lifted this fear of persecution, litigation, and consequences. The family court system allows abusers to keep you in court and abuse you. This approach is only successful if he doesn't have an abundance of resources. After years of court, they can drain you because the courts never stop them. I also started giving him extra time on phone calls, etc. for leverage so he couldn't say I was denying him access. So, he couldn't argue anything, and I think his people funding him stopped funding him. This strategy doesn't work when they have better resources than you."

Participant 10: Strongly Disagree, "By having frequent exchanges of custody, which I did every 2-3 days, my ex took every exchange as an opportunity to continue abusing me. He also called me 10-25 times a day, to continue the abuse."

Participant 11: Disagree, "He tried with OFW and drop off at neutral site, but when an abuser has joint legal it does not work especially with denial and active emotional, financial, legal abuse."

Participant 12: Strongly Disagree

Participant 13: NA

Participant 15: Strongly Disagree

Participant 16: Strongly Disagree, "Absolutely not. We hid in different states at times to keep ourselves safe from the father's stalking and threats."

Participant 17: Strongly Disagree, "They let him do it to me weekly."

Participant 18: Strongly Disagree

Participant 20: Strongly Disagree, "Not in my case."

Participant 21: Strongly Disagree

Participant 22: Strongly Disagree

Participant 23: Strongly Disagree, "Judges care about how much money they will make off the case, and they will make orders in accordance to where the highest financial gain resides."

Participant 24: Strongly Disagree, “No, especially when they order visitation when a mother has a restraining order or try to order visitation when Mothers and/or kids are in the Safe at Home Program.”

**38. The judge uses his judicial authority to protect mothers and/or children from an abusive father. Give me more detail about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Disagree

Participant 2: Strongly Disagree

Participant 5: Strongly Disagree

Participant 8: Strongly Disagree, “They function on that women are emotional, drama queens, that can’t let go. This is a high conflict divorce, anger issue between two adults. They have no ability to see narcissistic, sociopaths and how to deal with them. They issue parenting classes to narcissists and think that is the solution to the problem. They have no idea how to deal with narcissistic people.”

Participant 10: Strongly Agree, “The female judge did.” Strongly Disagree, “All the male judges did not.”

Participant 11: Agree, “He did use his judicial authority in the beginning to make it supervised for the first 6 months. He was a new commissioner, but later on he didn’t.”

Participant 12: Strongly Disagree

Participant 15: Strongly Disagree

Participant 16: Strongly Disagree, “Already answered this question.”

Participant 17: Strongly Disagree, “Judge helps abuse continue.”

Participant 18: Strongly Disagree

Participant 20: Strongly Disagree, “No one is taking his past threats seriously.”

Participant 21: Strongly Disagree

Participant 22: Strongly Disagree

Participant 23: Strongly Disagree, “Judges care about how much money they will make off the case, and they will make orders in accordance to where the highest financial gain resides.”

Participant 24: Strongly Disagree, “No they don’t want people to think they have judicial authority or else they would have to do their job and make rulings to protect women and children. If they used judicial authority, they could swear a mom in and let her testify and

make a decision themselves. They act like they don't have enough evidence when they can use judicial authority and the family courts are only under probable evidence anyway.

**39. The judge uses reports from mediators, CFS, and/or law enforcement, so the judge does not have to use the judicial authority to protect mothers and/or children from an abusive father. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Disagree

Participant 2: Neutral, "I have seen my judges do that, but it has turned out good for me when they do that. The reports have been in my favor."

Participant 5: Agree, "He followed what the mediator said hook line and sinker but he didn't follow his court evaluator. The court evaluator said that my ex was unsafe for the children. The mediator requested 50/50 from 80/20 after I reported the sexual abuse."

Participant 8: Agree, "Each County on how that works is different. There are some counties that make it mandatory for judges to make their decisions based on the input of the court appointed mediators, but in other counties, the judges are not required to use them to make their decision."

Participant 10: Strongly Agree, "I tried calling CFS, but they told me that a father can hit his child, and they will not do anything unless the marks last more than one hour. They told me that my ex was allowed to call my daughter "fat," and my son "stupid," or any name that he wanted to call them. He told me if I didn't like the law, to change it. Like I had any power to do that! Law enforcement was favorable to my ex, and not to me. Mediators seemed intimidated by my ex, so would not go against him in mediation."

Participant 11: Strongly Agree, "Commissioner cited custody evaluation as reason for joint custody and visitation. This was after ample proof that father had lied to custody evaluator, child victim and mother had lied to evaluator, the evaluator did not know a "fling" between a 12 and 16 year old was against the law, etc."

Participant 12: Neutral, "I can't figure out what my judge consider in her decisions."

Participant 13: Strongly Disagree, "She refused to look at the reports."

Participant 15: Strongly Disagree

Participant 16: Strongly Disagree, "The judges have their favorite court appointed psychologists, who do a report along what the judge expects."

Participant 17: Strongly Agree, "I don't understand this: She is supposed to protect me? They never do."

Participant 18: Strongly Disagree

Participant 20: Strongly Agree, “My ex would threaten me if I called the police when he would be abusive to me, the children or dog. I would ask him to leave the house - he would be gone sometimes for weeks and then come back home and when the abuse would start he’d leave again. He would tell us he thought he was bi-polar and he was on medication that was making him act crazy but he wouldn’t tell us what medication it was.”

Participant 21: Strongly Disagree

Participant 22: Neutral

Participant 23: Strongly Agree, “The judge used a 730 evaluator report in my case so she did not have to take into consideration all the reports against the father. “

Participant 24: Strongly Agree, “The Commissioner did so much that he also tries to deny trials to people when they do not agree with the mediation reports.”

**40. The father was not prosecuted for child abuse with law enforcement and/or CFS, so I have a hard time protecting my child from abuse by the father in the family court system. Here are more details about this. Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: NA

Participant 2: Strongly Agree

Participant 5: Strongly Agree, “See above answer.”

Participant 8: Strongly Agree

Participant 10: Strongly Agree, “My ex was smart enough to not do enough to cause the type of damage that would be noticed. For example, he used to flick my kids’ cheeks to discipline them. Or he would use verbal abuse or some other method that didn’t show evidence of abuse.”

Participant 11: Strongly Agree, “As apparently common with serial sexual predators, his history of rape and molestation shows family trying to handle it themselves, after one rape shipping him off to the Navy (he came back and raped the girl again). In his 20s, a girl he raped 10 years earlier warned a 14 year-old girl he was grooming that he was a rapist. And in his 30s, when I saw him molesting a girl I tried to handle it by going to the mother and trying to handle it myself. He has an extensive criminal record, some of it may include sexual assaults, but no one looked into it.”

Participant 12: Strongly Agree

Participant 13: Strongly Agree

Participant 15: Strongly Agree

Participant 16: Strongly Agree, “The father was never prosecuted for raping/molesting his sisters, nor for abusing his children, nor for raping me. Every time we thought, “This time, he cannot pass through,” he did.

