

My name is Elicia Saal. Our family law case spanned well over a decade. I have been a pro se litigant with limited scope representation since 2013. I had my first child on December 31st, 1999 at the age of 21, married my child's Father, a doctor, at age 22 and I went on to have 3 more children at age 23, 25, and 27. 2 of our 4 children have autism. My children's Father filed for a divorce in 2008 when our children were 2, 4, 6, and 8 years old.

The most important thing to know about my case is that it involves documented domestic violence and that after years of fighting to protect my children the perpetrator of domestic violence won primary custody of all 4 children while I was relegated to visitations and joint legal custody. At this point, more of my adult life has been over the course of an ongoing custody battle than not.

It is difficult to know where to start or what to focus on in this pro se statement as there have been so many unjust court rulings and misconduct by the court and court-related professionals as well as tragic devastation of our family. I tread lightly as many of the reports and recommendations issued regarding our family are under what I believe to be unconstitutional gag orders. The saddest part is that our cycle of abuse is likely to continue into the next generation of our family. I fled with my children in 2008 but the courts did not help me stop the cycle of domestic violence.

Please note that I refer to myself as "Mother" and to my children's Father as "Father."

By 2013 we endured multiple interviews with Family Court Services, (separate from Father due to DV) 2 custody evaluations, the first in 2009 and the second in 2010 by Dr. Robert Kaufman, (Father paid approximately \$100,000 for the custody evaluations) as well as 2 years of Father's supervised visits, (The 1st supervisor quit due to what she felt was Father's inappropriate behavior towards her.) multiple court-ordered family and individual therapists for the children, 6 or 7 Child and Family Service investigations; I believe many of the CFS investigations were initiated at Father's urging, and several police reports filed by Mother because Father would take or keep the children during Mother's custodial time and drove to Mother's home during Mother's custodial time and sat in his car in

front of Mother's house which seemed like stalking to Mother.

Father filed a motion to terminate spousal and child support. The judge immediately terminated spousal support. Within a matter of months she also cut child support from a living amount that afforded Mother the ability to provide a home in Marin, one of the most expensive counties in the US, for herself and the children to \$1375 per month. The Judge ordered that mother's child support be set based on a 20% reduction on father's actual income\*\*\*\*\* She claimed the reason for this was so that father could work less and be home with the children by 7 PM. (Subsequently mother presented evidence that father does not return home by 7 PM as ordered yet the Judge did nothing to enforce her own order.) Father was allowed all four children as tax exemptions. \*\*\* Mother was not awarded child support for our oldest son yet he is listed in the order's calculations. The calculations in the signed order do not match father's 20% reduced income nor his actual income. The calculations in the order show that child support is set at \$1274 rather than \$1375 stated in the same child support order. All of this causes immense confusion for the department of child support services that is attempting to collect 8 months of unpaid child support from father. This discrepancy has caused the child support amount enforced by the department of child support services to be reduced.

Mother faced with possible homelessness was forced to move out of Marin. Despite Mother's pleas to retain primary custody of the younger 2 children and shared custody of the older 2 the Judge penalized mother for a "move away" by giving primary custody of all 4 children to Father, ordering mother to provide transportation for custody exchanges, and reduced support. (mother moved 45 minutes away from previous home in Marin to Sonoma.)

Father filed a motion that claimed mother owed him over \$69,000.\*\*\*\*\* In my opinion, this was a tactic to financially abuse and terrorize Mother. Most of the reimbursement claims were dismissed for various reasons such as they were "not a reimbursable expense."\*\*\*\*\* However, the Judge upheld \$18,982.29 in reimbursements from mother to father. This is an enormous sum for mother. "Father shall deduct \$500 from the child support ordered payable to him to Mother until the amount is paid in full." \*\*\*\* It is worth noting that \$8037.00 of

this amount was for an au pair that father hired in 2008 without mother's knowledge or consent before custody had even been determined by the court. Father told the children they were "getting a new mommy" and hired an au pair. I believe this was to show mother that his intention was to take the children from her. Mother was awarded sole physical and legal custody so this au pair never cared for our children.

After the \$500 per month deduction Mother's support was further reduced from \$1375 to \$875 per month. In one of the wealthiest and most expensive counties in the United States, Mother's financial ability to provide for her children was systematically and quickly nearly eliminated.

