

**THE EXTREME ECONOMIC CONSEQUENCES MOTHERS EXPERIENCE AS A RESULT OF
MANY DECISIONS MADE IN FAMILY COURT**

Sept. 19, 2015

Hello and thanks to all of you attending this gathering. My name is Adele Guadalupe, I've been a resident of S. Fl. For 30 years. About 12 years ago I became involved with a group of parents who had lost contact with their children after egregious Family Court Custody decisions. We contacted the P.B. County chapter of NOW and found that they were also being bombarded with calls from moms who were distraught about the courts threats to take their children from them or those decisions that already had. NOW got us all together and we formed FACTs, which included a website, court watches and a hotline. For the most part we met every month

Let me be clear. I am not addressing the large majority of men who are decent good fathers. This presentation pertains to the narcissistic, controlling people who have put their own needs above their children. Also, the fact that we get over 95% of our calls from moms who are literally devastated by the Family Court System.

Family Court can be extremely damaging, as many mothers who have engaged in high conflict custody cases know. Truly an experience that defies our understanding of motherhood, justice, the constitution and due process. Family Court unlike any other, mainly relies on Judicial Discretion, and can skirt around due process, dis-allow evidence, and make decisions based solely on their own temperament or discrimination. Even if DV or child abuse is suspected or proven, judges do not have to take that into consideration when making a custody decision, and as many as 70% of mothers who have always been primary caregivers do end up losing custody in these high conflict cases.

Here is an overview of a typical high conflict custody case:

First, you must hire a high-priced, well-connected, high powered attorney and pony up a substantial retainer that can be as much as \$25,000.00 or more. Either parent can keep bringing motions to the court for as many years as the judge allows them to. The parent with the greatest financial means is usually the father who constantly abuses the system constantly and eventually bankrupts the other parent, leaving them without proper or no access to their children at all. On top of that most of these moms lose their health ins., their homes, go into heavy debt and must take any job available to them if ordered to pay child support. Most of them end up living with friends or relatives or actually are living out of their cars. Once this happens, they are deemed unfit to parent. They become broken, destitute mothers who suffer from PTSD. Just the shock of losing one's children can utterly destroy a mother, let alone being dragged into court non-stop and becoming indigent.

This doesn't make sense, does it? Yet it happens all the time. No matter how egregious the decision, you cannot have a Jury Trial. You can appeal, but the costs are prohibitive for most mothers and these are the reasons:

- 1. Court ordered professionals are appointed to your case, such as; Custody Evaluators, Guardians ad Litem, psychologists, accountants, mediators, visitations specialists, visitation supervisors, and many more. Court reporters and transcript are costly, yet you have to have them if you want to appeal your case. Any one of those “professionals” can charge as much as they want for as long as the judge deems it necessary. Both parents are to share in the costs, regardless of their incomes. Judges have advised them to beg, charge or borrow in order to meet these costs, but these moms have already come to the end of their financial ropes. So what actually happens is the parent who is financially secure does make the payments and thereby puts the other parent who really can’t afford it at a disadvantage. Suddenly, reports from these professionals become biased and as a consequence judges who rely primarily on them only see the negativity presented about the non-paying parent.**
- 2. Within 1 year, most moms have run out of money and borrowing power and are then at the mercy of the father who usually is well-connected or has a well-connected attorney. In towns & cities across the country, the judges, lawyers, law enforcement and court appointed professionals are a tight knit group. Some states allow attorneys to contribute to and openly support judicial candidates up for election. I’m sure that some judges are influenced by the people who help them get elected. They are similar to lobbyists. Any reasonable person would see this as a conflict of interest, but not in Florida.**
- 3. History: Towards the end of the 20th century, laws were passed that forced dead-beat fathers to pay child support. It wasn’t long after that that lawyers were able to come up with reasons for fathers to either get full or joint custody and thereby eliminate that need for law enforced child support. These dads didn’t necessarily want their children, they just didn’t want to pay child support, yet still wanted to control the mothers whom they no longer valued. Stay-at-home-dads are a rarity, so many children are faced with drastic changes of lifestyle. Their protective parent is no longer even within reach.**
- 4. These lawyers had to come up with a good reason for finding a loving and caring mother unfit. They did this by using the phrase “Parental Alienation Syndrome”. They found that when they came to court claiming that the mother bad-mouthed the father and was alienating him, the judges took notice. Dr. Richard Gardner coined this phrase because he was a psychiatrist who found nothing wrong with incest and wrote a book about it. There was no way the mother could prove that it wasn’t true and most times the court sided with the “caring, concerned father who wanted custody”. That was how the most lucrative Industry in Law, which is divorce/child custody, came into being. Judges began coming down hard on moms who made allegations of child abuse and/or domestic violence, believing that these allegations were made up or being convinced by the attorneys and other so-called professionals that mom was bad-mouthing dad. The Psychiatric community recently de-bunked the Parental Alienation scheme, but it is still being used to the detriment of mothers and children.**

5. Then the “Fathers Rights Groups” came into fruition. They were able to convince congress to pass the “Fatherhood Initiative”, which was meant to teach men to become more responsible parents. Instead the allocated monies began going to attorneys who advertised to fathers to hire them to avoid paying child-support. Google “Fathers Rights” and you’ll find thousands of attorney’s appealing to fathers on the internet. If you pay for it, you can even get an internet site that gives you all the tricks of the trade, advising the father on how to get custody and not pay child support. They’ve even gotten bold enough to buy billboards that advertise “Divorce, Men Only”.
6. While I’ve been talking mainly about mothers so far, we need to address what has become of the children who were and are being torn from loving mothers and given limited or supervised visitation, or forbidden to even see or talk to them for years. These children saw their mom as protectors and were devastated when they were put in the care of the abusing/controlling parent. How is a child to understand this? Many of these children are infants or toddlers, but no matter what their age, they are scarred for life. Most of these children are now attesting to this after coming of age and being allowed contact with their moms again. They have lost trust in family values and the legal system as well.
7. Conclusion: There are many unique and frightening economic consequences of divorce of women and children, due in large part to the issues of child custody, child support, and the traditionally disparate incomes of men and women. According to a recent article, white women, on average, earn about 77% of the salaries earned by men, and for women of color the difference is even worse.
Given such an income disparity combined with the discrimination women experience at the hands of the courts, it should be no surprise that single mothers frequently experience a significant post-divorce decline in standard of living. While the statistics illustrating this standard of living decline vary, with some sources citing a 27 % - 30% post-divorce decline in a woman’s standard of living and a significant increase in a man’s post-divorce standard of living, It is a given fact that a multitude of mothers will experience financial challenges once divorced. One recent article in an Australian newspaper, The Sunday Territorian, reported that post-divorce male income rises by 25%, while post-divorce female income falls by 20 percent. Tragically, for many of us, the economic challenges we face may quickly lead us into a state of poverty, illness, and despair.

Therefore, I ask you to please support FACTs, Inc. a 501C3 organization.

Adele Guadalupe
VP NOW PBC Chapter
Founding Member of FACTs
Co-Chair Fl. NOW Child Custody Comm.
Nat’l NOW Family Law Advisory Comm.
(561) 361-0488