

Family Courts Cause Financial Devastation

There are several important aspects to consider when examining the problem with Guardian ad Litem and the courts role in creating conditions which end up costing every taxpayer and citizen a great deal – because the courts operate directly contrary to a state’s stated mandate and mission in a divorce case.

In most states, statutes reflect that the primary mission and goal of the state and courts in regards to a divorce - is simply and solely to help prevent a condition in which the parties (and children) become wards of the state. Because if this should happen, it would represent a cost which would need to be paid for and absorbed by every taxpayer. This makes sense.

This was the basis of alimony. Alimony was based on the concept (now dated) and principle that after a divorce, a woman (typically) would need income from her former husband for a period of time in order to “rehabilitate herself.” Meaning, she would need time and some level of support in order to move from the role of homemaker and caretaker, to that of a provider. Again, so the state would not end up being the source of welfare or support.

Bankruptcy laws on a state and federal level, as watered down as they now are, are based on the same concept. Our government wants people to have an opportunity for a fresh start – which includes a **reasonable opportunity for recovery**.

Bankruptcy laws specifically and purposely exclude and protect an individual’s retirement funds from bankruptcy proceedings, as well as a portion of their assets, as well as a portion of any equity they may have in their home. State and federal governments want the person facing hardship to be able to start from some kind of base. We have no interest in hindering a citizen’s ability to help support themselves on some basic level now, or in the future, due to a condition they face today. Again, we do not want them to become wards of the state.

However, in the strange world of the family court - these same basic principles cease to exist. None of these concepts carry over when it comes to judges who award Guardian ad Litem tens of thousands of dollars, without ever examining the quality or level of actual work begin done or performed.

Every asset a parent may have, down to their last dime, is considered fair game. There is absolutely no consideration made for the devastating financial impact paying a GAL’s made up fees may have on a parent’s ability to provide food, shelter, clothing or anything else for themselves and, most importantly, their children.

It simply doesn’t matter if you are unemployed, or if your unemployment has run out. It doesn’t matter if you can’t pay the mortgage, can’t pay medical bills, can’t afford to buy food or are quickly left with no option except for bankruptcy because of events in your divorce or what a court orders. It all falls on deaf ears, **because the GAL is always first**. College funds are

routinely and automatically raided and liquidated “in the best interests of the children” and since they “can be restored in the future.” Retirement accounts forced to be liquidated.

During once recent hearing, a judge ordered that a mother of two young children to see if she could take out a home equity loan – knowing she is unemployed and that she would not possibly qualify for such a loan. All in order to funnel as much money as possible to a GAL who had done next to nothing on her case, if not made matters worse.

In another, a teacher refused to liquidate the retirement account she worked years to put away – so she was threatened with jail time if she did not sign the paperwork as a marshal stood behind her, with handcuffs in his hands. These are not unusual events – this happens every day in “family” court.

And if any of this angers or bothers you – the court has the answer for that. Its’ court ordered therapy, even if no one has testified that you require it or would benefit from it. No matter what the cost, or whether or not your health insurance will help pay for it, or whether or not you have any health insurance at all. Its’ automatically ordered, and again - even if you also can’t afford it. (And clearly because you must be the one who is crazy if you are upset by any of what is being done to you, your children, or your family by the state and court, especially if you dare ask questions or challenge the court to explain or articulate the rationale behind any of this....)

During my last hearing I testified I could not afford to pay: 1. My attorney’s fees, 2. the GAL’s fees, 3. for a therapist, 4. for a co-parenting therapist, 5. and for a therapist for my sons – never mind court transcripts, and all of the time I was taking away from work. **Five professionals, guaranteed money from me by court order, even though I have not once been found at fault, and am in court fighting to protect my sons from abuse they suffered by their mother.**

Paying for everything the court automatically ordered, and factoring in all of the status conferences and hearings that offered absolutely no closure or resolution of any kind - I would be required to pay nearly \$8,000/month as a parent who is only now recovering from years’ worth of unemployment. Is this realistic?

And here is the most important part – all of this is forced under the very real threat of imprisonment, as judges are actually ordering jail time if their orders are defied. What judges fail to realize – **is that this directly contradicts what they are mandated to do** – because they do not recognize that jail time, and given today’s economy and realities, is in effect a career ending and financial death sentence for most parents.

There is already blatant discrimination out in the job market against the unemployed. People are already struggling to take time away from work to be in court, putting their jobs at risk. Now a judge sends the parent to jail – **solely for being unable to pay**, not because there is any evidence that they are a bad or incapable parent. This all but guarantees that they will **never** be able find meaningful employment or be able to provide for their children again.

Because today, background checks are now very exhaustive, routine and required for even minimum wage jobs. A record of court activity resulting from a divorce or post-judgment matter is easy to find and obtain. Very few companies **will hire someone who has been jailed, no matter what the explanation.**

So in addition to funneling every available dime into the hands of a GAL, the court also takes away the parent's ability to provide for themselves and their children – while at the same time also all but ensuring that they will not be able to find gainful new employment – or worse, costs them their jobs. In effect, the court just made the parent and their children – **wards of the state.**

Directly contradicting what the court is supposed to be doing.

And all of this fueled by the inherent and self-perpetuating corruption in the GAL system, and given that many family court judges, also used to be GALs.

(All of this was also recently highlighted in an article blasting a judge in the Hartford Court for routinely sending fathers to jail for not paying child support, when the vast majority of men who appeared before him were suffering long term unemployment and were saddled with child payments made in the past when they were employed – but could not possibly afford to make. today

This judge was sending even fathers who made partial payments to the best of their ability to jail. The article noted the cost to taxpayers of all of this unwarranted jail time, and highlighted how the jail sentences accomplished nothing – other than further hindering the father's ability to pay, and costing the taxpayers hundreds of thousands of dollars.)

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