Participant 17: Strongly Agree

Participant 18: NA, “Agree, but its more complicated how they actually do it - they all work together. They receive federal funding and none of them are following laws to keep children safe and not re-victimize them, etc.”

Participant 20: Strongly Agree, “My ex refused to meet with DCFS unless his attorney was present whenever a case was opened against him. Then the case would be closed after so many months. Whenever he would call DCFS on me - I think it was 3 times, I never once denied access to the house or the children for questioning. I was advised from my counsel that if DCFS would ever come again that I should not let them in the house unless my counsel is present.”

Participant 21: Strongly Agree, “He even admitted to watching porn with her present and they did nothing.”

Participant 22: Strongly Agree

Participant 23: Strongly Agree

Participant 24: Strongly Agree, “CPS helped him by writing a report that said unfounded, that they said they would substantiate the night before because he was dangerous and a sophisticated criminal. The next day it said that I was coaching and talked about the father like he was an angel. CFS armed a sophisticated criminal with a document, to get access to harm a child and abuse me further for 7 years in court, because I had to fight to protect my daughter against the CPS report.” The Commissioner was not supposed to let him file the CFS and criminal investigation documents that he filed, but he and the Tehama mediator allow it. “We had to seal the documents” to keep my daughter safe.

**41. The father was prosecuted for child abuse with law enforcement and/or CFS, and I have a hard time protecting my child from abuse by the father in the family court system. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: NA, “It wasn’t him sexually abusing my child, it was one of his family members. He should’ve gotten in trouble for failure to protect.”

Participant 2: NA

Participant 5: NA

Participant 8: NA

Participant 10: Strongly Disagree

Participant 11: NA, “No prosecution currently and I don’t know about the past.”

Participant 12: NA

Participant 13: NA

Participant 15: NA

Participant 16: NA, “He was never prosecuted for anything, not for raping his sisters or the abuse he did to my children.”

Participant 17: NA

Participant 18: Agree

Participant 20: Disagree, “He was never prosecuted, just a report was taken.”

Participant 21: NA

Participant 22: Strongly Agree

Participant 23: NA, “Not prosecuted.”

Participant 24: NA, “He is a sophisticated criminal. He always gets away with everything. Now he prosecutes and defends people as an assistant DA despite several people’s reports to the bar about him.”

**42. The judge, mediator, and/or court officers treat me different because I was in an abusive relationship with the father. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: NA

Participant 2: Agree, “because they treated me like I was creating the problem, even though it was just one person causing the problem.”

Participant 5: Strongly Agree

Participant 8: Strongly Agree

Participant 10: Strongly Agree, “They acted like I was a hysterical, crazy woman, and didn’t give credence to the allegations I made.”

Participant 11: Neutral

Participant 12: Strongly Agree, “They treat me as if I must be the messed up one for making such allegations.”

Participant 13: Strongly Agree

Participant 15: Strongly Agree

Participant 16: Strongly Agree, "I was despised for talking about the abuse."

Participant 17: Strongly Agree

Participant 18: NA "Yes, treat me different but no, don't actually acknowledge that I was in an abusive relationship. It's more like they treat me as not deserving to be a mother and not having any rights."

Participant 20: Strongly Agree, "I think they think I made up everything - my ex lied on his police report and said I attacked him - luckily I had videotape of what he had done to me or I would have been arrested that night."

Participant 21: Neutral

Participant 22: Strongly Agree

Participant 23: Neutral, "Judges care about how much money they will make off the case, and they will make orders in accordance to where the highest financial gain resides."

Participant 24: Agree, "I think there is a stigma on women who come into the court on a domestic violence case. I think they also can't stand it when you are an educated, smart women. They see it that we can manipulate them and coach children, and I think they are jealous of smart women and our successes. My lawyers always told me to not act so smart."

**43. The judge is using the "best interest standard" when making custody and/or visitation decisions for my child. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Disagree, "They are following it but in a corrupt manner. The best interest in the child is a broad term and not applied the way it should be."

Participant 2: Disagree, "Their primary concern is father's access to the child."

Participant 5: Strongly Disagree

Participant 8: Strongly Disagree, "What determines best interest is totally left up to individual discretion of the Judge. They consider 50/50 in the best interest of the child, despite abuse. Even without abuse, the 50/50 standard makes kids live a nomadic lifestyle instead of in a stable household, and when there is abuse involved 50/50 only makes it worse. 50/50 was used in my case for the abuser to hurt my child. I would put her in a play and he would take her out of the play. I would let her sleep at a friend's house and he would go and get her. It is actually a weapon where the child is being trafficked by the court into slavery, into sex abuse, into slavery."

Participant 10: Strongly Agree, "Only in 2000, in front of the female judge."

Participant 11: Strongly Disagree, “I requested that the judge state the best interest in the judgment and the judge couldn’t even do that. He didn’t know the codes and the best interest standard stated in the codes of CA. I may not have proved child sexual abuse and violence against children, but there were other best interest of child components that he didn’t state in his judgment.”

Participant 12: Strongly Disagree, “I have never even seen this standard considered. The judge has ruled time and again at hearings. There has never been a trial for this standard to be considered.”

Participant 13: Strongly Disagree

Participant 15: Strongly Disagree

Participant 16: Strongly Disagree, According to the judges, the best interest of the children is to have both parents, but especially the father. The mother is a commodity.

Participant 17: Strongly Disagree

Participant 18: Disagree, “They are getting away with supposedly considering “best interest” by misapplying it. And there is no oversight...”

Participant 20: Strongly Disagree, “They have never been consulted.”

Participant 21: Strongly Disagree

Participant 22: Strongly Disagree

Participant 23: Strongly Disagree, “Judges care about how much money they will make off the case, and they will make orders in accordance to where the highest financial gain resides.”

Participant 24: Strongly Disagree, “Only if it helps them make a decision for the father or for what the judge wanted to rule anyway. It has nothing to do with the “best interest of the child.” No matter what when the judge wants to rule a certain way, they will say it’s in the “best interest of the child.” when it isn’t. It’s really the best interest of the father they rule for.

**44. The judges, mediators, and/or court officials are competent in making custody and/or visitation decisions that keep women and/or children safe from abusive fathers. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Disagree

Participant 2: Strongly Disagree, “They need more training in abuse and child development.”

Participant 5: Strongly Disagree

Participant 8: Strongly Disagree

Participant 10: Strongly Disagree, “The first set of judges, mediators, and the psychologists were sadly lacking in skills, and didn’t believe me. These abusers tend to be good liars, and they are often calm in court or in front of people in the legal system, and the women are on the verge of hysteria, after being abused by the husband, then the abuse is perpetrated again by ignorant people in the legal system.”

Participant 11: Strongly Disagree, “Absolutely not. Not even close. Commissioner spoke outright after reading affidavit of rape “I’m sure he is sorry he did that,” Commissioner blamed the 13 year old victim for having a crush on 37 year old man. Custody Evaluator minimized child molestation (two teenagers in love) and minimized extensive criminal history of alcoholism, probation violations, resisting arrest etc. and MMPI record indicating Anti-social personality disorder as the reason for his “youthful indiscretions.”

