



NOVEMBER IS
**FAMILY COURT
AWARENESS MONTH**



Presented by: Sarah Kerlow

November 2nd, 2022





Sarah Kerlow MA

- Mother of 5
- MA in Human Rights Education
- EdD candidate in Human Rights Education at USF
- Musician
- Advocate with Survivors Rising, Custody Peace, OMB, NSPO, MOM
- Survivor
- Legal advocate for other mothers
- Local organizer of a supportive network for mothers with active cases in Family Court.

Our Mission

- To keep Children Safe.
- To honor their rights.
- To protect their mothers.
- To protect their future and health.
- To raise a healthy new generation.
- Help them heal from ACE'S
- Prepare them for a bright future.



Our Mission

The mission at Family Court Awareness Month is to raise awareness and shine a spotlight on one of the most important branches of our judicial system; the family court system.

The very system that was established to govern family law cases and make decisions that are “in the best interest” of children, has some undeniable shortcomings that warrant conversations, solutions and ultimately, change.

Our mission is fueled by the desire for a family court system that is trauma-informed and educated on domestic violence, coercive control and post separation abuse. To truly act in the best interest of children, our family court system needs to incorporate empirical data and research into their decisions and rulings.

Such research includes:

- Child Custody Outcomes in Cases Involving Parental



Watch to learn more about our inaugural year of 2020 - the roots of [#FamilyCourtAwarenessMonth](#)



THE PROBLEM

Child abuse is being dismissed

- Protective parents are forced to seek help in family court
- Family courts are failing to protect children
- Instead of protecting children with the safe parent, custody is being awarded to the named abusive parent

WHY??



What is Post Separation Abuse?



PROTECTIVE PARENT SURVEY PROJECT

The following is a preliminary analysis of a national survey of 399 protective parents from 39 states in the United States who were involved in custody disputes. The survey was designed and analyzed by Geraldine Stahly, PhD, professor at California State University San Bernardino, and her researcher assistants. 40% of the cases are from California.

