

Bill # 494 – PH 3-31-14

Good morning,

I would like to share a point of clarification: I am not angry, nor adversarial, I am an advocate. To protect my children emotionally, financially and most important to ensure their protected health information remains protected. I'm here to share how a system that I believed would work with two parents to put our children first, has landed what's left of our family, in chronic conflict. Chronic conflict similar to chronic disease take a huge emotional toll with escalating costs attached. But I am here to be a part of the solution. To support building a better system so families can see their way out of the struggles. What is best for any child is for us to become allies to repair this system. This process has single-handedly separated two great kids from both parents with monumental consequences.

Sadly a certain percentage of the conflict is manufactured by what I now know is a faulty system. My story, divorce 7 years ago with Pendente Lite Orders in place, which should have not happened transitioned civilly and we co-parented successfully until the Pendente Lite Orders, which among other things stated that we would both have our kids in bed by 7:30pm, no longer served our then 10 and 14 year olds. By the time we were able to arrive at a parenting agreement our children were 13 and 17 and 17 months later our older child would be emancipated and graduate from high school. In their Best interest...not so much.

I mislead our children and encouraged them to trust a stranger, explaining that the Guardian which by definition means defender or protector would help our family. Now I just want to extricate myself and these kids from a system that cannot help them. Because in the world of child centered litigations in the family court system GUARDIAN means another COOK in the kitchen. With all do respect for the need to provide the courts with timely, accurate assessments in an effective manner, we need a system of accountability where the exchange of information is traceable to ensure accuracy. When children are involved our GALs must possess the skills to serve as a conduit to provide insight, support, care and true

concern for the spirits of these precious children. But that doesn't describe the process we have in place today.

"Best Interest" cannot truly be served when the numbers of cooks in the kitchen continue to multiply creating a revenue string for each of the cooks. Then it becomes impossible to get out even when you want to. What would serve the interest of the children is transparency and rapport with minors especially when the minors are competent to do so. If the GAL is unable to establish trust and rapport with a minor then another guardian must be selected. We must have a way to measure this success, because without it children suffer.

Here's an email from a kid's perspective about an internship opportunity turned into a crisis, by the ""cooks in the kitchen". While on the surface this seems helpful, we must ask who's needs are being served and who is really paying the price?

Hey Samantha, it's your GAL. I was asked to contact you to let you know that your parents have entered an agreement with the court that you are definitely going to London for the internship. We want to make sure you are aware of this so you don't have to wonder about it.

**Dear** **GAL,**  
**I am very concerned by your e-mail. In the past, you've been very clear about what you could and could not do in regards to representing my best interest. Your words were that "[you're] not my attorney". I did not call you with regards to needing any help resolving London, I only told my parent. I want to know why you were able to bring this up to the court, when I didn't ask you to, but were not able to bring up the majority of things that I have asked of you. This is why it seems that you are more of a voice for one parent than for me, which is troubling for me. So for the record, I didn't not need or want you to bring this before the court, especially, if this comes before so many other issues that you could have advocated for me.**

**Samantha**

Does the GAL system break trust I maintain that it was not intended to build trust, and as such we need the opportunity to provide this for our children. We need an objective GAL system which operates with the understanding that there is no greater travesty than to lose the trust of a child.

Kimberley J. Scott