
PATERNAL PRIDE AND LEGAL PREJUDICE OR LEGAL SENSE AND PATERNAL SENSIBILITY?

*P*RIDE AND LEGAL PREJUDICE is really the central core of this entire story. Without the events related here, either there would not need to be a story to be told or it would be a completely different one. *The Cankered Rose and Esther's Revenge* was merely the prologue and background to the nightmare. *Climbing the Judicial Ladder*, which is the provisional subtitle for the last volume I intend to write, shows how the current work does not take us to the end of the trauma. Some of the events that will be outlined in my final book will overlap what happens here, but for the most part that work will deal with the legacy of having lived through a dependency case and the appeal process.

Looking at each volume in my trilogy, I felt that the overall series title of *Denied! Failing Cordelia: Parental Love and Parental-State Theft in Los Angeles Juvenile Dependency Court* would capture how so many of us—parent and institution alike—ended up failing Cordelia at different points in a long journey. Beneath this somewhat obvious conclusion for many readers lies the additional reality that much of the clash throughout would be between the efforts made to salvage a relevant parental love on one side and the often-negative collusion between Esther, Cordelia herself, and the state of California on the other. When Esther was not helpful to the Los Angeles County DCFS through either indifference or some other reason, then the department was more than happy to act on its own behalf.

As we shall see, the net systemic result was to try to rob me of my cherished role as a father, and my daughter of her best chance for a reasonably stable “forever family.” However, this would have meant someone accepting me as a single motivated father with misunderstood Asperger’s syndrome of a troubled and misunderstood teenager. The following narrative should go far to illuminate the inner machinations of the child-welfare legal complex in this regard as well as the efforts that the DCFS would go to achieve their overall muddled goals.

These are not casual or light conclusions. While many dependency cases might well have an obvious and even systematic road to a recognizable legal beginning, they do not always have a recognizable end. By that I mean that it is hard for everyone to go back to where he or she was and what he or she was feeling before everything started. In cases propelled into existence and continuation by clear situations of proven child abuse, no one *should* go backward, and the new, somewhat manufactured landscape after the conclusion of a dependency case should include ongoing efforts to change past parenting behavior. This new landscape should include improved parenting skills and the DCFS social workers will need to be able to evaluate the stability of drug rehabilitative and other parenting competence programs.

However, we will not be experiencing this fragile manufactured landscape in this work since not only could no one agree or work together on common goals but also the DCFS, the Children's Law Center (which would represent Cordelia in court), and I could not agree on why we even needed a dependency action case to begin with. When there is this level of disagreement, then dependency cases can lose their manufactured focus and leave supervised families in ruins. At this point, parents have the ability to neither go backward to the time before their children were removed nor forward to a "manufactured peace" (as Bob Dylan once referenced a relationship) that could be supervised more directly by a family social worker. In situations where there is no substantial abuse forcing the hand of the DCFS to think that a court needs to step in, or even none at all but a tide of misunderstandings, then the consequences of any resulting dependency action can be tragic. Where the child at the center of it all has been recently adopted and has had little time to develop and maintain strong bonds with their erstwhile "forever" families, then the consequences of any dependency cases that may result from any kind of allegation—true or false—can be especially tragic. Everyone is then as adrift as dispersed ship wreckage from a virulent storm. Cordelia and I would find ourselves in this position.

Shakespeare's plays often convey the hurt, confusion, and uncertainty of not knowing who has or will survive such storms, but these feelings are projected as springing from healthy family dynamics. *The Tempest*, *Twelfth Night*, *Pericles*, and *A Comedy of Errors* spring to mind as good examples of how he would translate this process into dramatic form.

Where children have severe attachment trauma, then these feelings of loss can be fragmented and dispersed among the various family members and with a varying degree of intensity or lassitude that mirrors the moods of the very storms and calm that first created them. Cordelia would have few truly natural and even fewer adoptive bonds to rely on during the worst of the storm. The intermittent moments of calm of our dependency case were insufficient to build on those that did still exist. This would make the efforts of the court and the DCFS to break those that remained that much easier and my anxious task that much harder.

Unveiled Agendas

Pride and Legal Prejudice will show us how all the misunderstandings, presumptions, and mental illness that would lead to or stem from the parenting mistakes I outlined in *The Cankered Rose* would become merged with a world of distorted lies and prejudicial legal action. This viewpoint is not just springing from a wellspring of natural anger at what happened but from rational thought.

This dynamic would reach almost absurd heights of disproportion throughout the three years covered in the present work. The mental-health issues that had and would continue to impact interactions between Cordelia and myself would join forces with a rigidity of bureaucracy and often-useless legal advocacy to generate a perfect storm of relentless heartache and divisiveness. Commissioner No's court would frequently make full use of the resultant inconsistency in my daughter's parental affections and my own single-minded focus and increasing desperation. Where they saw normalized fear on my daughter's part and half-crazed obsessiveness on mine, I would see only Cordelia's reactive attachment disorder and bipolar disorder and my own Asperger's syndrome leading to a somewhat overwrought parenting focus.