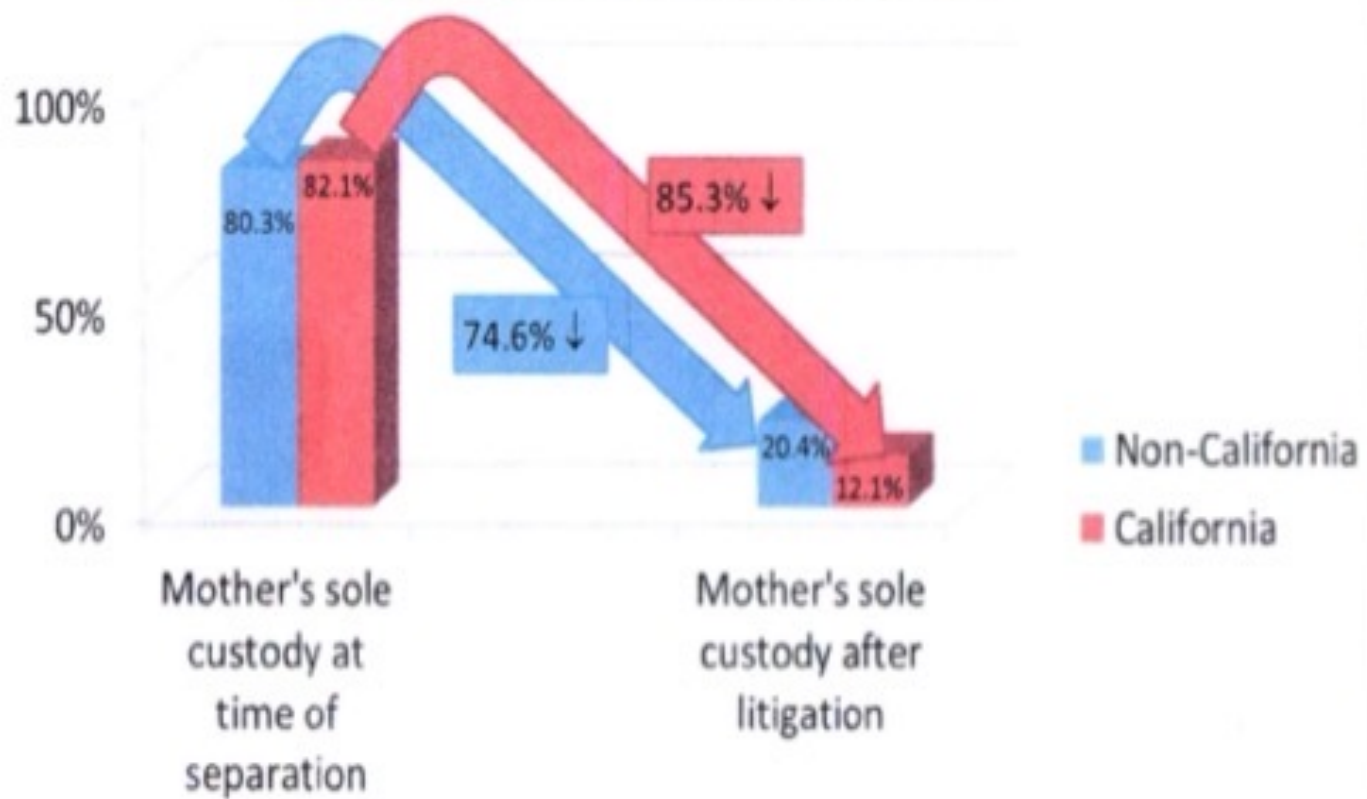
- The custody disputes arose after separation/divorce. **81% of mothers started with primary custody**
- 90% of mothers reported being victims of domestic violence; half of fathers had criminal histories.
- Allegations of physical and sexual child abuse arose in nearly all cases. In 75% of cases, children positively identified fathers as perpetrators. The children had serious symptoms, including sleep disorders, rage, regression, fears/phobias, pain, depression, dissociation, sexual acting out, suicide attempt, constipation/diarrhea, learning disability, and eating disorders.
- After mothers brought child abuse, child support, domestic violence, violation of court order, criminal conduct, substance abuse, move away, or spousal support to the attention of the court, judges ignored or minimized evidence of abuse and changed custody to the fathers in three quarters of cases.
- 67% of mothers lost parenting rights based on an evaluator's recommendation and 44% lost custody due to a mediator's report. Attorneys for children zealously advocated for their clients in only 9% of cases.
- **Only 17% of mothers had primary custody after court proceedings.** Over half of mothers attempting to protect their children were restricted from all contact with their children, and nearly half were put on supervised visitation, at some point in the proceedings.
- **98% of the fathers were represented by an attorney while the mother had no attorney.** Over half of hearings were held without a court reporter present, thus precluding an appeal.
- Most mothers believed there was unethical communication among court professionals, and between the fathers and court professionals.
- 27% of mothers filed for bankruptcy after spending a modal average of \$100,000 on litigation, and 78% of the cases were still in progress.
- **Two thirds of the children continued to report abuse.** 86% of mothers believe their children were still being abused yet believe they cannot protect their children. Over half of mothers stopped reporting abuse for fear their contact with their children would be terminated

It is clear from these data that children are being taken from their primary caregiving mothers and placed with fathers whom the children identified as abusive. The family court is not responding well to the plight of abused children.

As medical research shows, these children will have far-reaching negative outcomes in adulthood. It is incumbent upon family court to prevent such outcomes by keeping children safe and nurtured.