At that time Mother had no income and was a full-time parent to our children. Over the years, 2 of our children were highly demanding because of their autism. Mother spent many an hour advocating for the children and volunteering at their schools in order to help them stay in school and do well. (The year our oldest son moved into Father's home Mother's fears were realized. He got into a lot of trouble for threatening a teacher, was expelled and subsequently sent to a school for special needs children where he remained for 2 years.)

The Judge ordered that Father no longer had to pay for Mother's lawyer. Mother did not have money so in 2013 Mother's lawyer withdrew from her case and Mother's pro se journey began.

Fast forward to 05/14/2018. The following is an example of the courts not following their own rules: Mother filed a request to engage a therapist for child and enforcement of order. A court date of June 20, 2018 was set.

Father did not respond by the required deadlines to the original 05/14/2018 petition nor the tentative ruling issued on 06/19/18.

The Superior Court of Marin County's own website states "PLEASE NOTE: If proper notification of all parties and the Court is not made by the 4:00 deadline, no oral argument will be permitted and the tentative ruling will become the order of the Court." —Superior Court of California County of Marin's website

Father appeared without notice at the 06/20/18 court date. The matter should have been continued. The matter was heard as evidenced by the 13 page transcript. That is not what should have happened. The Judge heard oral arguments without mother having an opportunity to defend herself. Father pushed to talk about prior issues and the Judge allowed it. Mother was not present as mother was advised that there would be no hearing and her presence was not required. As stated above in this document the court's own website states that the tentative ruling will be adopted. Canon 3 states that every person with a legal interest in the proceedings has a full right to be heard. Oral arguments should NOT have been heard. Father did not meet deadlines or communicate his intention to show up at court. As a result mother did not have a full or any opportunity to respond or be heard! mother was not present.

The Judge asked father for medical advice because he is a "doctor." Father attempted to limit the scope of therapy for our daughter saying it should ONLY include depression.

On 06/20/18 Father was allowed to make recommendations to the judge regarding medical care for the kids. For example, I don't want them on medi-cal. He argued that medi-cal does not provide sufficient medical coverage. (Mother does not agree that CA medi-cal is no good but was not able to argue such since she was not present.) The Judge completely deferred to him. This is especially ironic since father allowed our children to go 6 months without ANY medical insurance. Father should not be given preference simply because he is a doctor.

The judge said that since no official hearing could be held (even though she was actively holding a hearing) without Mother's presence that she would step out and allow Father to speak privately with Mother's limited scope lawyer before she came back and they reconvened. Father suddenly produced the names of 3 therapists to my limited scope lawyer that he would like our daughter to see. Keep in mind that he claimed to have not seen the tentative ruling yet he had 3 therapists names at the ready.

Father admitted that he prescribes drugs to our son. The judge told him that he is not allowed to do that however she gave him NO consequences for his blatant admission of violating the previous court orders on this matter. He has been prescribing our children controlled substances for YEARS in blatant violation of the orders. The judge gives him a slap on the hand and nothing else so he carries on business as usual. Father was repeatedly, for years and years ordered to STOP medicating our children and to have their medication prescribed by an independent outside physician.

A court advocate was present on that day. She took notes of the following Ex parte communication:

*After court was adjourned, and mother's limited scope attorney left, the judge got up, left the bench, and approached father at his table. Her body language was very familiar. Father and the judge carried on a casual, friendly banter conversation for approximately 10 minutes. Judge Wood chatted with father about the kids, their school in a very, very friendly manner. Father said how "wonderful" they were. It was all "love, love, love," in his house, no discipline, just love. The boys that have Asperger's play electronics all day. Our daughter does her homework, has nice friends. Oldest son just graduated high school and "couldn't get into Berkeley" so he is going to the College of Marin.*

I am not pro se by choice. I believe that if I had proper representation that my children would have a fighting chance at safety and their basic human rights being respected.

I appealed our current 10/10/2018 custody order as a pro se litigant. At this moment the appeal is ongoing. I realize that judge's and lawyers often laugh at us self-represented litigants when we file an appeal. You are probably correct. It is very, very difficult to win on appeal as a pro se litigant. I would go so far as to say it takes near super-human ability to do so. I realize the odds are against me. Who will listen? Who will know our story? The next generation deserves a better legal system. In an age of #metoo #timesup and instant access to do just about anything at our finger-tips from being able to access medical records to purchasing a small island the court-system is antiquated and inept full of you

scratch my back and I'll scratch yours judges and professionals. I believe the next generation will demand change. It is too late for my children but I hope to help future generations to never have to endure what we have gone through. I will continue to seek to find ways to publicly tell our story. The time for change is now.