Participant 12: Strongly Disagree, “ They are arrogant and believe they can just tell who is telling the truth. They do not investigate at all.”

Participant 13: Strongly Disagree

Participant 15: Strongly Disagree

Participant 16: Strongly Disagree, “Not in my case, not in the cases I’ve heard about.”

Participant 17: Strongly Disagree, “I was never given a copy of the report.”

Participant 18: Strongly Disagree

Participant 20: Strongly Disagree, “Children should be consulted and everyone under penalty of perjury should take an oath that they have not received any funds from anyone regarding anything about any case. Everyone from the Judge down should have to swear in Court on a Bible before every court appearance.”

Participant 21: Strongly Disagree

Participant 22: Strongly Disagree

Participant 23: Strongly Disagree, “Judges care about how much money they will make off the case, and they will make orders in accordance to where the highest financial gain resides.”

Participant 24: Strongly Disagree, “Absolutely Not. It’s disgusting and there really isn’t a fancy way of describing how disgusting they are in harming women and children.”

**45. Currently, the California family court system is effective. I feel this way for these reasons. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Disagree, “Absolutely not. It’s affective for their bank ac accounts and that is it.”

Participant 2: Strongly Disagree

Participant 5: Strongly Disagree

Participant 8: Strongly Disagree, "See above answers."

Participant 10: Strongly Disagree, "I think there is a backlash against women now. Judges are trained to believe that when a woman claims abuse during divorce, they are making it up to get custody and child support. So they don't believe women. Time after time abusive men are now awarded custody of the kids they are abusing."

Participant 11: Strongly Disagree, "I am financially ruined. I am trying to be strong and carry on this legal fight to protect my daughter but I have PTSD and am paralyzed a lot. My daughter tried to kill herself 10/2015 and I am trying to help her. My family has been affected by what the court and the father has done to us."

Participant 12: Strongly Disagree, "It destroyed my and my son's life. I have seen this happen to other women, as well."

Participant 13: Strongly Disagree, "My case shows why it is NOT effective."

Participant 15: Strongly Disagree

Participant 16: Strongly Disagree, "I do not call giving custody of abused, molested, raped children to the abusive parent effective."

Participant 17: Strongly Disagree, "I feel like killing myself to end the pain of missing my son."

Participant 18: Strongly Disagree, "The family court system is destroying our children-it's become a public health crisis they are feeding off profits from selling out our children."

Participant 20: Strongly Disagree, "My case should have been resolved in a month. I can't believe what has gone on."

Participant 21: Strongly Disagree

Participant 22: Strongly Disagree

Participant 23: Strongly Disagree, "Judges care about how much money they will make off the case, and they will make orders in accordance to where the highest financial gain resides."

Participant 24: Strongly Disagree, "No way! I don't have a word to describe how ineffective it is. "No way! Not a word to describe how ineffective it is. Mothers are handing our children over to them like sacrificial lambs trying not to get thrown into jail, so they are not handed to a perpetrator. If they got rid of the California family court system, there would be no place for abusers to be allowed to continue to abuse the

mothers and children, encouraged and promoted by the California family court system. So I guess it is effective for abusers to continue their stalking and abuse on women and children, very effective.”

If they got rid of the California family court system, there would be no place for abusers to be allowed to continue to abuse the mother’s and children, encouraged and promoted by the California family court system. So I guess it is effective for abusers to continue their stalking and abuse on women and children, very effective.”

**46. CFS workers helped me when I needed to protect my child from an abusive father in the family court system. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Disagree

Participant 2: Strongly Disagree, “If they do help, it’s usually temporary, so it doesn’t protect her throughout her childhood.”

Participant 5: Strongly Disagree

Participant 8: Strongly Disagree, “HaHaHaHaHa. In Santa Cruz, the sheriff didn’t help either. My ex went to pick my daughter up from school. My daughter refused to go with him. The sheriff department told my daughter that if you don’t go with your dad I’m going to cuff you and take you to juvenile hall. So she went with her dad. He horribly abused her for speaking out. I was told by the police commander that since she was on private property and if she doesn’t go with a parent, then they have to put her in juvenile hall because it’s a safe place until a parent picked her up. So, if she is at my house and refuses to go with him, the police wouldn’t take her to juvenile hall because she is at a safe place. Police can interpret orders however they want. In, LA they picked her up over their shoulder and threw her by force into the dad’s car multiple times. In Santa Cruz, they wanted her to be at a safe place so let her stay at my house when she refused to go to the dad’s house. One time when she refused to go to her dad’s house, the dad called the police. Police came and said that I was a safe parent and she was 12 so they let her stay. That is when he established a criminal case against me of kidnapping which ultimately led to her speaking in court which led to her getting the right to stay with us full time. That was the beginning of the end.”

Participant 10: Strongly Disagree, “When my ex molested my daughter, and her teacher called CPS, they told me they wouldn’t take custody away because “he didn’t penetrate her he, just rubbed her.”

Participant 11: Disagree, “Not that CPS did anything wrong, except no one thought that a real forensic investigation should be done for child sexual abuse for my daughter. She denied that he touched her. My therapist also called CPS when she heard some of what father had done. Not quite enough to help.”

Participant 12: Strongly Disagree

Participant 13: Strongly Disagree, “Case should have been transferred to juvenile court to deal with abuse but they kept it in front of the family court.”

Participant 15: Strongly Disagree

Participant 16: Strongly Disagree, “They were all in bed with each other. The wife of the prosecutor was the head of CPS; the wife of the assistant DA was a judge in family court...and the judge who ordered my arrest is now in jail for fraud.

Participant 17: Strongly Disagree, “She lied to me and yelled at me in front of a witness.”

Participant 18: Strongly Disagree

Participant 20: Strongly Agree, “They seemed to be most competent.”

Participant 21: Strongly Disagree

Participant 22: Strongly Disagree

Participant 23: Strongly Disagree, “CFS told me that unless my children are locked in a closet for more than 3 days, it is not traumatizing enough for them to do anything. They refuse to give me their real names so I cannot report them.”

Participant 24: Strongly Disagree, They gave him a free ticket and access to further abuse my daughter when they gave him a document, that they within a day of saying they would substantiate what he did to protect children, changed it to unfounded and put that I was coaching my kid. I spent 7 years responding to motions of him trying to get access to her due to the document from CPS. They are known to get involved in the family court system but when I told them what they armed him with, they said they don't get involved in the family court system. They even almost had the court appointed attorney fooled in the taking away the rights motion. Thank God, he finally knew the truth. The CPS document has allowed him to be an Assistant DA, and avoid a lot of consequences for what he did to my daughter. They put more kids and women in danger the day they handed him that document. I don't know how they sleep at night. That's another organization that needs to be shut down, full of incompetent investigators and corruption. They need to use the tax payers money to build beautiful spas for children, who are abused and not CPS. They make money off of adopting kids. They armed an abusive men with a document that said unfounded, who they said was a sophisticated criminal and that they believed me a day before, but then the next day accused me of coaching. It's just disgusting because they do this to most people.”

