

Task Force to Study Legal Disputes Involving the Care and Custody of Minor Children

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PUBLIC HEARING JANUARY 9, 2014 TESTIMONY OF PAMELA EISENLOHR

My name is Pamela Eisenlohr. I am a Mother, and the Defendant, Appellant, and a Self Represented Party in this family custody case. This past year, the Court proclaimed that our family custody case is one of the largest files in the Litchfield district.

My child and I lived together since the child's birth until nearly age 9 until temporary orders to change custody were issued December 1, 2010 along with accusations that I was alienating my child from her father. All orders in our Separation Agreement were eliminated by the Court as well. My child had walked into her school two months earlier in October 2010 after a 4 day weekend with her father and took her teacher aside after finishing a school subject lesson about the word "WORRY"; took off her shirt to show her teacher bruises, claimed that her father beat her up, and that she was "worried" that her father would beat her up again because she was going with him that day. My child spoke this claim of fear to her teacher, school nurse, social worker, principal, music teacher. The school reported the abuse to DCF and the local police launching an investigation and reports that included from the child's doctors, Dr. Nina Livingston from the Children Medical Center, State Police, and DCF during which father agreed to DCF not to see the child until the conclusion of the investigation, also worked with mother on a safety plan. Father recanted against DCF and filed for sole custody.

A year earlier in 2009 we were ordered to a \$5000.00 evaluation with Dr. Kreiger of Connecticut Resource Group and my child's therapist at the time was Heather Paluso, PhD. Which was covered by father's insurance. Also in 2009, the GAL reported to DCF that my child was claiming to be abused by her father.

In 2010, Dr. Paluso, PhD reported to DCF that my daughter had been abused by her father. Following this, father pulled the medical releases from both my daughter's therapist, Dr. Paluso and also from Dr. Krieger at Connecticut Resource Group. Neither therapist was able to treat the child or finish the evaluation. At the time, Dr. Krieger was requesting that father finish his required testing and asked for an additional fee above the required \$5000.00 we paid out of pocket. In November 2010, the GAL filed a motion to help get our daughter back into therapy for her diagnosed anxiety and separation issues which was granted – our daughter child was ordered to undergo weekly therapy sessions with Dr. Lauren Ayr, PhD with Connecticut Resource Group, which was covered by insurance.

At the end of November 2010 and prior to DCF concluding their investigation, Judge Munro denied our referral to Special Masters in Middletown and Judge Gionocchio ordered my daughter immediately removed from my custody to temporary sole custody with father citing me with alienating my daughter from her father despite reports of abuse and discounting reports from Dr. Livingston of non-accidental bruising and did so with no report from DCF noting we had trial dates calendared. The GAL testified that she her changed she position – it had to be mom, not dad causing the child to act out. The Court cited that mom had manipulated the GAL, DCF workers, doctors, five school personnel, police and falsified a DCF report. Mom was ordered to supervised visitation with Angelo Farenga of Litchfield Visitation 4 ½ hrs. per week and into therapy and parenting classes for months. Marcia Camp of Family Services surmised that mom was causal to father's anger actions, negatively relied on her maternal instincts, and that the child had adjusted within six weeks to father's home and to her school, and was settled speaking less and less of her maternal family. The child never changed schools and cried for months to come home to mom during visits, including mom could not get any consistent time with the child only got less and less time. The child was diagnosed with Systemic Juvenile Rheumatoid Arthritis in 2003, currently in remission – mom could not manage to ever manipulate father into giving her a current insurance card even with the GAL's helpful demand on father. To date father still has no medical insurance for the child,

is unemployed, and has gone through 7 attorneys since 2003.

The DCF report came in a month later on December 22, 2010 after the fact, substantiating both parents with emotion neglect, father refused to cooperate with his prior agreement not to see the child, safety plan in place, mom wants child in therapy, DCF did not remove the child from mom's care.

In January 2011, Judge Gionocchio recused himself after father introduced our daughter to him at a TJ-Max and thanked him for giving him custody. Judge Danaher took over our case and ordered a continuance of 3 months at father's insistence to March 2010 pending a report from the child's new therapist, mother's therapist Dr. Heath, PhD was criticized for her report favoring concern for the child being removed as a harmful "*draconian measure*" and for mom to have increased time with the child. Father had refused an invitation to meet with Dr. Heath, PhD. mom and child. The Court suggested that mom change therapists, father and GAL demanded a change of therapists. The calendared trial dates disappeared and the case "morphed" into something else. Mom changed to Dr. Michela Kauffmman also of Connecticut Resource Group who requested the testing records from Dr. Krieger via interoffice. Dr. Krieger evaluation records request was denied to mom's therapist and also to mom at a later request as being court sealed, for which I have no record of any sealing. Dr. Kauffmann re-tested mom finding no issues, discharged mom, and wrote a favorable report to the Court mom to have increased time with her child.