As will become apparent, for all the court's formalized and even fake use of Mr. or Ms. "So and So" as a way of addressing each participant (including me), no one appeared that willing to listen to argument. Everyone either appeared to be working from an agenda that he or she wanted everyone else to follow or, as was the case with my various attorneys, to be reactive. Unfortunately, this sense of our being part of an agenda-driven case would also extend to my own daughter, who seemed to thrive best when decisions were made that capitalized on the court's

perception of her as a victim and her father as a perpetrator of everything that was wrong in her world. That or I was viewed as an obstructor of what could go right. This would be a function of both Cordelia's reactive attachment disorder and what I would come to suspect to be the opening signs of severe borderline personality disorder. Then again, I am not a child psychologist and I would be remiss if I did not periodically remind my readers of this. The court would certainly do so but my self-taught efforts would largely be suppressed by their apparent ignorance in the same areas.

The DCFS and the court assigned to judge such matters would decide in their wisdom to take a preexisting dysfunctional family situation and leave it at the conclusion of our case divided and alienated. Esther would often be indifferent to what was happening, while I would become more hurt and depressed than I could have ever imagined possible. Recently someone asked us if we had any children, and without thinking Esther said, "No!" while I said, "Yes!" I asked my wife not so long ago if she thought we were still parents. Esther was unsure but thought we were closer to not being anything in the life of our erstwhile daughter. Although Commissioner No would probably deny it, I believe that this identity confusion for both parents and child was the intent of the court once they realized that Cordelia was not adoptable by another family. The current situation is probably close to what the court believed to be warranted given its view of the chief players in the drama. Whether others will view the outcome of our case as the best or worst of all possible worlds is for others to determine for themselves. I can only really present this now confused new world as I lived it, as I observed it being built, and as I am now suffering from its mixture of overbuilt construction and blight.

I do not believe that the Los Angeles Juvenile Dependency Court found the best solution to the presenting problems and issues of my daughter's dependency case, and I do not believe that they did because of a combination of ignorance, agenda-led prejudice, and an overuse of presumption. Commissioner No would probably deny this for legal reasons, but she also developed a strong personal dislike for this writer and parent. The latter feeling was mutual but it would lead to a sense of powerlessness that did little to help me advocate for my daughter's true needs.

Whatever the truth, we shall be seeing how my daughter would often be homeless and living on the streets for large portions of the past few years she was supposed to be in the “care” of the DCFS. As a result, she would add yet another name to her birth and adoptive repertoire, that of “Hot Rage.” The end of the case would see her AWOL also, but by then she would be eighteen and could be considered to have legally “left home.”¹⁹

Dependency cases, like bank accounts, clearly have assets, debits, fees, and fines. As this story progresses, I hope to be able to convey that the “debits” and “fees” for my family would reach the point of a financial and emotional crisis. It will also be obvious that I still cannot accept that we ever needed a dependency action to begin with—the “fine” slapped upon this writer’s parenting efforts seemed far too steep and high—or that Cordelia benefitted from the “interest” accruing to her from the draconian actions taken on her behalf. Others will probably disagree with this assessment and some might even argue that I am better off without my daughter to worry about on a daily basis. Nevertheless, I did not just go through three years of fighting in dependency court to be told this and especially by those who never did much to help me when they could have done the most good.

No self-respecting parent should be expected to welcome any of what would happen. Instead, I was supposed to accept the judgments of others who reached their conclusions and “next steps” without first showing some understanding of the ignorant and prejudiced ground that their prior decisions had rested upon. Likewise, I was supposed to accept with nary a whimper not just these judgments and the faulty reasoning

¹⁹ Describing Cordelia’s behavior as that of being “Absent Without Leave” (AWOL) may not seem like a very scientific or legal term for her running away. However, since this would be the term used by each of Cordelia’s residential treatment facilities in Los Angeles, by the DCFS, and by the court, I have decided to use the phrase as well. Cordelia would be AWOL a lot in the years covered by this story. In my mind, she was running away from dysfunctional environments and DCFS incompetence, but others viewed it as more a question of her running away without court or legal permission. The “permission” aspect upset them more than the act of running away. There was also a liability angle, but no one was likely to raise this for fear of potential lawsuits. The worry angle and fear of harm that I would raise were considered to be outside my responsibility once the court assumed charge of Cordelia’s life.

that gave birth to them, but also the relentless inequality and unequal-power nature of a juvenile judicial process that has left me with such little confidence in the American justice system as a whole.