**47. The judge orders 50/50 visitation a majority of the time. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Agree

Participant 2: Agree, “In my case, they haven't yet, but I know that's what they want to do. I just have been able to demonstrate that she needs protection and is better off with me most of the time so he hasn't gotten 50/50 yet.”

Participant 5: Strongly Agree

Participant 8: Agree, “It seems like it, but a lot of the time they take custody away totally from the protective parent. He got 10 hrs a week in the beginning. Then he went to court every 3 months and got more and more and more and more.”

Participant 11: Neutral, “My case is 70/30. I guess I should be thankful for that. Shared parenting is good except for us people fighting to protect our children. I would hope that good divorces would have the stay at home parent to have primary residence after the divorce with the kids, and full access for the other parent with the kids.”

Participant 13: Agree, “The judge originally ordered 50/50 and then she took them away totally and then I only had supervised visits once a week.”

Participant 15: Strongly Agree

Participant 16: Strongly Agree, “The child’s attorney told me that the judge would order 50/50, in spite of the abuse. She would try to get 40/60, but it was a long shot. According to the judges in my case, 50/50 means the best interest of the child.

Participant 17: Disagree

Participant 18: Strongly Disagree, “They take custody from mom’s and give limited visitation (usually supervised) if any.”

Participant 20: NA

Participant 21: Strongly Agree

Participant 22: Strongly Agree

Participant 23: Strongly Agree, “Judges care about how much money they will make off the case, and they will make orders in accordance to where the highest financial gain resides.”

Participant 24: Strongly Agree, “and the reason they let abuser keep putting motions in is because they want to add more and more visitation for the father until he gets 50/50 and that’s why they get annoyed with protective mother’s, who just won’t allow it and won’t go away.”

**48. A woman’s right to child rearing is taken away when 50/50 custody and/or visitation is ordered. I feel this way for these reasons. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Agree

Participant 2: Agree, “Especially when they are younger.”

Participant 5: Agree, “Emotionally I feel like this is true, and cognitively I know that it is not.”

Participant 8: Strongly Agree, “Women have no right to parent, but father’s have a right to parent. They say the pendulum swung the other way after women only had custody, but the pendulum has swung the other way from women having rights to rear their children, and their rights are being denied. Nursing parents can’t nurse anymore. You can’t take your kid to doctors. Kids learn not to trust authority because they try and get people to listen to them and nobody helps them.”

Participant 10: Strongly Agree, “Abusive men use the custody as leverage. Mine would force me to listen to his opinion of me, if I asked for any changes in custody. Also, the frequent exchanges of custody are just an opportunity for the man to continue the abuse of the woman.”

Participant 11: Strongly Agree, “ Complicated reasons. Even with a healthy, good divorce mother should have custody but father should be in child’s life and have EOW visitation unless the two decide otherwise. With real abusers though, the children need to be protected. Family Courts do not do a good job with any kind of abuse - not just sexual abuse. They do not protect against emotional, physical, legal or financial abuse. It’s a female thing to - mother’s take care of children, whether you are a SAHM or a full time career woman.”

Participant 12: NA, “There are many factors to be considered in custody that have nothing to do with gender.”

Participant 13: Disagree

Participant 15: Strongly Agree

Participant 16: Strongly Agree, “When 50/50 custody is ordered and one of the parents is abusive, he will do anything to subvert whatever the mother is trying to accomplish.”

Participant 17: Neutral

Participant 18: Strongly Agree, “Rights taken with no steps for restoration in family court. Most women aren’t getting 50/50, they are getting cut from their child, their bond.”

Participant 20: NA

Participant 21: Neutral

Participant 22: Strongly Agree

Participant 23: Disagree

Participant 24: Strongly Agree, “Women should have the right to rear their children. Child rearing is not affective with 50/50 visitation. The mother cannot put them in activities, keep them in them, or provide the stability that child rearing requires. Females

are supposed to take care of and raise children. That is why we give birth to them. Women have the best of both worlds, which we should have, when we are the ones who breastfeed and give labor. We can work and rear our children. I think judges resent that. I always wonder, do they have a mother? Why do they treat mothers so horrible? Wouldn't they want their mother to protect them and raise them?"

**49. The judge orders 50/50 custody and/or visitation even if it has a negative affect on children. Here is more information on this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Agree

Participant 2: Agree

Participant 5: Strongly Agree, "It's not healthy for kids."

Participant 8: Strongly Agree

Participant 10: Strongly Agree, "The first judge ordered this, thinking that he was being fair to the father, but what he really did was empower the father to get more aggressive in and out of court."

Participant 11: Neutral, "My daughter's father did not ask for 50 -50, though I was threatened with it at the trial. Even 70 - 30 has had a huge negative affect on our daughter. She is failing school, after straight A's, and has tried to kill herself and 8 days at UCLA Neuropsychiatric Hospital and medication, and chronic pain."

Participant 12: Strongly Agree, "I have seen this in many cases."

Participant 13: Strongly Agree

Participant 15: Strongly Agree

Participant 16: Strongly Agree, "It's a mindset. They are trained to believe that 50/50 is the best interest of the child."

Participant 17: Neutral

Participant 18: NA

Participant 20: NA

Participant 21: Strongly Agree

Participant 22: Strongly Agree

Participant 23: Strongly Agree, "Judges care about how much money they will make off the case, and they will make orders in accordance to where the highest financial gain resides. "

Participant 24: Strongly Agree, “Currently in CA the goal is 50/50, no matter what the circumstance, unless a mother is a protective mother where statistically their kids are taken away. I always had to walk a fine line of not getting my daughter taken away and trying not to get arrested, while trying to protect her, so she wouldn’t be put in the hands of the abuser.”

**50. The judge, mediators, and/or court officers listen to what the child wants with respect to custody/and or visitation. Here is some more information about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Disagree

Participant 2: Agree, “refer to above answer.”

Participant 5: NA

Participant 8: Agree, “ Somewhat agree, ultimately, but too little too late. Children should be believed. There is tons of evidence saying that children don’t lie.”

Participant 10: Strongly Disagree

Participant 11: Disagree, “As mentioned previously, Minor’s Counsel kept child’s wishes away from the Commissioner. Commissioner did want to hear from her, he did not realize how scared my child was and he would probably NOT have asked the right questions and gotten the real story from her if he had spoken to her in chambers.”

Participant 12: Strongly Disagree

Participant 13: Strongly Disagree, “My oldest daughter at 12 years old said she didn’t want my rights terminated and My youngest daughter, at 10 years old demanded to be able to see me. The court officer testified to this in my termination of parental rights trial, but my rights were still terminated.”

Participant 15: Disagree

Participant 16: Strongly Disagree, “They never listen to my children, even to the older ones who were over 20 years old during the custody court. To them, I was a liar and I had brain-washed my children into lying about the abuse.”

Participant 17: NA

Participant 18: Strongly Disagree, “They might listen but they don’t make decisions based on child’s wishes - they have plenty of excuses to ignore a child (even 15 & 16 year olds!), the favorite beingg that the child must be “brainwashed” by mom - who then must be an alienator (this means she is the abuser, so in the “best interest” of the child custody must be taken from her and given to dad (while all the documented evidence of abuse perpetrated by dad is ignored).”