More information can be found at www.leadershipcouncil.org; www.centerforjudicialexcellence.org; www.protectiveparents.com; and www.distinctioninfamilycourts.org

Result of Attempt to Protect Child



[INITIATIVES](#)[RESOURCES](#)[MEDIA](#)[EVENTS](#)[TAKE ACTION!](#)[NEWS](#)

872

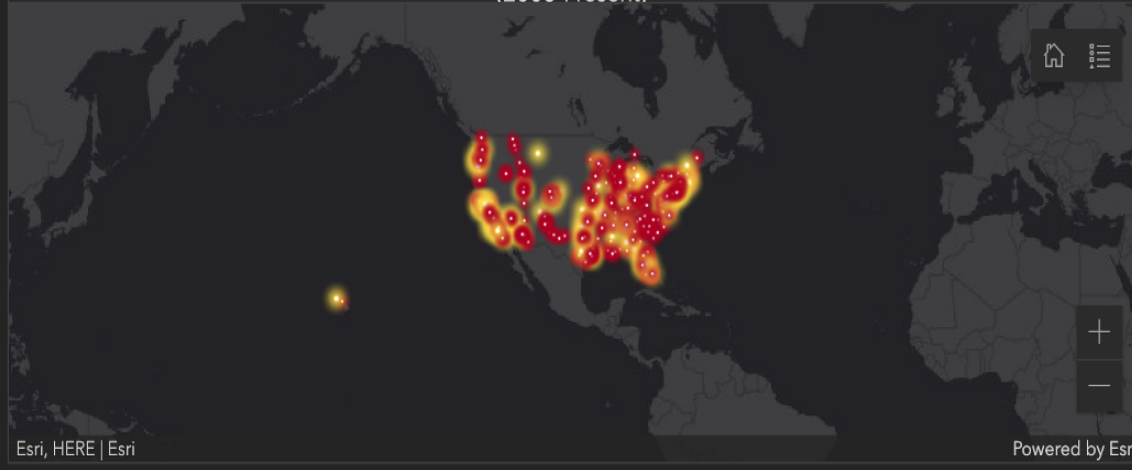
children murdered by a divorcing/separating parent

Indicator Map legend Reporting

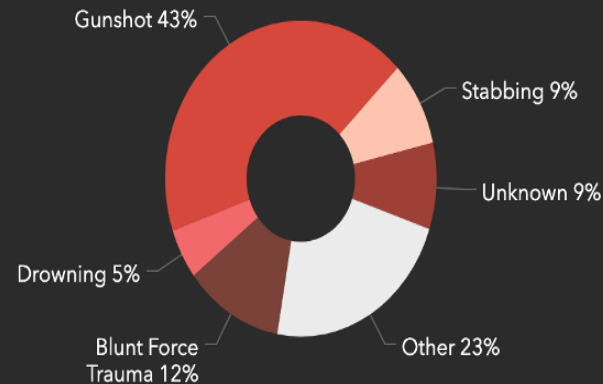
- 16-year-old Teagan Welch was shot and killed by her father during a custody swap in Greene County, TN. January 2022.
- 2-year-old Sydney Durham was physically abused and killed by her mother's partner in Middlesex, New Jersey. June 2019.
- 4-year-old Paris Roberts was stabbed to death by her mother in New Orleans, LA. August 2022.
- 5-year-old Mason Reyes died from blunt force injuries by his father who had gained full custody in Los Angeles, CA. September 2022.
- 3-month-old Oliver Bondarev was drowned by his mother in Kings, NY. September 2022.
- 4-year-old Liliana Merdy was drowned by her mother in Kings, NY. September 2022.
- 7-year-old Zachary Merdy was drowned by his mother in Kings, NY. September 2022.
- 10-year-old Austin Chana was killed by his father with

Source: *Center for Judicial Excellence*

US Divorce Child Murder Data (2008-Present)