Indeed, I would come to view the legal arm of the overall child-welfare legal complex as something that could not be relied upon, either to come to any good decisions as part of its deliberations or to be seen as impartial to all parties. Try as it might, all the formality in the world could not totally disguise the fact that much of the deliberations of Commissioner No's court would take on the appearance of decisions made by a delirious kangaroo court. Watching the commissioner and other court attorneys seemingly bouncing haphazardly between decisions with no basis in recognizable fact and no sense of foresight or awareness of possible consequences was both alarming and terrifying to behold.

This legal arm of the child-welfare legal complex would seemingly choose to elevate this seeming prejudice, personal dislike, and desire to humiliate to a judicial art form. I would not be immune from some of these attributes myself, but for the most part, wherever it arose, it would become a self-defeating approach and at its most observable in the undermining of the very legitimacy that the legal system most depends on. It is hard to put this any other way. I also think that it was not necessarily intentional on anyone's part, but it would happen nevertheless.

We shall see in the narrative ahead how my confidence in the dependency process would become eroded over time and much more quickly than one could have imagined. At the close of our dependency case around the time of her eighteenth birthday in April 2013, Cordelia was homeless and as seemingly bereft as any child could be of his or her parents without having had that breakage actually codified into any legal decision. Readers of *The Cankered Rose* will recall what had earlier

happened to Cordelia's birthparents.²⁰ Never once did Commissioner No suggest that a second outcome similar to this traumatic earlier event would *not* be beneficial to my adoptive daughter. In fairness, she would never suggest that it would be either. Preventing this was surely a worthwhile goal for this parent to advocate on Cordelia's behalf, but the DCFS and the court would never get to see things this way. Some might argue that "liberating" Cordelia from being legally part of *any* past or forever family was the only path forward for her and for those deliberating on our case. Others may just as convincingly argue that the actions of the court were just a small part of some greater covert feminist agenda that depends on weakening the family for the greater good of the children within it. Yet, underpinning all dependency cases is the fact that wherever possible the social workers involved should do their best outside extreme circumstances to ensure that one does not need to be filed. Commissioner No was supposed to be someone we would all get to see as a last resort in the intervention of the DCFS and not—as happened—the first. There are supposedly family preservation services that can be offered before a dependency case has to be threatened and filed. Not every family is likely to benefit from this approach, but such services have to be offered if only for the social workers to be able to show compliance with what can be done. Dependency court surely needs to know why the effort failed or why the services may have been refused.

While the case existed, Cordelia could celebrate her freedom as if each street was but a yellow brick road winding its golden way through Hollywood. Because no one would file a "termination of parental rights" motion with Commissioner No, I would be left with the smallest but

²⁰ See *The Cankered Rose and Esther's Revenge* for further details on how Cordelia's birthparents would have their parenting rights "severed and terminated" by a court in Washington State. Throughout the remainder of this work, references to children having "birthparent(s)" should be viewed by readers as being synonymous with the term "family of origin" or "birthfamily." This will help us to distinguish those children who remain with their biological parents from those who are either removed through a legal dependency action or who are subsequently adopted by a "forever family." While "family of origin," "detained children," and "adoptive" or "forever family" terminology can become part of a pattern of dry and quibbling semantics for many attorneys involved in dependency actions and legal adoptions, for the parents required to adjust to a new way of seeing, these terms can become part of a bitter or hopeful struggle for recognition. I would like to ask my readers to consider some of the conflicting emotions behind these terms as we think about this story.

heaviest of doors with the most imperceptible of cracks to a future relationship with my daughter. No one but the most committed would be willing to push it open any further, and Cordelia would still have to be at the other side of it. As we shall see in the latter parts of this book, Commissioner No would leave me with the need to assume almost herculean strength to keep the door ajar and Cordelia with only the flimsiest of pretexts to be willing to be on the other side if I did. To be stuck in Kansas behind a dark and heavy door while one's daughter is skipping and dancing away through the heady illusion of Oz and not to be able to lead her way back to the *real* Emerald City (Seattle) at the end of it would not make a very good movie.

Book Two: *Pride and Legal Prejudice*

I hope that my readers will have picked up enough of the mental-health aspects of this story from *The Cankered Rose* that I will only have to remind them of their impact in the present volume. When I first wrote the following narrative, this entire second book was but one chapter broken down into thematic and chronological subsections of some twenty-two parts overall. Since deciding to break this story up into three distinct books, I felt it would make more sense to convert my original subsections into full-blown chapters.

I have also decided to dispense with my bibliography since it would seem redundant repeated here. I will be assuming that most readers of this volume will have read my earlier book and taken note of the one-hundred-page bibliography I included with that volume. An updated version of it will become part of my final work (provisionally titled, *Climbing the Judicial Ladder*) since I continue to study and research issues connected with my daughter's problems and issues. I have actually come across some interesting new works in fiction and non-fiction since