In March 2011 a hearing was held. On April 1, 2011, Judge Danaher having agreed with Judge Gionocchio that mom was manipulating several professional individuals including the GAL and Judge Gionocchio, also caused DCF investigations, unnecessary doctor exams, and caused the child to draw abusive drawings of father and finalized sole physical custody to father with reduced supervised visitation for mom now with Thomaston Counseling, reduced to 2 ½ hours per week and further ordered no filing of motions for 6 months under *Taft v. Bettcher*. There was no report from the child's therapist until months after the custody switch, Dr. Ayr, PhD reported it's just the child's personality and that she pendulums between parents, including many months later in December 2011, recommending reunification for the child and her mom for the Mother/Daughter relationship also provided a list of appointments showing numerous cancellations by father often with months between scheduled actual face time appointments. One month later in April 2011, father was arrested for a domestic assault against his second wife, for injuring her, and stealing her car. The GAL, voiced no concerns that father's behavior and his arrest affected our child who was now living with her Father. Father's second wife retracted her story to Torrington police and voiced her anger at police for arresting her husband as reported in published by the Waterbury Republican and the Register Citizen newspapers. The silence from the GAL, Family Evaluator, and the Court was deafening!

The Child and mom had a very close and loving Mother/Child relationship and visits went well when they occurred regularly. However, since the custody change and Court orders April 1, 2011; the *father has changed therapists and/or agencies at least five times since 2011* including father has delayed/refused releases and/or refused recommendations, communications, and disallowed mom and child access to each other including that the Court denied multiple motions as "*vexatious*" in mom's attempts to salvage her relationship with the child thus leaving the child and mom in dire straits with no consistent access time to each other and for unreasonable prolonged periods including for the last 17 months, since last August 2012. The child is angry and acts out against mom and family and friends. In many documents and reports given to the Court previously; various therapists, agencies, Family Services, and the child's guardian ad litem have made it clear that the Mother/Daughter relationship is important for the child's welfare and normal development and that reunification for the Mother/Child is in child's best interests; the Court so order it in March 2012 in the child's best interests.

There is nothing in the record to show that visits between Child and Mother cause harm to either nor is there anything in the record from any therapist or visitation supervisor, Guardian ad litem, Family Services or from the Court to indicate that such Mother/Daughter relationship should not continue, that it was not beneficial or contrary to the child's best interests or have such visits revealed that mom had any negative

parenting skills or that mom caused any negative behaviors in the child. Father and/or attorneys have become "gate keepers" to block mom access to the child, control the orders, control agencies role/decisions, interfered with and/or eliminated agencies, and also when father expressed opposition with all therapist/agency credentials, and with scheduling issues with each visitation agency, and with threatening police intervention against the agencies, and including the father's continued protests with agencies roles and responsibilities, and with going against the agencies and against mom for keeping consistent time with the child and for keeping personal connections, holiday dates, and for exchanging gifts and memorabilia with the child. The Court has also cited several times including in the Ruling of March 20, 2013, that the problems are minor issues, that we two parents, primarily mom has quotient disagreements with father, as not being cooperative, and the child is occasionally misbehaving.

In March 2012, mom sought to modify orders to add reunification therapy for the Mother/Child relationship in addition to parenting time with the child. Father has repeatedly sought to modify the April 1, 2011 orders against mom's time with the child. The GAL reported among other issues in her court ordered investigation report, December 2012 that the mom refused to give the family cat to the child. Thereafter in March 2012, Ms. Gorra, MS LMFT, of Thomaston Counseling, testified in favor of mom and also to oppositional and problematic issues with Father and Stepmother including concerns for the child, her anxiety, parental conflict, also reporting that she was told by the Father in session with the child, that he and his wife were denying the child her cat "...the cat was not going to their house..." referencing her report dated January 5, 2012 and many other reports given to the Court prior, all the while Father and his wife deliberately mislead the child, mom, including the supervisor, for months. Ms. Gorra, also testified that Father and Stepmother refused to allow mom to give the child her birthday gifts, or allow mom other personal connections with the child. Ms. Gorra further reported that Father and Stepmother had threatened police intervention with claims that she was holding the child against her will including that the child was privy to custody information that was harmful to her view of her mom. Ms. Gorra and recommended "Reunification Therapy" agreeing with the child's therapist Dr. Ayr, PhD. because this has had a negative ripple effect on the child and with her relationship with her mother. The GAL was prior ordered in December 2011 to investigate issues with Thomaston Counseling and the child's reactions was also heard – the GAL recommended reunification combined with visits for the child's deteriorating relationship regardless of why it was happening. Father was also in opposition with Ms. Gorra's credentials, her not being a "PhD", questioned her conduct, and employment with Thomaston Counseling including that Father had requested to reduce Mother/Child time and another change to a third agency, which was granted even though the Court cited the parents' conflict and child's misbehavior. In the Court orders dated March 20, 2012; Judge Danaher, III indicted that the child misbehaves and that the parties should be able to work together on simple routine issues. The Court ordered to reunification services for daughter and mother with Laura Erhardt of Visitation Solutions for only 1 hour per week. Within 1 month; Laura Erhardt reported that she does not do reunification and made alternate recommendations reunification. She would stay on as a supervisor. Father refused to acknowledge the orders for reunification for over a year and refused to allow any change in therapist. In September 2012, Laura Erhardt ended her services until the parents could agree to do right by their child recommending that the child undergo EMDR trauma therapy. Father refused.