Murder Method



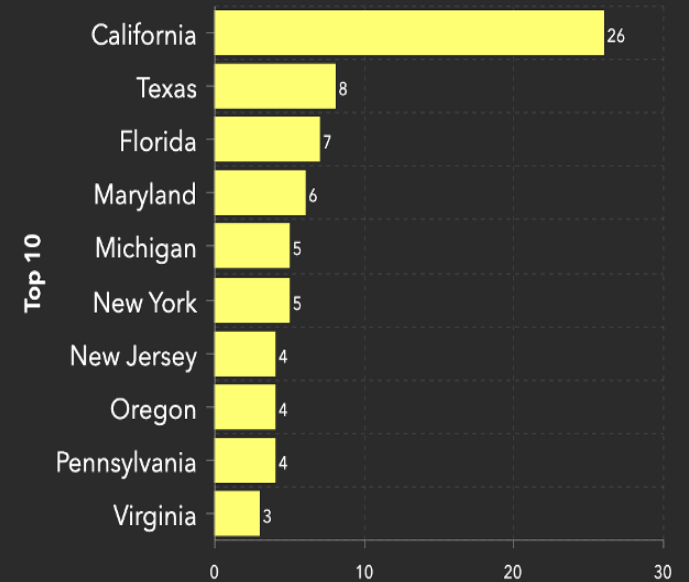
Murder Method Relationship of Killer

Reported System Failures:

118

children killed in preventable cases

Preventable Homicides



Preventable Homicides Murder-Suicides



MARCH 16, 2022

Fact Sheet: Reauthorization of the Violence Against Women Act (VAWA)

[BRIEFING ROOM](#)[STATEMENTS AND RELEASES](#)

This week, President Biden signed into law the Violence Against Women Act Reauthorization Act of 2022, bipartisan legislation passed by Congress as part of the Omnibus appropriations package.

One of the driving forces of President Biden's career has been fighting back against abuses of power. That force led him to write and champion the groundbreaking Violence Against Women Act (VAWA) as a U.S. Senator, landmark legislation that first passed in 1994. In the nearly three decades since, he has worked with Members of Congress from both parties to pass legislation to renew and strengthen VAWA three times: in 2000, 2005, and 2013. Each time, he worked to expand access to safety and support for all survivors and increase prevention efforts. Preventing and responding to gender-based violence wherever it occurs, and in all of its forms, has remained a cornerstone of the President's career in public service—from VAWA reauthorization to a national campaign to combat campus sexual assault to reforms to address sexual assault and harassment in the military.

While incidents of domestic violence and sexual assault have declined significantly since VAWA first took effect—and efforts to increase access to services, healing, and justice for survivors have improved with each iteration of VAWA—much work remains.

Prepared by Odalis Medianero

Share



Yet ACEs are not inevitable, nor do they have to determine the destiny of a child who experiences them. ACEs can be prevented, and when they do occur, concrete steps can be taken to help children heal. **Healthy parent-child relationships**, or other supportive relationships, can serve as a protective buffer, and help children foster resilience and thrive.

The Impact of ACEs



Across 50 States, **50%** of children's ACEs are acquired by the age of 3.²⁰



If left untreated, children with a high ACE score face a **20-year decrease** in life expectancy.²¹



Physical & Behavioral Health

Children who experience four or more ACEs are **7.4x** as likely to suffer from alcoholism and **12.2x** as likely to attempt suicide.²²



Education

Children who experience two or more ACEs are nearly **3x** more likely to repeat a grade.²³