Participant 20: NA

Participant 21: Strongly Disagree

Participant 22: Disagree, “When the dad was first out of jail, the kids said they didn’t want to go with him. They didn’t listen to them. Then when the kids were older and got to smoke pot with him and so wanted to be with him, they listened to the kids. They only listen to the kids when they said what they wanted them to say. They did everything possible to make me the bad guy, when the dad was arrested for child abuse. I remember telling the courts why are you listening to the kids now, they are doing drugs with him.”

Participant 23: Strongly Disagree, “Judges care about how much money they will make off the case, and they will make orders in accordance to where the highest financial gain resides.”

Participant 24: Strongly Disagree, “Not at all, and then they override what a child wants by saying, “it’s not in the best interest of the child to do what the child wants.”

**51. The court officers used non-scientific labels and diagnoses, such as Parental Alienation Syndrome, as a part of a child custody and/or visitation evaluation in my case. Here is more detail about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: NA

Participant 2: Agree, “Only his lawyer in my case.”

Participant 5: Strongly Agree

Participant 8: Strongly Agree, “See my story, question 3.”

Participant 10: Strongly Agree, “As I stated earlier, I almost went to jail for this accusation.”

Participant 11: Neutral, “Commissioner asked evaluator if she had seen parental alienation. I was lucky in this that for 8 years I sacrificed and made sure father was a big part of his daughter’s life. On the other hand, once father got unsupervised visitation he immediately began brainwashing and gas lighting my daughter so that she did lose a lot of her attachment to me and she became hysterical and violent. “

Participant 12: Neutral, “They didn’t use labels, but described the syndrome of PAS completely.

Participant 13: Strongly Agree

Participant 15: NA

Participant 16: Strongly Agree, “That’s how it started. My ex took an attorney who immediately accused me of Parental Alienation, although it was the father who was not coming to visit the children.”

Participant 17: Strongly Agree

Participant 18: Strongly Agree

Participant 20: NA

Participant 21: Strongly Agree

Participant 22: Strongly Agree Participant 23: Strongly Agree, “I have been labeled an alienator, delusional, and needing psychiatric care. However, when I offer to get treatment from a professional that treats serious mental disorders, and their clients are based out of family court, the judge decides that I don’t need services. In other words, I refused to go to one of their hand picked therapists.”

Participant 24: Strongly Agree, “the Commissioner opened up a case where my daughter was protected by two judges, after trials and hearings, while the abuser claimed that I was alienating my child with the false allegations. The Commissioner and the Tehama Mediator tried to start reunification. I think the court investigator who acted supportive of us in the beginning, but then against my daughter’s wishes wrote against taking his rights, fell for it too.”

**52. The court officers used the “best interest of the child” standard to override my child’s wishes, in regards to visitation and/or custody. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Agree

Participant 2: Neutral, “We will have to wait and see if they do, but the evaluator is recommending that.

Participant 5: NA

Participant 8: Strongly Agree, “See my above answers.”

Participant 10: NA, “They wouldn’t talk to my kids.”

Participant 11: Neutral, “The Court did not use the best interest of the child. It was all about father’s right to see his daughter unsupervised.”

Participant 12: NA

Participant 13: Strongly Agree, “See above.”

Participant 15: Strongly Agree

Participant 16: Strongly Agree, “Best interest of the child=50/50 custody. PERIOD.”

Participant 17: NA

Participant 18: Agree

Participant 20: NA

Participant 21: Strongly Agree

Participant 22: Strongly Agree, “Early on yes. Then when the children came over and said they wanted to stay with their father, they listened to them.”

Participant 23: Strongly Agree, “Judges care about how much money they will make off the case, and they will make orders in accordance to where the highest financial gain resides.”

Participant 24: Strongly Agree, “Yes, the court appointed attorney did at first, not listening to my daughter, until we tried to get him off of the case. He was trying to drop my motion of taking the rights from the dad, while only talking to my daughter who said she wanted nothing to do with him, because he respected and knew the CPS worker that was on the CPS case 7 years ago, and the report said unfounded. He ignored everything my daughter said. Then he finally did his job, after we tried to kick him off, and called my daughter’s counselor, and came out like a pit bull to protect her from the father. He used the best interest of the child standard while listening to her, which led in taking his rights away. The opposing attorney did not argue if I signed off the around \$70,000 he owed in child support and dropped the 85 contempt charges on him for not paying child support. So the best interest standard was only used for the courts to rule what they wanted to.”

**53. I believe there are areas that need and can be improved in the California family court system. Here are more details about this. (Strongly agree, Agree, Neutral, Disagree, Strongly Disagree, NA)**

Participant 1: Strongly Agree, “top to bottom. Everything. Everything. Enough is enough. Everything needs to be revamped. The whole system.”

Participant 2: Strongly Agree, “More education in abuse and child development, and holding abusers more accountable especially for minor infractions, all of the passive aggressive stuff that they do. I think if the judge holds them accountable for the little things, they will be less likely to do the bigger things. “

Participant 5: Strongly Agree, “See above.”

Participant 8: Strongly Agree, “HaHaHa. Let’s throw it out and start over. My first lawyer was involved in establishing the family court law. The way they are written right now, they are precedence cased, based on other rulings, but there is no comprehensive oversight. They tried with the Elkins research to look at the mediators in the court, but the point is the whole system is based on precedence, so it is an accumulation based on bad

decision after bad decision. There has never been, how do we achieve that goal? Now there is high conflict, 50/50, and best interest of the children. But nobody has thought about how to make this system work, how to achieve the goal, how to get oversight of judges. We as protective parents lose our friends, houses, sanities, our minds in an effort to protect our children. But Nobody wants to hear about that, but we often fail anyway to keep them safe. Even in my case, it's been 13 years until she was safe, but the case is still open."

Participant 10: Strongly Agree, "Judges and attorneys need education on abuse of all types- physical, sexual, verbal, financial, and spiritual. They need to have better discernment in dealing with abusers, who are good at lying, and with the targets of abuse.

Participant 11: Strongly Agree, "perjury needs to be prosecuted in family court. Abuser lie - all the time. Opposing Counsel also lied and perjured himself. Commissioner stated opposing counsel must have been confused! Court officials MUST FOLLOW THE STATUTES AND RULES OF COURT. Minor's Counsels must investigate their client's case. No ex parte communications between judges and attorneys should be allowed in pro se case

Participant 12: Strongly Agree, "I don't even know where to begin to improve things. The whole thing is a nightmare."

Participant 13: Strongly Agree, "We need jury trials to decide custody and to let evidence into trial instead of hiding it, ignoring it. Prosecute abusers. Put child abuse cases in juvenile or dependency court, not family court."

Participant 15: Strongly Agree

Participant 16: Strongly Agree, "Listen to the facts. Treat people as human beings. Protect the victims. Punish the perpetrators."

