

Bill 494 – PH 3-31-14

From: Susan Skipp  
Sent: Thursday, April 10, 2014 10:42 PM  
To: Jud Testimony; Susan Skipp  
Subject: 494 and under provisions under Raymond v Rowland

here's language 42 U.S.C. 1983 states:

Every person who under color of statute, ordinance, or usage of any State or Territory or the District of Columbia subjects, or causes to be subjected, any citizens of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable.

Lawyers appointed by a court such as a GAL or AMC are NOT judicial officers and therefore not immune from suits of equity.

By judges providing "immunity from suits of equity", under color of law, to a GAL or AMC, a parent cannot be denied access a constitutional right to liberty interests without violating Title 42 Section 1983.