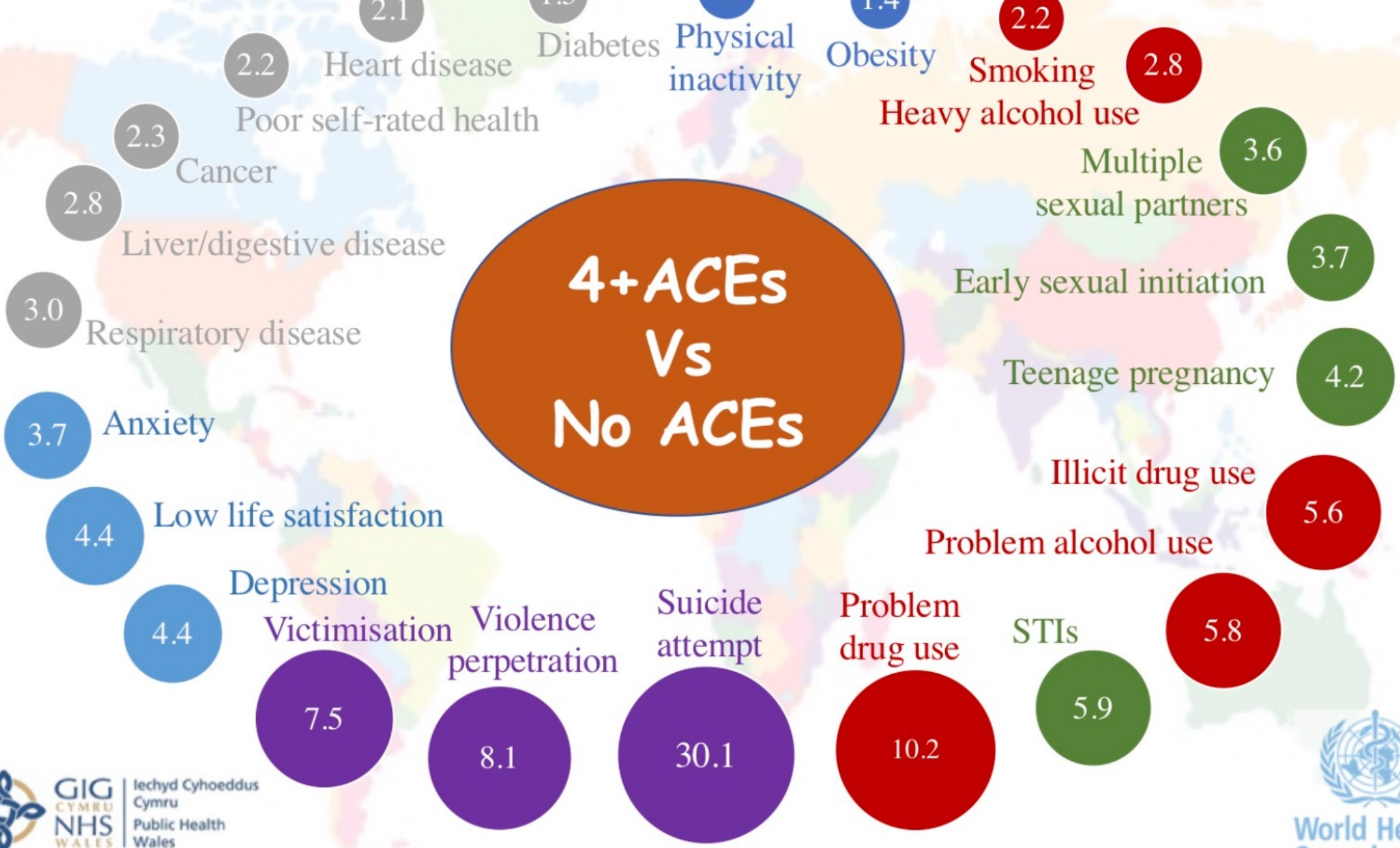


Criminal Justice

Juvenile offenders are **4x** more likely to have experienced four or more ACEs than those in the CDC-Kaiser ACEs study.²⁴



4+ ACEs Vs No ACEs



Warning to Judges, Evaluators, Caseworkers and Legislators



WARNING:

Any attempt to adjudicate custody cases involving possible domestic violence or child abuse without using current scientific research like ACE and Saunders will ruin children's lives!

The ACE (Adverse Childhood Experiences) Studies are often compared to the Surgeon General's Report linking smoking and cancer because they both present highly reliable medical research that can be used to save millions of lives, trillions of dollars and improve the quality of our lives. Society responded to the Surgeon General's report by implementing a variety of sensible measures to discourage and prevent smoking and this earned enormous benefits for the public. The lead

author of the original ACE Study says that prevention is also the best use for his research. We can enjoy even greater benefits than we accomplished by discouraging smoking by using best practices to prevent domestic violence and child abuse. The family courts must play an effective role if the full benefits from the ACE Research are to be won.