Participant 17: Strongly Agree

Participant 18: Strongly Agree

Participant 20: Strongly Agree, "Best interests of the children

Lie detector tests should be admissible.

When there are children - both parties agree to subpoena of all prescription medications.

Random drug and alcohol testing when children are involved - hair and urine."

Participant 21: Strongly Agree

Participant 22: Strongly Agree

Participant 23: Strongly Agree, "Get rid of Title IV D money, get rid of DCSS, and get rid of attorneys, and then we can have equal and fair representation."

Participant 24: Strongly Agree, “Everything. It all needs to be revamped. I think all judges, court officers, mediators, law enforcement, CPS, and DA should not have immunity for lawsuits. Then they would have to be held responsible when a child or women is harmed or put in danger, due to their rulings. Put competent people in but also people that care. Where are the judges that actually care about women or children? I think the judges hate working in the family court system, and so they become complacent and don’t care anymore.

Get rid of the immunity and get lawyers that won’t be afraid to sue them. Or arrest the judges and court officers when they harm women or children from their ruling or make them unsafe. Some kind of accountability. Get rid of the Judicial board. They don’t do anything about their disgusting judges. Make them answer to a real board. Oh, I forgot the bar let’s anybody in and lawyers become judges. The system is so corrupt. Also, mediators are known in the mental health field of not being good enough to function in private practice. Start hiring some successful private practice people to mediate. Well I think the mediating system should be rid of and judges then would have to do their job. Also, the court investigator, who was too liberal and naïve to protect me and my daughter was in the same little building as the court appointed lawyer. They all know each other and sway each other. I also think the federal government and UN and WHO need to get involved to make sure the human rights of women and children are not violated anymore in the court system.” my opinion.”

## Appendix D: Raw Interview Data

### 1. Would you consider your experience with the California family court system a positive or negative one? Yes or No? Why?

Participant 1: “Definitely a negative one.”

Participant 2: “A negative one.”

Participant 5: “A negative one. See above.”

Participant 8: “A negative one. See above. We are still not really out of the family court system. We design everything in our life to protect our daughter from the court until she is 18. Right now she is as safe as she’s ever been, but we have to go back and see him on holidays and he could file charges or court hearings at any time. The trauma from the abuse has a tremendous affect on her life. Our whole lives are affected by that. I can’t work because my daughter has panic attacks at school and needs to come home fairly often. She feels like she wants to die all the time from the pain of the physical and the emotional abuse that he did during his custody. She feels that she shouldn’t be alive and is causing pain and suffering.”

Participant 10: “A negative one. The day before my son turned 18, my ex took me to court to try and get custody of my son when he turned 18 the next day. I had to pay \$2,500 every time I had to go to court. I spent about \$125,000 for my case.”

Participant 11: “A negative one. It is unbelievable: commissioners, opposing counsel, child’s counsel, my counsel, court investigators are bad, simplistically bad. I usually see two sides of these, but in this system they could just follow the rules. That would help right there. Just follow the CA codes. Just do the simple things. I think that bias is where a lot of it comes from, but I don’t know.”

Participant 13: “Negative one. Because they do not investigate abuse allegations and if you bring it up they take your kid away from you, and I haven’t seen my kids for 14 years. They punish the protective parent.”

Participant 16: “Do you have a stronger word than negative. The only positive thing is that I’m not as naïve as I used to be. I grew up really fast. Everything is upside down. You feel like you are in Alice and Wonderland. My public defender threatened me when they were supposed to be defending me.”

Participant 17: “A negative one, the primary reason is that I have never been given the chance to tell my side of the story in it’s entirety.”

Participant 18: “A Negative one because I feel my child’s rights were violated. It’s not child focused. I feel my rights were violated. It changed my beliefs upside down. My kids are boy scouts. I pledge allegiance to the flag. I feel and I’ve taught my kids as a citizen in the community that we have a duty to try to help fix something in the appropriate way and using the appropriate steps to fix it, but in the California family court system we are

penalized for it. It affects my whole believe system. It's been a nightmare, a nightmare. On top of it all, there's no restoration and no accountability in the family court system. I have had a lot of forced loss due to the family courts."

Participant 19: My experience with the California Family Court was negative. The reason is that I was poorly represented, and my attorney seemed more interested in getting me into a 730 evaluation rather than getting the truth on the court record. You get sent to mental health professionals and forced to spend your life saving and retirement, due process and the law do not matter. Most of these "professionals" are money hungry.

Participant 21: "A negative one. The last round in the courtroom when the judge sat her chair in front of me and ripped into me, and then when the judge wouldn't let my daughter speak. The third proceeding for reunification for my daughter was the worse. I couldn't ever trust anybody. I always felt alone. I thought that justice was going to prevail because I had an attorney and documentation and then you go in and you are just slammed. It's so negative, so negative. Then they say this is in the best interest of the child. I don't see how they live with themselves with what they do to the kids, not even acknowledging any abuse and acting like this is just a happy arrangement. I would support a healthy relationship, but it wasn't. We were in the hospital ruling anything physical out for the vertigo, so now my daughter is going to be fine now. There was finally proof that my daughter had vertigo from the emotional distress from the dad and court."

Participant 22: "A negative one. It ruined my life. I pulled out of it and got my kids back because I was strong. Not everybody is as strong as I was, but for a time it ruined my life."

Participant 23: "A negative one. In short, they kidnapped my children unlawfully. If I don't get them back home this year I don't think he will survive it. His father refuses to get him medical treatment and he has been malnourished and abused. He threatens the doctor if the doctor tries to treat him, and the courts are not doing anything. He's gone through psychological abuse and physical abuse. I have videos and CPS and the family court won't do anything about it. Money influences the system. The sexual abusers are the ones running the system and that's why they don't do anything, police, court officers. There's too much money in sex trafficking and the money to fight the people in the system is too much and takes millions of dollars. I went to appeals court, but they demanded me right back to people who abused my children. Now, I'm in Supreme court and Federal court. In the judicial counsel website, DCCS gets financial incentive to get child support. The incentive of the court is to give the kids to the low-income person, to get the higher child support. DCCS takes some of the money and doesn't give it to the parent."

Participant 24: "A negative one. My daughter was harmed, and we have years of trauma to heal from the court allowing a sociopathic abuser to further stalk, harass, and abuse us in the court system for 11 years."

**2. Is there anything you want to tell me about your experience with the California family court system that you did not include in the survey? Yes or No? What would you like to tell me?**

Participant 1: “The whole system needs to go. The probate, the juvenile, the adoption thing, CPS, family court, and nothing’s going to change because its money driven. I’d really like for it to be constitutionally driven.”

Participant 2: “I don’t think so, except the difference between how you are treated when you are together then when you are apart. If you are with the abuser, the social workers are interested in the safety of the child and the mother, but if you are separated from the abuser, the court personnel are interested in the dad’s access to the children.”

Participant 5: “No.”

Participant 8: “I feel like we covered it.”

