

The Jewish Advocate Meets: Author Amy Neustein

Mothers protect children from family courts

Author Amy Neustein uncovers the craziness of family courts in her new book "Madness and Mutiny"

BY SHIRA SCHOENBERG

The U.S. family courts' unfair treatment of mothers is second only to slavery in the history of American oppression. This is the claim that sociology Ph.D. Amy Neustein and attorney Michael Leshner make in their book, published this month, "Madness and Mutiny: Why Mothers are Running from the Family Courts — And What Can be Done About It."

The book, the culmination of 20 years of research, studies the cases of 1,000 women across the country who reported that their children had been the victims of sexual abuse, only to find themselves attacked by the family court system, often losing custody of their children. Neustein said, "Mothers were retaliated against by the courts and social service agencies for doing everything in their power to protect their children." Often, mothers would then rebel, or "mutiny," against the system, even going so far as to run away with their children and live as fugitives.

Neustein's passion for the subject

was born out of her own personal experience. In 1986, she was a successful professional woman, on the faculty of a national judicial college in Nevada. She had recently published an article on expert witness testimony in a prominent judge's journal, and also testified for the New York City Bar Association in front of 1,000 trial attorneys. Neustein said, "I felt confident that I was a competent person who had the respect of the judiciary."

All that changed when she reported that her daughter had been sexually abused. Despite evaluations from leading experts confirming the abuse, the young girl was taken from Neustein and put into the custody of the person her daughter accused of abuse.

Neustein said, "I lost everything— my dignity, respect and, what was most precious to me, my daughter."

Since then, Neustein, who lives in New York, has discovered that she is far from alone. She estimated that between 20 and 25 percent of family courts nationwide are infected with what she terms "madness." Massachusetts is no exception. In the introduction to her book, Neustein cites a study of 39 mothers in Massachusetts, which found that local family courts "are violating internationally accepted human rights

laws and standards and are violating Massachusetts law and policy." One of the first "mutineers," Virginia Lalond, who made headlines by going to jail rather than giving custody to her child's father, was from Massachusetts.

Among the main problems with the courts, Neustein claimed, is that judges operate with unbridled power and no oversight. The appellate courts, which are supposed to serve as watchdogs, often "fail miserably."

Since all family court cases are confidential, Neustein claimed judges are able to "turn good faith complaints by the mother into an inquisition into the mother's character. The mother is ridiculed in court as a liar, a vindictive ex-wife. She is punished with loss of custody and visitation."

Neustein said: "That veil of secrecy becomes a breeding ground for heinous violation of human rights. What I've seen happening to mothers in court is one of the worst forms of oppression in the history of this country, akin to slavery."

The unfairness to mothers is not confined to judges or attorneys. Neustein labeled the phenomenon a "conspiracy," which includes mental health experts, law guardians, social service agencies, child welfare workers, and others who she claims will

often illegally talk to one another about a case and prejudge its outcome.

After painstaking research, Neustein does not claim to know definitively why this "madness" exists. Her job, she writes, is to chronicle how it functions.

For Neustein, her Judaism has played an important role in both her work and her personal struggle. "Judaism gave me the strength and fortitude to fight this. I come from a history of people who have suffered persecution, and they have survived and not become defeated. They have a strong spirit that is geared toward reform and elevation of mankind from the depths of despair and degradation."

The four Jewish women in her book faced some of the most tragic outcomes, and Neustein noted that observant Jews caught in the family



Amy Neustein

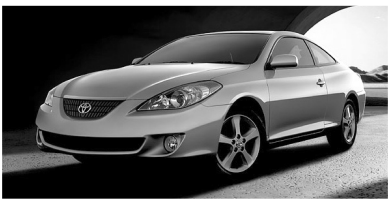
court system faced unique challenges. "It's very hard for Orthodox women to survive on the run. Many Jewish women had more respect for the justice system than their counterparts, and it took them longer to catch on that the system wouldn't help them." Additionally, Orthodox women often live in sheltered environments, and are not aware that others suffer the same problems. "They feel completely secluded, adrift."

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