

I want to make it clear, I am not a disgruntled litigant, the court system has failed me and my daughters throughout the family law case. I am sharing my story with you so that you can put a face with a horrific story and realize that there is huge need for this legislation regarding custody evaluations in family court. I believe my case is all the support one should need.

I am a survivor of domestic violence, my daughters witnessed much of it. The Maryland Courts granted me two final protective orders (65105FL 53340FL). Maryland was the only state in the nation in which the higher burden of clear and convincing evidence must be satisfied to obtain a final protective order. Several Lethality assessments have been administered in my case. Each and every assessment indicated that I am at extreme risk for potential future harm from my ex. As a result, additional safety measures are still in place to this day.

My case is quite extensive, with over 750 docket entries alone in Montgomery County (48885FL). However, My intent it to solely focus on the areas regarding the custody evaluations, yet they are only a piece of the system that failed me and my daughters. I only believe my story because I have lived it first hand.

My daughters were at such a young and impressionable age when they, along with thousands of other children were wrongfully placed in the hands of a known abuser and substance user (mainly cocaine and 3 DWIs). They too have become the innocent victims of the court system and they never had a voice. They looked to me, their mother, primary caregiver to protect them but my voice was not heard, as the dynamics of domestic violence and effects on custody went unrecognized by the court. This didn't have to happen had the judges and custody evaluators properly been trained in this highly contentious custody cases.

As a result of a severely flawed custody evaluation, my daughters were forced to grow up not knowing their mother and had no choice but to believe what my abuser would tell them. The damage the court caused them is irreparable and they will forever be scarred as a result.

In August 2005, I filed for an Absolute Divorce (48885FL) Upon receipt of the papers, my ex husband made three promises to me; bankrupt me, take my daughters from me and kill me. He has made true on the first two. Nobody ever warned me that the worst abusers ultimately will seek to sever your relationship with your children, the next best way to hurt you.

Imagine being labeled as having "a formal thoughts disorder and not able to distinguish the difference between reality and fantasy" This perhaps is the most scathing label given to a protective parent, victim of domestic violence in the midst of a highly contested divorce case (MD 4885FL) Absent ethics or integrity, this psychologist/ private court appointed custody evaluator knowingly prepared a scathing, falsified and detrimental forensic report unsupported evidence regarding my mental health.

In 2006 and 2007 respectively Two separate judges in the Montgomery County Circuit Court Maryland Courts granted me two final protective orders, clear and convincing evidence of placing me in fear of imminent bodily harm and second degree assault, much witnessed by my young daughters at the time. At the time, Maryland was the only state in the nation in which the higher burden of clear and convincing evidence must be satisfied to obtain a final protective order. (MD 65105FL 53304 FL)

Imagine a psychologist, custody evaluator labeling as having a “formal thought disorder, not being able to distinguish the difference between reality and fantasy”. This is probably one of the most damaging labels given to a mother, In contested custody cases, Formal thought disorder Is psychological speak for one of the major hallmarks of schizophrenia.

Court Ordered Custody Evaluations

First Evaluation The court ordered a custody evaluation due to the domestic violence and allegation of substance abuse alleged by both parties (note: father had a documented criminal history with cocaine and 3 DWI's). This evaluation was performed by a LCSW, her eyes keen to the nuances of domestic violence and stepped into our fractured world. She listened to both parties, spoke to witnesses and unraveled the threads of our lives. She understood the dynamics of domestic violence. She submitted a meticulous and unyielding report, painted a stark picture, I should have primary residential custody and tie breaking legal authority. She recommended that I have primary residential custody with my ex having weekend visitation. As for legal custody, she recommended for it to be joint, but I had tie breaking authority. My biggest mistake was that I believed we should have joint custody as our daughters deserved to have both parents in their lives. I wish somebody told me all too obvious to me know, you can't have joint anything with an abuser. This custody evaluation was free and was the only one that was accurate and free of bias.

One can imagine my ex-husband was furious with the outcome as it was not in his favor. He petitioned the court on several occasions to have a second evaluation by a private psychologist/custody evaluator, claims to be an expert in domestic violence and substance abuse. He successfully projected his drug use upon me and in the divorce, the judge ordered this evaluation to be completed by this individual he wanted. Looking back, I never had a chance.. The evaluation cost was \$25,000 whereas I was responsible for 1/3 of the cost. Judge Dumais last week stated that for court ordered evaluations completed “in house” the court absorbs the \$2000 expense for litigants.