The Court thereafter, denied to calendar several other motions filed by mom in her efforts to salvage her relationship with the child and placed further restrictions against the defendant for access and to file motions – often for 6 months at a time under *Taft vs Bettcher*. **A year later**, at a "reargue" hearing in April 2013, Judge Danaher inquired as to the status of the Mother/Child reunification. Mom testified that the Mother/Child reunification had not yet occurred due to Father's refusal to allow it which brought about Court orders to proceed with reunification for mother and daughter dated April 23, 2013 and subsequent orders July 15, 2013 after mom filed Court motions for orders and contempt against father for denying access. The Court denied EMDR trauma therapy and any other favorable recommendations to mom given by supervisors. The child's therapist Dr. Ayr, PhD had released the child in November 2012 without issue other than the child's reactions were secondary to parental conflict, and the child did not want to go to therapy anymore. The Court finally ordered weekly reunification with Louisa Krause, LMFT in July 2013 by agreement after meeting with Roger Frigon of Family Services, which never occurred because the child announced she would not get out of the car to go to Reunification. The therapist emailed Mr. Frigon in September 2013 after just 2 sessions noting that the Court should lift its' mandate for

reunification "*at this age*" for the child and it is not her role to determine the causes. The child is eleven. The Court further wrote to deny mom's motions for "reargue" refusing a Parallel Parenting Plan, denied any further evaluation with Mr. Frigon including the Court denied avenues to salvage her relationship with the child, set schedules for access, and to minimize parental conflict summarizing in his decision that it is somehow too late, caused by mom's actions, and that mom is trying to destroy father's marriage. There are Court orders in place. Mom's telephone calls to reach her child are call blocked to father's cell phone of record since July 2013, Christmas was denied, and the child stated on January 8, 2014 that she has not received Christmas cards and gifts sent to her from family and friends. In review of Gardeners' PAS theory checklists, this would be reverse parental alienation, Gate keeping, and likely the less friendly parent in charge to protect the child's relationship with the other parent.

A Guardian ad litem, Dina Menchetti, is assigned to this case, since July 2008; however, mom is not aware that the GAL has been directly involved with the child during the first year after the custody change nor since her Court ordered Investigation report dated December 2011 including the GAL did not interview mom. Father cancelled his appointment with the GAL for that ordered investigation. The GAL based her investigation on emails between Mother and Father and also after her extensive review of mom's therapy file (which she obtained neither without mom's knowledge nor by mom's signed release). The GAL had telephone discussion with mom's therapist (the therapists comments and reports were favorable for mom to have parenting time with her child, released mom without concern and with favorable recommendations to the Court including the therapist expressed opposition and past documented anger issues on the part of Father as being problematic for mom to have a relationship and make new memories with the child). I have never abandoned my daughter, nor have I been declared an unfit parent. The GAL has been notified since that the child has not had any personal face time contact with her mom for 17 months since August 2012.

In 2012, the Court asked the GAL if she wanted to be released from our case -she declined. The GAL did not attend three scheduled hearings in April 2013, July 2013, and October 2013. To date I owe the GAL \$ 22,475.83.

The Family Court System here and across the country destroys families as it operates now and the complaints from families will keep coming, demanding reform, in the "*Best Interest*" *their children*. My case may seem small, even "low level" in the big picture of Family Court chaos, delays, denials, destroyed lives and eliminated bank accounts in comparison to other cases brought to light at this hearing but it is just as painful and unreasonable.

Children will only ever have one mom and one dad and deserve to "*FOREVER*" have both parents in their lives over any "*quotient disagreement*" parents may have between them. In cases of "*Parental Alienation*" accusations or insinuations such as is my case, then it is the parents that need be separated from each other (!) not for Courts to resolve parental accusations or disagreement issues by ripping a child away from their home or from their securities of parental and family ties including that standards for "*Family Reunification*" plans and progression must be clearly defined and overseen in such deplorable cases where Family Courts have allowed children to continue to be separated from parents for weeks, months and even years as in my case; My daughter and I have not seen each other for well over a year. For example; there are "*Parallel Parenting Plans*" designed to disengage parents from each other, eliminates "high conflict", and includes both parents in the lives of their children while insuring the children have consistent contact, balance, and a home base with both parents. DCF and Correctional Facilities have clearly have better "*Family Reunification*" plans and definitions then does the Family Courts offer for those families that are not involved with DCF or have an open case with DCF, or for parents that have not been convicted of any crime, or for those that lack insurance coverage or are indigent, or otherwise plagued with delays and continuances through the Courts. The Family Courts harm and wrong families to color the "*Best Interests*" standards and/or to pick and choose through the "*Best Interests*" standards to meet the best interests or an observation of the day (since the last order) is a wrongful "*Catch 22*" against children's best interests for their long term welfare. Children do not stay Children forever. Childhood is brief and very fragile and only loaned to us for a short while.