Domestic violence is fundamentally different from most other crimes because until recently behavior that is now considered domestic violence or child abuse was tolerated or even encouraged. This means it is especially important to send strong messages these harmful actions are no longer permitted and to avoid responses that tend to minimize or deny true reports of abuse. Family Courts developed responses to domestic violence at a time when no research was available and popular assumptions suggested domestic violence was caused by substance abuse, mental illness and the actions of the victim. This led courts to rely on mental health professionals as if they were the experts. Later research demonstrated the original assumptions were wrong, but for whatever reasons, the courts have been slow to integrate current scientific research that would make it easier to recognize and respond to true reports of abuse so that decisions could be made that better protect children.

Most child custody cases are settled relatively amicably because both parents love their children and are willing to sacrifice personal interests for the well-being of their children. The problem is the 3.8% of cases that require trial and often much more. A large majority (75-90%) are domestic violence cases involving the most dangerous abusers. These are fathers who believe the mother has no right to leave so they are entitled to use any tactics necessary to regain what they believe is their entitlement to control their partners. Inadequately trained professionals often fail to recognize the danger because most of these fathers have not committed the most severe physical assaults. But these abusers are willing to hurt their children by taking them from mothers who are usually the primary attachment figures, abusing the children and in extreme cases killing them. Courts rarely look for patterns to help understand domestic violence, but in the last ten years over 600 children involved in contested custody have been murdered, mostly by abusive fathers.

About Barry

Barry Goldstein is the co-author with Elizabeth Liu of Representing the Domestic Violence Survivor REPRESENTING THE DOMESTIC VIOLENCE SURVIVOR, co editor with Mo Therese Hannah of DOMESTIC VIOLENCE, ABUSE and CHILD CUSTODY and author of SCARED TO LEAVE AFRAID TO STAY. He has been an instructor and supervisor in a NY Model Batterer Program since 1999. He was an attorney representing victims of domestic violence for 30 years. He now provides workshops, judicial and other trainings regarding domestic violence particularly related to custody issues. He also serves as a consultant and expert witness.

Barry's new book, The Quincy Solution: Stop Domestic Violence and Save \$500 Billion demonstrates how we can dramatically reduce domestic violence crime with proven practices.

Contact Barry today to speak at your event, consult or as an expert witness!

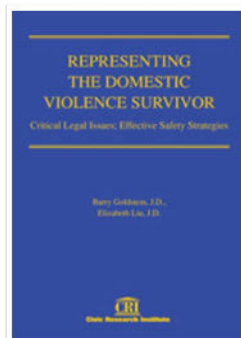
Contact Us!

About Veronica

Representing the Domestic Violence Survivor, 2nd Edition

Representing the Domestic Violence Survivor is a book written by Barry Goldstein and Elizabeth Liu designed to train attorneys how to litigate domestic violence cases. Many protective mothers have complained that their attorneys did not know how to present evidence about their partner's abuse or even recognize it.

[READ MORE ...](#)

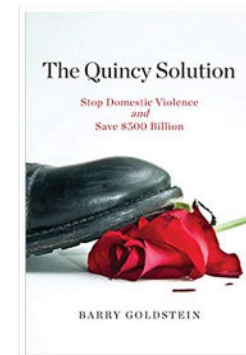


The Quincy Solution

When was the last time you were filled with hope? How about right now?

As we struggle to find ways to better protect battered and sexually abused women and children there are communities in the United States where they've successfully reduced domestic violence – dramatically.

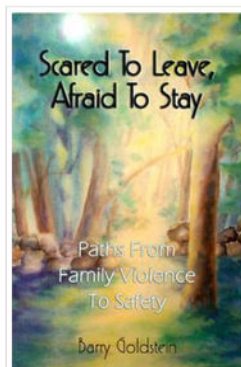
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Scared to Leave, Afraid to Stay

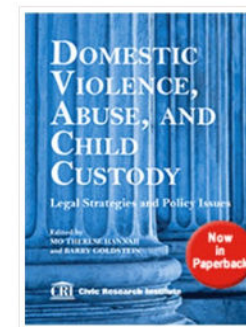
Scared to Leave, Afraid to Stay tells the stories of ten women going through the court system as part of their efforts to leave their abuser. The women were clients of Barry Goldstein. A variety of court issues related to domestic violence are featured in these cases and the reader is taken through the process.