Participant 10: “My ex trumped up charges of Parental Alienation and he went to the DA or called them every day for 4 months, and a female person in the district attorney’s office finally said to file charges against her, so that he won’t keep coming back. I had to go to criminal court and pay for a criminal attorney where they charged me for parental alienation. Then they wanted to put me on 2 years of formal probation with 200 hrs of community service but my attorney was able to get it down to 6 months of informal probation.”

Participant 11: “I want to add that if a bad person is in there lying and manipulating, that is a bad situation. The abusive spouse, the one lying to the court officers, is the ultimate one responsible. However, it’s the courts responsibility to catch that and know about it and understand it. There are bad people out there, and family court doesn’t know about predators and criminals and rape culture.”

Participant 13: See previous answers.

Participant 16: “I sent many letters to Congress, the UN, Amnesty International, and all they said was that I needed an attorney or I got referred to many offices. I wrote a lot of letters when I went to jail. They didn’t let any witnesses come in and I had 40 of them and they make you sign your rights away to appeal and I didn’t want to or else I would have 7 years of prison. He did not allow me to talk about the child abuse or anything. He lied to me about what a Wes plea was and in the documents it was that I would not appeal. They lied to the governor of CA and to the DA of CA saying they could prove that I was physically present in CA when they knew that the kids had run away and I never set foot in CA. Nobody wants to believe that it happens in the United States. I am left without no money from the court system. I have to fight to eat. I can’t find a job because nobody wants to hire a felon or rent to a felon. I have a felony for child kidnapping. They don’t want to hear about my kids running away. When I came back from Switzerland, they tried to deport me for the felony and I have 7 children. I have recovered emotionally and physically but I haven’t recovered financially. My children are still working on recovering.”

Participant 17: “All of the information in the survey. Also, the laws of the family court are operating on archaic laws that do not apply to today’s family situations. There is a significant lack of genuineness among family law attorneys and different court officers that perpetuate this lack of common sense coming out of court orders.”

Participant 18: “The family court system goes against everything. We have no constitutional rights. If the children are involved, it definitely should not be in the family court because the family court system seems to have bias because it’s about kids being property. In a lot of criminal offenses there is restoration. There is no program for victims of the family court system. We are treated like criminals but we are not given due process. We don’t have any steps in the family court system. Criminals do their time and take their steps and their rights are restored. All of us moms, we can’t restore our rights. It doesn’t make any sense. I would do anything. A lot of us would but it doesn’t make a difference. There needs to be some oversight of the family court system. I feel there is gender bias in the family courts. The biggest thing is there is no way to protect the kids. It scares me.

Participant 19: My judge was more interested in shutting me up and did not want evidence or my side of the story. How could he even claim to act in my children’s best interest?

My judge talks down to parents and ridicules them and is so mean and punitive,

My evaluator is the chief evaluator in the south bay and a complete crook and liar. He is out to get as much money as he can.

Participant 21: “We could talk for hours. People don’t understand how I was able to keep my daughter. I was able to get supervised visits in the beginning and one lady from CPS contacted her attorney about some sexual abuse that my daughter disclosed. And so for the first three years, we were able to get supervised visits, but then he got regular visits. The doctors wouldn’t examine her and say she just had a yeast infection. The police couldn’t find anything, and I got accused of lying because I was going through a divorce.”

Participant 22: “Just that it needs to be completely overhauled because it is harmful to children. CPS proceedings need to be open to public or an unbiased watch group. They work behind this cloak of secrecy. I think they should take away their immunity and be subject to prosecution for misconduct. People always said to me why don’t you leave the abuse. If I would’ve known what would’ve happened in the family court I would’ve have stayed to protect my children. If we want to encourage battered women to leave a batterer than women and children need to be protected in court. So I was abused and then called a liar in the family court when protecting my children. It makes it very unsafe to leave. If I had it to do again, I would’ve stayed until they were 18 and took the abuse rather than my kids being abused by him from the court orders. I think women should get police records the first time he touches you for family court. It’s really hard to do that if you don’t leave him because he can beat the shit out of you. If you batter somebody it’s a criminal thing. I don’t understand how they can stand in family court and talk about domestic violence.”

Participant 23: “The only thing I could do was go to law school. The court trauma caused me to not be able to work my former job. There is so much corruption, even in the Federal Court. I don’t know where to go to. There are so many pedophiles. If you go up to the Supreme Court, most of them are from Nixon and Bush. They are corrupt. You have to sort through it and get out the bad apples because there are a lot of pedophiles. Pedophiles are allowed to sexually abuse their own children . The laws are specifically set up to protect pedophiles abusing children. There are not a lot of laws protecting the children.”

Participant 24: “It’s just a nightmare. Every time I started to feel safe and that my daughter was protected an incompetent court officer, mediator, or judge put us in danger where we couldn’t heal from the trauma it caused us.”

### **3. From your personal experiences with the California family court system, what are your suggestions for improvement?**

Participant 1: “Revamping the whole thing. Oversight. Accountability. Follow the laws that are already in the books.”

Participant 2: “Stated in survey.”

Participant 5: “The system is so broken, it’s hard to know how to improve it.”

Participant 8: “Stated in survey. Oversight of the judges. Where best interest of the child is actually protecting the child. Kids don’t lie. The kids should be with the parent who they feel safest with. Abuse brought up in the family court system should be brought in a criminal court.”

Participant 10: “In my opinion, I think that judges should be responsible about domestic violence issues, and they should be more knowledgeable about the terror that women who have had domestic violence go through. The judges should be mandated to go to specific domestic violence training. They need to understand why women are hysterical and why abusive men can remain so calm in the courtroom. The judges should be held accountable for dealing with the issues that are in the courtroom on a daily basis, and I think some judges are abusers themselves.”

Participant 11: “Prosecute perjury. There’s more than one answer, but that’s one.”

Participant 13: “More training for the judges. Making them responsible for their decisions and jury trials for high conflict cases. Get child abuse out of family courts and into the criminal or juvenile courts. It’s a crime and why are the family courts ruling on it?”

Participant 16: “Could we bring the death penalty for the judges? Would that be a high enough incentive for them to act right? The people that supervise the judges are just as corrupt. There was corruption at so many levels. I was so surprised at how corrupt the system was. I don’t know. Ask people to be more humane, spiritual. Everything I tried could be turned around. Elect good judges. Make them go through psychological evaluations. How about being investigated by the FBI? The judges should be supervised

by people in the California Protective Parents Association or the Center for Judicial Excellence.”

Participant 17: “I think first and foremost judicial accountability. The immunity that the judges have makes it impossible for parents to have any chance of checks and balances and it allows judges to not have to back up their decisions or orders without any kind of evidence. Provide jury trials for family court. Trial like juries would be more affective.”

Participant 18: “If the family courts were to remain, and it is allowed to continue as a service to people, which it is supposed to, then it should only be to matters of property, but not about children because children in the family courts are treated like property. It feels inappropriate that all these different people are tied into the courts. These agencies all work together. A lot of people have custody evaluations that are a mess because they are not being neutral in their evaluations. It feels like there is gender bias in the courts. I don’t know if the ERA was never ratified because of federal funding or what kind of combination, but it needs to change. There needs to be oversight and to make judges accountable and have ways to measure it and to implement accountability. The children’s matters should be in juvenile court with over half first of the juvenile court and if parents were to lose their rights, then it needs to be in criminal court. Due to immunity, the judges and other people in court seem to be able to do whatever they want and ignore people’s rights including the right’s and protections under the ADA.”

