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TO PAT; FINAL REVISION; Letter for SB54 hearing

1 message

jerry greene <psychcowboy@yahoo.com>

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To: brandon@brandonshaffer.com

February 1, 2008

From: Jerry Greene, 1825 Marine #12, Boulder CO
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Dear Senator Shaffer,

I am writing in support of SB54. From my experience there needs to be a closer monitoring of judicial performance in Colorado family courts. If I were to suggest a specific modification to SB54 it would be to recommend or at least allow for annual surveys of domestic-only performance in the fragile environment of family court.

The judicial skills involved in parenting hearings are different than those in civil and criminal cases, and domestic judges need more oversight since they operate without the benefit of a jury. I have also heard that judges may actually want more frequent feedback to monitor their performance.

I am below providing a snapshot* of my case, and I have attached two pages of transcripts. In the first page the judge angrily defends the \$5000 court appointed custody evaluators use of an inkblot test in the determination of parenting time. In the second page the judge threatens to put me in jail for taking my 2-year old son 1hr late to preschool, and angrily interrupts me as I try to explain that my son wants more time with me.

I also encourage your committee to review the Stadnyck transcript before Judge Barnhill at knowyourcourts.com. In this needlessly protracted hearing on contempt for failure of the father to timely pay the custody evaluator the judge is clearly angry at the father for previous issues, and with no testimony on parenting during the hearing in the closing minutes suspends the father's nearly 50% parenting time. As I understand that father has not seen his two little girls in the several years since that hearing.

*In my case, although it took three years and two denied recusal motions, 5 days after I sent the below undisputed argument to the chief judge in my district my judge recused:

"My judge yelled at me in court. He threatened to terminate my parenting and put me in jail for taking my son late to preschool. He told me the mother's perjury was irrelevant. He ordered a 3-month continuance of parenting restriction simply because me and the mother had done an exchange in the parking lot of the Shared Parenting Program. His 2004 judicial performance scores are consistently below average. As verified by transcripts he at least twice restricted my parenting as punishment for not doing exactly what he told me to do. My son still has the thumb-sucking security reflex he developed from the punitive parenting restrictions 2.5yrs ago. I have preschool progress reports that imply the negative impact of the restrictions on my son's development."

Thanks for your time, and I am available to answer questions your committee might have.

Jerry Greene

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P R O C E E D I N G S

2 (The following is an excerpt of the
proceedings.)

3 THE COURT: How about -- how about imposing
all the restrictions, but allowing some unsupervised
parenting time as long as it is very, very strictly enforced by
the minute; so that, pick-ups and deliveries happen
precisely on time. And if they don't and I find that he's violated
the order because of that, I have the sanction of putting
him in jail so he could ponder what he needs to do with regard
to obeying the Court's orders.

THE COURT: What do you think the Court was
supposed to have discovered or believed by watching that first video?

THE WITNESS: The first video? That my son
wants more time with me than the Court currently allows. I
mean, he's --

THE COURT: I don't know how to get through to
you. That was an awful scene, an awful scene.

17 those are your results on that test; correct?

18 A. They appear to be.

19 Q. Right. And the Rorschach test is an ink blot
20 test; is that correct?

21 A. Yes.

22 Q. And essentially the way this test works is
23 you show me an ink blot. I say I see two bears
24 climbing a pine tree, and you interpret that I have a
25 limited ability to form a close attachment to other
1 people or something to that effect?

2 A. No. No. That isn't the way that it works.
3 You do show evaluatees the cards, but it's not that I
4 make an interpretation from your response. I follow up
5 with an inquiry, which is in accordance with the
6 standardized procedure. And I scored the test based
7 upon the data from the scores as well as from
8 interpretation of your responses. I came to the
9 conclusions that I did based upon this one test.

10 Q. (By Mr. Greene) All right. So what exactly
11 did I say in the Rorschach test that allowed you to
12 conclude, has limited capacity to form close
13 attachments to other people? Precisely, did I say --

14 THE COURT: I'm not going to permit her to
15 answer that question. I'm not concerned about what her
16 training is to interrupt Rorschach tests. She gave you
17 the Rorschach test. These are her interpretations.
18 Ask her questions if you have got them.

19 MR. GREENE: I did ask a question.

20 THE COURT: Mr. Greene, don't push me much
21 further, please.