[READ MORE ...](#)



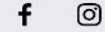
Domestic Violence Abuse and Child Custody

Domestic Violence, Abuse and Child Custody is a multi-disciplinary book co-edited by Dr. Mo Therese Hannah and Barry Goldstein which was published in 2010. It contains chapters by over 25 of the leading domestic violence custody experts from the United States and Canada including judges, lawyers, psychiatrists, psychologists, sociologists, journalists and domestic violence advocates.





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“When the family court system fails to protect our most vulnerable members of society, it fails all of us.”



Senator Susan Rubio
Representing the 22nd District

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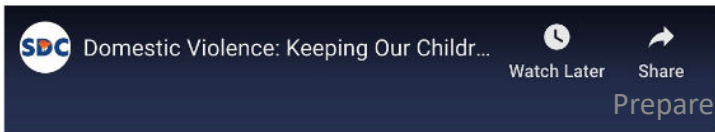
Domestic Violence



I introduced Piqui's Law because children continue to be murdered at the hands of an abusive parent during custody disputes. Piqui was among those innocent children and one of the reasons behind our national movement to reform the judicial system. Judges and court employees are best positioned to help avoid this loss of life. It is unfortunate that the Judicial Council's resistance stifled our ability to include stronger protections for victims.

Despite strong efforts by my colleague, Senator Tom Umberg, Chair of the Senate Judiciary Committee, Piqui's Law did not achieve our goals. Advocates and I agreed that it was too important to get this law right and decided to continue to work on it. I want to thank Senate President Pro Tempore Toni Atkins, Senate Leadership, and the Governor's staff for all their support and commitment to me, Piqui's mother, Ana Estevez, the Center for Judicial Excellence, and stakeholders to craft legislation that makes California a leader in judicial reform.

Here's a June 2022 press conference we held on the bill.



Prepared by Odalis Medianero

For Resources

The [National Domestic Violence Hotline](#) provides confidential assistance to anyone affected by domestic violence through a live chat and a free 24-hour hotline: **800-799-7233**.

[National Dating Abuse Helpline](#), a project of the National Domestic Violence Hotline, at **1-866-331-9474** (TTY: 1-866-331-8453), by texting "loveis" to **77054**, or through live chat at loveisrespect.org.

Find a local domestic violence organization in your community on [California Partnership to End Domestic Violence's website](#).

The [National Sexual Assault Hotline](#) provides confidential assistance to anyone affected by sexual assault through a live chat and a free 24-hour hotline: **800-656-4673**.

The [ChildHelp National Child Abuse Hotline](#) provides confidential assistance to anyone affected by child abuse through a live chat and a free 24-hour hotline: Call or text HELP to **800-422-4453**.

The [National Human Trafficking Hotline](#) provides confidential assistance to anyone affected by human trafficking through a live chat and a free 24-hour hotline: **888-373-7888** or text HELP to **233733**.

The [National Suicide Prevention Lifeline](#) provides confidential assistance to anyone in crisis and their loved ones through a live chat and free 24-hour hotline: **800-273-8255**. WellSpace Health operates the Sacramento region's 24-hour hotline: **916-368-3111** or text HOPE to **916-668-4226**.

Office Information

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#FamilyCourtAwarenessMonth

We need **YOUR** help to put **Family Court Awareness Month** on the map in **YOUR** community!

The family court system is failing to protect children. Parental rights currently trump child safety. The very system that was established to govern family law cases and make decisions that are “in the best interest” of children, has some undeniable shortcomings that warrant awareness, conversation, solutions and ultimately, change.

[Learn How to Help](#)



Work Cited/ Sources/Resources

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