The second evaluation was completed and the evaluator provided his findings/recommendations to both of our counsel in a deposition. This evaluator knowingly went into the deposition and flat out lied as to the psychological testing he administered to me, despite the fact that he was sworn under oath. If you were to read the deposition, he is very articulate and descriptive about this specific test and the process of administering it and the results. Given his status in the judicial community, who would second guess him?

This evaluator, under oath diagnosed me to have “a formal thoughts disorder and not able to distinguish the difference between reality and fantasy” This perhaps is the most scathing label given to a protective parent, victim of domestic violence in the midst of a highly contested divorce case. Absent ethics or integrity, evaluator knowingly prepared a scathing, falsified and detrimental forensic report including unsupported evidence regarding my mental health. As a result he stated that my ex should have primary residential custody, final say over school and after school activities (essentially money decisions) and I had final say over our daughters medical and mental health. My ex was thrilled, he got exactly what he wanted.

The evaluator was then retained for our custody hearing by my exhusband as his expert witness and paid him \$6,000.0, thus he no longer was a neutral witness.

While on the stand, and under oath the evaluator testified to:

- As he previously stated in his deposition he administered the MPPI-2 test, a psychological crucible, dissected my mind. He declared a verdict- a formal thought disorder, can't distinguish the difference between reality and fantasy- leaving me suspended between worlds essentially.
- He stated he did not conclude nor rule out domestic violence, despite the final protective orders already etched in ink by two judges. He even stated that he did not meet with the parties jointly because of a protective order in place- he is undermining the court not concluding there was dv
- My formal thought disorder became the fulcrum, tipping the scales.
- Primary residential custody shifted- into the hands of my abuser
- He exceeded the boundaries of the scope and challenged my own doctors treatment, despite he does not have authority to diagnosis or prescribe.
- He was asked if he was familiar with the National Council of Juvenile and Family Court Judges, “A Judges Guide to Domestic Violence” which he stated he was not.
- Appeared as an expert in over 60 cases as of 3/09
- Acknowledged that he did not speak to all collaterals.
- Only did one visit with the father, and two with me. He met in person with the father 6 times and 8 times with me. .Acknowledged that psychological testing could misdiagnosis a victim of dv with mental illness
- **He admitted that he never administered the MMPI-2 test to me when further questioned on the stand. This is the test where he came up with the scathing diagnosis of me, yet it was not true.**
- **After hearing his testimony and the fact he committed perjury on the stand, the Court still put “great weight to his testimony”**

As you can imagine, I was devastated. I was the primary caregiver of my daughters and they wrongfully were forced to live with my abuser. Despite having shared-joint custody, my ex moved out of state and I have not had access to my daughters since 2010 when they were 8 and 9 years old. I have not had contact with my daughters in 14 years and it is safe to say they have I have been alienated from them.

Judge Dumais stated that she had put together a training for custody evaluations on domestic violence. What we don't know who is teaching the information at these sessions. This evaluator, has aligned

himself with several organizations and testified to presenting and education to various organizations on domestic violence.

It would only make sense if Judge Dumai took advantage of the resources offered by the National Council of Juvenile and Family Court Judges, an organization in partnership with the Department of Justice, Office of Violence against Women and the Battered Women's Justice Project which trained custody evaluators on domestic violence each year for free; The session is 40 hours and can be completed virtually. This way there would be the same message regarding domestic violence taught to each and every custody evaluator. Not the gospel of this evaluator who has positioned himself accordingly.

There never be any accountability for the actions of this particular psychologist/evaluator. Complaints against Maryland psychologists are filed with the Maryland Board of Licensing and reviewed by board members. In this particular instance at the time I filed my complaint his wife was on the board. The Maryland Psychological Association and the Maryland Licensing Board play distinct but interconnected roles in the field of psychology in Maryland. The MPA, in which said evaluator has been a board member for 23 years, conducts a balloting process to nominate candidates for vacancies on the Maryland Licensing Board. Plain and simple, the board members very same person selected by said evaluator team responsible for reviewing complaints filed, candidates to the Maryland Licensing Board, the very same board that receives and reviews complaints filed against a Maryland psychologist. This evaluator has strategically created a loophole in which he has total immunity aligned himself that he has free reign under the title as a psychologist knowing that the very same individuals he appointed to the Maryland Licensing Board have that position because of him. Hows that for job security?

The process for custody evaluators is nothing more than the wild wild west. As long as judges continue to delegate their judicial powers not only to said evaluator one who lacks any moral compass, but all custody evaluators under the conditions in which they currently operate under while "put great weight to his recommendations" especially know in regardless a parent involved in a custody evaluation has no other venue for recourse.