Participant 19: There are some laws in California, but most trial judges complain and are spoiled and lazy. They often send families to expensive and stressful evaluation. This and litigation causes financial ruin.

Some parents are forced to send their children to mental health professionals that are molesters and it is made a court order and the parents have no power and the people cover for them.

Participant 21: “Obviously the judges need to be held accountable. We have to make sure the laws are being implemented. The whole system needs to be revamped for sure. I think because the judge’s are of the highest power they are responsible. Can it be done or is it so corrupt that it can never be fixed? I don’t know what’s wrong with it if it’s to do with money or what? Is it a gender thing? Is there something that I am missing? The laws need to be changed so that the r can implement them. The laws now are not strong enough. If there are abuse allegations then go to criminal court instead of ignoring it.

Participant 22: “They need to open up a criminal case when they accuse protective mother of abuse, so that I can be in a beyond reasonable doubt court house and not be held accountable for false accusations.”

Participant 23: “Get rid of child support, DCCS. Get rid of the financial incentive that is driven there. That one thing will get rid of a lot of non-domestic violence custody battles. The attorneys need to be gotten rid of. The court mediators need to go. The mediator reports give judges immunity, so they don’t have to be held responsible for their decisions. We have to go back to the 1800s when they used to hang corrupt judges outside of the courtroom. Make judges go to jail, and then they will have to act

accordingly. Make some accountability. The CJB is covering up for the judges. We need more people that aren't involved in the family court system to be involved. We need a jury for the family court systems. Let a jury of our peers decide where my children should be."

Participant 24: "Get rid of immunity for judges. Make sure every hearing has a court reporter. Do psychological evaluations before enstating any court officer, judge, or mediator. Make sure judges cannot change a permanent order without a major change in circumstance or without causing harm to a mother and child. Recognize and be sympathetic to protective mothers. Protect women and children when an abusive father is using the court system to further abuse or torment them. Get rid of 50/50. Kids are not properties and do not like living in two households. How would judges like to live in two households? The courts should find out the recidivism rate of an abusive father abusing again after the court mandated anger management classes, domestic violent classes ,or psychotherapy before ordering visitation/ custody to the child again."

#### **4. What is positive and should be kept the same in the California family court system?**

Participant 1: "I can't think of anything. I can't really think of anything. The mediators, facilitators are worthless, minors counsel. Nothing is beneficial, nothing. Right down to paying for parking in front of the courthouse and then when I get out it's a parking ticket. Turning onto Court St. is bad news."

Participant 2: "I don't think anything."

Participant 5: "Nothing. I guess I can say that they have a nice building, a nice physical appearance. They can keep the building."

Participant 8: "HaHaHaHa! I'd say the free education but it's not really free."

Participant 10: "The only reason that I had a positive experience in the courtroom is because I finally got a female judge, and my attorney exposed a major lie my ex said and he blew up and kept approaching the judge when he was told not to. So the judge ruled against him, but that was the first time I ever was successful. I want to win the lottery and become an advocate for abused women in the court system someday. They are not good with dealing with men with personality disorders. Most women who are abused are too tired to fight. After a series of attorneys, I finally found a competent one. I don't know how I made it through. I didn't feel strong. I just had to protect my kids."

Participant 11: "The CA family civil procedures and the CA codes are positive. They are not perfect, but at least they are something. People are trying to deal with these issues and there is a process to change it. I think mediators do not know what they are doing at all."

Participant 13: "Well it would be positive if they listened to the Psychological testing and independent custody evaluators but they don't. The key is finding the correct one, not the court appointed ones because they are part of the problem. I hired one outside of the court that did the psychological reports, that pegged him as a borderline personality disorder,

narcissistic, and antisocial disorder, and the judge through it out. Even if I got reports to support protecting our kids the judge dismissed it. CPS, Police, and the Pediatrician made reports about the abuse on my children by him and the judge dismissed the reports. CPS took custody away from him and his lawyer and the judge ruled it all out. There were reports from three different organizations confirming the abuse and the judge dismissed the reports. That's when I knew I wasn't going to get anywhere with the judge, and I got involved in an advocacy group and put my kids in hiding to protect them until I was arrested for protecting them.

Participant 16: "Nothing. Nothing in my case. I haven't heard many cases of things being positive. They don't follow the law so what's the point of trying to change the laws. The attorneys told me that they do not go to family court because judges make their own laws. In Calaveras County, I went to a trial where there were several witnesses of the sexual abuse on the children, and the judge gave full custody to the father and he made the mother do supervised visitation which didn't ever take place."

Participant 17: "I can't think of anything. I find it very difficult to find any element of the family court system that should be kept as it is."

Participant 18: "I don't want to sound biased or extreme, but I cannot think about anything positive. The negative has been so severe. They destroy families. They do. I would recommend people stay away no matter what from family court. It needs to be completely over hauled. I can't think of one little piece in the family court that is good."

Participant 19: The California bar, the judicial ombudsman, the California board of psychology and HIPPA all cover for these people and I can even provide proof for you.

Participant 21: "Ha? Did I hear you right? Ummmm, I can't think of anything. There's nothing positive. There's absolutely nothing positive except for a few people trying to fight the fight except for that one CPS worker we had." It's positive for all the players in the cottage industry because they make a lot of money. They know what they are going to do before we even walk into the courtroom. The judge and the court appointed therapists are the worst actors. It was all planned out. They all planned to go after me. They were going to send us to a family camp in Vermont. It's a deprogramming camp against parental alienation. The judge went off on me saying if my daughter didn't have her father she will be on drugs and start sleeping around. I said I don't want you questioning me. I don't feel comfortable with the way you are talking to me. I want you to ask my lawyer the questions. The judge said oh no I'm going to talk to you. My attorney from family and children's law, a low income lawyer, didn't say anything when the judge was talking to me like that."

Participant 22: "I can't think of a darn thing."

Participant 23: "I can't really think of anything. I can't think of anything. I keep thinking if the family court wasn't involved in my life, my children would be safe at my home. They have only created harm and trauma. Out of all of the attorneys that I met, there is only one that I would trust with my case. I've removed myself from the state courts, and I am at the federal level now. If I knew how bad they were, I wouldn't ever have gotten

involved in the family court system. They are on nobody's side. Their only incentive is money. So they have no money to end it."

Participant 24: "Nothing, but I'm sure abusers and stalkers love the system. They can easily continue their abuse, power, harassment, and stalking of the victim who tried to get away from them, or make women stay who are afraid that they will lose their children in the family court system. It's their playground allowed by the judges, mediators, and court officers. The father of my child used to say I was a passionate mother. Abusive men love abusing children via the California family court system, to destroy a mother, and make a mother feel like a failure in a hopeless court system, trying to protect their children."