

Caryl's Story  
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For the record, my name is Caryl Wickes-Connick. I have a BA in Social Work from U of M in Missoula. I helped to create Montana's first battered women's and children's shelter in Great Falls and served as the Executive Director for 13 years. I helped spearhead 17 bills to protect victims of domestic violence in Montana that were passed into law by 7 different Legislatures. During those 7 legislative sessions, I advocated and helped 35 survivors of domestic violence send their testimony or personally testify with me about the egregious acts they faced for many years. In addition, I have worked with Legal Services and the Governor's office to help other cities and towns all over Montana start non-profit organizations creating shelters and safe homes for victims.

Most recently in Missoula, however, I have watched women and men being taken advantage of by a system that is supposed to protect them, bring them justice, and most importantly advocate for the best interest of their children.

In a dissolution case where the father molested his own 7-month-old daughter and previously spent time in prison for sexually molesting small children, I made a recommendation that he would only see his 7-month-old daughter with supervised visitation. The mother told her lawyer that the father was to have supervised visitations after she took her daughter to the Doctor who examined the child and he said, "the child should never be alone with the father." However, when the appointed guardian ad litem suggested otherwise, she allowed the father, with an extensive criminal record to take the child to the mall for his visit. Most recently when he came from out of state, he took the child up to Hamilton before returning her. Both of these visits were unsupervised.

I watched another woman have her children stolen by the same guardian ad litem who was obviously working for the father NOT for the children.

Before, during, and after their divorce, this mother had always had custody of their 3 children because the father was a commercial fisherman in Alaska and was gone for 10 months of every year. She was a good mother, based her life completely around her children's needs, was well respected and liked, helped weekly at the children's schools, volunteered and participated in every activity that the children did.

This mother left the father after many years of extreme psychological and physical abuse caused by his drug and alcohol addictions. He refused to honor the parenting plan and not return the children to the mother at every scheduled time. The police refused to help the mother get her children back every time she called. Soon the father found a girlfriend, who joined him in his drug and alcohol addictions. Then he sued the mother for custody leaving his new girlfriend to care for children when he was gone.

The mother had won three custodial evaluations each recommending she remain the main custodial parent. After a year with the family the Phd evaluator recommended that the children stay with the mother and spend less time with the father. She also recommended the kids should never be alone with the girlfriend. During an evaluation, the three children disclosed to the Mother, their counselors, teachers, the police, CFS, and the guardian ad litem that their father emotionally, physically and sexually abused them. The guardian ad litem ignored what the children had told her and never reported their reports to the court as she is supposed to do. Instead she recommended that the children be placed with the father immediately.

The mother was directed by the sheriff not to give the father the children until after the sexual abuse was investigated, so the Mother did not return the children and she reported to the court why she wouldn't return them. The mother took them out of town, away from the abuse and to find another attorney. Unfortunately no one would take the case because of the guardian ad litem involved. The guardian ad litem put out an Amber Alert for the girls, who were being protected from abuse by their mother. The mother later told me that one of her daughters begged her to take them away from Montana because no one would believe them or help them.

In the end, a criminal case was brought against the mother for custodial interference, and she was allowed no witnesses, and no evidence at the trial. They were going to put her in jail for thirty years for not returning the children for 5 days even though she was directed not to return the children by the sheriff. The dad was granted full custody of the three girls, even though he does not live in Montana 10 months of every year. His alcoholic girl friend (whom the Phd said should never have the children alone) - now takes care of the children year round.

I watched as this guardian ad litem covered up all of the lies in order to prosecute this mother and destroy her reputation. The mother and her children have not been allowed to communicate with each other at all for the past three years. This forced separation from her children nearly destroyed this mother in front of all of us.

Other children have told me they have been threatened by their guardian ad litem, by statements like "I am going to send you and your brother to an orphanage", and "if you don't do what I say I am going to send your mother to jail, just like the other woman I sent to jail."

I was told about what another child said after seeing her mother's guardian ad litem in the Mall. When the guardian ad litem tried to talk to her, the child said, "I don't ever want to talk to you again. I'm sure you're still hurting kids, just like you always have".

I strongly believe the abusive fathers paid for the guardian ad litem in these particular cases in secret. Why else would someone recommend a child live with the parent they are terrified of or one that has been sexually abusive too? It is in my opinion that a guardian ad litem should want what is best for the children. The guardian ad litem system in our state needs to change. Innocent children are being put in danger by the hands of our judicial system. Guardian ad litem need to be held accountable and grievances need to be heard. Currently, many guardian ad litem do not have training in domestic violence issues, which means there is no way they can understand the dynamics of the cases they are working for. Changes need to be made to keep the children of Montana safe. I hope these changes happen soon.

Thank you for your time,

*Caryl Wickes-Connick*

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