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Court critics air concerns at forum

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About 150 people packed Larkspur's Lark Theater Wednesday night to air concerns about Marin's family law system. The event, sponsored by the Center for Judicial Excellence, gave attorneys, therapists and members of advocacy groups a forum to present their concerns, which they hope will lead to a wholesale review of the family law court system.

In particular, participants argued that Marin mediators and judges tend not to believe parents who charge their former spouses with physically or sexually abusing their children.

"The paradigm of 'parental alienation syndrome' is very popular," said Meera Fox, executive director of Child Abuse Solutions Inc. "That's why (judges) don't believe children who claim to be abused by family members, even though the number of children who fabricate allegations of abuse is at the most 7.6 percent."

A court official, however, said Marin judges were not in the habit of placing children in the homes of molesters.

"There are an awful lot of tragic stories of families bringing high-conflict cases into court," said court executive officer Kim Turner. "Judges have to rule on the facts that are in front of them. They don't ever intentionally give kids to molesters of abusers. É Judges are people, and parents, too."

The panelists also described Marin's family law courts as a clubby, chummy environment where appointed judges rule without fear of recall and mediators who know judges and attorneys better than the law wield enormous influence over the lives of divorcing families.

"I've been in practice for 30 years, and I've never met a judge who didn't think he or she was above reproach," Novato attorney Robert Cleek said. "It's not that they're dishonest. They're inefficient. The system we have isn't even close to adequate. We don't have enough judges, courtrooms or training. The judges we have are lawyers who know the governor better than they know the laws."

Court officials strongly disagreed with Cleek's description.

"This is the latest of their attacks on the court, in which they showcase the same four or five parties and make the same sweeping observations," Turner said of the organization. "The CJE represents a small, vocal, critical group of parties who do not believe they have gotten the results they looked for in court."

Yet Wednesday's panelists, including San Rafael attorney Barbara Kauffmann, singled out Marin as a "hot spot" where "the system has been in place for a long time, and has been broken for a long time."

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