

TO: Bexar County District Court Judges

From: Alexis Bierman | [REDACTED]

RE: Increased Trauma Awareness in Bexar County Court System

Dear Bexar County Family Court Judges,

I send your entire cohort the following letter to help expand your trauma-awareness. Your courtrooms are the site of countless parents fighting over their children and lawyers who perpetuate the animosity in a terrible, self-serving cycle.

As the “voices of reason” you are expected by state code to be responsible for ensuring custody evaluations are actually needed when you sign off on the request for one. The code says these should only be used when all other forms of mediation have been exhausted -- these evaluations are costly and time-intensive, involving months of scrutiny that most severely and negatively affects the children who we are all supposed to be working in the best interests of.

Therefore, I am asking you to do your due diligence and ask the lawyers (who are more than happy for their case to drag on with this procedure): Has this case been to mediation? Does your client understand the implications of a custody evaluation? Are each of your clients putting the best interests of their children first? Please, your honors, use your power to stop the family court circus and help put the children of Bexar county first. Each time parents use lawyers to fight over a child, the child loses.

The following article was written by Barry Goldstein, an expert on domestic violence in custody situations and I urge you to read it and consider your actions the next time you are presented with a “protective mother” case or anytime something just doesn’t seem quite right. Further guidance on this issue has been published as *A Judicial Guide to Child Safety in Custody Cases by the National Council of Juvenile and Family Court Judges Family Violence Department*:

https://www.ncjfcj.org/wp-content/uploads/2012/02/judicial-guide_o_o.pdf

Thank you for your service to the county and the greater good.

Sincerely,

Alexis Bierman

Former Plaintiff in the courtroom of Judges Salinas, Mery, Stryker, and Gonzales

Dear Judge,

Scientific research is now clear. Custody courts do well in cases involving two safe parents, but are getting a high percentage of domestic violence and child abuse cases wrong. In the last ten years over 700 children involved in contested custody were murdered, mostly by abusive fathers. In many of those cases the courts gave the killer the access he needed. Every year 58,000 children are sent for custody or unprotected visitation with dangerous abusers.

The ACE (Adverse Childhood Experiences) studies are medical research from the Centers for Disease Control and Prevention. The research led by Dr. Daniel Saunders and Professor Joan Meier come from the National Institute of Justice in the US Justice Department. This research is highly credible and would help courts recognize and respond to abuse, but most court professionals are not using this vital information.

ACE demonstrates that children exposed to domestic violence (DV) and child abuse will live shorter lives and suffer a lifetime of health and social problems. Most of the harm is caused not by the immediate physical injuries most courts focus on, but from living with the fear and stress caused by abusers.

The Saunders study found that court professionals need very specific DV training that includes screening for DV, risk assessment, post-separation violence and the impact of DV on children. Most professionals the courts rely on do not have this specific information. Inadequately trained professionals tend to focus on the myth that mothers frequently make false reports and unscientific alienation theories. This leads courts to disbelieve true reports of abuse and make decisions that harm children.

In our still sexist society, the typical abuse case involves a father who wanted or demanded the mother provide most of the child care during the relationship. In any other type of litigation, this would be understood as an admission the mother is a good parent. The mothers did not suddenly become unfit because she decided to leave her abuser or report his abuse, but this is exactly what courts, relying on mental health professionals without the needed DV expertise repeatedly believe.

Without ACE courts inevitably minimize abuse reports and without Saunders they disbelieve true reports. Meier confirms the problem. Although mothers make deliberate false reports less than 2% of the time, they are believed only 41% of the time and when fathers use the alienation tactic, they are believed only 23% of the time. Sexual abuse cases are worse with mothers believed only 15% of the time and 2% when the alienation tactic is used. Alienation is a sexist theory based not on any research but the personal beliefs of Richard Gardner that included many public statements that sex between adults and children can be acceptable. Alienation has been used in courts in a prejudiced way that only helps fathers but not mothers. This means the way it is applied is a fundamental violation of due process and equal protection.

Children do not need both parents equally. They need their primary attachment figure more than the other parent and the safe parent more than the abuser. Children exposed to ACEs can be saved from the awful consequences but contested custody is usually the last chance to save them. Courts have the power to force children to live with their abusers but cannot take away the fear and stress. This means the fear is pushed deeper inside the children where it will come out later in more harmful ways. Better practice is to force abusers to change their behavior if they want a relationship instead of asking victims to accommodate abuse.

My child, like all children, is precious. Please don't take away our children's last chance for a full and healthy life by making dangerous decisions without the benefit of the highly credible scientific research that is now available.

<https://barrygoldstein.net/articles/dear-judge>

37th Civil District Court | Judge Michael Mery
Bexar County Courthouse | 100 Dolorosa, 4th Floor
San Antonio, TX 78205

45th Civil District Court | Judge Mary Lou Alvarez
Bexar County Courthouse | 100 Dolorosa, 4th Floor
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57th Civil District Court | Judge Antonia Arteaga
Bexar County Courthouse | 100 Dolorosa, 4th Floor
San Antonio, TX 78205

73rd Civil District Court | Judge David A. Canales
Bexar County Courthouse | 100 Dolorosa 2nd Floor
San Antonio, TX 78205

131st Civil District Court | Judge Norma Gonzales
Bexar County Courthouse | 100 Dolorosa, 2nd Floor
San Antonio, TX 78205

150th Civil District Court | Judge Monique Diaz
Bexar County Courthouse | 100 Dolorosa, 2nd
Floor, Room 2.23
San Antonio, TX 78205

166th Civil District Court | Judge Laura Salinas
Bexar County Courthouse | 100 Dolorosa, 5th Floor
San Antonio, TX 78205

224th Civil District Court | Judge Cathy Stryker
Bexar County Courthouse | 100 Dolorosa, 4th floor
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225th Civil District Court | Judge Peter Sakai
Bexar County Courthouse | 100 Dolorosa
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285th Civil District Court | Judge Aaron Haas
Bexar County Courthouse
100 Dolorosa, 2nd Floor
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288th Civil District Court | Judge Cynthia Marie
Chapa
Paul Elizondo Tower | 101 W. Nueva, 4th Floor
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407th Civil District Court | Judge Karen H Pozza
Bexar County Courthouse | 100 Dolorosa, 4th Floor
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408th Civil District Court | Judge Angelica Jimenez
Bexar County Courthouse | 100 Dolorosa, 3rd Floor
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438th Civil District Court | Judge Rosie Alvarado
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